

9:04am

Marty: Giving you a call regarding the investigation I've been asked to do.

Marcus Elliott: Yeah, sure,

Marty: Sure. Just a few, just a little bit of background context here. My name is Marty Lemert. I've been asked by, you know, written complaints have been filed with the county human resources concerning Commissioner Chuck Poling and the manner in which he interacts with people in the county workspace. I'm an attorney and outside investigator engaged at the direction of the Commission, the former Commissioner Shane Middlesworth and Commissioner Rod Stewart in consultation with the county legal department, to investigate those written complaints and other related allegations involving Commissioner Poling. Your name has come up as one of approximately 17 county employees that might have information that may be relevant to the investigation. Information, yeah, I mean, information provided by you and others might become public at some point, including if the allegations involving Commissioner Poling are determined to be credible or disclosures otherwise advisable or required by law. As part of this investigation, Commissioner Poling will be given an opportunity to be interviewed and respond to the allegations. You are not the subject of the investigation; Commissioner Poling is the subject of the investigation, and you're being interviewed as a potential witness.

Marcus Elliott: OK? Yeah.

Marty: , sure. The county asks that you be honest and candid and cooperative and transparent in the information you provide. The employer, the county, is prohibited by law from retaliating against you for providing testimony, information, or evidence in connection with the investigation. If after this interview you think you are experiencing retaliation, please notify county human resources who will inform the county legal department. Commissioner Poling will be instructed not to contact you regarding your testimony today. If Commissioner Poling contacts you regarding your testimony, please notify the county human resources director, who will then notify the county legal department. This interview is being conducted during normal business hours. As part of your work for the county, you will be paid your normal wages for this time

Marcus Elliott: Yeah, OK.

Marty: So just a few more ground rules. When possible, it's helpful for you to be as specific as you can regarding dates, times, locations, individuals present, what occurred. It's also understandable if you don't remember every detail today. If at some point you obtain or recall additional information or documentation that you think might be relevant to the investigation, you can contact me by email or phone to provide that. I am recording the interviews so I can prepare the most accurate report possible. Today's date and time is about 9:04am on 8/18. What's your position? Please state your name and what your position is with the county.

Marcus Elliott: Yeah, my name is Marcus Elliott and I am the Grant County IT director.

Marty: OK, and how long have you been in that position?

Marcus Elliott: I've been working here since, I believe it's May 2014, so it's been a little bit, so maybe, 11-12 years maybe.

Marty: OK, and have you been the IT director that entire time?

Marcus Elliott: No, so I first got hired on as a Tier 1 technician for my first year, and then probably a year or maybe even less than that, I got promoted to Tier 2. And then I was Tier 2 for, I think, a year or two, and then they promoted me to IT director.

Marty: OK, so you've held the IT director position for a fair amount of time, over 10 years?

Marcus Elliott: Yes, yeah. I would like to think it was 2016 or the tail end of 2015 'cause we had a previous IT director, and she just stepped down, and, yeah, so, yep.

Marty: Have you personally observed or experienced any conduct by Commissioner Poling in the county government workplace that you believe might have been unlawful, questionable, intimidating, or inappropriate?

Marcus Elliott: I don't know about unlawful, but I've definitely seen him yell at people, and definitely he's very argumentative. I've been at a couple of meetings, and because, just to give you some background, we help maintain the recordings for like the meetings and stuff like that, we use the Webex, and I've sat in on a couple of those. And usually we can watch them from our office, and like, I know there's like one election one where he was arguing with some gentleman—I can't remember his name; I think it was part of the election board or something like that—and that was like in 2023, maybe 2024.

Marty: OK, and was that, and that was recorded as part of the meeting, correct?

Marcus Elliott: Yeah, 'cause it was-- like he acted like they were going to fight, and the gentleman that he was arguing with said, "I can't fight; I have a bad leg," or he was trying to make it funny to try to defuse the situation. But I thought that was, it was odd, because he just, he was very combative and argumentative and stuff, where I felt like it wasn't really necessary.

Marty: Right. It was some kind of election petition challenge or something like that.

Marcus Elliott: Right, and I, yeah, I believe Mr. Middlesworth, he may have been there as well, if I remember. Back then, those two, they would kind of go together around the county sometimes.

Marty: Right. So, in terms of other meetings, have you observed him engage in yelling or combative conduct in other meetings?

Marcus Elliott: I'm trying to think of a few. I would say yes, I know I've seen him, like, he got into an argument with somebody from the courthouse at a meeting last year. It was like something regarding bathrooms or something like that.

Marty: Right, and that, was that Megan Glickfield?

Marcus Elliott: I believe so, yes.

Marty: OK, and in that, in terms of that recording, there's two minutes towards the end, you know, at the end of the meeting that didn't show up on the Webex. Can you explain why that two minutes was missing?

Marcus Elliott: Yeah, so, that was me. I basically was like, during the meeting, I thought Shane Middlesworth—I thought he said to stop, and I took that as, like, to stop the Webex.

Marty: OK.

Marcus Elliott: So, that's why I did that, and then once I realized it was still going, I fired it back up; that's why there's that couple minutes that's missing from that. So that was, that was my fault. I just, I—

Marty: Well, it's just a misunderstanding between you and Shane, right?

Marcus Elliott: Yeah, 'cause they did, they came up and they asked me about it, and he understood what happened, and that, yeah.

Marty: Now, in terms of getting to those recorded government meetings, you said you use Webex as the platform?

Marcus Elliott: Yes, uh-huh.

Marty: OK, and is all that maintained and preserved indefinitely, or is there a retention schedule on those?

Marcus Elliott: So the way we do them, they used to be saved to the cloud, and we would, we just download them. So we have copies of all those, we save them on our, we have like a shared drive in IT that we save them to. But we also, once we download them, we upload them to the county's YouTube channel.

Marty: OK.

Marcus Elliott: Yeah, and I know, I guess—another situation I've seen Mr. Poling in a combative argumentative situation was there was some sort of situation last year, I believe, with the clerk's office, I think, and you know he went over there and I believe he argued with, I think it was Pam Harris. I don't know if it was over like stuff for maintenance, or I can't remember what exactly the context that it was. I do know they, I think one of the deputies went up there to look at it, and he went back down, and then Chuck met with that deputy and was saying he was going to get him fired and get him in trouble and stuff, 'cause I think, I think that was part of the footage and stuff that was...

Marty: yeah, and I, I've received footage for that. That was July 1st of 2025 footage....

Marcus Elliott: I believe, so yeah...

Marty:, yeah, and I received that, you sent it via Vercata...

Marcus Elliott: Yes, correct. That's our that's our camera system...

Marty: and I was able to upload that that footage but it's all, there's no audio on it, is there?

Marcus Elliott: Well, for those, so during that time we didn't have audio in the in the public areas, so at that but then at a certain point last year they had us go on and we turn audio on on all the cameras like in like the hallways and the public or common areas. Because I know there there was a lot of contention with that decision because the a lot of the court staff and it was a concern because sometimes they, some attorneys they will take their client out of the courtroom or they might take him out to the hallway

Marty:and have a consultation..

Marcus Elliott: yeah, and so I know that was a contention point for doing that, but I mean....

Marty:when did, when did, when did you get the instruction to turn audio on? And who did that come from?

Marcus Elliott: I would have to go back and check. We have a help desk ticketing system and any requests like that I try to normally log it but I think it was sometime in the summer like maybe May, June, or July.

Marty: And who did the ticketing request come from?

Marcus Elliott: Well, it, it would be, so it was had to be either Shane Middlesworth or Chuck Poling. I can't, I can't remember exactly who put the request in but we were told basically turn the audio on – on all the from the public areas from the courthouse.

Marty: Can you look for that ticketing information, do you still have it?

Marcus Elliott: Yeah, yeah, I sure can.

Marty: I would appreciate that, yeah.

Marcus Elliott: Absol-- absolutely, yeah, I can absolutely send you that and I have your email address that that's not a problem at all.

Marty: Yeah, I'm curious about any any types of ticketing requests for that-- for particular audio or video footage.

Marcus Elliott: And a lot of times they came up to our office and they verbally requested it, and when they verbally did it, we manually went in there and we submitted the ticket ourselves.

Marty: OK, so sometimes so that, yeah.

Marcus Elliott: ... correct, yeah, so that way it's tracked.

Marty: Sure, but if you could pull your ticket information for any tickets requested by Chuck or Shane, you know, related to the audio/video camera system.

Marcus Elliott: Yep, absolutely, we can do that...

Marty: let me, let me, and let me ask you this do you know where, I mean, have the number of cameras and locations increased or decreased in the last couple of years?

Marcus Elliott: They have increased.

Marty: OK, and how do you get--when when the cameras are added, how does that process work?

Marcus Elliott: So I mean the cameras we've added have all been requested by Commissioner Middlesworth and Chuck Poling. OK, so I know last year they had us run 2 cameras over in bookkeeping over in the courthouse, and the clerks and the ladies over there, they didn't like it, so they kept covering the camera up and all kinds of other stuff and that obviously, that kind of spurred some contention between the Commissioners and the court staff. But yeah, I mean normally it comes from those two-- they basically had us put additional cameras like at the front counter areas, so like they had us run cameras in our annex building, like for our Assessor's office. I'm trying to think here, yep, and then they tried to do the courts, we wound up taking those out and then we, then had us put extra cameras down the lobby area. We ran a couple for our Treasurer's office for their front counter area, and they they have like a ball or a safe room and we put one in there 'cause that was something like that Commissioner Middlesworth, he requested for them--that was like a month or two ago.

Marty: Do they have, do you have a like a map or a listing of where all the cameras are in the in the county and in the county building?

Marcus Elliott: I don't have a map per se, but I do have like in Vercata, they're basically, they're organized by location, so like obviously our annex or our complex building, that's the main one, so we have internal and then you have different cameras on different floors. So they're broke down like that and then we also have exterior cameras as well. I could get a breakdown like that....

Marty:Yeah...

Marcus Elliott: if that would if that would help you or not....

Marty: I think I think it would help it, and also if you, if you had like if it was a spreadsheet or something that showed that and then when they were installed.

Marcus Elliott: OK...

Marty: You know, like which ones were installed in 2025 or which ones were installed you know much earlier than that.

Marcus Elliott: Right, exactly, yeah, I know the camera for the Auditor's office, I'm, I'm pretty sure that one was put in before they were, Chuck and Shane, were in office, I think, because there was a situation with the somebody who, you know, got some it was something some tax sale thing, and right, you had a whole bunch of people over there...

Marty: and there was a security concern.....

Marcus Elliott:Yeah, correct, so that happened prior to them so that one wasn't because of them for sure.

Marty: So who--on the cameras, who has who has user access permission or who can view those cameras?

Marcus Elliott: Yeah, so it's pretty much us and IT and the Commissioners, they have access as well, but I mean when the Commissioners, Chuck and Shane, when they first came into office, they had us to go through and we basically revoked a lot of access to people that had it before because before initially we gave access to like a lot of the deputies that you know run the courthouse that way they can they can check it on their phones and we have like our community corrections people, they have some cameras and over there, and he basically-- they had us to revoke that access from them. Yeah, and once again I think that's all logged in the help desk ticketing stuff so I would be able to go back and get you...

Marty: yeah, I would like to ...

Marcus Elliott: a better time for ...

Marty: right, I'd like to see what, what, what that looks like in terms of who now has access and who doesn't. Do you have, can, can someone that does have access, can they share their credentials with anyone?

Marcus Elliott: With Vercata?

Marty: Yeah.

Marcus Elliott: I mean technically yes, but I mean it should have 2 factor put into it so I don't know if, if you share if you share like your password, usually it'll prompt like a 2 factor code, but but like I said I'd have to go back and double check that, but I think technically yes, they could.

Marty: Do you have any way of figuring out if somebody is reviewing the cameras or when they log in to do that?

Marcus Elliott: Yeah, so in Vercata, you can go to the login and you can actually see you know when people access the camera system and stuff.

Marty: OK, is there a way to figure out how often or how frequently Commissioner Poling has been reviewing camera, certain cameras?

Marcus Elliott: I don't know off the top of my head, I mean, I know I've I know when Commissioner Middlesworth was here, he asked me to check and I was able to pull like basic like reports where I could see he was on like this day and that day. But like a like a summary report, I'm, I'm not entirely sure, but I could reach out to the vendor or Vercata and ask them if they if they have a way to like condense that to an easy-to-read report.

Marty: That would be great if you could do that.

Marcus Elliott: Yeah, yeah, I sure can.

Marty: And the period of time I'm obviously interested in is since the beginning of 2025 through, you know, now, through 2026.

Marcus Elliott: Yep, Yep, absolutely, Nope, that makes perfect sense.

Marty: And then the, the question I have regarding, I know you sent me the link for the for the July 1, 2025 incident involving Pam Harris and the clerk and I got all of that uploaded on Vercata-- I was able to download those videos—

Marcus Elliott: ... excellent, good...

Marty: , you've sent me the 3/24/26 date with all the video images and this is the Ed Hartman being, you know, shown around the county buildings footage, I'm not able to download that or upload it on my computer, and I think it's a permission issue on your guys' end.

Marcus Elliott: OK, so and, and you're saying it's the one for Ed Hartman?

Marty: Yeah.

Marcus Elliott: Where he was walking, OK...

Marty: all the, the, the various, the various videos of him being shown around the county buildings.

Marcus Elliott: Yeah, yeah, there was there was quite a bit of them, and it looked like they walked through this building and then they went to the courthouse, if I remember right...

Marty: yeah, and there's multiple videos. What I'd like to be able to do is I, I need to in some way to download those or to upload them or whatever.

Marcus Elliott: Yeah, 'cause my coworker Brian Kaikandal, he was helping me, you know, gather the footage and stuff and we created a case in Vercata so that way we can group all the footage together. My guess is he probably just hit share but he didn't hit the.... so there's like a permission thing where you can have it where it's just view, but you can also have it's where it's view and download...

Marty: and that's what I need. Yeah, I need the view and download aspect to it.

Marcus Elliott: Yep, Yep, and like I said I can do that once I get back to the office, I can have it....

Marty: that that would be awesome if you could do that, I appreciate it.

Marcus Elliott:Yeah.

Marty: So are there any, are you what's your familiarity, are there any policies regarding IT usage and/or surveillance that apply to that, that apply to employees.

Marcus Elliott: Like what do you mean by surveill.... like are we just talking they're....

Marty: like HR policy, yeah, are there like sort of HR policies regarding that or if you know?

Marcus Elliott: I'm, I'm, I'm not aware of it. I know I met with Beth and Felicity last year because they were talking about updating the county handbook and stuff, I kind of gave them a list of things we would like to implement because the handbook that they're operating off of is, it's fairly old and outdated, so yeah I remember meeting with them last year and I kind of gave them a list of all the stuff that we would like to have in it and that that was kind of the last I heard of it. But I mean it's like I guess my question to you is like---is there like anything like for a policy wise like the cameras like I mean the Commissioners, they're the ones that I kind of set the rules on that, that system, so....

Marty: are there any are there any notices up or anything about you know letting employees and the public know that they're being recorded or anything like that that's any signage like that?

Marcus Elliott: I, I don't think so, no. Now I think that I think there might be something down on the, in the Auditor's office, I think that was a sign left from another camera system that the previous Auditor had, but yeah, I mean to my knowledge, I don't believe there's like any cameras like letting people or any signs letting people know that you know there's cameras rolling or anything like that.

Marty: OK, is there any other, well, let me ask you this, has Commissioner Poling ever communicated directly with you in a manner that you felt was inappropriate or threatening in any way?

Marcus Elliott: I mean I wouldn't say like the manner but like he like he ---how do I say this ---he basically like, he will always come up to our office or he'll call if he needs something and he just kind of has this, you know, do-it-on-the-spot. I know just recently he called me and he was saying that he wanted the audio turned on for the HR office for their camera upstairs. Yeah, and he was telling me like not to tell anybody and stuff, and I guess I thought that was very odd because he was he made it sound like Beth and Felicity were potentially going to leave, and he needed to know if it was going to happen and all this other stuff. I just thought that was it was odd.

Marty: Did and did you put a ticket in for that?

Marcus Elliott: Yes I did, and he said he said not to tell anybody and I and and I, I didn't tell anybody, so I just but I did make a ticket for it for my own documentation and I, I have the call logs from when he called, and then I called him back to let him know it was done.

Marty: Can you can you send me the ticket and the call logs?

Marcus Elliott: Yeah,

Marty: OK, do you that would have the date on there? ...

Marcus Elliott:Yeah, sure can, yeah 'cause it's not like like with me, he's not really rude or aggressive but I definitely like he'll I, I don't know how to describe it, and I don't know if it's anything you can go off of, but like with Chuck, I would kind of get the vibe he that he's.... like as long as you're on his side.... I mean you won't have no problems but if you have any sort of difference with him, he, yeah, he doesn't like that, or he doesn't...

Marty: you think he can retaliate against people?

Marcus Elliott:yeah, and yeah 100%.

Marty: Have you had... go ahead...

Marcus Elliott: He has a, but I mean yeah I mean because when he was on the council, I mean I've you know gotten into arguments and stuff with him before but it was always fine like the next month or or whatever whenever we would see each other. But yeah he yeah I mean that's just kind of the vibe we get off of him. And recently like with the D home project he asked me to you know get with the vendor to see how much it would cost to you know get it to where it was operational so I got with the vendor and I got a quote and it was a couple 100,000 and I emailed it to him and I didn't hear anything back for a while, but then he just you know he came up to our office it was just myself and my coworker Emily and he was telling me that you know he was you know trying to he was saying like I was in trouble and that the council was 'wanting my head' and he like it was just it was really weird because the quote was too high....

Marty: And the quote was the quote I mean that's you know, it's not your fault...

Marcus Elliott: no, and why I said 'cause it's all for you know that the D home is the same it's kind of like the jail it's just a lot of old equipment that was put in in the early 2000s so I mean it's it needs...

Marty: it needs to be updated. Right...

Marcus Elliott: right and and it was just, yeah I just thought it was really odd, way he phrased that to me...

Marty: and he said he said that the council wanted your head because of the quote?

Marcus Elliott: It was, it was something kinda like that, yeah, 'cause they were wanting the—it was either something like take my head off or they were unhappy with me; it was something along those lines.

Marty: But you hadn't heard from any of the actual council members about...

Marcus Elliott: ... no ...

Marty:the situation

Marcus Elliott:no, uh huh, no I have not, and like I'm I'm pretty familiar with Greg Kitts and Mr. Scott and I think his name is Lemming, and like it's any time I see those guys I mean they're always nice and there's it doesn't seem like there's any problems but, I don't know if they communicate off to the side or anything like that so anyway like because that quote was high, he asked me to you know go and get another one so of like the bare minimum and basically we got a quote that would just refresh like a couple of the console computers where the guards would sit because he was telling us that the cameras and everything was all fine over there, and I mean it's, I don't know it was just a weird vibe to me like, like I was wrong or, yeah...

Marty: or or somehow trying to gouge the what, what the you know the county, I mean? The quote is the quote of what needs to happen ...

Marcus Elliott: Right and the thing is I mean they're not married to it, I mean they would have to get the council and the other Commissioners would have to go forward with it, but yeah, it was that, it was the fact that he said like you know he was you know he said the council was unhappy with me and all this other stuff because of it and things like that.

Marty: Who, who is your boss in terms of who do you think has authority to terminate you?

Marcus Elliott: So well I mean it would be Chuck and Mr. Stewart now and obviously Shane when he was working here,

Marty: Right, so the council itself doesn't have any authority to, you know, take your head off.

Marcus Elliott: No, they do not.

Marty: So, in terms of.... do you think that Commissioner Poling's ever tried to hire anybody into the IT area or, you know, just try to exert influence in that way?

Marcus Elliott: No, I, I, I haven't seen do anything like that. I, I, no, I, don't think so.

Marty: OK, and what about surveillance in the IT area? Do you think that there's surveillance that's occurred in your work area by Commissioner Poling?

Marcus Elliott: Not, not, not that I'm aware of. However, I will say back, I, guess it's the election stuff that happened in March or April, so the area plan BZ 8, they, they had these meetings and we, we taught the area plan director how to run the Webex and all the Webex says it just takes the camera and the audio on and it's kind of like a live stream and you can record. So the live stream is its own separate thing. You can record it or not record it. So when you record it,

you know, that's the only stuff that's recorded. So there was, it looked like somebody was recording the stream and basically, and it caught Ed Hartman and Randy Atkins. They were, they were like saying something. Apparently it was, it was, I, I couldn't really make anything out, but apparently it was something that could have potentially hurt Ed's campaign or whatever, and my coworker Emily, I, I guess she has some relation to Chuck somehow and she heard through the grapevine that they were thinking IT was the one that leaked that footage and it was probably that shortly after that, like on the weekend, Chuck called me on a Saturday and he was asking me about that, how that footage could have got out, got out. So he was kind of making it seem like, yeah, he was, he was asking me about it. I don't know if he thought I actually did it or not, but

Marty: but what you're saying is people in the public could live-str, could record the live stream and then issue it.

Marcus Elliott: Yeah, yeah, 100%, and that's, and that's what I told him that it just looked like Todd just turned off, he stopped the recording, but he didn't kill the live stream after the meeting ended....

Marty: and there was something caught after the meeting that, that they didn't like or something that was embarrassing.....

Marcus Elliott: Correct, yes, and so they were kind of, they were trying to blame that on, yeah, it sounded like they were trying to blame that on me. That was the vibe I got from it, and that's what Emily, what she was saying from her relative or her, she caught wind that Chuck was gonna, that they were blaming the IT department or something. But a similar, similar situation happened, I'm trying to think when that was, like there was some commissioner meeting where somebody went up to speak and like you could hardly hear him or it cut off at a certain point, or I'm not 100% sure what the issue was, but, you know, they were saying, you know, we were tampering with it or some stuff like that. It was basically, there were people going out, praising the Chuck and taking him for stuff. I think it was that Ed Bounds guy, if I remember right. It was at a commissioners meeting last year, and it's just like a, it's just like a repeating pattern where, yeah, if he thinks you're against him or whatever, then he kind of confronts you on it...

Marty: ... right... And when he called, when he called you on that Saturday, you know, how long was that phone call?

Marcus Elliott: Probably 20-30 minutes, I think, which I can, I should be able to go back and check my call logs, 'cause that's a pretty distinct, 'cause normally he don't call me on a weekend...

Marty: Sure, and it would have been around the primary time of last March or April?

Marcus Elliott: I, I, I believe so, yes, 'cause that, yeah, they were worried it was gonna throw off Ed Hartman's campaign.

Marty: So has Ed Bounds said anything in his podcasts or anything like that relating to the IT department that you find concerning at all?

Marcus Elliott: I have, I, I'd have not listened to that show, only one time they had a, it was an interview between Chuck Poling and Greg Kitts from the council, that's, that's the only show I've seen of his. Other than that, I, I don't watch it, so, yeah, so I, I can't really comment on that one too much. yeah.

Marty: Have you ever, has anyone, do you think, ever tried to intimidate you or threaten you on behalf of Commissioner Poling?

Marcus Elliott: Maybe, I wouldn't say intimidate, but I mean, I know like with the maintenance crew, I know Mike and Chuck, they, they seem like they're pretty close and, but I mean, I, I guess I wouldn't say intimidate, but they definitely want, so like with the, once again, kind of going back to the D home, like they, they just want to maintain all that stuff over there when a lot of it should probably be replaced.

Marty: Well, doesn't it, is it a situation where the software doesn't even, is supported anymore and, and things like that? I mean, if it's early 2000s...

Marcus Elliott: yeah, well, the software, like it's a Hersh, so it's about 5 or 6 years old and that's about due for upgrades, but the actual PLC controls for the doors and stuff, like that's pretty old. They recently had a power supply go out in one of those and the doors for the D home just wouldn't work, so we basically, I worked with the vendor and they took a power supply off one thing and put it on, back on to the door stuff, so the doors work, so, yeah, so then, you know, the maintenance department, they asked me to try to find them, you know, part of the old system, and I was able to, but the thing is, like with a lot of those parts, I don't know how long that stuff's gonna work 'cause it's....

Marty: well, and you can't find replacements, you, you're salvaging yours, you're salvaging from other equipment and, you know...

Marcus Elliott: right, and the thing I was told was if any, it's like the main board or the main compute unit and that PLC goes out, like even if you was to find a replacement, you would have to get somebody to reprogram it and they don't have anybody that does that. So it's, I, I don't know, it just seems like they're, I mean, it's not a matter of if, it'd be a matter of when, whenever that system goes down, because I, I find that to be a concern beyond with them wanting to move people over there 'cause it's, it's, that building's just sat for many years.

Marty: OK, what is the D home? I'm sorry.

Marcus Elliott: Yeah, the D-home is the juvenile detention center. OK, and they're housing, they're housing inmates there and stuff but, yeah, well, there's nobody out there, so they used to house juveniles out there, and there was, and there was some sort of air quality issue or mold out there or something. I, I'm not 100% sure why they shut it off, but they basically relocated the juveniles out of county and they closed it down, and that was before Chuck and Shane were in office. So it was roughly around with COVID, if I remember right.

Marty: OK, and they're, they're trying to renovate that space to, to use it to house new inmates, or...

Marcus Elliott: , yeah, it's correct. So they said they want to use it as a rehab and a overflow.

Marty: OK, have you, has Commissioner Poling ever made any kind of physical contact with you or entered your personal space when he's talked to you, gotten too close to you?

Marcus Elliott: I mean, he's, I, I mean, he definitely has been, hasn't been, like in a threatening way, I think it's just he, the way he, like he tries to talk or communicate, I guess.

Marty: How so?

Marcus Elliott: I mean, obviously, obviously, well, so like he, like he'll come out and like, so I'll be standing back behind my desk and he'll get back behind my desk and like talk to me, like it's, it's almost like it's because like, you know, like there's nobody but myself and my coworkers in there and he's just kind of going in there off to the side just talking to me and stuff. But I mean, I think a lot of it's just like the way he just, I, I, I don't even think he thinks about it, like the way he, like approaches people and stuff....

Marty: he just gets too close to them when he talks to them.

Marcus Elliott: ... Yeah, for sure.

Marcus Elliott: Like me, me, I always, I always try to back up but, like usually he's, I think he's gotten a little better about that, at least with me. I can't speak to anybody else but...

Marty: OK. Has he ever, has he ever shut you in a room or anything, you know, or had you in an enclosed space that you felt like you couldn't leave?

Marcus Elliott: I would say yes, only because he, so I was by myself working one day, but he had Mike from maintenance there 'cause I was, I was in my office, which I thought it was odd 'cause normally, like I don't understand why Mike would need to follow him around, I don't know if Mike is like his, like his witness or somebody that he has in, following him around. I mean, that, that was kind of the vibe I got from it 'cause that, that was the same thing he did back when he was saying the council wanted my head and all that stuff.

Marty: Was Mike there for that?

Marcus Elliott: Yeah, uh huh.

Marty: So why, why would the maintenance guy need to follow him around for stuff like that?

Marcus Elliott: That, I don't, I don't know, but I do know, like they started doing that over in the clerks or the courthouse because, you know, supposedly Mr. Poling and Pam, they got in an argument one time, and I think since that altercation or confrontation or wherever you want to call it, but they, you know, I think that's when that Mike start following him around.

Marty: OK, and so is there any camera set up in the IT area or is that an area that is not, does not have cameras?

Marcus Elliott: No, there's no, there's no camera in the IT area. No.

Marty: Yeah. How do you think Commissioner Poling's presence impacts the work environment within county government?

Marcus Elliott: So, in, in my opinion, I think it's, it feels like you're kind of walking on eggshells. So he's, so he has this way, like where, you know, as long as you're on his side, you're good, but if you have any sort of disagreement with it, like he could take it out on you. So, I mean, that's, that's just the vibe I get, I mean, that's kind of like with the quotes I gave him...

Marty: yeah, where he comes in and he's basically saying that, that.... not him, but council l wants your head, but council's never...

Marcus Elliott: Right...

Marty: said anything to you about that and ...

Marcus Elliott: right. But honestly, I mean, the council, they could, you know, make my life difficult by, you know, cutting stuff and all that stuff. So.

Marty: Has he ever made, has he ever made statements about, you know, these buildings are his or, you know, kind of like it, like taking an ownership mentality towards county government?

Marcus Elliott: Yeah, I mean, he's, I mean, I've heard him say something like that before, but I mean, I can't say I've heard it recently. I, I, I know he was saying something like that, like with, like he was saying that like it was, their buildings or the commissioners buildings, that was, that was roughly around the time when the stuff was going on last year with the clerks, I think in March and I've heard him say something like that.

Marty: So, let me ask you about this 3/24/26 date when he showed Ed Hartman around. I have video, I do have some video that shows audio with, with the encounter in the Assessor's office.

Marcus Elliott: Yep.

Marty: Why would that have audio but the rest of them wouldn't?

Marcus Elliott: So, like I said, I mean, that all comes back to the areas that were, that were basically deemed to be like public or common area. So they, in addition to the courthouse, we also did it for all the, all the buildings. So I think it would be all in that same ticket if I remember correctly. But I did, but I do know there was at one point we didn't have audio turned on at all 'cause I, I personally wasn't sure like if, if that was legal or not and by default they don't come with it on -- the audio piece...

Marty: you have to, you have to manually go in and, and add the audio?

Marcus Elliott: Correct. Yeah, correct, you have to go in and enable it.

Marty: And the only time you would do that is if you were instructed by the commissioners to do that?

Marcus Elliott: Correct. Yes.

Marty: OK, did you enable the audio in the HR area per his request?

Marcus Elliott: Yes, yes, I did.

Marty: And when was that done? I mean, you'll have the ticketing information, but,

Marcus Elliott: Yeah, I, I would have to go back, it was probably maybe two or three weeks ago, because I was, because initially we were told to have an audio turned off, and I think that was Commissioner Middlesworth, he asked us to make sure audio was off because they were saying with HR, like there's some policies and stuff where they might have to talk about stuff and it shouldn't be recorded, so that, that, because initially it was off, but then Chuck, he called me and he requested that be, that be turned on because he was thinking they were going to leave and he wanted to know before they left.

Marty: So Chuck called you and wanted it turned back on and said don't tell anybody, don't tell the....

Marcus Elliott: Yeah, see that, he, he distinctly said do not tell anybody.

Marty: OK, but you created a ticketing item for it because you wanted to document it.

Marcus Elliott: Yep, and I, and I should, I also have my, I have the call log in my phone too.

Marty: OK, did you record the call at all or not?

Marcus Elliott: No, I did not, 'cause I wasn't expecting anything from him, , so, but yeah, he, he just called me on a whim and, 'cause it was, I think it might have been the week that Shane, you know, he let people know he was done.

Marty: OK, OK, so if you can get me that call log and the, and the ticket that you created and the records, show any records showing that the audio was turned back on in HR, that'd be great.

Marcus Elliott: Yeah, 'cause I was, 'cause I turned it on because he has access to the camera system, so if he was to log in and not see it, yeah, he would, I would just, I was afraid of him, you know, yeah, retaliating or going off on me or my staff, so I just went along with it.

Marty: OK, and if Vercata can in any way establish, particularly for that time period, if they can establish that he's, he's logged in and, and reviewed stuff during those time frames? Yeah, I mean, like I said, it's all, it's all logged, so I, like I said, as far as having it in a clean report, I'm not sure if it has that has that ability, but I can check with them, and they should be able to, the support team, and they should be able to help me with that.

Marty: Yeah, I'm particularly interested in that, yeah, in that, yeah,

Marcus Elliott: but otherwise, I mean, I can just pull the logs and you can see, you know, what camera he accesses and what time and all that stuff.

Marty: Well, I'd like to focus on, on that, specifically that, that activity for that most recent request.

Marcus Elliott: Yeah, yeah, absolutely, no, I can, like I said, we can do that.

Marty: OK, so in terms of, are there any other, anything else that you would like to share that you think I, I should know about in terms of Commissioner Poling and his interactions with people and county government?

Marcus Elliott: No, I mean, I think we, I think we about told everything that at least I can think of that would be of use to you and kind of what my experiences have been with it. I mean, overall, I think, I think Chuck is trying to do, is trying to do good for the county, but I think some of the ways he approaches things and the ways he does things, it's just not normal for a county, like official, like a government official to do, or conduct it. I feel like just with him owning his business, he just kind of goes into a boss mode, whereas I feel like with government it's more a combination of a boss and a collaborative type thing ...

Marty: Sure, you're, you're one of three commissioners, not just one, for, for one thing.....

Marcus Elliott: right. Exactly, exactly.

Marty: Do you know whether, and circling back to the 3/24/26 audio, is if there was any other audio on any of the other cameras that day?.... that might have.....

Marcus Elliott: The 3/24?

Marty:yeah, the 3/24/26 date.

Marcus Elliott: I mean, they should be audio, I think, but I can't, it all depend on whenever we turn the audio on for those, for those cameras, so...

Marty: ... I don't....

Marcus Elliott: I can, I can, I can go in and I can pull, I should be able to pull those tickets for you, and then you can, you'll have a better time frame of when there would be audio and when there wouldn't be audio on them...

Marty: and then in what, what areas. Yeah.

Marcus Elliott: ... right, exactly. Yeah, 'cause I mean, prior to that, like we just didn't have the audio turned on because I didn't think it was like legally, if, if it was allowed or not. By default, they're turned off too, so, yep.

Marty: Well, I appreciate your time. If there's anything else you think I need to know about, now's your opportunity.

Marcus Elliott: Yeah, like I said, I, I can't really think of anything off the top of my head. I think we, like the situation where, you know, he came up and he talked about, you know, the council being unhappy with me and then calling me on a Saturday, asking about that footage and stuff, I mean, those were all the ones I thought were odd and wasn't really, I don't know, I don't, I didn't feel like it was right, but like it's just, with Chuck, I just feel like he's very, I feel like he would definitely use it to get back at people for sure.

Marty: Right, to retaliate against people?

Marcus Elliott: Yes, I, I, I do strongly believe that.

Marty: OK, well I appreciate your time, and I won't take up any more of it, but if you could follow up on some of those items, particularly getting the download access for the 3/24...

Marcus Elliott: ...yeah....

Marty: and the information, any and all information regarding the recent request to unmute the, the HR area.

Marcus Elliott: Yeah, absolutely, like I said, I'll send all that stuff to you here, here today. OK.

Marty: Alright, thank you very much.

Marcus Elliott: Hey, no problem, thank you,

Marty: Bye bye.

Marcus Elliott: Alright, bye bye.

10:00am

ADDENDUM

Marty: You asked about whether county employees have, you know, they have emails obviously. Do the commissioners have access to read all of those emails or is there limited access?

Marcus Elliott: No, they don't have access to read emails, no.

Marty: I wanted to know that, and also, I was thinking about the recent request to add audio to HR, and I would just like to have, if there's any clip or anything of any audio recently in the last couple weeks that would be, just to verify that.

Marcus Elliott: Sort of, are you wanting an audio clip from up there? ...

Marty: ... yeah... from the HR camera, just showing that there's... it doesn't even necessarily, I don't even necessarily want it to be anything HR-related per se...

Marcus Elliott: ... yeah, no, I mean, I can, 'cause I went up there yesterday, so I can just clip that.

Marty: OK, that would be great.

Marcus Elliott: ... and that way you can Yeah, 'cause I always make myself known up there 'cause you have to open the door so, I can do that for you.

Marty: Yeah, just a few, you know, less than a minute or whatever, doesn't have to be a lengthy clip or anything like that.

Marcus Elliott: Right. Yeah, yeah, absolutely.

Marty: ...ok...

Marcus Elliott: Like I said, I'm working on getting all that information to you so I should have it to you by the end of the day, alright?

Marty: Perfect, I appreciate it.

Marcus Elliott: Yep, and I spoke with my coworker, and he said he resent you some Vercata links yesterday...

Marty: And those didnt, those still didn't work... like, still I could view them, but I couldn't download anything.

Marcus Elliott: So you could view them, but you couldn't download anything?

Marty: Correct. And that's the issue. I can view all of them but I can't upload or download them....

Marcus Elliott:OK...

Marty: in any way, and that's what I need to be able to do.

Marcus Elliott: OK. Well, like I said, so what we'll do, we'll just download and we'll put them on a Sharepoint.

Marty: OK...

Marcus Elliott: And we'll send you a link to that and that should be a little easier for you.

Marty: OK, that'd be perfect.

Marcus Elliott: Excellent.

Marty: Alright.

Marcus Elliott: Is there anything else you need?

Marty: Nope. That's it.

Marcus Elliott: Alrighty, well like I said, we'll get to working on that, thank you so much.

Marty: Thanks Marcus. Bye.

Marcus Elliott: Yep, no problem. Bye-bye.
