

**NORTH RIDGEVILLE CIVIL SERVICE COMMISSION
MINUTES OF
REGULAR MEETING AUGUST 21, 2018**

To Order: The meeting was called to order at 6:32 P.M.

Roll Call: Present were member Michael Crevda and Chairman James Yost.
Absent was Vice Chairman Nick Ciofani.
Also present were Assistant Law Director Toni Morgan and Recording Secretary Donna Tjotjos.

MINUTES:

Chairman Yost asked if there were any changes regarding the minutes dated July 20, 2018.
It was moved by Crevda and seconded by Yost to approve the July 20, 2018 minutes.

MOTION CARRIED

REPORTS: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

Chairman Yost noted the Police Sergeant Promotional examination scores and eligibility list have been received. He asked if everything looks okay.

Assistant Law Director Morgan stated she wanted to explain what had happened regarding the list. She referred to her memo presented to the Commission this evening. She stated she was going to go through that memo, explain what happened and get the Commission's input because they are the Civil Service Commission and sort of the bottom line here, but she wanted them to know what all went into this promotional list before they sign off on it, which is fine, it looks fine. She referred to her memo and asked the Commission to forget about the first paragraph as they already know that. She asked if Mike was here when the Commission did the Fire promotional exams.

Recording Secretary Tjotjos responded no.

Assistant Law Director Morgan stated she wanted to go into detail on that because how that works out is germane to how we figure the scores now. She explained that it used to be with the two tests; the written test and the assessment test, those were expressed in the form of percentage and then there were the extra credit points which could be education, seniority,

etc. She asked that they look at the third paragraph of the memo and stated this is why we moved off that. For purposes of an example, let's say a test had 200 points and let's say someone could get up to 15 points for education. We have two candidates as examples. One applicant scores 180 points out of 200, which if we went with percentages would be 90 percent. That same person would have received 5 education points. The way we used to calculate it was that we would take their 90 percent and we would add the 5 points to it and it looks like their score was 95. If you look at another applicant that maybe received 160 points, which is 80 percent and received the full 15 education points, then their score also looked like it was 95 and mathematically, that just wasn't true. So, if you look at the points to points comparison to those, which is what we did and what we went to, the first candidate received the 180 points and their 5 extra credit points so, in reality they had 185 points. That second person had 160 points and by adding their 15 extra credit points only gave them 175 points. If you did percentages and tried to add points to it, which is mathematically impossible, they ended up looking like they had the same score, but if you compared apples to apples, then they ended up one having ten points better than the other. So, we got away from trying to add percentages to points, because it did not reflect a real score.

Chairman Yost agreed and stated that percentages and points should not be in the same basket.

Assistant Law Director Morgan stated exactly. Lots of towns still do it that way. She explained that when we did the exam for the Fire Department, we had a big uproar because they were calculated with percentages and points. We fixed it and they didn't like how we fixed it and then there were a couple of minor computational errors. It was a hot mess. We fixed it and we got through that and people really were mad at us for a long time.

Member Crevda asked why they got mad about that.

Assistant Law Director Morgan stated because that is not the way it has always been done and because people who thought they had one score, didn't. This is a big deal to the person because it is their score. She continued to explain that right after that happened, our former Law Director formulated a rule change and we did it. So now it states that the applicant shall receive a score equal to the total number of correct responses on the written and if the CBA (collective bargaining agreement) says to weight them differently, then we would do that too and for the non-written or assessment it would be converted to a point system and go from the points. All in separate buckets so that they end up with points for the written test and points for the assessment and points for the extra credit and they would all go together. On this particular test and we don't do this for all tests. Some tests are weighted differently. This particular one, we went to the collective bargaining agreement and used their weighting and they wanted it weighted and here is the language "the written examination and the assessment center shall be equal weighted 50 percent each."

Chairman Yost asked the Assistant Law Director to read that again.

Assistant Law Director Morgan stated she is not saying that it makes sense; she read verbatim what it says. She read it again to state the written examination and the assessment center shall be equal weighted, 50 percent each.

Chairman Yost disagreed.

Member Crevda asked if it shouldn't be less than 50 percent to allow room for the extra credit points, maybe 45/45 with 10 percent as the extra credit.

Chairman Yost stated he didn't like that it was weighted even.

Assistant Law Director Morgan agreed and stated why weight it even because that is the same as not weighing it at all. What we did, she explained is that we took their written score and cut it in half with their points and took the assessment score and cut it in half with their points so that it was 50/50 in points and then added the extra points. The written score only had 100 points. The assessment had 510 points. So, by definition, it is way more than important than the written test.

Chairman Yost stated the assessment. That's not right.

Assistant Law Director Morgan stated what was taken was 50 percent equal on those tests and because word got out and in retrospect, she was glad it did because that is how it was determined that we have a problem in their eyes and we have taken their counsel on this. She stated that their intention which you can't tell from the word here was not that each test would be 50 percent/50 percent. Their intention, according to Captain Garrow, who is representing the Police on this, was that one test not be more important than the other and that they be equal in importance. When you have a 100 point test and a 500 point test, no matter what you do, the 500 point test is always going to be more important. What they asked us to do is to develop a multiplier and in this case it was 5.1 for the 100 point test so that in points, it comes out the same as the assessment so that they are both a 500 point test and then we did the 50 percent on each of them and added the points together.

Chairman Yost stated that what they did was ask us to even them up.

Assistant Law Director Morgan stated that they asked us to do the multiplier to even them up.

Member Crevda stated instead of dividing the assessment points up by 5.1 they asked it be

multiplied on the written points.

Chairman Yost stated that we could have raised one or decreased the other.

Assistant Law Director Morgan stated that is what the list represents. We multiplied the written points. She asked if the Commission was comfortable with that and if that comports to what they think these rules state.

Chairman Yost stated that it all brings it back to which test is more important, the written or the assessment.

Assistant Law Director Morgan stated that they didn't want one to be more important than the other.

Member Crevda stated that they wanted them to be equal.

Assistant Law Director Morgan stated that this wording doesn't really convey that and our rule for making sure we calculate points to points to points didn't really say.

Chairman Yost stated that Member Crevda spoke of possibly using the 45/45 and then the 10.

Member Crevda stated that the 10 would represent the seniority points.

Chairman Yost asked if that would include the education or military credit.

Recording Secretary Tjotjos stated that for the promotional examination it will only include the seniority points.

Member Crevda asked where the assessment score is located. He noted the assessment center scores on the list.

Assistant Law Director Morgan explained the individual score and the weighted score.

Recording Secretary Tjotjos showed Chairman Yost the revised list showing the multiplier, written scores and their weights, the assessment scores and their weights and the seniority points.

Chairman Yost stated that we could have raised one or decreased the other.

Chairman Yost stated that education points and military points should only be on entrance

exams. He stated he goes along with what Mike said that it be 45/45 and 10.

Member Crevda asked how they account for the seniority points.

Assistant Law Director Morgan stated that it is added on top of the written weighted score and the assessment weighted score.

Member Crevda stated then it goes beyond the 100 percent.

Assistant Law Director Morgan stated yes, 100 points.

Chairman Yost stated that when you do that you allow a point for so many years and another point for so many years.

Assistant Law Director Morgan stated that ten is the maximum for seniority. She explained that they get a point for the first four years and then .6 after that.

Chairman Yost stated that is already in the rules.

Assistant Law Director Morgan stated that is already in the Ohio Revised Code and we have to do it that way. She asked if the Commission was comfortable using the multiplier and asked if that made sense mathematically.

Chairman Yost stated to make them even, yes.

Assistant Law Director Morgan stated to make them of equal importance.

Chairman Yost stated as long as you make it 45/45 and then the 10.

Assistant Law Director Morgan stated she didn't know what he meant by the 45 and 45 because the score out of a 100 point test, such as the first guy got 87 on the written and out of the 500 point test he got 444. So, it is actually 50/50 points.

Chairman Yost stated then he will get 50/50 and then the points for extra credit.

Assistant Law Director Morgan stated that was correct. That is the way the rule is written.

Chairman Yost addressed member Crevda and asked if that made sense.

Member Crevda stated he understands the multiplier and if they feel the written exam is equal to the assessment, and then he understands the multiplier. That makes sense.

Chairman Yost stated he thought it should be the other way around. He felt as though the assessment should be equal to the written.

Assistant Law Director Morgan stated that the assessment has always been more because it has so many more points and if that is not intended and they want to weight it in some way, the solution they came up with this time was the multiplier. Now, how it will work on the next test, the story remains to be seen. She asked again if they were comfortable with this and the reason she is asking so much is because the person who used to be first is now second and there is a likelihood that we will have to defend this and we will have to make sure that we are all on the same page and that everyone is happy with this.

Chairman Yost stated that we can't help that.

Member Crevda asked if there was any way to grandfather them in.

Chairman Yost stated this will set precedence.

Assistant Law Director Morgan stated that the list has not been certified as of yet. This doesn't change anyone's test scores. They got what they got and we treated everybody exactly the same, it is just the multiplier effect that moved everyone around.

Member Crevda stated he sees that West jumped to one and Barens moves down to two.

Assistant Law Director Morgan stated and since there is only one position, the others got moved a little bit. They're not going to be as affected because there is only one position. It is one and two that is going to be affected. She wanted to make sure the Commission to be clear on what was done and why and if they were comfortable with that.

Member Crevda stated that it sounds like Captain Garrow is comfortable with that.

Assistant Law Director Morgan stated that his representation to her was that, that was the true intention behind the collective bargaining agreement. She agreed that it wasn't written wonderfully.

Member Crevda stated his question then now would be are his Officer's comfortable with it with people getting leapfrogged on the list.

Assistant Law Director Morgan stated there is no way everyone is going to be happy.

Chairman Yost stated that even if you left it the way it was, someone is not going to be

happy. The Commission has to make it what they feel is right. He asked if this was the Captain's recommendation. He asked what the Chief's recommendation was in this.

Assistant Law Director Morgan stated that the Chief is trying to remain as neutral as possible.

Chairman Yost stated that the recommendation is coming from the Captain and he believes that the Commission....

Assistant Law Director Morgan stated that they had a meeting together. The Chief was present, the Law Director was present and Captain Garrow assured them that the meaning behind this; even though it is not expressed very well was that the two tests be of equal importance.

Chairman Yost stated that they could sweeten up the meaning.

Assistant Law Director Morgan stated that it is the collective bargaining agreement and she can't change their rules. So she has to go on his representation and she has no reason not to.

Chairman Yost asked if this has to be addressed tonight.

Assistant Law Director Morgan stated that the list the Commission members have is the list that takes all of that, which she just told them, into account. She wanted the Commission to understand it all before it is approved tonight.

Chairman Yost stated that it put West ahead of Barens.

Member Crevda stated that you can see a lot of movement in this list.

Chairman Yost stated Barens received a higher score on the assessment.

Assistant Law Director Morgan stated he did.

Recording Secretary Tjotjos addressed the Assistant Law Director and stated she had a question. She went on to read the rules for calculating the scores. She stated that the calculations were based on the Rules and Regulations, asked but now....

Assistant Law Director Morgan stated that they both can be true at the same time. We are still doing points to points to points.

Chairman Yost stated that Barens was ahead because of the assessment.

Recording Secretary Tjotjos addressed the Assistant Law Director Morgan and stated that what she is afraid of is with Barens. She read the Rules and Regulations regarding the calculations and asked if he could come back and state that the rules were not followed as they are written.

Assistant Law Director Morgan stated there is always two sides to the story and sometimes three or four. There are always two sides to every argument and sometimes they are both good arguments. However, like she stated earlier, the Captain indicated that the intention was that one not be treated with so much more importance than the other.

Chairman Yost stated that this matches the collection bargaining agreement.

Assistant Law Director Morgan stated that it matches the intention.

Chairman Yost asked for a motion and that the motion reflect the revised list.

It was moved by Yost and seconded by Crevda to approve the revised eligibility list as presented.

MOTION CARRIED

Recording Secretary Tjotjos stated that the certification of the eligibility list is next. The Commission can't certify unless they first approved the scores first, which is what the Commission just did.

It was moved by Yost and seconded by Crevda to certify the Sergeant Promotional Eligibility List as presented.

MOTION CARRIED

Chairman Yost noted the next order of business was the approval of the score letters.

Recording Secretary Tjotjos stated that those did change as the positions were revised as well as the total scores. These letters reflect the revised list.

Assistant Law Director Morgan stated that is one of the questions she wanted to ask the Commission. She stated that the rule indicates that each participant shall be notified as to the grade achieved. The question she has is the first letter is that they get their score of however many out of 100. The second one here lists their score, their rank, and their extra credit points. She asked if it was the Commission's intention that, that all go out. The rule says grade and asked what the Commission meant by grade. She stated that is the determination that the Commission makes but the rule says that they shall be notified as to

the grade achieved. She stated that her question is what does the Commission mean by that, because they might want to tighten up that language and make it clearer as to what grade means.

Member Crevda stated that is a little vague to him too.

Recording Secretary Tjotjos explained that there is a written exam first. She explained that we get their grade from the written exam and the Commission approves that grade and the score letters for just that grade from the written exam goes out. She continued to explain that the Assessment test is then given and we get the assessment grade, but because we have all the scores, it is all calculated.

Assistant Law Director Morgan asked if they wanted all that to go out.

Member Crevda clarified the question as to whether or not they want the entire list to go out.

Recording Secretary Tjotjos added before the Commission sees it.

Assistant Law Director Morgan stated that they wouldn't have done this yet. She stated that we would just send them their grade as that is what the rules state or do they want all that in the letter and if they do, she thinks they ought to change the wording.

Chairman Yost noted that it should be put "your" grade.

Recording Secretary Tjotjos showed the rule that the Assistant Law Director Morgan was referring to.

Assistant Law Director Morgan stated that the rules state they notify them of their grade and asked if that was the Commission's intention.

Member Crevda stated that there is an appeal process too.

Recording Secretary Tjotjos explained that the appeal process is after they receive their written score letter. She explained that there are two different grades we are talking about. We get the written exam score and we have candidates coming in the day after we get their grades asking what they received on the written exam. At times she explained that the calculations haven't even been completed yet and the Commission hasn't even seen the scores yet. That is the issue because the candidate or any other individual of that department wants to know who got the best grade on the written exam. After that, the assessment grades come in and not only do we have the assessment grades, but we also have the written grades, the seniority points, the total scores and we even have their position

ready.

Assistant Law Director Morgan added that the Commission hasn't seen it yet and they have not certified it yet.

Member Crevda stated that he doesn't think that they should see it before the Commission sees it.

Chairman Yost stated that we went through this before. They don't get the total computation until it all comes through here first.

Assistant Law Director Morgan asked the Commission if they just want the score on there.

Chairman Yost stated yes.

Member Crevda stated that there is still an appeal process that they can appeal their scores.

Chairman Yost stated only on the written exam. They can't appeal the assessment.

Assistant Law Director Morgan stated that she knows how many times that is subject to change because of interpretation.

Chairman Yost stated then each time it comes up, it will have to be explained again.

Assistant Law Director Morgan asked if the Commission was telling her that they want it to just state grade and that means the grade on that test, which is all we have to send them.

Chairman Yost asked if she was only talking about the written test.

Assistant Law Director Morgan stated she is talking about both.

Recording Secretary Tjotjos explained that a letter is sent twice; once for the written exam and then once the list is certified, they get another letter with everything on it, the written and assessment scores, the seniority points, their total score and their position they ranked.

Chairman Yost asked why one letter can't go out.

Recording Secretary Tjotjos stated that the letter including the written score goes out because they have to be able to protest their score.

Member Crevda stated he preferred to just stick with grade.

Assistant Law Director Morgan stated that the word is already there in the rule; she just wanted to make sure what the Commission's intentions were.

Chairman Yost stated that the Commission needs to approve the score letters we have tonight.

Assistant Law Director Morgan stated that if the letters just indicate the grade; otherwise, they may have to be redone. She asked if the letters only included the grade.

Recording Secretary Tjotjos asked the Commission when, then, would they want the letters to go out that show their positions. She stated that she sends the letters out that indicate their position and it includes all of which that is stated on the list.

Assistant Law Director Morgan stated that is what she is asking about where does it state that in the rule. It's not in the rule.

Recording Secretary Tjotjos addressed the Commission and asked if they didn't want all of the information that is on the letter to go out to the candidate.

Assistant Law Director Morgan stated not before they see it and asked if that was correct.

Chairman Yost stated that this letter includes the assessment.

Recording Secretary Tjotjos explained that once you certify the list, which the Commission did, the letter goes out stating their position and all of their scores. She asked the Commission if they just want their scores only. She asked if they don't want them to receive their position. She stated that she does post the positions and so, maybe the candidate can just look at the posting to see their position.

Member Crevda stated that the letter will have to change and the Commission will then have to take into account the multiplier.

Recording Secretary Tjotjos stated that the first letter that went to the Commission for approval changed. That corrected letter is here tonight, which includes the revised scores.

Chairman Yost asked why the letter didn't have the position on it.

Recording Secretary Tjotjos showed the Chairman where the position is noted on the letter.

Chairman Yost stated that it is all there.

Assistant Law Director Morgan stated that is what she is asking the Commission. In the rule it states that they will be notified of their grade. That is all that it says.

Chairman Yost stated that the position then shouldn't be in the letter until we send this letter.

Recording Secretary Tjotjos stated yes. The Commission certified the list tonight, which gives the position and all the scores.

Member Crevda stated that now that the Commission certified this new list, will they receive a new letter.

Recording Secretary Tjotjos stated that they never received a letter yet.

Assistant Law Director Morgan asked if they normally would have received that letter.

Recording Secretary Tjotjos stated no, not until the Civil Service approves the score letters which include the position, etc.

Assistant Law Director Morgan stated that nothing says the letter includes the position and that is what we are trying to determine. If they want that information in there or not because the rules state that they get their grade. If they want it, we can fix the rule. We have to make that determination because it only says grade.

Chairman Yost stated he wanted to leave it that way.

Member Crevda stated that it seems a little premature before the Commission has a chance to certify the list, giving them the total results.

Recording Secretary Tjotjos stated that the Commission doesn't approve the letter until after they certify the list. The Commission certified the list tonight and so that letter is just saying, this is what the Commission certified, all this information. She stated that she believes she has to post it anyway. She believes that the rules state she has to post the positions anyway.

Assistant Law Director Morgan asked where it says it gets posted.

Recording Secretary Tjotjos stated she believes it is in the rules.

Assistant Law Director Morgan stated she is just trying to make sure that we only do what is

in the rules and right now, the only rule she sees says that they get their grade and that is all it says. She stated if the Commission wants to give them more after and asked if the Commission would be having this meeting within 48 hours all the time. The rules state that we have to give them their grade within 48 hours.

Recording Secretary Tjotjos stated that there should be two separate rules.

Member Crevda asked if a posting and then there is the letter on top of the posting.

Recording Secretary Tjotjos stated that there is a letter that goes out that states their written exam, but that doesn't say that in their rules.

Assistant Law Director Morgan stated that anytime they take a test you have to give them their score within 48 hours. We are hoping to change that to three working days. We could end up getting their score before the Commission has their meeting.

Member Crevda stated he is fine with that. Their scores.

Assistant Law Director Morgan stated just their score on the test.

Chairman Yost stated they want to know what they got and positions will come after.

Assistant Law Director Morgan stated most of the time it will. We might be scheduled for a meeting within 48 hours or three days, but we also might not.

Recording Secretary Tjotjos stated that the meeting wasn't scheduled this time. The Assessments were done July 28 and July 29. This meeting wasn't scheduled until tonight being August 21 and the candidates are still waiting to get their score letter. They had to wait three weeks to get a letter from a test they took three weeks ago.

Assistant Law Director Morgan asked if they didn't get their score within 48 hours.

Recording Secretary Tjotjos stated no.

Assistant Law Director Morgan stated they should have. She stated that she suggests that the word grade is appropriate and that we only send them their grade and they don't get the rest of the information until we have done our work. That would be her suggestion.

Recording Secretary Tjotjos stated that the rule states the grade can be given not less than 48 hours. She stated that she could give the grade after the 48 hours and asked if that was correct.

Assistant Law Director Morgan stated then they would be knocking at your door, but that doesn't mean they will be certified that could be three to four weeks later that it is certified. She asked if she is hearing that we just give the grade.

Chairman Yost stated yes.

Member Crevda stated yes, until we certify the list.

Chairman Yost stated then they can get everything on the letter.

Recording Secretary Tjotjos asked if she is to send a letter with their grade and then send another letter after it is certified.

Assistant Law Director Morgan stated that this letter can be sent with the certification information on it if she wanted. The form of the letter doesn't matter she just wanted to be sure that what we are sending and when we are sending follows the rule.

Member Crevda stated that perhaps the first letter with the grade that goes out includes a disclosure subject to things happening after the fact to get their final score.

Assistant Law Director Morgan stated yes, that they can be made aware that they aren't getting additional information until the Commission meets and certifies it.

Recording Secretary Tjotjos stated that there will be three letters to send.

Chairman Yost stated that the score letters are ready to be approved.

Assistant Law Director Morgan stated as long as it only has their grade.

Recording Secretary Tjotjos stated that the list has been certified. She asked again if that means she only sends the grade because the letters will need to be changed. She stated that the letter the Commission is approving tonight includes all the information that has been certified.

Member Crevda stated he is okay with the letter including all the information after it has been certified, yes.

Assistant Law Director Morgan stated then this time it works, but they need to go out within 48 hours or three working days. They should have been out already, but she is glad they weren't.

Recording Secretary Tjotjos stated that is good.

It was moved by Yost and seconded by Crevda to approve the score letters.

MOTION CARRIED

Chairman Yost noted the next order of business was the proposed amended rule by the Law Department.

Assistant Law Director Morgan stated that this proposed amendment will give Donna more than 48 hours to get the scores out. It will give her three working days. The other thing it does it goes back to the initial wisdom of not saying anything about these records and keeping them private until the Commission has done their job. She felt that because they were public records they need to get out there. She went on public records today and found she was wrong.

Chairman Yost stated until they are certified there might be a mistake in them.

Assistant Law Director Morgan stated that this new rule reflects going back to what the Commission has always stated.

It was moved by Yost and seconded by Crevda to accept the amended rule by the Law Department.

MOTION CARRIED

Recording Secretary Tjotjos stated that she had a question on procedure then. It states not less than three working days after receipt of scores. She stated that the Commission will have to hold a special meeting for them to approve the scores before they go out. If that is the case, the rule regarding special meetings will have to change because according to the current rule it states that they can't hold a special meeting before ten days of notice. The day notice period will have to be limited.

Assistant Law Director Morgan asked why a special meeting would have to be held.

Recording Secretary Tjotjos stated that she doesn't send the scores out until the Commission approves the scores. No score or letter goes out without the approval of the Commission.

Assistant Law Director Morgan stated that the rules don't state that the scores have to be approved and the Commission could add that caveat that states here is the score and it is subject to all kinds of changes. All it says is that she has to send their grade.

Recording Secretary Tjotjos addressed the Commission and asked if they were okay with her sending the scores out without their approval.

Member Crevda stated as long as it includes that caveat and that it is just the score.

Chairman Yost agreed. He stated even before the Commission certifies the whole list, if there is a change to be made it will be recognized in the motion to approve the whole list. He stated that the letter could be sent out with their score and then we find out later that the candidate didn't really have that number.

Assistant Law Director Morgan stated that the caveat would be that they are preliminary raw scores and not necessarily weighted. The letter would just state that these are the raw scores we received and it is not final by any stretch of the imagination. She stated she had one final item. If the Commission remembers, with the Fire Department Promotional exam, the Commission received additional information from the testing company on each candidate. There was a lot of discussion as to whether the Firemen get this information or do they not. At that time, we made a rule that it was up to Civil Service Commission depending upon test security concerns because some testers tell us don't give this information out and some don't care and depending upon the testing company's recommendations, the Civil Service Commission may elect to distribute more information than simply the test score to the applicants either directly or indirectly. The reason we put directly or indirectly is because the other testing company thought this information should go to their bosses and then their bosses could share it with them. This company has no preference. If the Commission takes additional action to distribute this information, it will be available to all applicants and, we added, it may not serve as a basis for appeal. She handed out the kind of information the assessment center provided us and the Commission needs to make a motion as to whether or not they want it to be available to the applicants. It is up to the Commission as the testing company has no thoughts one way or the other on that particular information.

Chairman Yost asked what the recommendation would be.

Assistant Law Director Morgan asked the Commission to look at it as she doesn't know if it would be helpful in any way.

Member Crevda asked if the candidates were requesting this information and if they knew about it.

Assistant Law Director Morgan stated that the Fire Department did know about it and the Police haven't indicated one way or the other as to whether or not they want it, but if the Commission decides that it is okay to distribute it then it says it will be made available to all applicants. It doesn't necessarily mean that it needs to be sent. If they ask then we will give

it.

Chairman Yost stated that we are already covered if it says it will be made available.

Recording Secretary Tjotjos stated only based on the Commission stating it is okay to make it available. She stated they have to decide. The rules state that the Commission will decide.

Assistant Law Director Morgan stated that the Commission did the one time and voted stating it was fine to be made available. She stated it is up to the Commission. She added that every time this additional information is available it is to be brought to the Commission for the Commission to make a decision.

Chairman Yost asked if a vote needed to be taken. He asked if it needed to be on the agenda to vote on it.

Recording Secretary Tjotjos stated that based on the discussion regarding the proposed Rule 5, Section 10 amendment as it is noted on the agenda, this subject matter falls under that rule and that section as well.

Chairman Yost stated that a vote does need to be taken. He asked if whether or not it will help the candidate by making the information available.

Recording Secretary Tjotjos stated yes.

Chairman Yost asked if whether or not it will harm the Commission by making the information available.

Recording Secretary Tjotjos responded no.

Assistant Law Director Morgan added that the rule states that it cannot be used for any kind of protest.

Chairman Yost stated it is covered that way.

Member Crevda stated he didn't see anything sensitive to warrant them not receiving it.

Recording Secretary Tjotjos asked if she had to send it with their letter or just make it available.

Assistant Law Director Morgan stated that the rule states that it be made available.

Anybody that wants it they can have it. It doesn't say we have to chase them down and put it in their hands.

ADJOURNMENT:

It was moved by Yost and seconded by Crevda to adjourn the meeting
MOTION CARRIED

The meeting adjourned at 7:20 P.M.

James P. Yost
Chairman

Anna T. J. J. J.
Recording Secretary

9/18/18
Date Approved