

City of Salisbury Election Board - Minutes
Tuesday, July 9, 2024
Salisbury HQS Building

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

Others Present: Kim Nichols, City Clerk, Julie English, Assistant City Clerk, Ashley Bosche, Law Office of Cockey, Brennan, Maloney. No members of the public were present.

Call Meeting to Order

Susan Carey, Chair of the Salisbury Election Board, called the meeting to order at 10:04 a.m.

Approval of June 20, 2024 Minutes

- No additions were noted. Dr. Basehart moved for approval of the June 20 minutes. Motion was seconded by Mr. Rimbach. Motion approved, 3-0.

Feedback from Legal on the Following

- Salisbury City Code Chapter 1.12.030(C) Campaign contributions
 - \$1,000 Aggregate Language
To have consistency on contribution limits (forgiven loan-\$500 and contribution-\$500), Ms. Carey moved to “increase the contribution limit from \$450 to \$500 and the transfer limit from \$450 to \$500.” Motion was seconded by Dr. Basehart. Motion approved 3-0. Transfer limit is in Chapter 1.12.035
Combined contribution and loan limit is \$1,000.
 - Written Consent
After additional discussion, Dr. Basehart moved further revisions of this section of the code to include language “requiring repayment of loans in full by final campaign finance report” and the striking of “only if it expressly so provides.” Motion was seconded by Ms. Carey. Motion approved 3-0.

In reference to 1.12.030(C) Ms. English distributed the Loan Consent Form used by the State Board of Elections that is signed by lender, campaign treasurer, and candidate. Ms. English with legal advice will develop a similar form for the City of Salisbury.

Also, the Loan Consent Form should state that if loans forgiven by the contributor combined with personal contributions exceed the \$1,000 limit, the amount in excess must be repaid to the contributor by the campaign.

- Salisbury City Code Chapter 1.12.040(B)(1)
 - Candidate Donation to City of Salisbury

Ms. English discussed her research on the disposal of surplus campaign funds and the question of how these funds are handled when paid to the City of Salisbury “to help defray the expenses of the election.” (Chapter 1.12.040 (B)(1) She was informed by City Finance that these funds are placed in the salary account of the Election budget. The City Clerk will use that specific account number to any funds so designated.

Additional discussion focused on Ch. 1.12.060 Late filing of campaign finance report. Ms. Carey made the motion to insert at the end of the first sentence in Section (A) “or when filing is not complete or accurate as required by Chapter 1.12.040.” Motion was seconded by Mr. Rimbach. Motion approved 3-0. Ms. English will work with Legal to be sure the wording in the Candidate Packet communicates the same message.

- Domicile Guideline Sheet

Consensus that the revised form, “Guidance for Candidates Regarding the Domicile Requirement,” in the Candidates Packet is informative and accurate. It was agreed to strike “where the person’s children attend school,” from the list of criteria to determine a person’s domicile.
- Certificate of Withdrawal

Form has been revised to include under “Instructions and Information” the following additional items: the hand delivery of the certificate to the City Clerk, the filing of both Campaign Finance Reports still is required, and the candidate’s signature is to be notarized.

Questions from Board

- Clarifying changes to the duties of the city election board (Chapter 1.08.020) were discussed including the deletion of outdated language and adding “but not limited to” the end of the first sentence. Dr. Basehart moved to “update Chapter 1.08.020 Duties of the City Board.” Motion was seconded by Ms. Carey. Approved 3-0. Ms. Bosche and Ms. Nichols will review.

Specific wording will be sent to City Election Board members individually for approval.

As a final item, Ms. Bosche noted that the “Certificate of Withdrawal” form and procedures should have a basis in the City Charter or Code. After discussion, Ms. Carey moved “to add a new section, Salisbury Charter 6-17 Certificate of Withdrawal that will be based on the state law for withdrawal of candidacy.” Motion was seconded by Mr. Rimbach. Approved 3-0.

The board consensus was to present the proposed Charter and Code election law changes discussed at this meeting to the August 5 Work Session of the Salisbury City Council.

Public Comments

- None

Next meeting to be scheduled as needed.

Ms. Carey adjourned the meeting at 11:16 a.m.

Harry Basehart, Secretary

Approved, August 8, 2024