

From: Nicole Browne  
Sent: Tuesday, February 8, 2022 11:54 AM  
To: Trent Deckard <trentdeckard@co.monroe.in.us>; Jennifer Crossley <jcrossley@co.monroe.in.us>  
Subject: Voter Registration Per Diem

Good morning Liaisons,

Indiana County Clerks have been made aware of the following statute in the Election Code...

Page 166 Indiana Election Code 3-7-12-22 Circuit Court Clerk as voter registration officer; per diem compensation

Sec. 22. In a county where the circuit court clerk serves as voter registration officer, the clerk is entitled to per diem compensation. The per diem shall be paid out of the general fund of the county in the same manner as election expenses are.

This is not to be confused with Election Board Member pay.

Some Indiana Clerks are (and have been) receiving this pay...and some (including myself) have not. This pay seems to range between \$1,000.00 and \$1,200.00 annually. Of those Clerks who are receiving the VR per diem, some Clerks are given an annual check and some have the amount folded into their annual salary.

Finally, some of us have been Clerk for several years and should have been receiving this pay since being elected to office. I have been Clerk since March of 2016.

Clearly, the salary ordinance has been passed for the year. I would like to ask your best advice as to how I should go about getting the per diem for this year, getting the per diem folded into future salaries (on the presumption that I will be re-elected in November), and how to get the per diem for 2016-2021.

Thank you for your contemplation. I look forward to hearing from you.

Nicole

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Voter Registration Per Diem

Nicole Browne <nbrowne@co.monroe.in.us> Wed, May 25, 2022 at 8:22 AM

To: Kim Shell <kshell@co.monroe.in.us>

Cc: Trent Deckard <trentdeckard@co.monroe.in.us>, Jennifer Crossley <jcrossley@co.monroe.in.us>

Good morning, Ms. Kim.

Thank you for taking a few moments to speak with me on Monday when I was at the Courthouse on an unrelated errand.

I understand that Trent is out of the country right now (what a lucky duck) and, by the time he returns, I will be in and out of town for family events and the annual Clerks' conference. I'm hopeful that we can arrange a meeting (that includes SBOA) during the week of June 20th. Until we can confirm that meeting's date and time, now that we are on the other side of the Primary election, I want to circle back to where I started with an e-mail to my liaisons regarding a Voter Registration per diem for all Indiana County Clerks who oversee their county's Voter Registration office. This not only impacts me but past and future Monroe County Clerks who were not aware of this statute and have lost income as a result.

All Indiana County Clerks are on a communication thread. Following SBOA confirming the below listed statute in the Election Code, some Indiana Clerks (including myself) realized that we'd never received this per diem pay and didn't know we were entitled to it in addition to our salaries and Election Board member pay. On Monday, I understood you to say something to the effect of "I've looked back at several years of salary ordinances and never saw a line for it." That's because I didn't have the statute for it prior to this year and didn't know it was supposed to be a part of my salary package. You can see, below, that I was trying to work with my liaisons to figure out the best way to move forward once the existence of the statute was confirmed by the State Board of Accounts.

It is definitely the case that my Election Board pay is already incorporated into my annual salary. However, I have never received the Voter Registration per diem and neither did my predecessors. Until I saw Trent's e-mail that indicates the County truly believes that they are already paying me this additional per diem, I had hoped that there would be a discreet and clean way to figure out how to incorporate this into my salary going forward and the best way to get compensated for the back pay (that could not only have made a difference in PERF contributions because my annual salary would have been higher but could have made a difference in my own 401K contributions or other living expenses). The response leads me to believe that this is not a simple oversight (which I could easily comprehend) but an intentional side step to avoid paying the additional per diem for which I will need to pursue outside counsel to protect not only my interests but the interests of future Monroe County Clerks. State Board of Accounts will also be presenting at the annual Clerks conference in June. I will speak with them

in advance of our meeting as well to confirm that I am not misinterpreting anything in the statute where a county could truly believe Election Board member pay and the Voter Registration per diem are one and the same.

I look forward to meeting with all stakeholders and understood that you, too, will be leaving town soon. I would be most appreciative of some meeting options, for the week of June 20th, at your earliest convenience.

Thanks again.

Nicole Browne  
Monroe County Clerk