

R. I. STATE BOARD OF ELECTIONS
MINUTES OF MEETING
April 2, 2015

The Rhode Island State Board of Elections convened at 3:32 PM at the Rhode Island Board of Elections, a quorum included, Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, Frank Rego and Rhoda Perry. Executive Director Robert Kando and legal counsel Raymond Marcaccio were also in attendance.

The meeting was called to order by Chairman Pierce.

First agenda item: The Board voted to approve the minutes for the meeting held on March 19, 2015. Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, Frank Rego and Rhoda Perry all voting in the affirmative, motion passed 5-0.

Second agenda item: Elections Director, Robert Rapoza provided a report on the development of a task force to provide the Board with recommendations for the acquisition of new voting equipment. After discussing the make-up of the task force, including notification to Board Members of all meetings, the Board voted to create the task force. Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, and Rhoda Perry all voting in the affirmative, motion passed 4-0, with Commissioner Rego abstaining.

Third agenda item: Appeal of campaign finance fines pursuant to Rhode Island General Laws 17-25 by Real Equality and Progress for RI. Campaign Finance Director Richard Thornton addressed the Board. He stated that the Board had sent notices to the address on file, which were returned undeliverable and that recently he was able to find an updated address, which resulted in the filing of all past due campaign finance reports, which showed no activity, with the organization ultimately closing the committee. He reasoned that since no activity had occurred in the intervening period between reports, and that there is no legal recourse against the treasurer, and no funds remained, that it was his recommendation to waive all fines. Voting to waive fines were Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, Frank Rego and Rhoda Perry all voting in the affirmative, motion passed 5-0.

Fourth agenda item: A Resolution relating to the maintenance an employee log postponed to the next Board Meeting.

Fifth agenda item: At the request of the American Civil Liberties Union supported by Common Cause of Rhode Island the discussion/vote to consider a recommendation to amend R.I. Gen. Laws § 42-35-18 for the purpose of subjecting the Board to the rule-making requirements of the Administrative Procedures Act was postponed to the next Board Meeting.

Sixth agenda item: The Board postponed to the next meeting its discussion and possible vote on an evaluation form to be used in conducting a performance review of its executive director.

The Board voted to move into executive session on the following agenda items:

Seventh agenda item: A discussion and possible vote on a campaign finance investigation pursuant to R.I.G.L. 42-46-5(a)(4) and 17-25-5(a)(7).

Eighth agenda item: Pursuant to R.I.G.L. 42-26-5(a)(4) concerning any investigative proceedings regarding allegations of misconduct, either civil or criminal (ongoing investigations of campaign finance violations).

Ninth agenda item: A discussion and/or vote on a personnel matter pursuant to R.I.G.L. 42-46-4 and 42-26-5(a)(1) discussion of the job performance, character, or physical or mental health of a person or persons provided that such person or persons affected shall have been notified in advance in writing and advised that they may require that the discussion be held at an open meeting.

Tenth agenda item: Pursuant to R.I.G.L. 42-46-5(a)(1) to discuss employee matters arising from the May 29, 2014 report of Board counsel.

Voting to move into executive session were Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, Frank Rego and Rhoda Perry all voting in the affirmative, motion passed 5-0.

At the close of the executive session, the Board announced that it voted to take no action on the tenth agenda item on the discussion of employee matters arising from the May 29, 2014 report of Board counsel. Voting to continue to a future calendar were Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, and Frank Rego all voting in the affirmative, Commissioner Rhoda Perry abstained, motion passed 4-0.

The Board voted to seal the minutes of the executive session. Voting to seal the minutes were Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, Frank Rego and Rhoda Perry all voting in the affirmative, motion passed 5-0.

At 4:50 PM the Board voted to adjourn. Voting to adjourn were Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, Frank Rego and Rhoda Perry all voting in the affirmative, motion passed 5-0.