

## Minutes from the April 20, 2022 Meeting of the Sussex County Electoral Board

- ❖ Chairman's Report: The meeting of the Sussex County Electoral Board was called to order by Chairman LaVerne Ford at 1:00pm. Members of the Election Board present were, LaVerne Ford, Vice Chairman Ronald Hicks and Secretary William Drewry. Staff present: Registrar William Jenkins, LouAnne Clark, and Judith Phelps. Ms. Ford asked for any additions to the agenda for the meeting. No person had anything to add to the agenda for the meeting. Mr. Drewry made a motion to adopt the meeting agenda as presented. The motion was seconded by Ms. Ford and carried unanimously.
- ❖ Vice Chairman's Report: Mr. Hicks. Hicks asked if Mr. Drewry can be on the board based on his wife being the chair of the Republican committee. This was a discussion item about the validity of Mr. Drewry's appointment to the board. Ms. Ford related this was a discussion item, not an agenda item.

Secretary's Report: Mr. Drewry read the minutes from the 3<sup>rd</sup>, the 9<sup>th</sup> and the 11<sup>th</sup> of February, 2022. Mr. Jenkins interrupted the reading of the minutes repeatedly. Mr. Jenkins asked about minutes of meeting for November, 2021. Ms. Ford said the minutes for the November meeting were read in the February, 2022 meeting and voted on. Mr. Jenkins asked for a copy of those minutes. Chairman Ford informed him that the minutes had been sent to him by Mr. Peschke. Mr. Jenkins interrupted again questioning who typed the minutes, arguing about who typed the minutes and where the minutes were typed for the February meetings. Mr. Jenkins interrupted the reading of the minutes and was told to not interrupt the reading. Mr. Jenkins said he never saw the minutes until today. He continued to interrupt about who and where the minutes were typed. Mr. Jenkins accuses Ms. Ford of using the Commissioner's computer and was given access to a password protected government computer for the minutes. He says he has her on video doing so. Mr. Jenkins said he never said he would do the minutes for the January board meeting and argued the point with Ms. Ford. Mr. Hicks told Mr. Jenkins that this was a board meeting and that the Chairman was in charge and Mr. Jenkins was not recognized to speak. Mr. Jenkins continued to argue. Ms. Ford made a motion to accept the minutes as read which was seconded by Mr. Hicks. Mr. Jenkins started arguing again and interrupting stating he never said he would do the minutes of the January board meeting. Ms. Ford related that Mr. Jenkins was out of order repeatedly. The minutes from the February 9, 2022 meeting were read. Ms. Ford made a motion to approve the minutes, which was seconded by Mr. Drewry and unanimously approved. Mr. Jenkins continued to argue about the minutes and asked for a copy of the February 9<sup>th</sup> minutes. The February 11, 2022 minutes were read. Ms. Ford made a motion to approve the minutes Mr. Jenkins interrupted the reading of the minutes again and then members of the general population start talking out of order to the point where Ms. Ford called for order and warned if there were any more interruptions, she would have those people removed from the meeting by the deputy.

- ❖ Training and Additional Business Reports: Ms. Ford talked about the annual meeting for the Election Board at the Homestead. Ms. Ford talked about FOIA training and legislative updates. Ms. Ford suggested all board members attend the next annual meeting of march 2023. Mr.

Jenkins interrupted again, talking about other issues not pertaining to the meeting agenda. Mr. Hicks asked about the Secretary's official seal, questioning who had signed with the seal. Mr. Hicks said that the person signing the election results and using the seal needed to be authorized by the Electoral Board Secretary. Mr. Jenkins said Mr. Drewry was not present to sign and seal as he was not sworn in at that time, so he could not seal the results. Mr. Jenkins said all on the electoral board could use the seal and that it was not necessary to have a signature on this. Ms. Ford said she would look into the proper way to do this. Mr. Hicks requests to adjourn the board meeting, which was not approved by Ms. Ford. Mr. Jenkins asked Mr. Drewry if everything about the canvases of ballots was correct and Mr. Drewry replied in the affirmative. Ms. Ford said there would be a research of the issue and would bring the results to the next meeting.

Registrar's Report: Mr. Jenkins says he had a hard time getting the minutes from Mr. Drewry. He said he understood that Ms. Ford was upset for his not allowing her to use the office computer to do minutes on. She related she was not upset about it. Mr. Jenkins said she could not use the computer in his office because of Cyber security. Mr. Jenkins said that there are certain protocols to use the computers and must have passwords and then Mr. Hicks interrupted and wanted to have an executive summary as to who is currently at the meeting. Mr. Hicks wanted to know who the people are at this meeting. Mr. Hicks wanted an executive summary on who the individuals are that are working in the Registrar's office. Mr. Jenkins states that Mr. Hicks doesn't run the Registrar's office. Mr. Jenkins states the minutes are late and accused the board of being sanctioned because the minutes are late. Ms. Ford is interrogated by Mr. Jenkins about the censuring letter sent to the Electoral Board for the minutes. Ms. Ford stated that that was not correct and that the letter was not sent to the board for that purpose.

Public Comments: Ms. Ford opened the meeting to public comments recognizing Dianne Wilkins-Mitchel.

Public Comment: Ms. Wilkins-Mitchel stated she was from Nottaway County and was there to talk about what a good job Nottaway county had done by the State Board of Elections. Mr. Hicks asked why she was there and she stated she was discussing Robert's Rules of Order. And she chastises Mr. Hicks telling everyone, "you don't talk, you don't talk, I do." Ms. Ford asks her what her position is. Ms. Wilkins-Mitchel states she is not required to tell the board what her position is. She argues with Ms. Ford about Robert's Rules of order and proceeds to start to lecture the board about how her county conducts business. Ms. Ford gives her two minutes to speak uninterrupted. She tells the board what they are doing is not correct and tells them how they are supposed to do their job as board members. She specifically states that the secretary can't delegate the responsibility for doing the meeting minutes. She relates no minutes have been posted on the county website since Sept, 2021 and it is a huge FOIA violation and discusses that it is a legal issue. She states the board needs to access all the information through the registrar as he runs the office.

Ms. Ford is interrupted by Tom Reynolds as she is making a motion to go into private session and Mr. Steve Poole asks to speak as well.

Public Comment: Mr. Reynolds states that he is also from Nottaway County as well. Mr. Reynolds is the Secretary of the Nottaway County Electoral Board. He proceeds to say he is new to his board and has already learned something from the Nottaway County Electoral Board. This is that the board is facing letters from lawyers and is going to cost the county well over \$200,000 dollars to defend the board's firing of their registrar for no cause and no due process. He is here to caution the board to follow the letter of the law, get legal advice before taking any legal action that might leave the board open for legal action.

Public Comment: Mr. Steve Poole, speaking on behalf of the firing of the Assistant Registrar, Ms. Sareese Messier, his cousin. Mr. Poole addressed the registrar wanting to know why she was fired via a text message. He wanted to know the reason for the firing of Ms. Messier and stated prior to her firing. Mr. Jenkins interrupts then apologizes for doing so and Mr. Poole continues. Mr. Poole stated she had no disciplinary write-ups and had been put in for a \$4,000 increase in salary and had been employed for the past 3 years. Talks about her grandfather passing away and her wanting to spend her vacation time with him. He says that she is devastated and humiliated and on her behalf wants to know what happened. Ms. Ford interrupted and told him that he can't discuss the situation in open session. Mr. Poole asks what form he needs to know so he can pursue this issue. He has phone records including over 100 phone calls to Ms. Messier not to mention after hours calls. Ms. Ford tells Mr. Poole that Ms. Messier was an atwill employee of the registrar and he controls the hiring and firing of his employees. She says that perhaps Mr. Jenkins may sit down with Ms. Messier and arbitrate with attorneys present as the board cannot do anything about the situation. Mr. Jenkins starts to talk about hiring and firing of personnel. Mr. Jenkins is interrupted by Ms. Ford stating she has already said the board cannot take action on this issue.

Closed Session Meeting: A motion is made by Mr. Drewry and seconded by Ms. Ford to go into a closed meeting pursuant to 2.2-3711A1 to discuss personnel matters. The motion was carried by a unanimous vote.

The board returned to open session at 2:21 p.m. A motion was made pursuant to 2.2-3712 by Ms. Ford and seconded by Mr. Hicks certifying that only personnel matters pertaining to the registrar were discussed in closed session. The motion was carried by roll call vote with all board members voting affirmatively.

Ms. Ford announced that the next meeting date is tentatively May 5 2022, at 11:00 to discuss responsibilities and duties of the registrar.

Mr. Drewry moved to adjourn the meeting at 2:24 p.m., seconded by Mr. Hicks and carried unanimously.

*William Drewry*

William E. Drewry III  
Secretary,  
Sussex County Electoral Board