

The official certification and regular monthly meeting of the Erie County Board of Elections was called to order by Chairman Thomas Ferrell on Tuesday, November 19th, 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: Jason Hinnars from Erie County Prosecutor’s office, Jonathan Gormley from Ohio Secretary of State’s office, Amy Grubbe, Stephen Lippert, and Harriet Minich

Mr. Ferrell stated we need to certify the results of the November 5th, 2024 General Election. Ms. Groot stated that she would like to make a couple of comments. She reflected a lot after our meeting yesterday, and feels like we let our electorate down by not counting the provisional ballots where the voter did not write their ID. Ms. Groot went through the training materials and found a provisional voting checklist. Part of the checklist reads, “The voter will complete the 12B envelope and voter registration form if needed. The VLM is responsible for ensuring all sections of the form have been completed correctly and the voter has signed Section 7. Note: If the voter provided no photo ID, or their ID is expired, they will not complete Section 5.”

Ms. Groot knows we can’t do anything about it now but feels we should highlight this section of the training in the future. She also feels strongly that the VLMs who did not do this should have it pointed out to them this year. Ms. Groot stated she asked Adrienne how many times she has seen provisional ballots change a race, and she said two. Every vote is important, and we need to do what is best for our voters and community.

Ms. Crescimano motioned to certify the results of the election, with Ms. Groot seconding. All board members voted yes; motion carried. Adrienne James, Deputy Director, provided the Certification of Results signature form for the board members, director, and deputy director to sign.

Next, the board members randomly selected polling locations for the post-election audit. We need to audit five percent of the ballots cast, which this election is 2,015. The randomly selected polling locations are as follows:

- Sandusky Firehouse (San B & C)--- 530 ballots cast
- Vermilion Field House (Ver 3A & 3B)--- 679 ballots cast
- Huron First Presbyterian Church (Hur E & F)--- 739 ballots cast
- Berlin Heights Municipal Building (Ber Vill)--- 289 ballots cast

In total, we will be auditing 2,237 ballots, which is above the five percent minimum.

Alex Jones, Director, stated that if there is a recount for the 9th Congressional race, then we need to hand count at least five percent of the ballots. However, we need to randomly select precincts to hand count, not polling locations. Each board member except the chairman randomly chose three precincts to hand count if there is a recount. Mr. Jones stated we would only hand count until we reached the five percent. The nine randomly selected precincts are as follows: Perkins Township #1, Sandusky B, Castalia Village, Perkins Township #9, Huron A, Vermilion 1-A, Milan Village, Huron Township #1, and Vermilion 2-B.

Ms. Crescimano motioned to approve the minutes from the September 27th and October 25th regular meetings, with Ms. Groot seconding. All board members voted yes; motion carried.

Mr. Jones presented the November bills to the board. He stated there is one Then & Now for a bill we approved in October. It is for ES&S services for formatting and coding ballots, and it is over \$5,000. The rest of the bills are on two separate pages, because some of the bills are being paid for with grant money. The board members took a few minutes to review.

Ms. Crescimano motioned to approve the Then & Now, payable to ES&S, for \$5,925. Ms. Groot seconded the motion. All board members voted yes; motion carried.

Ms. Crescimano motioned to approve the November bills, with Ms. Groot seconding. All board members voted yes; motion carried.

For the director's report, Mr. Jones noted that the winter conference put on by the Ohio Association of Election Officials will be January 8th, 9th, and 10th. We will provide more information to the board members soon.

Under new business was a request to reallocate the Columbus Day holiday. Mr. Jones stated that because of the early voting schedule, we had to work Columbus Day, which otherwise was a paid holiday. Last year we did the same thing for Veterans Day and observed it the Wednesday before Thanksgiving. That is the staff's preference this year.

Ms. Crescimano said she had no problem with that. Ms. Groot said she does. She stated that she tried to put through some amendments to the policy which addressed this, but the board didn't want to push it through. So if we are sticking to what the county policy says, the Wednesday before Thanksgiving is not a specified day off.

Ms. Crescimano motioned to have the staff make up the Columbus Day holiday with the Wednesday before Thanksgiving. Mr. Adams seconded the motion. Mr. Ferrell asked for a roll call vote.

Mr. Ferrell- no
Ms. Crescimano- yes
Ms. Groot- no
Mr. Adams- yes.

The motion did not carry.

Mr. Adams asked if we have the ability to make a change. Mr. Ferrell noted that at the meeting with the county commissioners, everyone just said to wait until after the election. Ms. Crescimano asked for Mr. Hinnert's opinion. Mr. Hinnert stated that he hasn't reviewed the personnel policy to see the discretion it provides to provide days off. Mr. Adams suggested checking with the commissioners. Mr. Hinnert stated it is your decision, not the commissioners. He also offered to review a copy of the county's personnel policy.

Ms. Groot stated that she started working on the policies a long time ago. It kept getting pushed back and pushed back, and then all of a sudden we were in front of the commissioners. She noted the current policy book specifically states what days are holidays. Mr. Adams said if we are able to make an exception, it would be prudent. If we can't, then it's moot. Mr. Hinnert noted that the board has given staff off the week between Christmas and New Year's. That's not in the personnel policy, but it's past practice.

The next item under new business was holiday office closure. Ms. Crescimano noted that last year everyone used comp time. Is that what is proposed this year? Mr. Jones stated yes. It is not given days off, but people would use time earned, such as comp, vacation, or personal.

Ms. Groot noted that last year a staff member came in while the office was closed and suggested that two people come in this year. The board members discussed and decided that only one person would need to come in because we won't be in an active election. It was decided that the staff would work out amongst themselves who would come in each day.

The last item under new business was 2025 payroll adjustments. Mr. Jones noted that the commissioners have adopted a three percent cost of living increase for everyone. The three percent is already allocated in the budget; the board just needs to approve it. Ms. Groot motioned to approve the three percent payroll adjustment, with Ms. Crescimano seconding. All board members voted yes; motion carried.

Mr. Ferrell asked if we had worked out the holiday schedule. Ms. James responded that the four staff members get along, so we'll be able to work it out. Mr. Adams asked what the staff would prefer in the future. Eliza Link, Clerk, said the preference would be to have it off. Ms. James and Mr. Jones agreed. Mr. Jones said we would manage either way.

For any other matters to come before the board, Ms. Groot provided notes from her polling location visits on Election Day. She stated that a lot of locations had trouble with the new iPad printers. Ms. Grubbe asked what was being done to ensure the iPad printer problems wouldn't happen again. Ms. James stated we would talk about it in an after action review. She also stated that because the printers were new and the paper was so full, we think that's what caused them to not print properly. Ms. Groot commended Ms. Link for her hard work in putting together the new poll worker training materials. She said a lot of poll workers commented on how helpful it was.

Mr. Hinnners commented on his findings in the Erie County Personnel Policy book. He also stated that he would appreciate being told if we know there are going to be issues so that he can research beforehand. According to the county personnel policy, hours may vary. Some employees may be assigned irregular or unusual work schedules because of the type of work their unit does. It notes there is a separate exception for holidays if your work schedule is something other than Monday through Friday, which you could say is the case during election time. He stated there is perhaps some wiggle room here, and that ultimately the board is the appointing authority. The policy states that all full-time employees are entitled to eight hours of pay for 12 holidays. Board staff could not take the holiday because they were obligated by the state to work.

Ms. Crescimano stated, "So it's permitted." Mr. Hinnners replied that it doesn't specifically state it, but he thinks it can be inferred. He understands the need and desire to follow the policy, but in this situation where the holiday falls on a day that the staff is required by law to work, he thinks it's reasonable to provide them a different day to observe the holiday that they otherwise would have had off.

Ms. Groot stated, "So you're saying may, not shall." Mr. Hinnners replied that it's your discretion, but they are entitled to pay regardless. Mr. Ferrell stated this goes back to what Ms. Groot was saying. He said we could have dealt with this months ago. Mr. Hinnners asked if moving a holiday to a different date was one of the proposed amendments. Ms. Groot stated yes. Mr. Adams stated he thinks that was one of the amendments that everyone agreed was a good one. Ms. Groot stated that you can't just have the good. It's all or nothing. Ms. Crescimano and Mr. Adams said they disagreed.

Mr. Adams wondered if we could ask the commissioners to make an exception for the benefit of our employees. Ms. Crescimano stated she thinks the policy is leaving it to our discretion. Mr. Hinnners confirmed that we do not need to ask the commissioners for permission to take the day before Thanksgiving as Columbus Day. Ms. Crescimano commented that the Treasurer's office takes the day before Thanksgiving off because they do tax collection on Saturday.

Ms. Groot stated that if we had changed the policy, this would not be an issue today. All she heard was to keep pushing it down the road. It was excuse after excuse. Mr. Ferrell commented that it was not all or nothing. The last he heard, two of the board members were going to meet to rehash and bring ideas back to the full board, but that never occurred. Mr. Ferrell stated that this office operates differently than other county departments. He also stated that other departments have their own policies.

Mr. Adams stated we have an incredible staff. They don't complain. He thinks as a board we should do what we can to reward them and give them flexibility as we can. Ms. Crescimano agreed. Mr. Ferrell responded that he doesn't think anyone is criticizing the employees. He said we have discussed since we went on the county policy making an addendum policy to better suit this office. We always knew that Columbus Day was going to be an issue, but it wasn't an issue in July, or it wasn't a big enough issue to be dealt with.

Ms. Groot motioned to adjourn, with Ms. Crescimano seconding. All board members voted yes; motion carried. Board adjourned at 9:38 a.m.

Alexander W. Jones, Director

Attest:

Thomas M. Ferrell, Chairman