

**HAMILTON COUNTY BOARD OF ELECTIONS
MEETING HELD
AUGUST 19, 2019 at 8:30AM**

The meeting of the Hamilton County Board of Elections was called to order at 8:30am 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 with the Hamilton County Prosecutor's office.

Ms. McFarlin noted that proper notice was duly provided as required by O.R.C. 121.22.

I. APPROVE BOARD MEETING MINUTES: AUGUST 5 & 6, 2019

Mr. Triantafilou made a motion to approve the Board Meeting Minutes for August 5 & 6, 2019; Mr. Faux seconded. The motion passed unanimously.

II. VERIFICATION: AUGUST 6, 2019 SPECIAL ELECTION PROVISIONAL BALLOT REPORT

The Board reviewed the Summary Staff Recommendation for the August 6, 2019 Special Election dated August 19, 2019.

Total # of Provisional Ballots issued:	13
<u>Total # Accepted:</u>	<u>11</u>

Mr. Triantafilou made a motion to accept the Staff recommendation and approve the 11 Provisional Ballots; Mr. Faux seconded. The motion passed unanimously.

Not Registered:	2
Total # Rejected:	2

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

III. APPROVE: AUGUST 6, 2019 BALLOT REMAKES

The Board was advised that there were no Ballots to be remade at this time.

**IV. CERTIFICATION: NOVEMBER 5, 2019 GENERAL ELECTION
NONPARTISAN CANDIDATE PETITIONS**

The Board began the process of reviewing the Staff findings for the nonpartisan candidate petitions. All petitions were reviewed by bipartisan teams. The candidate petition list was divided into three parts:

- Staff Finding: Valid/Sufficient Petition
- Staff Finding: Invalid/Insufficient Petition
- Board Review: Substantial Compliance

The first list presented was a 19 page list wherein Staff had found the petitions to be Valid and Sufficient.

Mr. Triantafilou made a motion to accept the Staff recommendation and certify to the General Election Ballot the complete list entitled Staff Findings: Valid/Sufficient Petitions; Mr. Faux seconded. The motion passed unanimously.

Mr. Triantafilou made a motion to enter Executive Session for the purpose of consulting legal Council regarding the next two categories for Board decision; Mr. Faux seconded. Ms. McFarlin –aye; Mr. Triantafilou –aye; Mr. Faux –aye; Mr. Gerhardt –aye. Whereupon the Board entered Executive Session at 8:47am.

Mr. Triantafilou made a motion to return to regular session; Mr. Faux seconded. Ms. McFarlin –aye; Mr. Triantafilou –aye; Mr. Faux –aye; Mr. Gerhardt –aye. Whereupon the Board returned to regular session at 9:07am.

The next list presented was entitled Staff Findings: Invalid/Insufficient Petitions.

1. Charles M. Klosterman: Petitions for Colerain Twp. Fiscal Officer.
The Board was advised that the Statement of Candidacy was not signed and dated on part-petition page 1; Staff notified Candidate. Chair McFarlin confirmed there were no witnesses present to speak regarding this petition.

Mr. Triantafilou made a motion to reject the petitions filed by Charles M. Klosterman for Colerain Twp. Fiscal Officer; Mr. Faux seconded. The motion passed unanimously.

2. Emily Rentschler: Petitions for Colerain Twp. Fiscal Officer
The Board was advised that this petition did not meet the number of valid signatures requirement: 25 required; 23 valid submitted.
Carrie Davis was sworn and addressed the Board on behalf of her daughter, Emily Rentschler. Ms. Davis submitted two sworn affidavits wherein individuals whose signatures were found to be “not genuine” affirmed that they

did, in fact, sign the petition. Ms. Davis also made arguments regarding elements of addresses used in signing petitions and requirements thereof. Mr. Stevenson spoke to address arguments presented by Ms. Davis, stating that issues involving the address affixed to the petition by the voters signing the petition was a strict compliance issue and not subject to Board discretion. The Board made further inquiries of Ms. Davis regarding the affidavits; Ms. Rentschler was sworn and provided additional testimony regarding the collection of the affidavits.

Upon review of the affidavits presented, Mr. Triantafilou made a motion to accept the two signatures as supported by the affidavits and therefore accept the petitions and certify Emily Rentschler to the General Election Ballot; Mr. Faux seconded. The motion passed unanimously.

3. Guy G. Schaible: Petitions for Whitewater Twp. Trustee

The Board was advised that this Petition did not meet the number of valid signatures requirement: 25 required; 22 valid submitted.

Micah Kamrass, legal counsel on behalf of Mr. Schaible, addressed the Board and submitted five sworn affidavits wherein individuals whose signatures were found to be “not genuine” affirmed that they did, in fact, sign the petition. The Board reviewed the affidavits and requested Staff validate the addresses provided. The Board took a short recess for this process.

Mr. Triantafilou, upon being advised an attorney from his firm was contacted regarding this matter, determined there may be a conflict of interest and advised the Board that he would recuse himself from further discussion and decision on this matter.

Staff advised the Board that the addresses provided had been validated.

Chair McFarlin recognized Alyshia Johnson as possibly wishing to address the Board; Ms. Johnson declined.

Upon review of the affidavits presented, Mr. Gerhardt made a motion to accept the five signatures as supported by the affidavits and therefore accept the petitions and certify Guy Schaible to the General Election Ballot; Mr. Faux seconded. The motion passed unanimously with Mr. Triantafilou recusing.

4. Rodney Christian: Petitions for Cincinnati City School District Member of Board of Education.

The Board was advised that this Petition did not meet the number of valid signatures requirement: 300 required; 273 valid submitted; Staff notified the

candidate. Chair McFarlin confirmed there were no witnesses present to speak regarding this petition.

Mr. Triantafilou made a motion to reject the petitions filed by Rodney Christian for Cincinnati City School District Member of Board of Education; Mr. Faux seconded. The motion passed unanimously.

5. Ozie Davis: Petitions for Cincinnati City School District Member of Board of Education.

The Board was advised that this Petition did not meet the number of valid signatures requirement: 300 required; 249 valid submitted; Staff notified the candidate. The Board reviewed documentation provided by the candidate for consideration. The Board was advised that, upon receipt of the documentation provided by Mr. Davis, Staff re-reviewed the petitions and found 4 additional signatures to be accepted bringing the new total to 253 valid signatures submitted. Chair McFarlin confirmed there were no witnesses present to speak regarding this petition.

Mr. Gerhardt made a motion to accept the Staff recommendation and add 4 accepted signatures to the number of valid signatures; Mr. Faux seconded. The motion passed unanimously.

Mr. Triantafilou made a motion to reject the petitions filed by Ozie Davis for Cincinnati City School District Member of Board of Education; Mr. Faux seconded. The motion passed unanimously.

6. Jonathan L. Pearson: Petitions for Mariemont City School District Member of Board of Education.

The Board was advised that this Petition was filed with the Circulator Statement incomplete.

Mr. Pearson was sworn and addressed the Board as both the candidate and one of the two individuals to circulate the part petitions. Mr. Stevenson advised that this matter is one of strict compliance and as such may not be excused by this Board. A discussion ensued.

Mr. Triantafilou made a motion to reject the petitions filed by Jonathan Pearson for Mariemont City School District Member of Board of Education; Mr. Faux seconded. The motion passed unanimously.

The next list presented was Board Review: Substantial Compliance Determination.

1. Steve Asbach: Petitions for Village of St. Bernard Vice Mayor and President of Council.

The Board was advised that the Office title in the Statement of Candidacy and Nominating Petition section of all part-petitions was listed as “President of Council” instead of “Vice Mayor and President of Council”. Staff notified the Candidate. Mr. Stevenson advised that the office is the same but has two names. Chair McFarlin noted that no one was present to speak regarding this petition.

Mr. Triantafilou made a motion to accept the Petitions filed by Steve Asbach and certify him to the General Election Ballot; Mr. Faux seconded. The motion passed unanimously.

2. **Bersetha Ranson: Petitions for Village of Woodlawn Member of Council.**
The Board was advised that the election date was incomplete on part-petition page 4 and a printed name was not included in the circulator statement, also on part-petition page 4. Staff notified the Candidate. Chair McFarlin noted that no one was present to speak regarding this petition.

Mr. Triantafilou made a motion to accept the Petitions filed by Bersetha Ranson and certify her to the General Election Ballot; Mr. Faux seconded. The motion passed unanimously.

3. **Kimberly Bouldin-Bryant: Petition for Mt. Healthy City School District Member of Board of Education.**
The Board was advised that the signature date in the Statement of Candidacy was incomplete on part-petition page 7. The candidate included the month and year (July, 2019) but not the date. Staff notified the Candidate. It was noted that this date is to ensure the candidate signed the statement of candidacy before the petition was circulated. It was also noted that the voters signing the petition all signed in the month of August, 2019. Chair McFarlin noted that no one was present to speak regarding this petition.

Mr. Triantafilou made a motion to accept the Petitions filed by Kimberly Bouldin-Bryant and certify her to the General Election Ballot; Mr. Faux seconded. The motion passed unanimously.

4. **Sally Raber: Petition for Norwood City School District Member of Board of Education, unexpired term.**
The Board was advised that the unexpired term checkbox and term ending date was incomplete in the Nominating Section of part-petition page 3; the term ending date was included in the statement of candidacy. Staff notified the Candidate. Chair McFarlin noted that no one was present to speak regarding this petition.

Mr. Triantafilou made a motion to accept the petitions filed by Sally Raber and certify her to the General Election Ballot; Mr. Faux seconded. The motion passed unanimously.

V. CERTIFICATION: NOVEMBER 5, 2019 GENERAL ELECTION QUESTIONS AND ISSUES

The Board was advised of the list entitled Hamilton County Ballot Issues List filed for the November 5, 2019 General Election. Specific attention was brought to the issue of the Tax Levy for the Village of Cleves. The Board was made aware of questions regarding the commencement date of this levy and that a revised resolution was timely filed by the Village but further advised that the Revised Resolution was facially valid with the commencement date of 2019 to be collected in 2020. The Board was also advised that a potential Charter Amendment for a City of Cincinnati earnings tax was not part of this document as the deadline for the filing of Charter Amendments is September 6, 2019; this matter, if presented, would be considered at the September 10, 2019 Board meeting.

Mr. Triantafilou made a motion to Approve the complete list, including the Village of Cleves matter and certify the questions and issues to the General Election Ballot; Mr. Faux seconded. The motion passed unanimously.

VI. OUTREACH PROGRAM

The Board was provided an overview of new voting equipment demonstrations and the Voter Registration and Poll Worker Outreach and Recruitment program.

VII. CERTIFICATION: AUGUST 6, 2019 SPECIAL ELECTION RESULTS

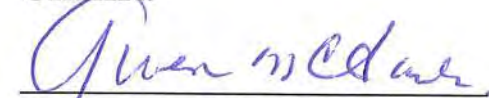
Mr. Triantafilou made a motion to Certify the August 6, 2019 Special Election Results; Mr. Faux seconded. The motion passed unanimously.

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: September 10, 2019

CHAIR:


GWEN L. MCFARLIN

DIRECTOR:


SHERRY L. POLAND