

**Butler County Board of Elections
Board Meeting Minutes
March 13, 2020**

The Butler County Board of Elections met on Friday, March 13, 2020, at 9:00 a.m. for a special meeting. Roll call was taken and present were Chairman Frank Cloud, Member Marian Penska, Member Todd Hall, Member Chris Wunnenberg, Director Diane Noonan, Deputy Director Eric Corbin, and Poll Worker Administrator/Executive Assistant Melissa Trotta.

Chairman Cloud invited Database Administrator Jay Klein to speak. Mr. Klein took the opportunity to explain in his defense the personnel event from Wednesday, March 11, 2020. He explained there was a problem with the way some ballots were printed, but the ballots just needed to be reprinted. Member Hall asked if Mr. Klein was trying to assist the other employee. Mr. Klein replied yes. Member Penska asked if he had offered that same kind of help before the ballots were printed. Mr. Klein said he was not able to do so due to being off work for a surgery this election, but in the past yes, he would have provided that guidance. Member Hall asked if there was elevated volumes between the parties involved. Mr. Klein said to his recollection voices were not raised.

Member Chairman Hall moved to go into Executive Session to discuss personnel according to O.R.C. 121.22(G)(1) at 9:37 a.m.; seconded by Member Hall. Roll Call:

Chairman Cloud	yea
Member Penska	yea
Member Hall	yea
Member Wunnenberg	yea

All in favor; motion carried.

At 10:42 a.m. Chairman Cloud stated the Board is back in session.

Chairman Cloud explained that Early Voting Administrator Tiffany Harmon requested the Board speak about the incident from Wednesday, March 11, 2020, in regard to her employment on the record. He started off by stating it is very unprofessional for someone to walk out on the job. He explained that during election time there are frustrations and anxieties are high. He explained Ms. Harmon's statement read that she was on her lunch break but was then told to return to work by her supervisor and then was told to go home. He then explained that both Early Voting Administrator Tiffany Harmon and Database Administrator Jay Klein were told to go home until the Board meeting because he did not want the tension to escalate.

Member Penska pointed out that employees of the Board of Elections are employees at will and can be dismissed with or without cause at any time. She reiterated that this is very unprofessional behavior and should not be tolerated. She agreed that tensions are high and explained that it is easy to be calm and collected when tensions are not high professionalism means you are calm and collected when tensions are high.

Member Hall said he would like to make a statement on the record of an email from Tiffany Harmon to Eric Corbin on Thursday, March 12, 2020, at 6:34 p.m. that reads, "I said screw it I quit."

Member Wunnenberg expanded on Member Hall's statement by reading more from the email, "I left the room by going through the warehouse. I kept my head down because I didn't want anyone to see me upset and went to my office and got my purse and left the building."

Member Hall said we basically just had an employee quit and then recognize in writing that she quit.

Member Penska asked Deputy Director Corbin about conditions that Ms. Harmon made to continue her employment. Deputy Director Corbin explained that Ms. Harmon asked to have a meeting when she returned to work on Wednesday, March 11, 2020, and that Election Services Manager Mickey Smith was also present. Ms. Harmon gave the condition that for her to continue to work in the Tabulation Room she would need to do so without Mr. Klein present. Member Penska asked if that condition was for the day or forever. Deputy Director Corbin said his understanding was that it would be at least for the day but could be intended for a longer amount of time. Member Penska made it clear that employees do not get to dictate who they work with, what the job or scope of responsibilities are and that if she has condition we are not willing to meet that will be an issue.

Member Hall asked if scanning ballots is something that is consistent with something that is in her job description. He added that based on what is in Ms. Harmon's email, she was unable to complete ballot scanning that day. He said we have an employee who said, "I quit, screw it" walked out of our business and was not able to complete her job.

Chairman Cloud said mistakes are made but it was not anything that could not be corrected.

Member Penska pointed out that after lunch she was brought back and performed some duties before being sent home.

Member Hall said for the record he has a problem with an employee not being able to do their job and saying, "screw it I quit."

Member Penska made the recommendation to not suspend Ms. Harmon's employment at this time and said she believes there needs to be strong coaching and that this kind of unprofessionalism will not be tolerated again.

Chairman Cloud said that the Director and Deputy Director should sit down and have a discussion about how improper the behavior was. He said it is election time, tension is high and anxieties are high but that was not a professional way to behave.

Member Wunnenberg, added that setting a condition of a person not being in the room while she works is not a condition we can meet. If she requires that condition to be met we will accept her resignation.

Member Hall asked if there has been any other communication with Ms. Harmon. Deputy Director Corbin explained that Ms. Harmon called before the meeting and asked that her employment be discussed on the record at her request. He also explained that on Wednesday over the phone Ms. Harmon asked if she needed an attorney. Director Noonan was also on the call and neither she nor Deputy Director Corbin gave any advice about getting an attorney. Member Hall asked for clarification if the directors gave Ms. Harmon any legal advice. Deputy Director Corbin replied, "no."

With no further business, Member Hall moved to adjourn the meeting; seconded by Member Penska. Roll call:

Chairman Cloud yea
Member Penska yea
Member Hall yea
Member Wunnenberg yea
All in favor; motion carried.

The meeting was adjourned at approximately 10:52 a.m.

Frank Cloud, Chairman

Diane Noonan, Director

Todd Hall, Member

Chris Wunnenberg III, Member

Mariann Penska, Member