

February 19, 2020

The Cumberland County Board of Elections met at the Board of Elections Office for a 5:30PM Special Meeting to discuss rules and procedures.

Present: Floyd Johnson, Chairman
Irene Grimes, Member
Helen Nelson, Member
Linda Devore, Secretary
Bobby Swilley, Member
Terri Robertson, Director

Staff: Rick Moorefield (County Attorney), Angie Amaro

Guests: Matthew C. Davis, Pam Wade, Judy Lowe, and Sally Shutt

Chairman Floyd Johnson called the meeting to Order at 5:30PM and presented the Agenda.

ACTION: Secretary Devore moved to approve the Agenda as presented.
Seconded and approved unanimously.

Chairman Johnson opened the discussion of Board minutes, Roberts Rules of Order, and related court rulings.

ACTION: Member Grimes moved to adopt the process that our Board has been following so far that a staff member takes notes that are passed on to the Secretary [interrupted]

Chairman Johnson ruled the motion Out of Order.

ACTION: Secretary Devore moved that the Board override the Chairman's ruling.

Chairman Johnson ruled the motion Out of Order.

The County Attorney explained that it is up to the Board to determine the rules and format for Board discussion since rules have not been adopted. Mr. Moorefield clarified that this Board is not a subsidiary of the State Board and does not operate under Robert's Rules unless they are adopted, though the State Board may have provided guidance.

Secretary Devore stated that our Board has operated for nearly a year under essentially Roberts Rules of Order for small boards, and that had gone well until about two months ago. Our Board has not had a problem with disorderliness among Board members over the past year, other than the Chairman, who has felt it was his prerogative and right to limit discussion as he chose and adjourn meetings when he chose. That is why we asked you to join our December meeting.

Chairman Johnson stated that we are here to examine why the Chair believes the minutes are not formulated according to Roberts Rules of Order, and court rulings. Discussions and names of Board members making statements should not be in minutes—only that discussions have taken place. Actions that we take—not what was discussed. Minutes are published on our website for everyone to see what was done and what was said, and it was embarrassing to me, and it should be to the other board members.

Moorefield stated that minutes must be a record of action, but sometimes more is necessary—such as in 2016 when we had over 6000 challenges. By statute the Secretary has the

responsibility to prepare and maintain minutes, and may delegate that to staff, but it is a Board decision about the amount of detail to put in the minutes.

Member Swilley stated it is not his intention to disagree with the Chairman, but he attended the same conference [State Board training for county board members and staff] where Roberts Rules of Order were discussed. The gentlemen at the conference did not stipulate that we operate under Roberts Rules, but offered them and the small board rules as a guide. Who, what, how, when, and where—that is what the minutes should be about? You don't need to be here if your feelings are going to be hurt by minutes.

Member Nelson stated that we have been circulating minutes to the members as they are drafted, and we all have an opportunity to review the minutes before they are presented for approval. If there are issues, we can send an email reply. That is a good business practice. Also, if we are going to use Robert's Rules of Order, it needs to be consistent—not just when it is convenient or important to you. Typically, in smaller boards you don't need rules because members are able to get along and communicate. Sometimes rules complicate things rather than facilitate the meeting. Mr. Chairman, you want us to be respectful, but there are many times when you have been very disrespectful, and each one of us has been a victim of that.

Chairman Johnson stated that he wanted to apologize if he was offensive to anyone.

ACTION: Member Grimes restated her earlier motion to formally accept the practice we have so far informally followed, that a member of the staff takes notes and a recording is made, those are given to the Secretary to be compiled into minutes, which are circulated electronically for additions or corrections as soon as practical, and brought up for approval at the next meeting.
Seconded and passed 4-1. Johnson voting no.

Member Swilley addressed the Chairman stating that there four members of this Board who will support the Chairman holding our meetings in a proper and respectful manner.

Moorefield offered to draft a simple set of about eight rules to present to the Board for their consideration. Members were receptive and invited the County Attorney to return to the Board with a proposed set of rules.

Next Meeting: Absentee Meeting, February 20, 2020 at 1:00PM.

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:05PM.

Submitted by,




Linda Devore, Secretary

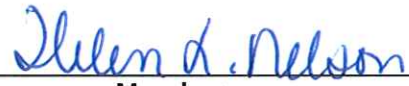
Chairman



Member



Director



Member

Member