

The regular monthly meeting of the Erie County Board of Elections was called to order by Chairman Thomas Ferrell on Friday, April 22nd, 2022 at 9:01 a.m.

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	Absent

Guests in attendance: Rachel Mullen from SOS office and Amy Grubbe

Motion to approve the minutes of the March 11th meeting was made by Mr. Monaghan, seconded by Mr. Smith. Motion carried.

Next on the agenda was paying the bills. Mr. Smith asked about the \$10 bill from the commissioners. Lori Salyers, Director, indicated that was a charge for them shipping state petitions back to Columbus for us. Eliza Link, Clerk, stated that the commissioners never used to charge us for that. Motion to pay the bills was made by Mr. Monaghan, seconded by Mr. Smith. Motion carried. This motion also included the approval of a “Then and Now” Certificate for a bill over \$5,000, and the approval of Ms. Link to sign for bills.

Lori Salyers, Director, then showed the board members a ledger to indicate what funds the county appropriated to the Board of Elections. Mr. Monaghan asked how much money we requested. Ms. Salyers stated she already gave the board members that paperwork, but she could make copies again. She also stated that she requested \$212,557.70 for full-time salaries, and the county gave us \$178,341.

Ms. Salyers then spoke about the grant money the SOS office gave us. We used UOCAVA grant money to reimburse Adrienne James, Deputy Director, for the expedited shipping of UOCAVA ballots. We also used UOCAVA grant money to purchase new UOCAVA envelopes. We have used other grant money for this primary election to pay for full-time overtime wages and part-time wages.

Ms. James then gave an update on early and absentee voting. She stated that as of last night, we had 319 in office, 741 mail, 22 hand carries, 59 nursing homes, and 4 UOCAVAs. Ms. James also stated that she and Ms. Salyers scanned but did not tabulate absentee ballots last Friday, and that the numbers matched perfectly.

Mr. Monaghan then asked about the polling location in Vermilion. Ms. James stated that for now we are staying at the field house because we couldn’t find an alternate location. Mr. Monaghan asked if we were looking for a new place for November. Ms. James replied, “Not right now.” The board members then discussed some possible alternate locations, such as the firehouse and the United Church of Christ.

Next, Ms. Salyers spoke on a recent phone conversation she had with Secretary of State Frank LaRose. She stated that Secretary LaRose called her and asked how morale was in Erie County. They spoke about the need to have a second primary and about strategies for recruiting poll workers. The Secretary stated he understood that the county commissioners are not always conducive to our needs. Mr. Monaghan commented it’s not that the commissioners have a problem with the Board of Elections; they have a problem with him and Tom Ferrell. Ms. Salyers stated that she and Secretary LaRose had a good conversation.

Ms. James then spoke on the Ohio House petitions for D.J. Swearingen and Jim Obergefell. According to SOS Directive 2022-31, boards must acknowledge on the record at their next board meeting that the decision to either certify or reject Ohio House petitions for the May 3 Primary is null and void due to the Supreme Court’s decision in *The League of Women Voters of Ohio*.

Next, Ms. Salyers spoke on a polling location change for the city of Huron. St. Peter's Catholic Church no longer wishes to host us, so we had to find a new location. Ms. Salyers spoke with the principal of Huron High School, who was interested in hosting. She and Ms. James visited the Huron Memorial Stadium yesterday and feel it will be a good location with plenty of parking. Motion to make the change was made by Mr. Monaghan, seconded by Mr. Smith. Motion carried.

Ms. Salyers then gave an update on poll worker recruitment. She stated that we have all our poll workers hired for May 3rd, and we are now looking for backups. She also stated that Kimberly Barnum, Clerk, suggested setting up a table at the downtown "Stars and Stripes" celebration on July 4th to try to recruit poll workers for elections later in the year. Mr. Ferrell and Mr. Monaghan indicated they were not interested in that.

Next, Ms. Salyers asked about rolling ballot bags. She contacted the SOS office, and they informed her that we could use grant money to pay for the bags. Ms. Salyers stated the rolling bags hold up to 150 pounds. She also stated that our current ballot bags are very heavy and hard to lift. Mr. Smith stated he would like to see two or three options before making a decision. He also wanted to know about the warranty on the bags. Mr. Ferrell asked when we had to return the grant money to the state. Ms. Salyers replied, "August 1st." Mr. Smith then asked about PPE and if we have enough for the upcoming election. Ms. Salyers informed him that we do.

Ms. Salyers then asked the board about obtaining an office credit card. She explained that Ms. James had to use her personal credit card to pay for expedited shipping of UOCAVA ballots. She also stated that the previous director sometimes used Tim Jonovich's credit card to buy office supplies from Amazon. However, we no longer work with Mr. Jonovich because we have our own IT department. Mr. Ferrell and Mr. Monaghan suggested contacting the auditor's office to see if we could use the county credit card.

Ms. Salyers then spoke about our need for new poll pad accessories. We need new charging beds, as our current beds don't work very well. We also need several new poll pad battery bases. Mr. Ferrell asked if we could use grant money for that. Ms. James stated she contacted the SOS office about it, and they asked her if we had more "important things" to spend the money on. Ms. James stated that yes, we do. The SOS office told her to spend the grant money on the more important matters first; then, if we have grant money remaining, call them back and ask again.

Next, Ms. Salyers spoke about communication methods with the board. Based on information from the Elections Officials Manual, Ms. Salyers thinks we should only be communicating using our dotgov email accounts and should not be communicating via text messages. Mr. Smith stated that the SOS office texts us. He feels that texts are just the same as emails. Ms. Salyers stated that if someone makes a public records request to see our communication, then they could be privy to our whole cell phone. Mr. Monaghan asked who makes public records requests. Ms. Salyers responded, "Amy Grubbe."

Ms. Link stated it's not so much about text messages or public records requests. The point is that in the EOM, it says we must use our dotgov emails, not personal emails, for conducting Board of Elections business. Ms. Salyers stated she placed information in the board members' folders about this, along with the phone number for Netpoint if they need help with their email accounts.

Mr. Ferrell then asked if there were any questions from the audience. Ms. Grubbe stated that when she makes public records requests, she does not ask for personal email or phone communications. She also stated she would like the address for the new polling location for Huron A and C. Ms. Salyers replied that the field house does not really have an address, but that we could use the address for Huron High School. The board members then discussed letting people know about the polling location changes. They agreed that we should create signs to display at both St. Peter's Catholic Church and Agape Love Ministries to let people know those are no longer polling locations.

Ms. Grubbe commented that she drove past the Board of Elections office last weekend, and the “Vote Here” signs were still out. She stated she received complaints from people that the signs were out, but we were not open. Ms. Salyers stated this was her decision. When it rains, the signs get muddy, and she doesn’t want that in anyone’s car. She also noted that we have not received any complaints about the signs. Mr. Ferrell suggested creating new signs to display outside that would indicate our early voting hours. Ms. Salyers stated we could work on that.

Ms. Grubbe then asked about the Ohio House candidates whose petition certifications are now null and void, and if there was any communication with them. Ms. James stated she would call both Mr. Swearingen and Mr. Obergefell to let them know what happened. Ms. Grubbe stated she would like a copy of the recent memorandum from the SOS office about redistricting, plus a copy of the poll workers so far. Ms. James stated she would email that. Ms. Grubbe also stated she would like to know how early voting this election compares to early voting in past elections. Ms. Salyers stated that information is available on our website.

Mr. Ferrell then asked Ms. Grubbe about an incident at the Sandusky Firehouse last November when she was a poll worker there. Ms. Grubbe stated that a voter made a mistake on their ballot, and the scanner tossed their ballot out. Ms. Grubbe stated the voter was walking out because they did not have time to fix it. Ms. Grubbe told the voter to cross off her mistake, and then bypass the warning and feed the ballot through the scanner. She stated that the board would remake the voter’s ballot. Then, last month, when Ms. Grubbe asked if she would be called to be a poll worker, Ms. Salyers informed her no because of this incident.

Mr. Ferrell asked Ms. Grubbe what her position was. She stated she was the ballot judge. Mr. Ferrell then asked who the VLM’s were, and Ms. Grubbe told him. She then reiterated that the board remakes ballots “all the time.” Ms. James stated that the board does remake absentee ballots, but they do not remake election day ballots. Once a ballot is fed through the DS200 scanner, the ballot is tabulated. If there is an overvote, the DS200 will not count that race.

Ms. Grubbe again stated that the voter did not want to take the time to fix their ballot. Ms. Salyers stated that was not the same story she heard. Mr. Ferrell stated it was important to hear both sides of the story. He then asked if the voter’s ballot was counted except for in the race where they overvoted. Ms. James stated yes.

Ms. Salyers stated that she received complaints from two separate poll workers at that location with the same story. Mr. Ferrell asked Ms. Salyers if she called the VLM; Ms. Salyers said she did not. Mr. Ferrell then asked who was it that made the complaints. Ms. Salyers stated she did not want to name names in open session; however, both workers told the same story. The voter overvoted their ballot, and the clerk said to go back to the ballot judge to spoil their ballot and receive a new one. Ms. Grubbe, who was the ballot judge, told the voter that was not necessary. She told the voter to simply cross off the person they didn’t intend to vote for, feed the ballot through the scanner, and the board would then remake the ballot. However, the board does not remake election day ballots.

Mr. Monaghan asked if the two workers who made the complaints were Republicans. Ms. Salyers stated they were, but she doesn’t think they know who is who. Mr. Monaghan stated, “They all know who Amy is.” Ms. Salyers responded, “Well, I can believe that.” Ms. Salyers stated that when she worked the polls, she worked with both Democrats and Republicans, and she did not know who belonged to which party.

Mr. Monaghan mentioned the need to be cohesive, and how we want to run good, clean elections. Ms. Salyers stated she agrees. Ms. Salyers also stated the two workers claimed Ms. Grubbe’s demeanor was very aggressive that day, and we can’t have that in a polling place. Mr. Ferrell countered that you cannot regulate emotions. Ms. Salyers replied that if the board wants Ms. Grubbe to work, we will hire her, and then when we get complaints, we will refer them to the board.

Ms. Grubbe stated she thinks this is really ridiculous. She realizes that she is a target, but she said everyone worked together and helped one another at the polling place. She stated this whole thing is very tacky. Mr. Ferrell told Ms. Salyers that if there is a complaint about the head of a party, she should contact every board member, not just him and Mr. Monaghan. The board makes decisions as a group. Ms. Salyers responded she thought it was her responsibility as the director to handle complaints, but from now on, she will refer complaints to the board.

Mr. Ferrell then made a comment about BOE employees asking Ms. Grubbe for assistance. Ms. Salyers stated she was not sure what he meant. Mr. Ferrell stated he was referring to BOE employees asking Ms. Grubbe for Democratic poll worker referrals. Ms. James stated she had not asked Ms. Grubbe for help, but Ms. Barnum might have. Ms. Link asked if that was a bad thing, and Ms. Grubbe responded no.

Ms. Link then mentioned that we have had other poll workers in the past that we have received complaints about and we did not call them back. How should we have handled those situations? Mr. Ferrell responded by talking about all the complaints he received during the 2020 Primary season. Ms. Link stated she was not sure how that pertained to her question. Mr. Ferrell stated that if there is an issue with a poll worker, don't just cut their leg off. Do an investigation and listen to the other poll workers. Ms. James asked, "So if we get a complaint about a poll worker, you would like us to call all the workers at that location?" Mr. Ferrell responded, "No, call the VLM." Ms. Link then asked what if it's the VLM who's the problem. Mr. Ferrell stated, "Then that's an issue."

Ms. Link stated she had a VLM who had some problems last November, so she did not call the VLM back to work. Mr. Ferrell asked what the complaints were, so Ms. Link told him.

Getting back to the issue at the Sandusky Firehouse, Mr. Ferrell stated his main concern was the voter there not being able to exercise her right to vote. Ms. Salyers stated that was her concern, too. Mr. Ferrell then asked Ms. Salyers why she did not contact the VLM. Ms. Salyers reiterated that she heard the same story from two separate poll workers, and that she handled the situation like she would have with any other poll worker.

Ms. James stated that from now on, if we get a complaint about a poll worker, we'll contact the VLM. If the complaint is about the VLM, we'll contact the other poll workers. Mr. Ferrell stated, "That's a decision for the board." Ms. James asked, "So if the complaint is about the VLM, then we'll talk to the board members?" Mr. Ferrell stated yes.

Ms. Grubbe then made a comment about telephones. She stated that during the November 3rd, 2020 Election, the office phones crashed. Nobody could reach the Board of Elections, and nobody at the BOE was willing to use their cell phones. Ms. Salyers responded, "That's not true." Ms. Grubbe stated that she was an observer, and people were texting her that they couldn't reach the BOE. Ms. Salyers explained that she wrote down the telephone numbers on the caller ID screen as quickly as she could. She then used her personal cell phone to call those people back and ask how she could help them. Ms. Grubbe countered that Ms. Salyers stated she no longer wants to use her cell phone for Board of Elections business.

Ms. James stated that since the November 2020 election, we have made some changes. We used to only give our cell phone numbers to the precinct support people, but because of what happened in November 2020, we now provide our numbers to the VLMs and signatures judges. We would prefer they call the office first, but our cell phone numbers are available if the poll workers need them. Ms. James also stated that we have our own switch now, so the office phones are less likely to crash.

Motion to go into executive session for the purposes of discussing compensation of employees was made by Mr. Monaghan, seconded by Mr. Smith. A roll call vote was taken.

**Mr. Ferrell- yes
Mr. Monaghan- yes
Mr. Smith- yes.**

Motion carried. Board went into executive session at 10:02 a.m.

Motion to leave executive session and return to regular session was made by Mr. Monaghan, seconded by Mr. Smith. Motion carried. Board returned to regular session at 10:25 a.m.

Motion to adjourn was made by Mr. Smith, seconded by Mr. Monaghan. Motion carried. Board adjourned at 10:25 a.m.

Lori J. Salyers, Director

Attest:

Thomas M. Ferrell, Chairman