City of Salisbury Election Board - Minutes

Monday, October 30, 2023

Salisbury HQS Building

Members Present: Susan Carey, President, Harry Basehart, Secretary, Lou Rimbach.

Others Present: Kim Nichols, City Clerk, Julie English, Assistant City Clerk, Ashley Bosche, Law Office of Cockey, Brennan, Maloney, Meagan Outten, and 16 members of the public and the local print and television media.

**Call Meeting to Order**

Ms. Carey, Chair of the Salisbury Election Board, called the meeting to order at 2:00 p.m.

**Discussion of Evidence**

Dr. Basehart made the following motion: I move to approve the proposed agenda for the October 30 meeting. Motion was seconded by Mr. Rimbach.

Ms. Carey called for the vote. Approved, 3-0.

Ms. Carey offered the following clarification concerning the evidence of Ms. Outten’s Salisbury residence.

The Salisbury Election Board at its 2:00 p.m. meeting on Monday, Oct. 23, tabled a discussion of whether Ms. Outten, candidate for Mayor in the 2023 election, fulfilled the residency requirement in Salisbury Charter Section 3-2: "The Mayor must have resided in Salisbury for at least (1) one year immediately preceding his election...and must be a qualified voter of the city."

It is important to note that to fulfill this requirement/qualification a mayoral candidate is required to reside in the City of Salisbury for one year and not at the same city address for one year.

The Board's discussion on Oct. 23 originated from various written complaints that Ms. Outten did not meet the residency requirement.

The Board considers the crucial evidence on residency questions to be voter registration dates and rental lease agreements or property ownership documents. Ms. Outten's registration information has been obtained directly from the Wicomico County Board of Elections and she has submitted her current rental lease agreement.

From the Wicomico County Board of Elections: Ms. Outten changed her voter registration in March 2022 to 305 N. Division St. a residency within the corporate boundaries of the City of Salisbury and in March 2023 she changed her voter registration address to 410 Winder St., also with City of Salisbury Boundaries.

It is clear that Ms. Outten has been a resident and registered voter in the City of Salisbury since at least March 2022, well over the Charter requirement of at least one year before the November 2023 election.

From Ms. Outten: A rental lease agreement for 410 Winder St. signed by Ms. Outten on August 15, 2022. Also, an Affidavit of Residence that confirms her residency at 410 Winder St., August 15, 2022. The affidavit is signed by the landlord. Again, Ms. Outten has evidence of Salisbury residency over a year before the 2023 general election.

Dr. Basehart made the following motion: I move to accept the lease for 410 Winder Street and the affidavit provided by Meagan Outten as proof of her residency that she must live within the city limits for more than one year to be a candidate for Mayor. Motion was seconded by Mr. Rimbach.

Ms. Carey called for the vote. Approved 3-0.

**Public Comments**

Ms. Carey requested citizens that make comments to state name and address for the record.

* Lisa Gingrich- wrote the initial letter, raising concern that it was categorized as

not meeting requirements of candidacy.

* Kevin Lindsay- two Fridays ago there was an emergency press release for

his candidate Jermichael Mitchell. Who dictates the action taken? No

consistency.

* John Rankin- asked Dr. Basehart about 3 contributions to Megan Outten in her 2022 campaign for the Wicomico County Council, and did that make him biased in any way. He said that Mr. Rimbach made contributions to LSPC, and while not directly to Megan Outten, did this have any bearing on his support?
* Lynne Bratten- this was a committee of three people. She would feel obligated to recuse herself from this because of the illusion of impropriety was real. The entire City needed to reevaluate their processes- who runs for anything with a set of guidelines that must be presented. Very concerned we’re not seeing the true picture here.
* Michael Lankford- when he filed, he asked Ms. Nichols if he should provide his leases. Needed to verify evidence, facts, changed minds and this didn’t usually happen with all three members of a three-member board.

Note: Under the rules for this meeting, Dr. Basehart and Mr. Rimbach were not allowed to respond to public comments.

**Adjournment**

Ms. Carey called for a motion to adjourn. Dr. Basehart moved for adjournment. Mr. Rimbach seconded.

Ms. Carey called for the vote. Approved 3-0.

**Meeting adjourned at 3:15.**

Harry Basehart, Secretary