

**HAMILTON COUNTY BOARD OF ELECTIONS
MEETING HELD
NOVEMBER 18, 2019 at 11:00AM**

The meeting of the Hamilton County Board of Elections was called to order at 11:00am by Chair Gwen McFarlin. Present were members Mr. Triantafilou, Mr. Faux and Mr. Gerhardt. Also present: Director Sherry Poland and Deputy Director Sally Krisel and David Stevenson and Cooper Bowen with the Hamilton County Prosecutor's office.

Ms. McFarlin 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. APPROVE BOARD MEETING MINUTES: NOVEMBER 4 & 5, 2019

Mr. Triantafilou made a motion to approve the Board Meeting Minutes for November 4 & 5, 2019; Mr. Faux seconded. The motion passed unanimously.

II. APPROVE: BALLOT REMAKES

Ms. Criddle presented the following ballots to the Board. All were remade by bipartisan teams pursuant to Secretary of State Directive and Board policy:

Remakes: UOCAVA
A146 – A 152

Mr. Triantafilou made a motion to approve the ballots as remade; Mr. Faux seconded. The motion passed unanimously.

Remake: Damaged
A154

Mr. Triantafilou made a motion to approve the ballot as remade; Mr. Faux seconded. The motion passed unanimously.

Remakes: Stray Mark
A144 - A145; A155

Mr. Triantafilou made a motion to approve the ballots as remade; Mr. Faux seconded. The motion passed unanimously.

Remakes: Incorrect Ballot*
A140 - A141; A153

Mr. Triantafilou made a motion to approve the ballots as remade; Mr. Faux seconded. The motion passed unanimously.

*Voter was provided an incorrect Ballot. Ballot remade to the correct precinct to duplicate ballot cast as applicable.

**Remakes: Voter Intent
A142 - A143**

Mr. Triantafilou made a motion to approve the ballots as remade; Mr. Faux seconded. The motion passed unanimously.

Remakes: Election Day
Damaged/Unscanned
U1 – U3**

Mr. Triantafilou made a motion to approve the ballots as remade; Mr. Faux seconded. The motion passed unanimously.

Remakes: Election Day
Stray Marks/Unscanned
U4 - U5**

Mr. Triantafilou made a motion to approve the ballots as remade; Mr. Faux seconded. The motion passed unanimously.

****Ballots cast in Precinct on Election Day - returned unscanned.**

III. VERIFICATION: PROVISIONAL BALLOT REPORT

The Board reviewed the Summary Staff Recommendation for the November 5, 2019 General Election dated November 21, 2018.

Total # of Provisional Ballots issued:	2,404
Total # Accepted:	2,173
Accepted:	2,158
Right Location/Wrong Precinct:	6
APRI Exception – 2011:	0
APRI Exception – 2013:	0
APRI Exception – 2015:	4
APRI Exception – 2019:	5

The Board reviewed the Provisional Ballots identified by staff for rejection prior to approving the Staff recommendation for the total number accepted. The Ballots were presented by category:

Total # Rejected: 228

Not Registered: 138

Mr. Triantafilou made a motion to accept the staff recommendation to reject these ballots; Mr. Faux seconded. The motion passed unanimously.

**Voted Wrong Precinct/
Wrong Location: 33**

Mr. Triantafilou made a motion to accept the staff recommendation to reject these ballots; Mr. Faux seconded. The motion passed unanimously.

No Signature: 2 Mr. Triantafilou made a motion to accept the staff recommendation to reject these ballots; Mr. Faux seconded. The motion passed unanimously.

No ID*: 21 Mr. Triantafilou made a motion to accept the staff recommendation to reject these ballots; Mr. Faux seconded. The motion passed unanimously.

***No ID provided or ID provided does not match BOE records**

Signature Mismatch* 2 Mr. Triantafilou made a motion to accept the staff recommendation to reject these ballots; Mr. Faux seconded.

No Ballot: 2 Mr. Triantafilou made a motion to accept the staff recommendation to reject these envelopes; Mr. Faux seconded. The motion passed unanimously.

Voted Absentee*: 9 Mr. Triantafilou made a motion to accept the staff recommendation to reject these ballots; Mr. Faux seconded. The motion passed unanimously.

***The Board requests the ballots in these categories be included in the Post Election Anomaly report.**

No Printed Name: 1 Mr. Triantafilou made a motion to accept the staff recommendation to reject this ballot; Mr. Faux seconded. The motion passed unanimously.

Voted Twice In-Precinct*: 1 Mr. Triantafilou made a motion to accept the staff recommendation to reject this ballot; Mr. Faux seconded. The motion passed unanimously.

***The Board requests the ballots in this category be included in the Post Election Anomaly report.**

No Address: 11 Mr. Triantafilou made a motion to accept the staff recommendation to reject these ballots; Mr. Faux seconded. The motion passed unanimously.

No DOB: 8 Mr. Triantafilou made a motion to accept the staff recommendation to reject these ballots; Mr. Faux seconded. The motion passed unanimously.

Further Review:

Month/Day

Mismatch: 3 The Board was advised that, per Secretary of State Directive, if all other information provided is accurate per BOE records, the ballots may be counted.
Mr. Triantafilou made a motion to accept these ballots per Secretary of State Directive and Staff recommendation; Mr. Faux seconded. The motion passed unanimously.

Total Additional Accepted: 2173 Mr. Triantafilou made a motion to accept the staff recommendation to accept these ballots; Mr. Faux seconded. The motion passed unanimously.

**IV. PROTEST HEARING: PETITION FOR COUNTY ZONING REFERENDUM
RESOLUTION AUTHORIZING A ZONING MAP AMENDMENT FOR
CASE: COLUMBIA 2019-01: CAMPBRIDGE RETAIL FROM “C” TO “EE”:
PLANNED RETAIL**

The Board was advised of the following timeline:

- **October 14, 2019:** Petition for a County Zoning Referendum submitted to BOE
- **October 16, 2019:** Board staff noticed the Hamilton County BOCC that the petition contained the required number of valid signatures
- **October 24, 2019:** BOCC adopted a Resolution directing the BOE to submit the referendum to the electors of Columbia Twp. at the March 27, 2020 Election

- **October 30, 2019:** Protest regarding the referendum petition filed with the BOE on behalf of Woeste Investments Ltd.
- **November 12, 2019:** Response to protest filed with the BOE on behalf of petitioners.

William Fecher, Esq., representing Woeste Investments Ltd. addressed the Board and set forth their protest of the referendum petition submitted by a number of residents of Columbia Township which seeks to place on the March 17, 2020 ballot the zoning map and Resolution adopted by the Hamilton County Board of Commissioners on September 19, 2019. *A Transcript of the meeting is attached hereto for reference.*

Mr. Triantafilou, upon listening to the remarks of counsel, disclosed that his firm represents Columbia Twp. and questioned the involvement of Columbia Township in this dispute. Although assured that this issue does not directly involve Columbia Township, Mr. Triantafilou, after consultation with legal counsel and attorneys from both parties, recused himself from the proceedings in this matter.

Kathleen Ryan, Esq., representing the petitioners addressed the Board to reaffirm the petition as filed and to counter the objections made on behalf of Woeste Investments Ltd. *A Transcript of the meeting is attached hereto for reference.*

Mr. Fecher re-addressed the Board to rebut points made by Ms. Ryan.

A discussion between the Board members and counsel continued throughout.

Mr. Gerhardt made a motion to enter into Executive Session for the purpose of discussion with Counsel; Mr. Faux seconded. Ms. McFarlin –aye; Mr. Faux –aye; Mr. Gerhardt –aye; Mr. Triantafilou abstained, whereupon the Board entered executive session at 12:47pm.

Mr. Gerhardt made a motion to return from Executive Session; Mr. Faux seconded. Ms. McFarlin –aye; Mr. Faux –aye; Mr. Gerhardt –aye, whereupon the Board returned to regular session at 1pm.

The Board asked attorneys from both sides to submit written arguments not later than 4pm on Thursday, November 21, 2019. The Board agreed to meet on Tuesday, December 3, 2019 at 9am for decision.

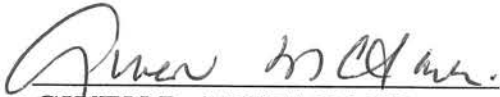
There being no further business to come before the Board, Mr. Gerhardt made a motion to adjourn; Mr. Faux seconded. The motion passed unanimously.

APPROVED:

DATE: December 3, 2019

CHAIR:

DIRECTOR:


GWEN L. MCFARLIN


SHERRY L. POLAND