



Baldwin County Commission

Legislation Text

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Meeting Type: BCC Regular Meeting
Meeting Date: 9/4/2018
Item Status: New
From: Frank Burt, Jr., Chairman
Ron Cink, County Administrator
Submitted by: Anu Gary, Administration/Records Manager

ITEM TITLE

Absentee Election Duties Related to the 2018 Statewide General Election

STAFF RECOMMENDATION

Related to the 2018 Statewide General Election (November 6, 2018), take the following actions:

1) Pursuant to Section 17-11-2 of the Code of Alabama (1975), recognize the performance at and designate the place/office where the Absentee Election Manager shall perform such public duties for the applicable absentee election time period recognized by state law during the remainder of the 2018 Statewide Election Cycle [November 6, 2018], as follows:

Place: Baldwin County (Main) Courthouse at the County Seat in Bay Minette
Office: Office of Circuit Clerk of the 28th Judicial Circuit
8:00 AM - 4:30 PM (Monday - Friday)

2) Terminate the Contract for Services with Rhonda Smith for her services as the Assistant to the Absentee Election Manager for the 2018 Statewide Election Cycle, effective at midnight on September 4, 2018, and authorize the Chairman to sign correspondence to Ms. Smith notifying her of said contract termination; and

3) Approve the request of the Absentee Election Manager, the Honorable Jody Wise Campbell, and authorize the execution of a Contract for Services with Evelina Hernandez for her services as Assistant to the Absentee Election Manager at a rate of compensation of \$75.00 per day worked [as paid from Baldwin County Budget Line Item 51910.5150] for the applicable absentee election time period recognized by law during the remainder of the 2018 Statewide Election Cycle [November 6, 2018]. The term of the Contract shall commence no earlier than 12:01 a.m. on September 5, 2018, and expire no later than November 7, 2018, unless sooner terminated as set forth in the Contract.

BACKGROUND INFORMATION

Previous Commission action/date: Several dates, see timeline and actions below

Background: Due to Circuit Clerk Jody Wise Campbell running for office with opposition during the 2018 Primary Election, her absentee election manager duties were assigned to Violetta Smith, Elections Coordinator at the Judge of Probate Office on February 20, 2018. Ms. Rhonda Smith was contracted to be the Assistant to the Absentee Election Manager at that time.

February 20, 2018, Commission Action (passed):

“Related to the 2018 Statewide Primary Election, Primary Run-off Election and General Election, take the following actions:

1) Acknowledge the Appointing Board’s selection of Violetta Smith as the Absentee Election Manager for the applicable absentee election time period recognized by law during the 2018 Primary Election, Primary Run-off Election and General Election, as county employee who works as a poll worker or with absentee balloting as part of his or her job responsibilities as a county employee, and to be paid for working the hours he or she is required to spend at the polls and waive Baldwin County Commission Policy #2.10, not allowing the county employee listed above to receive any additional fees; and

2) Pursuant to Section 17-11-2 of the Code of Alabama (1975), recognize the performance at and designate the place/office where the Absentee Election Manager shall perform such public duties for the applicable absentee election time periods recognized by state law during the 2018 Statewide Primary, Primary Run-off and General Election Cycle, as follows:

Place: Baldwin County Probate Office at the County Seat in Bay Minette, Alabama

Office: Office of Judge of Probate, Baldwin County, Alabama

Time: 8:00 AM - 4:30 PM (Monday - Friday)

3) Authorize the execution of a Contract for Services with Rhonda Smith for her service as Assistant to the Absentee Election Manager at a rate of compensation of \$75.00 per day worked [as paid from Baldwin County Budget Line Item 51910.5150] for the applicable absentee election time periods recognized by law during the 2018 Primary, Primary Run-off and General Election Cycle (the term of the Contract shall commence no earlier than April 21, 2018, and expire no later than November 7, 2018, unless sooner terminated as set forth in the Contract).”

On June 13, 2018, an email request was received from Ms. Campbell to take over the duties of the Absentee Election Manager for the rest of the General Election Cycle for 2018 (July 17, 2018 primary run-off election and November 6, 2018, General Election), and for Ms. Evelina Hernandez to take over the duties of the Assistant to the Absentee Election Manager for the same.

June 19, 2018, Commission Action (failed due to lack of second):

“Related to the 2018 Statewide Primary Run-off Election and General Election, take the following actions:

1) Terminate the Contract for Services with Rhonda Smith for her services as the Assistant to the Absentee Election Manager for the 2018 Statewide Election Cycle, effective at midnight on June 19, 2018, and authorize the Chairman to sign correspondence to Ms. Smith notifying her of said contract termination; and

2) Pursuant to Section 17-11-14 of the Code of Alabama (1975), determine the amount of compensation to be paid to the Absentee Election Manager, the Honorable Jody Wise Campbell, and for the applicable absentee election time period recognized by law during the remainder of the 2018 Statewide Election Cycle, effective at 12:01 a.m. on June 20, 2018, for the July 17, 2018 and November 6, 2018 elections, to be the same pay as a Precinct Inspector for federal/state/statewide elections provided at (Baldwin County Commission) Policy #2.10 [\$125.00 per day with eligibility for an additional \$25.00 per day worked if certified as a qualified poll worker or completing a local election school] which is compliant to Section 17-8-12 of the Code of Alabama 1975; and

3) Pursuant to Section 17-11-2 of the Code of Alabama (1975), recognize the performance at and designate the place/office where the Absentee Election Manager shall perform such public duties for the applicable absentee election time periods recognized by state law during the remainder of the 2018 Statewide Election Cycle [July 17, 2018 and November 6, 2018], as follows:

Place: Baldwin County (Main) Courthouse at the County Seat in Bay Minette

Office: Office of Circuit Clerk of the 28th Judicial Circuit

8:00 AM - 4:30 PM (Monday - Friday)

4) Approve the request of the Absentee Election Manager, the Honorable Jody Wise Campbell, and authorize the execution of a Contract for Services with Evelina Hernandez for her services as Assistant to the Absentee Election Manager at a rate of compensation of \$75.00 per day worked [as paid from Baldwin County Budget Line Item 51910.5150] for the applicable absentee election time periods recognized by law during the 2018 Statewide Election Cycle [July 17, 2018 and November 6, 2018] (the term of the Contract shall commence no earlier than 12:01 a.m. on June 20, 2018, and expire no later than November 7, 2018, unless sooner terminated as set forth in the Contract)."

On June 20, 2018, Ms. Campbell took over the duties of the Absentee Election Manager and Ms. Violetta Smith no longer acted in the capacity of the Absentee Election Manager. Ms. Rhonda Smith has continued working as the Assistant to the Absentee Election Manager.

July 17, 2018, Commission Action (passed):

"Related to the 2018 Statewide Primary Run-off Election and General Election, take the following action:

1) Pursuant to Section 17-11-14 of the Code of Alabama (1975), determine the amount of compensation to be paid to the Absentee Election Manager, the Honorable Jody Wise Campbell, and for the applicable absentee election time period recognized by law during the remainder of the 2018 Statewide Election Cycle, effective at 12:01 a.m. on June 20, 2018, for the July 17, 2018 and November 6, 2018 elections, to be the same pay as a Precinct Inspector for federal/state/statewide elections provided at (Baldwin County Commission) Policy #2.10 [\$125.00 per day worked with eligibility for an additional \$25.00 per day worked if certified as a qualified poll worker or completing a local election school] which is compliant to Section 17-8-12 of the Code of Alabama 1975."

On August 23, 2018, an email request was sent by Ms. Jody Campbell to Commission Chairman Frank Burt, Jr., requesting the Commission to approve the move of the Absentee Election Manager Office from the current location at the Bay Minette Probate Office, to the Circuit Clerk's Office at the main Courthouse in Bay Minette and for Ms. Evelina Hernandez to be the Assistant to the Absentee

Election Manager for the November 6, 2018, Statewide General Election.

This item was discussed at the August 28, 2018, BCC work session.

At this time, staff brings the request of Ms. Campbell for the Commission's consideration and approval.

FINANCIAL IMPACT

Total cost of recommendation:

November 2018, Election (FY2019)

\$6,750 +/- \$150 per day worked not to exceed 45 days (Absentee Election Manager Compensation)

\$3,375 +/- \$75 per day worked not to exceed 45 days (Assistant)

Budget line item(s) to be used: 51910 Elections

If this is not a budgeted expenditure, does the recommendation create a need for funding?
N/A

LEGAL IMPACT

Is legal review necessary for this staff recommendation and related documents?
Yes.

Reviewed/approved by: County Attorney will review and approve before formal Commission action.

Additional comments: N/A

ADVERTISING REQUIREMENTS

Is advertising required for this recommendation? N/A

If the proof of publication affidavit is not attached, list the reason: N/A

FOLLOW UP IMPLEMENTATION

For time-sensitive follow up, select deadline date for follow up: Time-sensitive

Individual(s) responsible for follow up: N/A

Action required (list contact persons/addresses if documents are to be mailed or emailed):

Administration - correspondence to:

Absentee Election Manager
Jody Wise Campbell (notify via email only)

Contract to Assistant (2 Original Contracts):

Evelina Hernandez
1411 Hand Avenue
Bay Minette, Alabama 36507

Notification of Commission action to:

Rhonda Smith
15490 Dogwood Road
Bay Minette, Alabama 36507

cc:

Violetta Smith (notify via email only)
Probate Judge Tim Russell (notify via email only)
Sheriff Huey Hoss Mack (notify via email only)

Additional instructions/notes: N/A