

**HAMILTON COUNTY BOARD OF ELECTIONS  
MEETING HELD  
SEPTEMBER 17, 2018 AT 8:30AM**

The meeting of the Hamilton County Board of Elections was called to order at 8:30am by Chairman Burke. 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.

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. APPROVE BOARD MEETING MINUTES: AUGUST 20, 2018**

Mr. Triantafilou made a motion to approve the Board Meeting Minutes for August 20, 2018; Mr. Faux seconded. The motion passed unanimously.

**II. REVIEW: SALES TAX PETITION ANOMALY**

The Board was advised of a letter of complaint received July 29, 2018 regarding concerns with the circulation by Andrew Pappas of a part petition for the Sales Tax Petitions (copy attached). The Board received an email on September 14, 2018 from Mr. Stuart Dornette to which was attached an email from Mr. Pappas, both are attached hereto. Chairman Burke expressed dissatisfaction with Mr. Pappas's absence for this meeting, noting the assurances received from Stuart Dornette, attorney for Mr. Pappas, that a subpoena to ensure Mr. Pappas presence was not necessary. Mr. Burke asked that the email received from Mr. Dornette be included for the record. Mr. Burke recognized there were several members of the audience present today to make statements in this matter.

Ms. Katie Nappi, 644 Watch Point Drive, was sworn and provided a statement. An exchange of questions and answers followed.

Ms. Martha Viehman, 7061 Grantham Way, was sworn and provided a statement. An exchange of questions and answers followed

**Ms. Anne Zimmerman, 800 Markley Rd., was sworn and provided a statement. An exchange of questions and answers followed.**

**Ms. Bonnie Dunkelman, 800 Old Orchard Rd., was sworn and provided a statement. An exchange of questions and answers followed. Ms. Dunkelman submitted an affidavit from an individual who signed the part petition in question.**

**Dr. Susanne Wells, 8047 Kimbee Dr., was sworn and provided a statement. An exchange of questions and answers followed.**

**Mr. Faux made a motion to issue a subpoena to Mr. Pappas to appear before the Board; date and time to be determined; Mr. Burke seconded. Mr. Burke-aye; Mr. Faux –aye; Mr. Triantafilou- nay; Mr. Gerhardt –nay. As the vote ended with a tie, each side will compose a letter to the Ohio Secretary of State, explaining their respective positions. The letter, together with the transcript of the meeting will be presented to the Ohio Secretary of State who will issue a decision on the tie vote.**

### **III. PRECINCT ELECTION OFFICIAL APPOINTMENTS**

**The Board was provided a list of Precinct Election Official Appointments.**

**Mr. Triantafilou made a motion to approve the list as presented and to authorize staff to fill vacancies as they occur; Mr. Faux seconded. The motion passed unanimously.**

### **IV. CERTIFICATION: ADDITIONAL CHARTER AMENDMENTS TO THE NOVEMBER 6, 2018 GENERAL ELECTION**

**The Board was provided a list of 5 Charter Amendments filed since the Board last met to certify questions and issues for the November 6, 2018 General Election Ballot: 2 City of Cincinnati; 1 Village of Golf Manor; 2 Village of Lincoln Heights.**

**Mr. Triantafilou made a motion to Certify the Charter Amendments to the November 6, 2018 General Election Ballot; Mr. Faux seconded. The motion passed unanimously.**

**V. CERTIFICATION: ADDITIONAL WRITE-IN CANDIDATE TO THE NOVEMBER 6, 2018 GENERAL ELECTION BALLOT**

The Board was advised that one additional write-in candidate has filed since the Board last met to certify candidates to the November 6, 2018 General Election Ballot: Regina Collins for the 28<sup>th</sup> State Representative District.

Mr. Triantafilou made a motion to certify the write-in candidate to the November 6, 2018 General Election Ballot; Mr. Faux seconded. The motion passed unanimously.

**VI. DISCUSSION: NEW VOTING BOOTHS**

Ms. Poland reported that it is the intention of Staff to purchase new voting booths. The Board was advised that these are the privacy booths that are sent out to each polling location. The current booths have been in use for over 40 years and it is becoming increasingly difficult to find replacement parts for this equipment. An Invitation to Bid (ITB) has been issued and responses have been received. Staff has narrowed the choice down to two different models and intends to test them out in two different polling locations in the upcoming November Election. The goal is to implement the new voting booths along with the new voting equipment in the May, 2019 Primary Election. No Board action is required at this time.

**VII. DISCUSSION: CAMPAIGN NEUTRAL ZONE**

The Board was advised that Staff has been reviewing the implementation of the Campaign Neutral Zone for early voting at the Board of Elections. November, 2017 was the first election at the new Board of Elections facility and Staff encountered some problems with campaigning outside of the Board that developed into safety concerns. These concerns were with regard to campaigners blocking the entrance to the parking lot; impeding traffic and disregard for basic safety for themselves and in many cases, children present. Staff has drafted a plan for a Campaign Neutral Zone that would attempt to alleviate some of the problems and concerns. The idea is to quadrant off a specific section and designate it for campaigning, leaving the area surrounding the front entrance to the Absentee Voting Department unobstructed by Campaigners. Staff is still in the process of developing this plan; the Board will review the proposal and consider the matter. No formal action will be required of the Board.

**VIII. UPDATE: REFERRALS TO HAMILTON COUNTY PROSECUTOR'S OFFICE**

Mr. Stevenson reported that the investigation with regard to the referrals made to the Hamilton County Prosecutor's office is still ongoing. A number of interviews have been conducted but at this point there is nothing to report.

**IX. HOLIDAY SCHEDULE**

The Board was advised that the Hamilton County Commissioners have designated Christmas Eve as a paid holiday for county employees that fall under their umbrella for the 2018 year only. Christmas Eve, December 24<sup>th</sup>, falls on a Monday this year. Staff is recommending the Board of Elections do the same for this year only and declare December 24<sup>th</sup> a paid holiday.

Mr. Triantafilou made a motion to declare Christmas Eve, December 24, 2018 a paid holiday consistent with the Board of County Commissioners plan to do the same; Mr. Faux seconded. The motion passed unanimously.

**X. OTHER BUSINESS**

Ms. Poland reported that construction of the new Precinct Election Official Training Center is complete and will be ready to provide the PEO training for the November Election.

Ms. Poland brought to the attention of the Board an email received from Mr. Brian Shrive wherein Mr. Shrive requests Ms. Poland appear at the Ohio Election Commission hearing scheduled on Thursday, September 20<sup>th</sup> or, in the alternative, execute an affidavit in response. Mr. Shrive outlined in his email what testimony he is requesting. The Board agreed that an affidavit would be appropriate and instructed Mr. Stevenson to prepare the affidavit for Ms. Poland's signature.

The Board was advised they have 14 days to submit their letters to the Ohio Secretary of State with regard to the tie vote. The Board agreed to have their material ready for submission by Friday, September 28<sup>th</sup>.

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 9, 2018

CHAIRMAN:

*TIMOTHY M BURKE*  
TIMOTHY M. BURKE

DIRECTOR:

*Sherry L Boland*  
SHERRY L. BOLAND