

City of Salisbury Election Board - Minutes
Friday, Oct. 20, 2023
Salisbury HQS Building

Members Present: Harry Basehart, Secretary, and Lou Rimbach.

Others Present: Kim Nichols, City Clerk, Julie English, Assistant City Clerk, Ashley Bosche, Esq., Law Office of Cockey, Brennan, Maloney, and members of the public.

Call Meeting to Order

Harry Basehart, presiding in the absence of Susan Carey, Chair of the Salisbury Election Board, called the meeting to order at 9:03 a.m.

The following motion was proposed by Mr. Rimbach: “To convene in Closed Session to consult with counsel to obtain legal advice on a legal matter under the authority of the Maryland Open Meetings Law, Annotated Code of Maryland General Provisions Article § 3-305(b)(7).”

The motion was seconded by Dr. Basehart and approved by the Board, 2-0.

Closed Session Meeting

Closed Session convened at 9:07 a.m.

Discussion topic: Residency qualification for a Salisbury mayoral candidate.

Adjourned at 9:21 a.m.

Open Session Reconvened

Dr. Basehart reconvened the Open Session at 9:22 a.m. and provided the following statement to the public: The City of Salisbury Elections Board met in Open Session at 9am today to vote to go into Closed Session to consult with counsel to obtain legal advice on a legal matter under the authority of Maryland Open Meetings Law, Annotated Code of Maryland General Provisions Article § 3-305(b)(7).

Summary of Board member comments followed:

We have received a complaint that mayoral candidate Mr. Jermichael Mitchell did not meet the requirement of one-year residency before the election in the City of Salisbury. The complaint questions whether he lives at a specific address that is within the boundaries of the City of Salisbury not whether or not he lives within the city.

Mr. Jermichael signed a Certificate of Nomination when he filed his candidacy papers which certifies that his residency was in the city. We have not seen any credible proof to the contrary. This reflects legal advice received in the closed session. We conclude the complaint is not valid.

This is the Board’s public report.

Public Comments

Comments from four members of the public were received, which ranged from confusion over the nature of the complaint, the candidate who was named in the complaint, the evidence required for one-year residency before the election, and the reasoning for the Board's decision.

Adjournment

On a motion and seconded by Dr. Basehart and Mr. Rimbach the Open Session was unanimously adjourned on a 2-0 vote at 9:37 a.m.

Harry Basehart, Secretary

Approved October 26, 2023