

**HAMILTON COUNTY BOARD OF ELECTIONS
MEETING HELD
AUGUST 30, 2017 AT 2:30PM**

The meeting of the Hamilton County Board of Elections was called to order at 2:30pm by Chairman Burke. Present were members Mr. Triantafilou, Mr. Faux and Mr. Gerhardt. Also present: Director Sherry Poland, Deputy Director Sally Krisel and Cooper Bowen from the Hamilton County Prosecutor's Office.

Chairman Burke noted that proper notice was duly provided as required by O.R.C. 121.22.

A Transcript of the meeting is attached hereto for reference.

I. HEARING: PROTEST TO THE NOMINATING PETITIONS OF:
ROBERT RYAN: BLUE ASH CITY COUNCIL
FILED BY: LEE CZERWONKA AND RICHARD BRYAN

The basis of the protest was the assertion by Mr. Czerwonka and Mr. Bryan that Mr. Ryan failed to properly indentify the council seat he was seeking in the petitions circulated on his behalf.

Present were Robert Ryan; Lee Czerwonka and Aaron Vanderlaan, counsel for Lee Czerwonka. Mr. Vanderlaan made an opening statement and indicated his intention to question Mr. Czerwonka. Mr. Czerwonka was sworn in. Mr. Czerwonka provided testimony in the exchange of questions and responses from both Mr. Vanderlaan and from the Board.

Mr. Ryan was sworn in and provided testimony. An exchange of questions and responses ensued.

Mr. Richard Bryan was not present for the hearing.

Mr. Burke noted that a written opinion had been provided by Mr. Stevenson, legal counsel for the Board. Mr. Triantafilou pointed out that the opinion instructs the Board to determine "substantial compliance"; a subjective determination of each individual Board member. Mr. Bowen further explained that in this case, the matter of substantial compliance is in whether the Board believes the petitions as completed and circulated were misleading to those who signed the petitions.

Mr. Faux made a motion to reject the protest; Mr. Gerhardt seconded. Mr. Burke – aye; Mr. Faux – aye; Mr. Gerhardt – aye; Mr. Triantafilou – nay. The motion carried.

II. HEARING: PROTEST OF THE NOMINATING PETITIONS OF:
PAMELA GROSS: LOVELAND CITY COUNCIL
FILED BY: PATRICIA HORTON-SANDMAYR

The basis of the protest was the assertion that an inaccurate address was provided for a person named to the nominating committee on the petitions.

Present were Patricia Horton-Sandmayr and Pamela Gross. Ms. Horton-Sandmayr was sworn in and presented the protest. An exchange of questions and responses ensued. Ms. Gross was sworn in and provided testimony. An exchange of questions and responses ensued.

Mr. Burke noted that a written opinion provided by Mr. Stevenson, legal counsel for the Board, states that the Board must be able to tell by the information provided on the petition that the committee members are qualified voters by the address or derivation thereof appearing on the petition. He asked staff whether the committee member in question is a qualified registered voter. While waiting for the results of the staff research, the Board moved to the next protest.

III. HEARING: PROTEST OF THE NOMINATING PETITIONS OF:
ANDREW BATEMAN: LOVELAND CITY COUNCIL
FILED BY: PATRICIA HORTON-SANDMAYR

The basis of the protest was the assertion that the number of petition signatures provided by Mr. Bateman exceeded the allowable amounts as dictated by Loveland City charter.

Present were Patricia Horton-Sandmayr and Andrew Bateman. Ms. Horton-Sandmayr remained sworn in and presented the protest. An exchange of questions and responses ensued.

Mr. Burke pointed out that Ms. Horton-Sandmayr referred the Board to the Ohio Revised Code for reference. The ORC has a provision which states that once the Board accepts the petition signatures, it cannot reject a candidate's petitions for exceeding the signature limit.

Mr. Bateman was sworn in and provided testimony. Mr. Bateman indicated that he received instruction from Clermont County, his county of residence, to obtain 50 to 150 signatures. Mr. Bateman also pointed out the ORC provision that once the Board accepts the petition signatures it cannot reject them.

Mr. Triantafilou made a motion to deny the protest; Mr. Faux seconded. The motion passed unanimously.

Ms. Poland advised the Board that staff returned with the research concerning the nominating petitions of Pamela Gross: all five committee members listed on the petition are registered voters in the City of Loveland.

Mr. Triantafilou made motion to deny the protest of the part petitions of Pamela Gross, Candidate for Loveland City Council; Mr. Faux seconded. The motion passed unanimously.

**IV: HEARING: NOTICE OF APPEAL OF BOARD DECISION TO THE
NOMINATING PETITIONS OF:**

**ERICKA COPELAND-DANSBY: CINCINNATI PUBLIC SCHOOL
BOARD MEMBER
FILED BY: DAVID BRENNER**

The Board was advised that an email from David Brenner, who filed the Notice of Appeal, had withdrawn that request. As the Notice of Appeal was formally withdrawn, no further action was required by the Board.

**V. CERTIFICATION OF NON-PARTISAN CANDIDATES WITH THE
AUGUST 24TH FILING DEADLINE TO THE NOVEMBER 7, 2017 GENERAL
ELECTION BALLOT.**

A list of candidates whose filing deadline was August 24, 2017 was provided to the Board. Ms. Poland advised the Board that a second list, containing the name of one candidate from the Village of Lincoln Heights, was made available to enable the Board to review it separately.

Mr. Triantafilou made a motion to certify the list of non-partisan candidates to the November 7, 2017 General Election Ballot; Mr. Faux seconded. The motion passed unanimously. Mr. Burke pointed out that the candidates listed are for Cincinnati City Council; City of Madeira, City of Springdale and the Village of Lincoln Heights.

The Board was asked to consider the certification of the Village of Lincoln Heights candidacy of Jason P. Routt separately. Ms. Poland explained that the nominating section of the petition was left blank. Legal counsel has advised that this matter is a substantial compliance decision for the Board. Mr. Routt was present and sworn in and provided his statement. It was noted that, but for the lack of information in the nominating section, the petitions were found to be sufficient.

Mr. Triantafilou made a motion to certify the candidacy of Mr. Routt; Mr. Faux seconded. The motion passed unanimously.

VI. CERTIFICATION OF WRITE-IN CANDIDATES TO THE NOVEMBER 7, 2017 GENERAL ELECTION BALLOT

The Board reviewed the list of the write-in candidates to the November 7, 2017 General Election Ballot. Mr. Burke noted that Ms. Regina Collins was present and asked to address the Board on the matter of one of the write-in candidates. Ms. Collins was sworn in and made her statement in opposition to the certification of Mr. Wynndel Burns, write-in candidate for the unexpired term to council in the City of Forest Park.

Mr. Triantafilou made a motion to certify the write-in candidates to the November 7, 2017 General Election Ballot; Mr. Faux seconded. The motion passed unanimously.

VII. RESOLUTION: AMENDMENT TO FACILITES LEASE – POLL WORKER TRAINING FACILITY

A short term lease of space in the building behind the Board of Elections is being proposed to house poll worker training. The resolution would give the Director authority to enter negotiations and to execute the lease agreement.

Mr. Triantafilou made a motion to adopt the Resolution (#17-002); Mr. Faux seconded. The motion passed unanimously.

VIII. OTHER BUSINESS

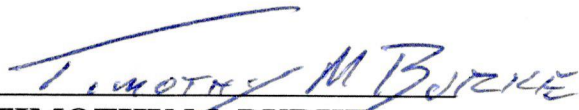
Ms. Poland advised that the Board is in receipt of additional Protests and that a date and time must be set for the hearing. The Board agreed that the date and time for the Protest Hearing would be September 12, 2017 at 8:30am

There being no further business to come before the Board, Mr. Triantafilou made a motion to adjourn; Mr. Faux seconded. The motion passed unanimously.

APPROVED:

DATE: October 3, 2017

CHAIRMAN:


TIMOTHY M. BURKE

DIRECTOR:


SHERRY L. POLAND