

The regular monthly meeting of the Erie County Board of Elections was called to order by Chairman Thomas Ferrell on Friday, July 26<sup>th</sup>, 2024 at 9:00 a.m.

Roll Call:	(D) Thomas M. Ferrell, Chairman	Present
	(R) Lisa M. Crescimano, Member	Present
	(D) MaryAnn Groot, Member	Present
	(R) John C. Adams, Member	Present

Guests in attendance: Rachel Ruffer from Ohio Secretary of State's office, Amy Grubbe, Stephen Lippert, and Harriet Minich

Ms. Crescimano motioned to approve the minutes of the June 28<sup>th</sup> Regular Meeting, with Ms. Groot seconding. All board members voted yes; motion carried.

Alex Jones, Director, presented the July bills to the board. Ms. Crescimano asked about the training videos. Mr. Jones replied that we are getting grant money from the state for PEO training and recruitment, and we will use the money to film supplemental training videos for our PEOs. Ms. Crescimano motioned to approve the July bills, with Ms. Groot seconding. All board members voted yes; motion carried.

For the Director's Report, Mr. Jones stated that per state directives, we are doing list maintenance to our voter rolls. The state will mail absentee ballot requests to registered voters and they need good data for that. Our office verified state-wide petitions earlier this month, and we will have a statewide issue on the November ballot. We have 22 ballot issues so far. Also earlier this month, staff conducted a review of our written PEO materials with some long-time PEOs and part-time employees. We want to make the materials thorough and easy to understand. Eliza Link, Clerk, has been working on a new section of our training that will give our PEOs a broad overview. The staff has also created a mailroom in the back office so that our postage machine, letter folder, and envelope slicer are all in the same area. Finally, Mr. Jones commented that our office has received a little over \$6,000 in grant money for PEO training and recruitment, and a little over \$8,000 in grant money for all other election-related activity.

Under new business was voting equipment allocation and a review of issue filings for the November 2024 election. The staff recommends an allocation of one ExpressVote and one DS200 optical scanner per polling location, and two DS200 optical scanners for polling locations with three precincts. The locations with three precincts are the Health Department, the VFW, Ritter Public Library, and Faith Church. Ms. Groot motioned to approve the recommended allocation, with Ms. Crescimano seconding. All board members voted yes; motion carried.

Mr. Jones presented local issue filings to the board. He stated that Margaretta Township and Huron City will have a lot of issues on the ballot. The board members took a few moments to review. Ms. Crescimano motioned to approve the issue filings as presented for the November 2024 election, with Ms. Groot seconding. All board members voted yes; motion carried. The issue filings approved are:

- Margaretta Local School District, Bond Issue, 40 Years, \$34,000,000, 3.22 mills, 2024, due in 2025
- City of Huron, Municipal Income Tax Increase, 0.75% and a 1.75% Credit
- Kelleys Island, Roads and Bridges Replacement, 3.0 mills, 2025, due in 2026
- Kelleys Island, Fire Protection Replacement, 1.0 mill, 2025, due in 2026
- Margaretta Township, Fire Protection Renewal, 2.0 mills, 2025, due in 2026
- Margaretta Township, Roads and Bridges Renewal, 0.5 mill, 2025, due in 2026

- Margaretta Township, Cemeteries Additional, 0.5 mill, 2024, due in 2025

Mr. Jones stated there is one issue filing to review separately. Mr. Adams motioned to approve the filing, with Ms. Groot seconding. Three board members voted yes, while Ms. Crescimano abstained. The motion carried. The issue filing approved was:

- Erie County, ADAMHS Board, Operating Renewal, 0.5 mill, 2025, due in 2026

Under Old Business was policy amendments and revisions. Ms. Groot stated she was in receipt of the review emailed by Mr. Jones. She said the county policy book is thorough, but there are points she would like to add. Under the Ethics and Conflicts of Interest section, she would like to include this statement: “Release of election result information to any person or people until results have been presented to the board with the exception of the Secretary of State, is prohibited.”

Ms. Crescimano asked if that was part of the Secretary of State’s manual. Mr. Jones stated he would need to review the Elections Official Manual (EOM). He also stated he would recommend we don’t pass anything election-related to the county policy until we’ve had ample time to review what the SOS office says.

Ms. Crescimano stated that we distribute election results throughout the evening. The public receives the results at the same time the board does, so she doesn’t know what the problem is. Ms. Groot asked isn’t it possible that some data could get released prior to the board receiving the results? For example, there are phones in the back room where text messages could be sent. Ms. Groot said during the last November election, she was sitting in the back room with a former board member as results were coming in, and the former board member said her phone was blowing up. Ms. Crescimano asked if the former board member called anyone from the back room. Ms. Groot stated no. Ms. Crescimano stated she doesn’t see an issue. People may be contacting you, but are you contacting them back?

Ms. Groot stated she doesn’t see why this is a big deal to add to the policy manual. Ms. Crescimano stated that the staff has said we are really busy now. She thinks we should concentrate on the presidential election. Mr. Ferrell stated we have two staff members and three board members who have never been through a presidential election. He also said we can’t keep kicking the can down the road. If we’re going by the county commissioners’ policy, then a lot of things in the office will change.

Mr. Adams asked for an example. Mr. Ferrell stated hours of operation. Hours are supposed to be from 8:00 a.m. to 4:30 p.m., with two 15-minute paid breaks and a half hour unpaid lunch. There is to be no working through lunch or leaving early. Mr. Adams asked if we were following that now. Ms. Groot said no. She said in this office, staff works from 8:00 a.m. to 4:00 p.m. with a paid half hour lunch.

Ms. Crescimano indicated that is not true. The staff does not get paid for lunch. Ms. Groot stated that the timesheets show 8 to 4 with a 40 hour work week. How does that work? Mr. Jones stated we’ve had this conversation in the past. Office time is different than work time. Typically he and another employee arrive to work a bit early. Another employee works late. A fourth employee works 8 to 4 and takes a half-hour vacation to whittle down her vacation time. We get our 40 hours in, and we do not get paid for lunch.

Mr. Ferrell stated that if we do this, we need to make a motion in a public meeting. Ms. Crescimano suggested having a conversation with the commissioners and having Hank join our work session after November. Ms. Crescimano also asked Mr. Jones if the commissioners have complained about us not following the guidelines. Mr. Jones replied not since he’s been here.

Mr. Ferrell stated he operates under what was passed on November 7<sup>th</sup>, 2022, which is when the board decided to adopt the county policy. He stated that last year the board gave staff the week between Christmas and New Year's off, but the policy does not allow for that. Ms. Crescimano confirmed with the staff that they had to use comp time that week, so it's not as if they were given free time off.

Ms. Groot stated the office was closed and we had an employee come in and work. Mr. Adams asked if the office is closed, is the director forbidden from coming in and doing their job? Ms. Groot stated that it doesn't forbid it, but if the office is closed, then the office is closed.

Mr. Ferrell commented on comp time. According to the county policy, you have to use your comp time within 180 days. Ms. Groot stated her latest update on the comp time balance was May 11<sup>th</sup>. She asked when the comp hours were earned and when will staff start taking them?

Mr. Jones gave his recollection. When he came on board, the comp time balance was a little over 900 hours. When we switched to the county policy, there was a question about the use it or lose it provision. Jason's opinion was that rules that were in effect when the time was earned is what we have to abide by. Because there was no provision when the comp time was earned as far as maximum number of days to use it, staff could retain it. Ms. Groot asked, "Forever?" Mr. Jones replied that in the old policy, there was no provision for losing it. Mr. Ferrell stated we would need to get clarification from Jason. Ms. Crescimano pointed out that staff does not earn comp time anymore. Instead, the clerks get overtime.

Ms. Groot asked if we have people coming in early and leaving early, why don't they just come in at a normal time and draw down comp time instead of altering their schedule? Ms. Crescimano replied, "to get the place in operation." Ms. Groot asked how often do you have someone right at 8:00 a.m.? Ms. Crescimano said it happens. Ms. Groot replied not every day. She thinks the comp time issue needs to be addressed. She would also like to start seeing the personal leave balance sheets every month. The last one she has is from May. Ms. Link stated it has changed since May. Mr. Jones stated that when he started, comp time was over 900 hours, and now it's at about 700.

Ms. Groot stated that the county policy encourages employee ID badges. She would prefer it if all workers in the office wear a nametag. Mr. Ferrell stated he thinks that is good customer service. Mr. Jones said that we have name placards at our desk. When we assist curbside voters, we wear nametags. We also have nametags for anyone assisting voters at the counter during early voting.

Ms. Groot asked if the two inactive Facebook pages for the Board of Elections had been taken down. Mr. Jones said we contacted Meta and they were working on it. Ms. Groot asked if we have a camera that is directly toward the front of the office. Mr. Jones said yes.

Ms. Groot confirmed that the old policy book from 2011 was no longer valid. That policy book stated office hours were Monday through Friday, 8 to 4. Mr. Ferrell stated we need to update the policy to better suit this department. Ms. Groot said that what Mr. Jones wrote about hours in the email he sent should be in some type of policy book. Mr. Jones replied that it is in the EOM, which we are beholden to follow. Mr. Ferrell said that other departments tailor the county policy to meet their needs, like the courts. Ms. Groot said she doesn't see why what Mr. Jones wrote about hours can't be put in the manual for the Board of Elections. Mr. Jones recommended that if we want to go that route, we pass a motion that says the board will adhere to the SOS directives as they issue them.

Mr. Ferrell stated that would not address comp time. Mr. Jones replied that we are compliant with the county policy in that regard. We pay overtime to full-time staff as they earn it. Mr. Jones also recalled a meeting not long after he started when Jason said we had to treat the comp hours that had already been earned under the same rules that were in effect when they were earned.

Regarding the teleworking policy, Ms. Groot would like to include that no work from the office goes home. Mr. Adams asked, "Of any kind?" Ms. Groot confirmed that was correct. Mr. Adams replied he was not sure if that was prudent. Ms. Groot said that when previous workers were here, work went home. Mr. Adams asked if it was inappropriate work. Ms. Groot said it was.

Ms. Crescimano asked if anybody takes work home now. Ms. James and Ms. Link stated no. Mr. Jones stated there is work that happens off site, but nothing gets taken home. Access to the servers where the voter registration information is stored should not be anywhere other than the office. Ms. Groot iterated that no paperwork should ever leave the office, but it has in the past.

Ms. Crescimano stated that the more she listens, she's really concerned about creating a hostile work environment. Ms. Crescimano stated she trusts our staff and has no reason not to trust them. Ms. Groot replied that she's been coming to these meetings for many years and has seen a lot of not positive things. She is trying to make sure it doesn't happen again and protect the employees.

Mr. Jones asked, for our edification, can you outline who and what was leaving the office? Ms. Groot replied it was two directors ago. She said the former director took voter information, bills, and many different pieces of paper out of the office. Ms. Crescimano stated we weren't here, so we don't know. Ms. Groot stated she knows someone who worked in the office who observed it. Ms. Crescimano asked Ms. Groot if she ever brought this up during board meetings under "any other matters to come before the board." Mr. Ferrell stated that was not an agenda item at that time. Mr. Ferrell also stated he does not think Ms. Groot is criticizing the employees. He thinks she wants to create transparency with the public. He also thinks Ms. Groot wants things codified as an addendum to the county policy that are flexible enough to address the special issues that come up with this department.

Mr. Adams stated the staff we have is extremely reliable. If we make a blanket policy that absolutely nothing goes home, then what happens if they take something home that is appropriate? What are the consequences? Could there be a little wiggle room? Mr. Ferrell suggested adjusting the language with the prosecutor's office. Mr. Adams asked if the county policy states that nothing goes home. Mr. Jones replied that the big thing is confidentiality. There is a confidentiality section of the county policy that discusses our duty to not release any sensitive information. Mr. Ferrell said that most of the stuff we have is public record. Ms. Groot said that might be a good way of saying it- "Nothing goes out of the office that isn't public record." Mr. Ferrell said he always heard complaints about the location of the voter cards. Ms. Link stated that we moved the cards.

Ms. Groot asked if employee evaluations had been done. Mr. Jones replied that we did evaluations for 2023. Ms. Groot also commented on out-of-county travel costs. She feels we should choose overnight accommodations that allow for tax-exempt forms to lessen the cost.

Mr. Adams asked what if someone takes home something that is appropriate and doesn't violate confidentiality? Ms. Crescimano stated that to her, there's no reason for anybody to take work home. If we say a public record can be taken home, then a public record is an invoice. All invoices are public record. Mr. Jones stated he thinks we're diving into something that's deeper than policy. The county policy is that if you do any work outside the office, there are steps in place to secure the confidentiality of information that is confidential.

Ms. Groot said she doesn't think anything should go home. What if your house burns down? What if you get in a car accident and the papers blow away? For the safety of the information in the office, nothing should leave the office. Mr. Adams asked what if the office burns down? Ms. Groot replied that at least that burden would be with the county. If you're in your personal car, that's your personal liability.

**Mr. Adams said he thinks we should work with Jason to make the wording appropriate. Mr. Ferrell stated that's what we were trying to do on Monday. Mr. Adams pointed out that employees are overwhelmed and that we have a big presidential election coming up. Mr. Ferrell replied that he was here the last presidential election and there were a lot of questions. He assured people our employees are the utmost responsible and honest individuals, but people still asked questions. Right now we're doing things that are the opposite of what's in the county policy book, so we need an addendum like other elected officials have. He also stated the staff has no input and it is the board members' job.**

**Ms. Crescimano stated it was nice to ask the staff's opinion. Mr. Ferrell stated that Mr. Jones provided it in his email. Ms. James stated that she and the two clerks reviewed the email as well. Mr. Ferrell suggested that Mr. Jones and Ms. James meet with Ms. Groot to compile her ideas into a form and have it ready for the next meeting.**

**Mr. Lippert stated he sees the value of the questions being asked. He also sees staff input as being quite valuable. What he is looking for is election integrity and transparency. He is not discouraged by discussion and thinks it's great.**

**Ms. Grubbe asked when the voters were removed due to list maintenance. Ms. James replied that we did that on Monday. Ms. Grubbe also asked if the office had received a list of voters from the election integrity group that they want removed. Ms. James stated we have not.**

**Mr. Ferrell suggested talking to the postmaster and putting a sign in the post office lobby telling people that if they take their ballot into the clerk, the ballot doesn't go to Cleveland. Ms. Link stated that we have revised the absentee instructions from the state to include a note stating that. We also revised the form to say that we recommend filling in your ballot with black ink, and that the cost to mail the ballot back is one forever stamp.**

**Mr. Adams motioned to adjourn, with Ms. Groot seconding. All board members voted yes; motion carried. Board adjourned at 10:05 a.m.**

**Alexander W. Jones, Director**

**Attest:**

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**Thomas M. Ferrell, Chairman**