



COLUMBIANA COUNTY

BOARD OF ELECTIONS

Kim Fusco, Director
Bryce A. Miner, Deputy Director

Board Members:
David W. Johnson, Chair
Patty Colian, Vice Chair
Larry Bowersock
Victor W. Maroscher

Board Meeting Minutes – February 9, 2023 at 1:30 PM

I. ROUTINE ITEMS:

1. Approve Agenda
2. Acceptance of Minutes
3. Approval of the Bills

II. ACTION ITEMS:

4. Certify Candidate Petitions
5. Invalidate Candidate Petitions (if necessary)
6. Certify Local Option Petitions
7. Invalidate Local Option Petitions (if necessary)
8. Acceptance of Prior Public Service in Computing Vacation Leave
9. Perry Township Polling Location Change
10. Approve Cerberus FTP Pro Server Purchase
11. Executive Session to Consider the Employment and Compensation of a Public Employee or Employees
12. Employee Compensation Adjustment

III. DIRECTOR'S REPORT

1. May 2, 2023 Special Election Open Precincts
2. Write-In Deadline February 21, 2023
3. Independent Candidate Deadline for General Election May 1, 2023
4. Appointment to Ohio Association of Election Officials Trustees
5. Reorganization Meeting March 2-6, 2023 per Directive 2022-48

The Columbiana County Board of Elections met in regular session at the Board Office located at 7989 Dickey Dr., Suite 3, Lisbon, Ohio on February 9, 2023 at 1:30 p.m.

The meeting was called to order by Mr. Johnson at 1:57 p.m.

Members present as shown by roll call:

Mr. Bowersock	<u>Yes</u>
Ms. Colian	<u>Yes</u>
Mr. Johnson	<u>Yes</u>
Mr. Maroscher	<u>Yes</u>

Pledge of Allegiance

Moment of Reflection

1. Approve Agenda

Moved by Ms. Colian and seconded by Mr. Maroscher to approve the agenda as submitted.

Roll Call:

Mr. Bowersock,	<u>yes;</u>	Ms. Colian,	<u>yes;</u>
Mr. Johnson,	<u>yes;</u>	Mr. Maroscher,	<u>yes;</u>

Motion carried.

NOTES:

2. Acceptance of Minutes

Moved by Mr. Maroscher and seconded by Ms. Colian to accept the minutes of the regular meeting which was held December 6, 2022, as submitted.

Roll Call:

Mr. Bowersock,	<u>yes;</u>	Ms. Colian,	<u>yes;</u>
Mr. Johnson,	<u>yes;</u>	Mr. Maroscher,	<u>yes;</u>

Motion carried.

NOTES:

3. Approval of the Bills

Moved by Mr. Bowersock and seconded by Mr. Maroscher to approve the payment of bills totaling \$155,692.54 for the months of December 2022, and January 2023 as submitted.

Roll Call:

Mr. Bowersock,	<u>yes;</u>	Ms. Colian,	<u>yes;</u>
Mr. Johnson,	<u>yes;</u>	Mr. Maroscher,	<u>yes;</u>

Motion carried.

NOTES: December \$80,814.14 January \$74,878.40. Director Fusco pointed out to the Board that in December there was an expense for poll workers of \$5,624.57 that was a return of funds back to the SOS Office. In January we expensed \$3,071.22 from our \$10,000 security directive allotment, and Director Fusco and Chairman Johnson noted that we have remaining funds to be used. Deputy Director Miner explained that we have purchased a firewall and work associated with the firewall out of these funds, and the remainder would be spent on key fobs and locks for the side entry and entry between the lobby and the main office. Chairman Johnson asked for clarification on how the key fob would operate. The work will be completed by DataCom and we are awaiting materials to be delivered for install. Mr. Bowersock asked if there were any other needs with the security directive money and Deputy Director Miner stated we have done well as a board in meeting all of the required security steps and there are none at this time.

4. Certify Candidate Petitions

Moved by Mr. Bowersock and seconded by Ms. Colian to certify 20 candidate petitions for municipal offices across the county as presented by Board staff.

Roll Call:

Mr. Bowersock,	<u>yes;</u>	Ms. Colian,	<u>yes;</u>
Mr. Johnson,	<u>yes;</u>	Mr. Maroscher,	<u>yes;</u>

Motion carried.

NOTES: Director Fusco presented 20 candidates for certification and offered their valid petitions to be inspected by the Board Members. Ms. Colian asked if there were any invalid and there were not for this filing.

5. Invalidate Candidate Petitions (if necessary)

NOTES: No Invalid Petitions Filed.

6. Certify Local Option Petitions

Moved by Mr. Maroscher and seconded by Ms. Colian to certify 3 local option petitions as presented by Board staff.

Roll Call:

Mr. Bowersock,	<u>yes;</u>	Ms. Colian,	<u>yes;</u>
Mr. Johnson,	<u>yes;</u>	Mr. Maroscher,	<u>yes;</u>

Motion carried.

NOTES: Director Fusco presented Oasis for passage with no issues. Pondi's for passage on its face in order to confer with the Prosecutor's Office regarding their status of filing of an application for a liquor license with the Division of Liquor Control to determine if there is a fatal flaw or not. Lastly, Cadance Vault was presented to the Board as they did not include the total number of signatures on one part petition. Director Fusco read an opinion from the Prosecutor's Office stating there is case law supporting validation so long as fraud was not detected. Chairman Johnson stated he is in support of certifying Cadance Vault because of the Prosecutor's opinion with case law supporting there is no fatal flaw with this petition. The Board asked if this was the same petitioner that was invalidated last time for circulating in the incorrect precinct and it is so.

7. Invalidate Local Option Petitions (if necessary)

NOTES: No Invalid Petitions Filed

8. Acceptance of Prior Public Service in Computing Vacation Leave

Moved by Ms. Colian and seconded by Mr. Bowersock pursuant to Ohio law to accept the prior public service of BOE employees to accurately compute years of service in regards to vacation leave per ORC 9.44 and Columbiana County policy, and to make this a standard practice of review with all future new hires.

Roll Call:

Mr. Bowersock,	<u>yes;</u>	Ms. Colian,	<u>yes;</u>
Mr. Johnson,	<u>yes;</u>	Mr. Maroscher,	<u>yes;</u>

Motion carried.

NOTES: Deputy Director Miner explained an excerpt from the Columbiana County Policy Manual regarding the provision and noted that this is a procedural motion. Chairman Johnson gave an example of this provision and stated he approves as employees are entitled to this provision.

9. Perry Township Polling Location Change

Moved by Mr. Bowersock and seconded by Mr. Maroscher to move the Perry Township SW precinct polling location from the Perry Township Road Department to Church at the Center, 1785 S. Lincoln Ave., Salem, OH 44460.

Roll Call:

Mr. Bowersock,	<u>yes;</u>	Ms. Colian,	<u>yes;</u>
Mr. Johnson,	<u>yes;</u>	Mr. Maroscher,	<u>yes;</u>

Motion carried.

NOTES: Director Fusco, Deputy Director Miner, and Chairman Johnson explained the rationale for the change including that the church is ADA compliant, the poll workers and voters will have a much better location and Perry Township and poll workers had approached us to move the polling location if another location was found. Precinct change cards will be mailed to all Perry Township SW residents.

10. Approve Cerberus FTP Pro Server Purchase

Moved by Mr. Bowersock and seconded by Mr. Maroscher to approve the purchase agreement with ES&S for a Cerberus FTP Pro Server and the expense of \$998.33 charged towards our voting equipment allocation through the State of Ohio and \$199.67 charged to the County, and to authorize the Director to sign the purchase order and sub lease on the Board's behalf.

Roll Call:

Mr. Bowersock,	<u>yes;</u>	Ms. Colian,	<u>yes;</u>
Mr. Johnson,	<u>yes;</u>	Mr. Maroscher,	<u>yes;</u>

Motion carried.

NOTES: Total cost of the Cerberus FTP Pro Server is \$1,198.00. Director Fusco commented that this is needed for capabilities for sending results from the DS950 to our election software instead of using flash drives and this will conclude our voting equipment allotment money. Deputy Director Miner explained the process of how the server will work and stated that the voting machines are still not connected to the internet with this server, it is a disconnected device.

11. Executive Session to Consider the Employment and Compensation of a Public Employee or Employees

Moved by Ms. Colian and seconded by Mr. Maroscher to enter into executive session to consider the employment and compensation of a public employee or employees.

Roll Call:

Mr. Bowersock,	<u>yes;</u>	Ms. Colian,	<u>yes;</u>
Mr. Johnson,	<u>yes;</u>	Mr. Maroscher,	<u>yes;</u>

Motion carried.

NOTES:

12. Employee Compensation Adjustment

Moved by Ms. Colian and seconded by Mr. Maroscher to grant a 5% increase in wages for all BOE staff.

Roll Call:

Mr. Bowersock,	<u>yes;</u>	Ms. Colian,	<u>yes;</u>
Mr. Johnson,	<u>yes;</u>	Mr. Maroscher,	<u>yes;</u>

Motion carried.

NOTES: Chairman Johnson resumed the meeting and called for the motion to increase staff wages by 5% to keep the staff on par with the cost of living and inflation adjustments. The increase will take effect at the next pay period.

Director's Report:

Director Fusco noted that there will be 15 precincts open for the May 2, 2023 Special Election. Director Fusco and the Board congratulated Deputy Director Miner for being appointed to the Ohio Association of Election Officials Trustees. Director Fusco explained the process for the reorganization meeting which will occur on Friday, March 3, 2023 at 1:30 PM with Judge Katelyn Dickey present to offer the oaths of office. Deputy Director Miner discussed Directive 2023-03 at length with the board regarding the passage of Substitute House Bill 458 which will be presented at the Board at the next meeting.

Items From the Board:

Next Meeting: March 3, 2023 at 1:30 PM

Moved by Ms. Colian and seconded by Mr. Maroscher to adjourn.

Roll Call:

Mr. Bowersock,	<u>yes;</u>	Ms. Colian,	<u>yes;</u>
Mr. Johnson,	<u>yes;</u>	Mr. Maroscher,	<u>yes;</u>

Motion carried.

NOTES:
