

The adjourned regular meeting of the Erie County Board of Elections from March 13th was called to order by Chairman Thomas Ferrell on Friday, March 24th at 10:30 a.m.

Roll Call:	(D) Thomas M. Ferrell, Chairman	Present
	(D) William J. Monaghan, Member	Present
	(R) Lisa M. Crescimano, Member	Present
	(R) Nancy C. McKeen, Member	Present

Guests in attendance: Jason Hinnners from Erie County Prosecutor's Office, Tom Johnson from Margaretta Township Fire Department, PT Barnum, MaryAnn Groot, Amy Grubbe, Hallie Lippert, Steve Lippert, and Caleb Stidham

First on the agenda was a motion to approve the minutes from February and March. Alex Jones, Director, stated there was a discrepancy in the minutes from February 24th. There was a motion for the pay of the director and deputy director to be \$70,000/year, and that motion was seconded. In the discussion, there was talk that it should be \$75,000/year, but no new motion or amendment of the old motion was ever made. Mr. Jones stated that when he submitted payroll this week, he used the old rates for the director and deputy because he didn't want to get into a bind with two different numbers out there.

Ms. Crescimano stated that she moved for \$70,000, while Mr. Ferrell stated it should be \$75,000. Mr. Monaghan seconded the motion, but it was never amended to be 75. Then we did a roll call vote. Mr. Ferrell asked if that is what the tape reflects. Adrienne James, Deputy Director, stated yes.

Ms. Crescimano asked where we go from here. Mr. Monaghan stated he went back four or five years, put the numbers together, and came up with \$72,000/year for the director and deputy. Otherwise, the clerks would be making more than them. Ms. Crescimano stated that right now, the director and deputy are at \$56,000/year. The commissioners stated they are willing to go between 65 and 70. Ms. Crescimano thinks it should be 70,000, with staff managing overtime and staggering starts. We'll see how it goes this year, and we can always adjust.

Mr. Ferrell asked who agreed with the commissioners that it should be \$70,000. Ms. Crescimano replied that when we had a budget hearing, that's what the commissioners said. She stated that she didn't agree to it; she is only one person and there are four people on the board.

Mr. Monaghan stated that people in other counties of a similar size are paid more. Ms. Crescimano stated that Hancock County has 51,000 registered voters and the director and deputy there make \$65,000/year with no comp or overtime. Mr. Ferrell stated he's not referring to other BOEs, but to other county offices. He said that if you look at other officials who work in Erie County, they're paid far in excess of what the director and deputy are paid. Mr. Monaghan added that other officials don't work the overtime that the director and deputy do.

Ms. Crescimano stated that in addition to being responsible for elections, we have a fiscal responsibility to the taxpayers of this community. She suggested \$70,000/year, then seeing how it goes. She stated it can be revisited every year. Mr. Monaghan stated he still thinks it should be 72. Mr. Ferrell stated we still need a motion to approve the minutes. Ms. Crescimano made a motion to approve the minutes, with Mr. Monaghan seconding. All board members voted yes; motion carried.

Mr. Jones presented the bills to the board. He stated we spent about \$16,000 this month. About half of that is getting charged back to the city of Sandusky for their special election. He also stated there are two bills that require a Then and Now Certificate because we are not paying them in the year they were incurred. The first is a bill from Election Systems and Software, or ES&S, from 2021. The second is a bill from Tandem Media for an ad in the Register in late 2022.

Ms. Crescimano made a motion to authorize a Then and Now Certificate for ES&S for \$750. Mr. Monaghan seconded the motion. All board members voted yes; motion carried.

Ms. Crescimano made a motion to authorize a Then and Now Certificate for Tandem Media for \$544.28. Mr. Monaghan seconded the motion. All board members voted yes; motion carried.

Ms. Crescimano made a motion to pay the bills, with Mr. Monaghan seconding. All board members voted yes; motion carried.

Ms. James gave an update on Summer Conference. She stated we received an email about a week ago regarding the conference and letting us know they opened a few more room blocks at nearby hotels. She encouraged the board members to make their hotel reservations as soon as possible. She also stated if they are not going to attend to please let us know. Right now, the state is only allowing six people per county to attend, which would be the four board members, director, and deputy. If someone does not want to attend, we want to open the opportunity to attend to the clerks.

Part-time employee PT Barnum spoke on placing the audio recordings from the meetings on our website. He stated that with our current recording device, it is not formatted where he can easily transfer the files. He has transferred the files from this year and it's taken about 8 to 10 hours. He would like to reformat the device, but he's not sure if that will solve the issue. Also, if he reformats, it could erase the 128 recordings from previous years' meetings.

Mr. Barnum stated that the other option is to purchase a new device and to archive the old one. He stated that the information on the current device is in internal memory. The device does have a spot for an external card, but we cannot transfer from internal to external.

Ms. Crescimano asked if we looked at the cost for a new device. Mr. Barnum stated he did not and that the one we have now is one of the higher end ones. Ms. Crescimano stated she bought a recording device for the ADAHMS board and it's easy to transfer the files; you just drag and drop. She stated she paid about 30 dollars for it. Mr. Barnum stated that one of the main issues we have is that cybersecurity will not allow for a mass storage device such as a recorder. In the office, we use password protected thumb drives to transfer files.

Ms. Crescimano asked what our retention schedule is for audio files. Mr. Barnum stated he couldn't find it. Ms. Crescimano stated it's usually "until no longer needed" and suggested updating our retention schedule to reflect this. Mr. Hinnners stated that the Secretary of State's office has a retention schedule for Boards of Elections, and the BOE has its own retention schedule adopted six or seven years ago. Mr. Hinnners stated he has drafts but not the final version. Ms. Crescimano suggested discussing the matter more at the next meeting. Mr. Ferrell stated we should ask Erin from the Commissioners' office what they do with their audio recordings. Ms. Crescimano stated the commissioner meetings are posted on YouTube. Mr. Barnum stated he would keep working to upload the recordings to the website and check on the price of a new recorder.

Next on the agenda was a discussion of polling locations. Tom Johnson, Fire Chief at Margaretta Township, thanked the board for the invitation to speak and stated he has been with the township for 35 years. He stated there has been some confusion on whether the township welcomes the Board of Elections to use their facilities as a polling location. He also stated there is one poll worker who is a friend of his who appears to be throwing him under the bus. Mr. Johnson stated that Margaretta Township welcomes the board with open arms. He said they received a grant to make their bathrooms ADA accessible. They also made a parking spot ADA accessible and redid their doors for accessibility for wheelchairs.

Mr. Johnson stated that he was approached before last November's election for his advice because the board was looking at combining precincts. He stated his only concern was parking. The township building only has two parking spots in the front of the building, and a poll worker parks in one of them. He stated he spoke on behalf of the trustees, but the trustees agree with him. Mr. Johnson then stated he gave the previous director two suggestions. The first suggestion was to contact Grace Lutheran Church and place two precincts there. The second suggestion was to contact the superintendent of Margaretta Schools to see if we could place all Margaretta Township precincts in the elementary school once the new school is built. Mr. Johnson then stated that he never kicked the Board of Elections out of the township building, and that we are welcome to come back any time.

Ms. Crescimano asked if the township building can hold two precincts. Mr. Johnson stated that it's tough with the building being downtown. He also stated that the church has plenty of parking and that it worked very well. He said he has no problem with the polling location being at the church, but we are also welcome to come back to the township building. The board members and staff thanked Mr. Johnson for coming to speak on this issue.

Ms. James discussed moving polling locations for the May election. Per the Elections Officials Manual, or EOM, if there are fewer than 200 electors in a precinct eligible to vote, the board can move those voters to a neighboring precinct just for that election. The board decided not to do that in the February meeting, but since then, there is new information that Ms. James would like to share.

At the last meeting, Mr. Ferrell asked about the distance between the old locations and the proposed new locations. Ms. James stated that according to Google Maps, the distance for the first proposed change is 2.4 miles, the distance for the second proposed change is 4.4 miles, and the distance for the third proposed change is 6.4 miles.

Ms. James also indicated what the cost per voter would be if we left the polling locations as is. For the Huron Township Building, if one eligible voter registers there, the cost per voter would be \$651. At the Castalia United Church of Christ, where there are currently 44 eligible voters, the cost per voter would be \$16.39. At the VFW, where there are currently 16 eligible voters, the cost per voter would be \$45.31. Ms. James stated that at the last board meeting, former member Jeff Krabill was here, but now we have a new board member, and she wants to bring this to her attention. Mr. Jones stated that he thinks the board should consider merging these precincts. Ms. James stated that at the February meeting, Mr. Krabill asked how the schools putting on bond issues would feel about us moving voters. Ms. James stated that if she were a school board member, she would not be happy about paying over 700 dollars to have a polling location open for just 16 people. Ms. Crescimano stated she agreed. She also said that those voters have the option to vote by mail. Mr. Ferrell asked to vote on each proposed change individually.

Ms. Crescimano made a motion to move the Huron Township Building to the Eagles Club for the May election. Currently there are zero registered voters this would affect. Mr. Monaghan seconded the motion. Ms. James called the roll.

Mr. Ferrell- no
Mr. Monaghan- yes
Ms. Crescimano- yes
Ms. McKeen- yes

The motion carried.

Ms. Crescimano made a motion to move the Castalia United Church of Christ to the Groton Township building for the May election. Currently there are 44 voters this would affect. Mr. Monaghan seconded the motion. Ms. James called the roll.

Mr. Ferrell- no
Mr. Monaghan- no
Ms. Crescimano- yes
Ms. McKeen- yes

The motion did not carry.

Ms. Crescimano made a motion to move the VFW to the Berlin Heights Municipal Building for the May election. Currently there are 16 voters this would affect. Ms. James called the roll.

Mr. Ferrell- yes
Mr. Monaghan- no
Ms. Crescimano- yes
Ms. McKeen- yes

The motion carried.

Ms. James stated there was one more question staff wanted to ask regarding polling locations. Per ORC 3501.22 and page 180 of the EOM, if the board determines that four poll workers are not needed in a precinct for a special election, they can select just two poll workers of opposite parties to work in that election. Ms. James wanted to know if it would be okay to just hire 2 poll workers at the Castalia UCC this election, since only 44 voters will be eligible to vote. Ms. Crescimano stated she agreed with that to try to save the schools some cost. Ms. Crescimano made a motion to hire only two poll workers at the UCC, with Mr. Monaghan seconding. All board members voted yes; motion carried.

The next item on the agenda was updates on new expenses due to HB 458. Ms. James gave the board members copies of a quote from Wilson Printing for new envelopes. During February's meeting, the board agreed that staff could use the old envelopes for May and just redact the information that is no longer current. However, for November's election, we will need to purchase new envelopes. The quote from Wilson Printing is for about \$7,000. Ms. James also stated we would need to purchase new signs for the A Frame we place by the road to indicate early voting hours, since the hours for the last week before the election have now changed. Ms. Crescimano stated she would estimate about 200 dollars for that. Mr. Jones stated he would obtain a quote from Loris Printing.

Mr. Jones spoke on the camera for the dropbox. He said that as he understands it, if we have a livestream of our dropbox, we don't necessarily have to dig for footage if people request it. Our cybersecurity liaison stated that the Huron County Board of Elections found a way to do this without incurring a cost inhouse. Our liaison is going to reach out to Huron County to see what software they use. Triad is providing a service for the dropbox livestream, but that is \$1,200 per election. Mr. Hinnners stated the key is that if you do the livestream, you still must be able to provide it as a public record.

Ms. James spoke on the Voting Equipment Acquisition Program, or VEAP. She stated that per Scott at the SOS office, they are wrapping up the program, and Erie County has a remaining allotment of \$210,101.67. They're giving us a deadline of June 30th of this year. Office staff think it would be a good idea to purchase three new Balotar printers. Currently our Balotar printers are Oki, but Oki went out of business a few years ago. Eliza Link, Clerk, reached out to a sales rep from ES&S, who gave us a quote for three Balotar printers that are from the brand Brother. The sales rep also said we could swap our Oki toner cartridges for Brother cartridges. The quote consists of \$13,858.00 for the Balotars and \$3485.00 for two Expressvote card printers, which the VEAP does not cover.

Ms. Crescimano asked for clarification on the \$3,485 the VEAP will not cover. Ms. James stated that is for Expressvote card printers, which we would use if we want to encourage more Expressvote voting in our office during early voting. Ms. Crescimano asked how much easier it would be to use Expressvotes. Ms. Link stated that currently, we only use Expressvotes for ADA purposes. However, other counties throughout the state use Expressvotes more frequently. For example, Ottawa County uses Expressvotes for early voting and their voters really like them. By using Expressvotes, you don't have overvotes or unreadable marks.

Ms. Crescimano asked about paper ballot backups. Ms. Link stated we would still have paper ballots available but would encourage people to use the Expressvote. Ms. Crescimano stated that if someone wants to vote on the Expressvote, you have to make sure the right precinct shows up on the machine. Ms. Link stated that's where the Expressvote card printer comes in handy. The printer would print a card with the precinct and a barcode, the voter would insert that into the Expressvote, and the correct precinct would automatically come up.

Mr. Monaghan asked how many people could vote like this at a time and questioned if there would be long lines. Ms. Link stated we could set up three Expressvote printers on one side of the table and have the other side of the table be reserved for people who want to vote on paper ballots. Mr. Monaghan asked if the SOS would cover the cost of the Expressvotes. Ms. Link stated we already have the Expressvotes; we just want to buy two Expressvote card printers. The Balotar printers do not print Expressvote cards.

Ms. Crescimano stated she has no problem with buying the new Balotar printers that the VEAP covers. She would also like to get the Expressvote card printers, but we need to discuss how that fits in our budget. She then made a motion to go forward with purchasing the new Balotar printers and to table continued discussion on the Expressvote card printers until the next meeting. Mr. Monaghan seconded the motion. All board members voted yes; motion carried.

Mr. Ferrell asked what else is covered under the VEAP. Ms. James stated she was not sure. Mr. Jones asked if ES&S gave us a life expectancy for the DS200 scanners. Ms. James stated we could ask. Mr. Monaghan suggested asking the SOS office if we could use the VEAP money for the Expressvote card printers. Mr. Ferrell asked how old our current DS200s are; Ms. James replied four years. She also stated she asked the SOS office if we could use the VEAP money for new poll pads and they said no. Mr. Jones stated that we do have separate grant money coming for new poll pads.

The next item on the agenda was approval of submitted petitions for the November 7th, 2023 General Election. Ms. James stated that we've had one petition turned in so far from Gordon B. Hahn, who is running for Huron Township trustee. Ms. James stated that he filled out his petitions correctly and had enough valid signatures. Ms. Crescimano asked what the deadline is; Ms. James stated August 9th. The board members took a few moments to review the part petitions. Ms. Crescimano motioned to approve Mr. Hahn's petitions, with Mr. Monaghan seconding. All board members voted yes; motion carried.

Mr. Ferrell stated that the next item is approval of the director and deputy director's new salaries. Ms. Crescimano stated she thinks we already approved that for \$70,000 at the last meeting. Mr. Jones asked the board to hold off on any new numbers until he's had the chance to digest everything in the budget and figure out what we need to go to the commissioners for. They set numbers at 2019 levels. We requested around \$850,000 and received just under \$600,000. Mr. Jones also asked the board for a motion to retroactively pay him and Ms. James at the \$70,000/year level for the last pay period.

Mr. Monaghan stated he'll make a motion that we pay that level retroactively, but also that we revisit the salary issue at another meeting. Mr. Hinnners asked for clarification on the date- is it March 1st or 6th? Mr. Jones stated it would be for the last pay period, which is March 5th through the 18th. Ms. Crescimano seconded the motion. Mr. Monaghan amended his motion to say that the retroactive pay starts March 5th. Ms. Crescimano seconded. All board members voted yes; motion carried.

Ms. Crescimano spoke on the clerks' overtime pay. She stated she received the comp balances from the Auditor's office. As of pay period ending 2/18/23, Clerk Kimberly Barnum has 195 hours, Ms. James has 512 hours, and Ms. Link has 264. Ms. Crescimano stated we can't expect them to use all their comp time in one year, and instead proposed giving them three years to use it. Then, when the clerks earn overtime, they will be paid that every pay period that they earn it.

Mr. Hinnners stated that the comp time is earned time. His consideration is the Fair Labor Standards Act. He stated that the board did not adopt the county's policy until effective March 1st, but there's still the FLSA requirements as to how it's paid out. He stated he can research that more for the next meeting. The board decided to table the discussion until then.

The next item on the agenda was "Any other matters to come before the board." Ms. Grubbe asked what was happening in Margaretta Township. Mr. Ferrell stated no decision was made today, but he would personally like to see us return to the township building. He is not sure what the issue was at Grace Lutheran Church. Ms. Crescimano stated the fire chief agreed there was better parking at the church; it's just that one person who wants it back at the township building. Mr. Ferrell stated he's received calls from more than one person. Ms. Grubbe stated she has too, and they all want to go back to the township building. Mr. Monaghan commented that there's plenty of parking across the street. Ms. Crescimano stated we don't have to worry about this for May but can revisit the matter at a future meeting.

Ms. Groot stated she has a records request. She would like to see the original 2022 budget, the final expenditure report for 2022, and the budget for 2023. She would also like to see payroll broken down by directors, clerks, part-time staff, board members, and poll workers. Her other question is do the employees, specifically the directors and clerks, typically work a 35-hour week, a 40-hour week, or something in between? She stated that when she first started coming to these meetings, employees were paid for a 40 hour week but only worked 35, with an hour paid lunch.

Mr. Monaghan stated he would like to see what the county commissioners cut us in each area. Mr. Ferrell asked if they have passed the budget yet. Ms. Crescimano stated no; it's pending resubmission. Mr. Jones is working on that, while Ms. Crescimano is working on the payroll side. Mr. Monaghan stated we need a buffer like other county departments have. Mr. Jones stated the difference in what we requested and what we received was about \$300,000. He also stated this difference includes the director and deputy director being paid at the old levels.

Mr. Stidham stated that this department was the only one not represented at the budget hearings. Ms. Crescimano stated that there was a semi-formal budget meeting she and Ms. James attended on March 1st. They told us to prepare everything, and Ms. Crescimano told them we wouldn't be ready until the beginning of April.

Mr. Ferrell indicated that the last meeting we had on budget issues was with him, Mr. Krabill, and County Administrator Hank Solowiej. He stated that anyone can attend a meeting, but as individuals we can't speak for the board. Ms. Crescimano stated that's why Ms. James came to the meeting, too. She also stated that some of the cuts were for poll worker pay. Mr. Solowiej is of the opinion that if we don't have enough money we can ask for more. Ms. Crescimano stated that is totally contrary to her thinking, but everyone does it differently.

Mr. Ferrell indicated that other departments have 30 days' operating funds at the end of the year to carry over. Mr. Stidham stated that his department does not and that he had to ask for a supplemental during his first year. Mr. Ferrell stated he'd rather turn money in at the end of the year than go begging for it. Ms. McKeen stated that's probably what we're going to have to do.

Mr. Jones stated there's a few accounts, such as contract services from which we pay poll workers, that he'll have a better understanding of after May. He also stated that he and Ms. Crescimano are working on the salary line item and keeping overtime in check. Mr. Ferrell suggested looking at what other department heads in the county are paid. He also mentioned how the state mandates Board of Election employees work extra hours. Mr. Jones stated that there's a few line items where he knows we'll have to ask for a supplemental, such as Advertising and Printing.

Mr. Monaghan made a motion to adjourn, with Ms. Crescimano seconding. All board members voted yes; motion carried. Board adjourned at 11:47 a.m.

Alexander W. Jones, Director

Attest:

Thomas M. Ferrell, Chairman