

**Butler County Board of Elections
Board Meeting Minutes
April 19, 2012**

The Butler County Board of Elections met on Thursday, April 19, 2012, at 10:00 a.m. for a regular meeting. Roll call was taken and present were Chairman Frank Cloud, Member Bruce Carter, Member Judy Shelton, Member Tom Ellis, Director Lynn Edward Kinkaid, Deputy Director Jocelyn Bucaro, Sr. Executive Assistant Nancy Piper, and Administrative Assistant Tiffany Harmon.

There were no Bills to approve.

Minutes from the following meetings were reviewed by the Board:

March 19, 2012
March 20, 2012
March 21, 2012
March 22, 2012
March 26, 2012
March 27, 2012

Member Carter moved to approve the Minutes, seconded by Member Ellis.

There was no discussion. Roll call:

Chairman Cloud	yea
Member Carter	yea
Member Shelton	yea
Member Ellis	yea

All in favor; motion carried.

There were no Secretary of State Directives or Advisories to go before the Board.

Member Ellis suggested that we divert from the Agenda and move to Old Business under which a Review of the 2012 Budget was to be presented to the Board. Director Kinkaid began by acknowledging the hard work by the Finance Department along with Deputy Director Bucaro in putting together the PowerPoint presentation for the Board. He proceeded with the overview of the line items which included proposed amounts, adopted amounts and what is currently in our budget under each line item.

Figures for salaries were reviewed in detail and included estimated expenditures (which includes a 3% salary increase for the staff), 2012 full-time employees' annual salary without overtime, 2012 full-time employee overtime pay and part-time salary information. The Board questioned the overtime salary paid to Jay Klein who is actually an employee of the Commissioners, but the Board of Elections does pay any overtime worked by Mr. Klein.

Ms. Bucaro continued the discussion with the Board regarding increased expenses and workload anticipated for the 2012 Presidential Election in November. A high voter turnout, increased postage costs of mailing early voting ballots, and a record number of State Issues resulting in a longer, two-page ballot, were cited as several of the factors which will contribute to the need for additional funds.

Year-to-date salary expenditure figures were presented to the Board and included full-time salaries, part-time employee salaries, and election workers pay. which totaled \$635,891.09 – 44% of the total appropriation expended in only eight pay periods of our twenty-six pay periods of 2012.

Other expended "Contract Services" were explained by Ms. Bucaro.

Expenditures as of the March election were \$73,347.36 and equals 30% of the total annual appropriation by the Commissioners. Mr. Ellis questioned whether it was mandatory that we have on-site election support by our vendors, to which Ms. Bucaro replied that we choose the support in most elections in order to assist us with our tabulating and reporting procedures.

"Postage" expenditures were discussed and the Board concurred that this account has been extremely under-funded. We are anticipating a high volume of absentee voting along with a two-page ballot which will be costly to mail to absentee voters.

"Materials and Supplies" year-to-date expenses were discussed, and Ms. Bucaro stated that she believed this account will not require additional funding. Our

original anticipated expenses included printing costs of paper ballots, street directories and poll books. By utilizing the Balotar printing system and our electronic poll books, we have experienced significant savings in this account.

Returning to budget discussions, Ms. Bucaro stated that year-to-date, our total expenditures for salaries is \$635,891.09, which includes full-time employees, part-time employees, and March Primary Election workers. She added that we have already spent 44% of the total annual appropriation and with only eight out of twenty-six pay periods paid out so far this year, so we obviously will not be able to meet our payroll needs with the funding we received for 2012.

“Other Contract Services,” year-to-date expenses were reviewed by the Board. Expenses in this account include such items as absentee ballots and set-up costs, polling place rental, DIMS maintenance agreement, and advertising. The total expenditures for “Other Contract Services” totaled \$73,347.36 as of the March Election.

“Postage” expenditures, which total \$17,176.94 as of the March Election, is 36.5% of the total appropriation. Our office will require additional appropriations in order to meet our needs for the November Election.

“Other Materials/Supplies” expenses which include Election Day ballots, precinct kits, poll worker training presentation and forms, Ethernet switches, confirmation cards, etc. paid thus far this year is \$19,630.76, which is 10% of the total appropriation. Ms. Bucaro stated a large part of the savings was from printing our own ballots and the electronic poll books. Additional funding may not be needed for this account, she said. The Board discussed this account at length, however, and it was suggested by Member Ellis that we fund this account at the original appropriated amount, adding \$30,541 to the request. By doing so, our office would be prepared to follow a Directive mandating additional paper ballots at the polls, or other unexpected expenses that may arise.

Ms. Bucaro reported that the total expected March Primary expenses were \$453,316.18 and our actual expenses were \$302,170.10. Savings were realized in every line item due to low voter turnout and increased efficiency.

Ms. Bucaro then presented an "Adjusted 2012 Budget" for the Board to review. She explained that because we are anticipating less overtime during the November Election, we will be able to reduce our original request for additional appropriations in our employee salary line. Each line item was reviewed with the Board by Ms. Bucaro, and ended with a total adjusted budget of \$3,475,685.20, resulting in a need for \$943,686.12 additional appropriations to meet our budget. Ms. Bucaro explained that overtime of full-time staff will be significantly reduced due to the purchase of the Balotar, the high-speed scanners, electronic poll books, and more efficient operations. A lower voter turnout in November, 2012 as compared to November, 2008 is not projected to be a factor in lower overtime costs, she added. Ms. Bucaro explained that we are anticipating hiring approximately twelve part-time workers for the November Presidential Election as compared to forty additional part-time workers hired in the 2008 Presidential Election.

The adjusted 2012 Budget and needed additional funding were reviewed by the Board. The employee salaries adjusted proposal will include a 3% increase for full time staff, not including the Director and Deputy Director. Increases will also be realized in staff retirement payments, workers compensation, medi-health, health insurance and postage. There should be no additional funds needed for office supplies, gas/fuel/oil, non-capital equipment subscriptions, other materials/supplies, maintenance and repair, membership dues, rental/lease equipment, and employee travel and training.

Ms. Bucaro explained to the Board that election workers were previously paid out of "Contract Services," but they are now paid out of our "Salaries" account, which explains the difference in salaries and contract services figures for 2008 and the 2012 projection.

The Board discussed the possibility of whether or not a Directive would be handed down from the Secretary of State instructing boards to provide additional paper ballots at the polls, and that it may be wise to request funding for extra ballots.

Member Carter explained that many of the Directives which came out in 2008 were responses to multiple lawsuits filed in 2004 against Blackwell. There was also a longer time period for no-fault absentee voting in 2008 which would attribute to additional paper early voting ballots.

The final page of the budget review listed unanticipated expenses which we have experienced including battery replacements for the TSX motherboards, a Commissioners Race Recount, an August Special Election and several State Issue Petitions which will result in overtime for the staff validating signatures and petitions.

Member Ellis asked Chairman Cloud about the next step involved in the budget proposal. Chairman Cloud replied that the Board may approve what is to be taken to the Commissioners, however Member Ellis stated that he desired that the Board further discuss the numbers and specifically additional funding for additional expenses which may be required by Directive, the August Special Election, as well as the possibility of increased need for temporary staffing or software we may need to purchase. Ms. Bucaro stated that savings realized during the March Primary Election will help pay for the August Special Election.

Member Ellis suggested that we request an additional \$85,000 for the "Other Contract Services" account. He then referred to the \$87,000 we received from the Ohio Secretary of State, to which Member Carter stated his understanding was that the money was to be earmarked for redistricting and questioned how we could use those funds. He had contacted Assistant Prosecutor Roger Gates for clarification, and Mr. Gates' reply did cause Member Carter some concern. Ms. Bucaro stated that the funds are intended for redistricting and/or re-precincting,

and we may need to utilize that money further for our IT department as well as staff overtime salary for proofing after the process is completed. Member Carter questioned the email from Aaron Ockerman regarding whether the funds have been appropriated for use this year, or will we receive additional funding later? Ms. Bucaro stated that it was her understanding that if we do not use the money this year for the redistricting project we may use it next year. She added that judging from the correspondence, we could use the money for funding our own staff for overtime involved in the project, or it may be included in "Other Contract Services" should hiring outside services be necessary. Member Ellis interjected that the \$87,000 was never the basis for the Director's \$8,000 raise, which the Finance Manager, Peggy Robinson, had confirmed in a prior meeting.

After discussion, Member Ellis moved that the amount requested for "Other Contract Services" should be increased by approximately \$60,000 for "unknown reserves." Our budget request to the Commissioners would therefore be increased to \$1,034,227. The motion was seconded by Member Shelton.

Chairman Cloud stated that he did not believe a motion was necessary and that all the Board needed to do was to agree on the figures. Member Ellis withdrew his motion, and Member Shelton withdrew her second.

The Board was given a copy of the 2012 approved budget, and at this point, the Board took a five-minute recess. Following the break and back on the record, Member Ellis moved to go into Executive Session under Revised Code 121.22 to discuss personnel. Member Shelton seconded the motion. Roll call:

Chairman Cloud	yea
Member Carter	nay
Member Shelton	yea
Member Ellis	yea

The motion carried.

Following Executive Session, Member Ellis moved to return to regular session, seconded by Member Shelton. There was no discussion. Roll call:

Member Carter	yea
Member Shelton	yea
Member Ellis	yea

All in favor; motion carried.

Member Carter announced that it had been necessary for Chairman Cloud to leave the meeting during Executive Session. Member Ellis requested that the Board meet again, prior to May 17th, to complete the budget review. Deputy Director Bucaro asked that May 9, 2012 at 11:00 a.m. be designated as the next meeting. The Board agreed.

Returning to the Agenda, the following Directives, Advisories and Memoranda were reviewed:

Directives: None

Advisories: None

Memoranda from the Secretary of State:

<u>Date</u>	<u>Subject</u>
03/28/2012	Clarification on Directive 2012-13 regarding the examination and verification of nominating petitions for an independent candidate for US Senate (Matthew M. Damschroder) <i>In Section 4 of the Directive, Boards were instructed to follow state law, which requires the petitions to be available for public inspection between April 20 and April 27, 2012 (RC 3513.262). (Butler County followed the Directive correctly and has the petitions for viewing.)</i>
04/03/2012	Updated map of regional liaisons for the Secretary of State's office (Kate Huffman) <i>Region 8: Regional liaison is Keith Corman.</i>
04/05/2012	Changes in Secretary of State's ballot language review process (Patricia Wolfe) <i>The Secretary of State approves final ballot language in accordance with R.C. 3501.05(J). This approval will be based solely on a comparison of the information included in the taxing authority's resolution authorizing the ballot issue and the proposed ballot language provided to the Secretary of State's office. A general Checklist for Question and Issue Filings was included – Butler County currently using checklists which are issue-specific.</i>
04/06/2012	Number of electors in a precinct (Matthew Damschroder) <i>When a board of elections establishes a precinct, the precinct may not contain more than 1,400 electors in accordance with R.C. 3501.18(A). West Chester Twp WC29 contains 1,309 electors. This precinct is not over the maximum number of electors but needs to be monitored for continued compliance with 3501.18(A).</i>

The Board reviewed this Memorandum in particular and discussed how the Board would deal with the situation should this precinct exceed 1400 voters.

Most likely, this issue will be monitored and revisited in July of 2012.

- 04/05/2012** **ADA Accessibility for 2012 Webinar (Laura Pietenpol)**
Discussion items were instructions on the new 2010 ADA standards (effective March 15, 2012), updates on HHS permanent improvement grant opportunities, ADA equipment inventory project, and tips to support boards preparation for the November 2012 Presidential Election. Board Members are encouraged to participate in Webinars offered in order to earn credit hours.
- 04/09/2012** **HHS Grant Funds for Online Poll worker Training (Sonia Klingel)**
Butler County Board of Elections was awarded grant funds in the form of a sub-grant from federal dollars the State of Ohio received for Online Poll worker Training. A monetary amount of \$4,980.00 was approved by the Secretary of State's Office and made payable to the Auditor's Office.
- 04/14/2012** **New districts for the State Board of Education have been issued pursuant to RC 3301.01(B) (2) (Matt Damschroder)**
Enclosed: District Map and a copy of the Governor's letter designating the new boundaries.
- 04/16/2012** **Information Regarding Statewide Issue Petitions that may be circulated for placement on the 2012 or 2013 general election ballot (Patricia Wolfe)**
Anticipate that two or three issue committees may file petitions no later than the July 4, 2012 filing deadline.

Other Communications:

- | | |
|---------------------|--|
| <u>Date:</u> | <u>Subject:</u> |
| 03/28/2012 | Re-submitted Petition for Initiated Constitutional Amendment Freedom to Marry and Religious Freedom (Asst. Ohio Atty. General Richard N. Coglianesse)
<i>R.C. 3519.01(A) requires that any group proposing an initiated constitutional amendment must do so by written petition signed by at least 1,000 qualified electors. Enclosed: Reporting form for the total number of valid and invalid signatures submitted by the deadline, included 4 valid part-petitions, 0 invalid part-petitions, 3 valid signatures, 4 invalid signatures.</i> |

Director Kinkaid informed the Board that on December 1, 2011, we made changes in DIMS for the House portion of the redistricting project. What used to be named Hanover7.54 was changed to Hanover7.53, however, it should have been named Hanover7.51. The precinct previously named Hanover7.53 was changed to Hanover7.51. The largest part of Hanover7 actually belongs to Hanover7.53, and only a few voters belong to Hanover7.51. What needs to take place is to rename the two splits to match the House district they are actually in. There are 1,192 voters in the precinct that will become 7.53, and only 15 voters

in Hanover 7.51. Jay Klein discovered that the street in the small split does not belong there, and he is documenting the changes that need to be made and would like to present them to the Board today. Member Shelton requested that Mr. Klein come before the Board at the next meeting rather than today. Ms. Bucaro stated that there is a voter in that precinct who is very upset that she is in the incorrect precinct. An additional split will need to be created and it was our hope that this could be addressed by the Board during this meeting. Member Shelton stated that since Chairman Cloud needed to leave the meeting, she would prefer that the Board address this situation at the next meeting when all Board members are present.

Deputy Director Bucaro addressed the Board to request that Tiffany Harmon's title be changed from "Clerk" to "Administrative Assistant," as she has officially taken over those duties. Ms. Harmon's current salary is \$33,500 which will be reviewed at the next meeting. Member Carter moved that Ms. Harmon's title be changed effective immediately to "Administrative Assistant" with her compensation to be reviewed at the next meeting. Member Shelton seconded the motion. Member Ellis asked how long Ms. Harmon has worked at the Board to which Ms. Bucaro replied approximately one year. Roll call:

Member Carter	yea
Member Shelton	yea
Member Ellis	yea

All in favor; motion carried.

Ms. Bucaro informed the Board that the Post-Election Audit was completed last week, balanced perfectly, and will be submitted to the Secretary State today.

Voter history from the March Primary Election was submitted to the Secretary of State earlier this week and included the following statistics of ballots pulled:

3,818	Democratic
38,506	Republicans
196	Libertarians
46	Green
84	Issues Only

Ms. Bucaro informed the Board that we placed Encoders no longer needed for sale to other counties. Pricing is at \$100.00 each, or ten for \$500.00. The



Ohio Historical Society
 State Archives of Ohio
 Local Government Records Program
 1982 Velma Avenue
 Columbus, Ohio 43205

CERTIFICATE OF RECORDS DISPOSAL (RC-3) – Part 2

See instructions before completing this form. Must be submitted with PART 1.

Butler County Board of Elections
(political subdivision name) (unit)

(1) Records Series Title	(2) Authorization for Disposal		(3) Media Type To be destroyed	(4) Media Type To be retained (if any)	(5) Inclusive Dates of Records		(6) Proposed date of destruction (15 business days from receipt by OHS-LGRP)	(7) For OHS-LGRP use
	Schedule Number	Date the RC-1 or RC-2 was approved by the Records Commission			From	To		
Voter verified paper audit trail	CBE-48 BOE-48		Paper		November 8, 2011 General Election			
Correspondence	CBE-13 BOE-13		Paper		November 8, 2011 General Election			
Ballots (used & unused)	CBE-06 BOE-06		Paper		Nov 8, 2011 General & May 4, 2010 Primary			

Board of Elections Dept: **EV, REG & WH** Date Submitted to Admin.: April 18, 2012 Total Boxes: 73

Form: SAO/LGRP-RC3 (part 1), Revised March 2009



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 1982 Velma Avenue
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	Schedule Number	Date the RC-1 or RC-2 was approved by the Records Commission			From	To		
Absentee Identification Envelopes	CBE-38 BOE-38		Paper		Nov. 8, 2011 General & May 4, 2010 Primary			
			Paper					
			Paper					

Board of Elections Dept: **EV, REG & WH** Date Submitted to Admin.: April 18, 2012 Total Boxes: 73

Form: SAO/LGRP-RC3 (part 1), Revised March 2009

Member Ellis stated that he had a couple of items under New Business to discuss. First, he would like to request that Roger Gates contact the Secretary of State to confirm whether there has been a change in the Board Member salary formula. Member Carter moved that Mr. Ellis confer with the Prosecutor's Office to review with the Secretary of State the formula regarding population and compensation of Board Members and determine whether, in his opinion, it is still applicable. The motion was seconded by Member Shelton. Roll call:

Member Carter yea
Member Shelton yea
Member Ellis yea

All in favor; motion carried.

Member Ellis expressed a concern as to whether our Board acted appropriately in authorizing the counting of certain Provisional Ballots in the recent recount of a Commissioners race. Ms. Bucaro assured the Board that they were correct in deciding the ballots which were eligible to be counted. Butler County opened and tabulated valid NEOCH ballots and the Board should not be concerned about their decision.

Member Ellis had a third item to come before the Board. He suggested that petitioners or others who are filing documents with the Board of Elections perform the function of time-stamping them rather than hand the documents to our clerks to time stamp. Member Carter disagreed and stated that when a document is officially filed and time-stamped, it is his belief that the purpose of a time stamp on a document is the precise second when that document is received and that the person filing the document is relinquishing control. Mr. Ellis replied that if a candidate would be required to time-stamp his own petition, it may make him/her more aware of whether all requirements have been met. Mr. Carter then noted that should a person send documents by mail, they would then be treated differently, which is a concern.

Member Ellis had a final issue to bring before the Board regarding the SOE Software for election night reporting. He added that Deputy Director Bucaro had spoken with SOE and they agreed to do a "test drive" for three elections at a price of \$22,000. If we would agree to use the "test drive," the \$22,000 could be applied to the purchase price, then a subscription cost would also be part of the purchase plan. SOE does need a 60-90 day "lead time" in order to provide the service for an upcoming election, so Mr. Ellis asked the Board to consider the software. Member Carter suggested that perhaps SOE would agree to do the August Special Election at no cost. Ms. Bucaro expressed concern over the

expenses involved, to which Mr. Ellis replied that our system is “1960’s” and that the SOE Software could enhance the professionalism of the reporting system. Member Carter shared with the Board that on the issue of the NEOCH Consent Decree, a lawsuit has been filed in the Ohio Supreme Court by Republican members of the legislature against the Ohio Secretary of State. He shared his concern over some of the weaknesses of the NEOCH Consent Decree and that this could be something that will affect our laws and procedures in the near future.

With no further business, Member Ellis moved to adjourn, seconded by Member Shelton. Roll call:

Member Carter yea
Member Shelton yea
Member Ellis yea

All in favor; motion carried.

The meeting was adjourned at 2:37 p.m.

Frank Cloud, Chairman

Lynn Edward Kinkaid, Director

Thomas W. Ellis, Member

Judith A. Shelton, Member

Bruce Carter, Member