

The regular meeting of the Erie County Board of Elections was called to order by Chairman Ferrell at 9:00 a.m. on Friday, February 26, 2021.

Roll Call:	(D) Thomas M. Ferrell, Chairman	Present
	(D) William J. Monaghan, Member	Present
	(R) Nicholas J. Smith, Member	Present
	(R) Jeffrey N. Krabill, Member	Present

Guests in attendance: Mary Ann Groot and Amy Grubbe

Motion to approve the minutes from the previous board meeting was made by Mr. Monaghan, seconded by Mr. Krabill. Motion carried.

Motion to pay the bills was made by Mr. Monaghan, seconded by Mr. Krabill. Motion carried.

Adrienne James, Deputy Director, spoke about maintaining the 2020 pay rate for precinct election officials. Last year, the board agreed to increase PEO pay by \$15 due to covid-19 and the added responsibilities that came with the pandemic. At the suggestion of the Secretary of State legal counsel, this \$15 pay increase was marketed as a \$15 training pay increase, in order to bypass the ruling in Chapter Two of the Elections Officials Manual, which states poll worker pay cannot be increased unless the board discusses with county commissioners by October of the previous year. Ms. James stated that because the covid-19 pandemic is still going on and there will still be extra cleaning responsibilities, board staff would like to maintain this \$15 pay increase for PEOs who do not quit. With 84 PEOs and 3 precinct support people, this would mean an additional \$1,305 for poll worker pay as opposed to if we were to keep the 2019 rate of pay. Ms. James also pointed out that, if the board were to keep the 2019 rate of pay, this comes out to about \$8.46 per hour, which is less than the current Ohio minimum wage of \$8.80.

Mr. Krabill stated that he thought it was reasonable to maintain this pay rate for this election cycle. Mr. Smith stated that he agreed in terms of the primary. Mr. Ferrell stated that we're raising it temporarily because of covid-19, but he thinks it should be raised permanently and that we should start that process. He stated that it's a long day and a lot of work for the poll workers. Mr. Smith agreed, and stated that perhaps the four board members and the director and deputy could go to the commissioners later in the year to discuss where we want to be in terms of poll worker pay on a permanent basis. Motion to maintain the \$15 pay increase for PEOs for the May 2021 election was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried.

Ms. James then stated that in 2020, board members agreed to increase janitor pay for facilities that have janitors. It used to be \$10 per precinct, but the board agreed to increase it to \$20 a precinct. For this upcoming election, we have two location that have janitors, both of which have two precincts. To maintain the 2020 rate of pay, this would mean an additional \$40 for janitors as opposed to if we were to keep the 2019 rate of pay. Motion to keep the janitor pay increase for the May 2021 election was made by Mr. Monaghan, seconded by Mr. Krabill. Motion carried. Mr. Ferrell asked if there were any restrictions about raising janitor pay. Ms. James responded that she was not aware of anything in the E.O.M. that talked about that.

Next, Ms. James talked about rate of pay for private facilities that serve as polling locations. In 2020, the board agreed to increase that rate of pay from \$20 a precinct to \$50 a precinct due to covid-19. This coming election, the board has four private locations and between them, they host seven precincts. If we were to maintain this rate of pay, this would mean an additional \$210 for private facilities, as opposed to if we were to keep the 2019 rate of pay.

However, Ms. James stated that there was an issue with Mesenburg Plaza Place. The owner spoke with both her and Mr. Krabill, and stated that, due to high overhead costs, his facility would not be able to be a polling site unless they received \$200, or \$100 per precinct. Ms. James stated that she wasn't sure if that was feasible, because if we do it for Mesenburg, we have to do it for all private facilities. However, Ms. James told the owner that she would bring it to the board's attention and let him know what they decide.

Mr. Smith asked, statutorily, what can we pay? And what do other counties close to us pay private facilities? More importantly, he stated he doesn't want to be negotiating this way. Mr. Smith also asked what the polling location used to be before Mesenburg. Ms. James responded that it used to be Huron United Methodist Church, who hosted Huron A and C. However, the church put a lot of restrictions on us due to covid.

Mr. Krabill stated that he was not in favor of going to \$200, because it sets too much of a precedent in regards to other polling locations. He then stated that he thinks we need to get out there and see what else we can find.

Mr. Smith stated we should call Mesenburg and say that we're not changing it this time around, but that we could look into it. He also suggested looking into other locations, especially ones that can't say no to us. Mr. Monaghan suggested either St. Peter's Church or the Huron Fire Station. Mr. Krabill stated that he doesn't like to strong-arm anyone, but we could use the schools, because they have to let us in if they accept state funding. Mr. Krabill also offered to make some phone calls to try to find another location.

Ms. James stated that she understood we were not going up to \$100 a precinct, but asked if there was a motion to maintain the \$50 a precinct for private facilities. Motion to keep the pay at \$50 a precinct for private facilities for the May 2021 election was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried.

Next, Ms. James talked about using Vermilion High School as a polling location. We used the high school for the first time last November, and they hosted precincts Vermilion 3-A and 3-B. However, we received an email from the Superintendent's office, saying they are unable to accommodate us for the May 4 election, because they would have to close school, and closing school that day is not possible. Ms. James asked the board members how they would like her to proceed.

Mr. Smith responded that we need to ask Gery Gross or Sue Brown at the prosecutor's office to look into this. Mr. Smith also suggested using either the old or the new Vermilion City fire station. He stated that we like to try to stay out of the schools, because even though we could force it, we don't want to shut down school for the day.

Mr. Krabill stated he was not sure why they'd have to close the school, as voting takes place in the gymnasium away from everything else. He also agreed that it would be best to get a response from Mr. Gross. Mr. Smith asked how much time we have if we're going to change a location. Eliza Link, clerk, responded that we have to notify the voters within 30 days of the election.

Mr. Monaghan stated that, if we don't have to be right in the city limits, we could use the Vermilion Township fire station. Mr. Smith suggested the Vermilion United Church of Christ. Ms. James responded that we spoke with the UCC last fall, but they are only able to accommodate one precinct, and we'd like to get a location that can host both 3-A and 3-B. The board members agreed that the office should reach out to the prosecutor's office and let them know this is a time-sensitive issue. They also stated that we could look into other locations, but that we may have no choice but to use the schools.

Next, Mr. Krabill brought up an incident with the Sandusky Firehouse polling location this past fall. He stated that they put a portable toilet outside and wouldn't let the poll workers use the facilities indoors, and that that was a problem. He wanted to get that resolved before the next election. Lori Salyers, director, stated that she took care of that. She called the city of Sandusky, and they informed her that, at the time of last fall's election, eight of the firefighters had covid-19. They did not want the poll workers catching covid, so that is why they were not allowed to use the facilities indoors. By the next election, this shouldn't be a problem.

Ms. James then gave a couple of updates on things going on in the office. She stated that the office's new copier/scanner/fax machine was delivered on Tuesday, and the sales rep came by on Wednesday to show everyone how to work it. It is a Konica-Minolta, and it seems fairly easy to use. We should get the first bill for it sometime in April, as we are on a 45-day billing cycle. Ms. James also stated that a technician from Pitney Bowes would be coming to the office next week to set up the new postage machine and take away the old one. Our lease will be from May 24, 2021 until May 23, 2026. Also, we will be able to transfer postage amounts from our old machine to our new one.

Next, Ms. James gave an update on the dropbox and camera. She emailed Pete Daniel from the commissioners' office, asking if the commissioners had decided anything yet. She reminded Mr. Daniel that the board would like it to be a drive-up box on the north end of the building and that we do have HAVA money to pay for it. She also informed Mr. Daniel that according to Directive 2021-11 from the SOS, if a county has a May 2021 election, the dropbox must be open 24/7 starting on March 1. March 1 is this coming Monday, and obviously, we will not be getting a new dropbox by then. Therefore, we must continue to use the old one in the foyer of the building for now, and the foyer doors must be open 24/7 starting this Monday. Ms. James also stated that she had not gotten a response yet from Mr. Daniel.

Mr. Ferrell stated that he would contact Mr. Daniel. Mr. Krabill asked if we could go ahead and order the box. Mr. Ferrell responded that he thinks we should. Ms. Link asked, shouldn't we wait until the commissioners approve it? Mr. Smith stated that he thinks we should wait for the commissioners. Mr. Krabill reiterated the need to talk to Mr. Daniel. Ms. Salyers also pointed out that, when we do get the new dropbox, we will need to purchase signs to indicate to people where it is located.

Next, Mr. Ferrell asked about changing passwords for emails and who we need to contact about that. Ms. Link responded Netpoint. Mr. Ferrell stated that last time he called them, they said it wasn't them. Ms. James remarked that they had had the emails with the boe domain for several months now, but Mr. Smith stated that his email still does not have boe in it. Mr. Krabill also commented that his email was not working properly. Ms. Link stated she would call Netpoint and get back to the board members.

Ms. James then remarked that the office had recently received petitions from Edward Enderle, who hopes to be a candidate for Huron Township Trustee. The petitions are not due until August 4, but the board can review them now if they chose to do so. Ms. James stated that Mr. Enderle needs 25 valid signatures, and he has 51 valid signatures. She also stated that Mr. Enderle completed a name change form, to go on the ballot as Ed Enderle. The board members took a few moments to review Mr. Enderle's paperwork. Motion to approve his petitions and his name change form was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried.

Mr. Ferrell then asked if the public had any questions before moving into executive session for discussing Libby Grant's (clerk) performance evaluation. Ms. Grubbe stated that she had a couple of questions regarding comp time. She stated that she received a report from the auditor's office, which states there are 2400 hours of comp time amongst the four employees, and asked what the plan was to whittle that down.

Mr. Krabill responded that he and Ms. James went to the commissioners' budget hearing a couple weeks ago to talk about this. We have set a ceiling of 160 comp hours per person on the books. Anything over that, there will be a one-time pay out, with the exception of Ms. Salyers, who has volunteered not to take the payout at this time. However, the commissioners have not yet approved this payout. In the meantime, staff is making a greater effort to take time off when they can.

Ms. Grubbe asked if the board members were getting copies of the auditor's office report, which show the hours BOE staff have accumulated on a monthly basis. She stated the amount of comp hours on the books is ridiculous, and she doesn't care if there are new people here or not. She stated this was the main reason she was kicked off the board several years ago, because she wanted to crack down on this. It's getting out of hand.

Mr. Ferrell responded that that was generated in a situation that none of us had any control over. You saw the lines out front. Also, we anticipate a lot of time being burned off this summer, because who wants to take a week off right now?

Ms. Grubbe replied, "Who cares? They need to burn it down whether it's nice outside or not." Mr. Ferrell responded that nobody as of March last year had any idea what this was going to turn in to. Mr. Krabill stated that, to Tom's point, this past year was so unusual in so many ways, and we effectively had three elections. Ms. Link pointed out that we were short staffed at times too, and Mr. Krabill agreed. He stated that this past year was a bit of an outlier, and that's the way the commissioners look at it as well. He stated he appreciated Ms. Grubbe's concern, but we're doing the best we can.

Ms. Groot stated that in February and early March, the hours weren't that crazy, but when you get to April, the hours are excessive. We have almost 150 hours of comp time in one two-week pay period. This could be solved by staggering start times or hiring more part-timers. Ms. Link responded that we have tried to stagger start times. She stated that was our goal in February last year, but the then-deputy quit the first day of early voting. Ms. Groot responded that she was talking about the month of April. Ms. Link remarked that we were still short-staffed then. Ms. Salyers then commented that she had done some work from home, and had donated her time.

Mr. Ferrell interjected and stated that we can't talk about individuals' comp time when we are in open session; that should be for executive session. If you have suggestions on how we can whittle down our comp time, then submit them to us and we'd be happy to look at it, but talking about it in open session is a violation. Ms. Grubbe responded that she got the paperwork from the auditor's office from an open records request. Mr. Ferrell asked that we just talk in generalities. Ms. Grubbe said okay, but said that no work should be leaving the office. Ms. Salyers responded that it "wasn't that kind of work." Mr. Smith reiterated that we would talk about it in executive session. Mr. Ferrell again stated that we're open to any ideas you have. Submit it in writing and we'll take a look. Mr. Smith stated that during election time, we have to have one Democrat and one Republican in the office, but when we're not in election time, perhaps we could just go down to one person in the office. That could help to burn down comp time.

Ms. Grubbe stated that board staff is being paid for 35 hours of work a week, plus five hours for lunch. When they reach 40 hours, that's when comp time kicks in. They have to have working hours, though, before they can start accruing comp time. The first five hours of comp time should go back, to bring them back to their 40 hours. It's based on worked hours, not lunch. Lunch is a freebie. Ms. Salyers responded that there were many times when we didn't even take a lunch.

Mr. Ferrell stated that he preferred there was no comp time, but with a four-person office, that just doesn't work. Mr. Monaghan stated that when you have an election like we just did, you are going to have a lot of comp time. He stated he was sure the staff would have rather have been home.

Ms. Grubbe stated that there was a lot of comp time when she was on the board, and she tried to fix it then, but the other board members weren't interested. She stated that the board members need to get a report of the hours accumulated every pay period and look at it. She stated that's what she wanted, and she got it one time, and then she was thrown off the board because she was trying to make sure we were being responsible with the taxpayers' money.

Mr. Krabill stated that the way elections are headed with lots of early voting, it is a much more staff-intensive way of running an election than running one on Election Day. Every year that goes by and we see more and more early voting, it means more and more work here. He stated he wants to cut down on comp time as much as anyone else, but we have to face the reality that the work is there. Ms. Groot stated that this past election, she came in and voted early and she didn't have a full-time staff person wait on her; it was all part-timers. Mr. Krabill responded that's the least of it. It's what goes on with absentee ballots, and that has to be full-time staff. Mr. Krabill then took a few moments to describe the process of handling mail-in, absentee ballots.

Mr. Ferrell brought up the fact that we purchased new equipment this past year to make things in the office more efficient. He also brought up that during the extended primary, he would start at 6:00 a.m. and take up to 300 voice messages for ballot requests to be mailed. Mr. Ferrell also commented on the amount of work the current Secretary of State manufactures. It seems that every day he wants different reports run. He is very hands on and wants things done a certain way.

Ms. Link stated that our goal for this May's election is to go back to staggering hours. Mr. Ferrell stated that if Ms. Grubbe or Ms. Groot had any ideas about whittling down comp hours, to let us know. Ms. Grubbe said that we will. Mr. Ferrell added that elections are forever changed after 2020. People got used to early voting, and they like it. Ms. Grubbe responded that they just think it is important for the board to get the reports from the auditors' office that show what the accumulated comp hours are. Ms. Salyers stated she would make sure the board members got that, but Mr. Ferrell reminded her to make sure the reports are in general terms.

Mr. Ferrell then asked if anybody had any other questions. Ms. Groot asked how much sick time is accrued in a year, and Ms. James responded 4.6 hours per pay period. Ms. Groot asked if that was three weeks of sick time per year, and Ms. James confirmed that was correct. The board members also pointed out that the county has a sick bank, as well.

Motion to go into executive session for personnel matters was made by Mr. Krabill, seconded by Mr. Monaghan. Motion carried. Board went into executive session at 10:07 a.m.

Motion to leave executive session and return to regular session was made by Mr. Monaghan, seconded by Mr. Krabill. Motion carried. Board returned to regular session at 10:30 a.m.

Motion to adjourn was made by Mr. Monaghan, seconded by Mr. Krabill. Motion carried. Board adjourned at 10:30 a.m.

Lori J. Salyers, Director

Attest:

---

Thomas M. Ferrell, Chairman