

**HAMILTON COUNTY BOARD OF ELECTIONS
MEETING HELD
DECEMBER 30, 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 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.

I. APPROVE BOARD MEETING MINUTES: December 3, 2019

Mr. Triantafilou made a motion to approve the Board Meeting Minutes for December 3, 2019; Mr. Faux seconded. The motion passed unanimously.

II. HEARING: REGISTERED VOTER CHALLENGES

The Board was advised of 37 Registered Voter Challenges filed November 13, 2019 by Mr. Joseph Janus, Jr. Three of the voters challenged had submitted Change of Address forms and were therefore not included in the spreadsheet provided to the Board for review. Chuck Eckert, Registration Administrator, reported that Staff sent letters, the challenge form and voter registration forms to each of the remaining 34 voters; there has been no response.

Mr. Janus was sworn; withdrew the 3 challenges in which change of address documents were submitted and provided testimony as to the 34 remaining challenges.

A discussion regarding the timing of the challenges and the process for investigation. Mr. Triantafilou made a motion to table the challenges to the next Board meeting (1/14/2020); Mr. Faux seconded. The motion passed unanimously.

The Board was advised of 21 Registered Voter Challenges filed December 17, 2019 by Mr. Joseph Janus, Jr. One voter challenged had submitted a Change of Address form and was therefore not included in the spreadsheet provided

to the Board for review. Chuck Eckert, Registration Administrator, reported that Staff sent letters, the challenge form and voter registration forms to each of the remaining 20 voters; there has been no response.

Mr. Janus withdrew the 1 challenge in which a change of address was submitted and provided testimony regarding the remaining 20 challenges.

Mr. Triantafilou made a motion to table the challenges to the next Board meeting (1/14/2020); Mr. Faux seconded. The motion passed unanimously.

III. REVIEW: NOVEMBER 5, 2019 GENERAL ELECTION VOTING ANOMALY

Ms. Poland provided a general overview of the circumstances regarding the Voting Anomaly involving Mr. Scott Ford. Mr. Ford was sworn and advised that pursuant to statute and pursuant to Directive of the Secretary of State, the Board was investigating voter anomalies. Mr. Triantafilou advised Mr. Ford of his right to remain silent and his right to have an attorney present for this proceeding. Mr. Ford indicated he understood this advice. Ms. Poland provided a detailed overview of the events involving Mr. Ford and his appearance at two separate polling locations on Election Day. A discussion, including statements of facts and questions and responses ensued. *A Transcript of the Meeting is attached hereto for reference.*

IV. RESOLUTION: AUTHORIZING EXECUTION OF MEMORANDUM OF AGREEMENT FOR SERVICES WITH THE OHIO SECRETARY OF STATE

Mr. Triantafilou made a motion to adopt Resolution #2019-007 Authorizing Execution of Memorandum of Agreement for Services; Mr. Faux seconded. The motion passed unanimously.

V. CERTIFICATION: PARTISAN CANDIDATES TO THE MARCH 17, 2020 PRESIDENTIAL PRIMARY ELECTION

The Board was advised of three separate lists for Certification.

The first list included those candidates recommended by Staff to be Certified to the Ballot. Mr. Triantafilou made a motion to certify these candidates to the ballot; Mr. Faux seconded. The motion passed unanimously.

The second list included two candidates found to have submitted petitions containing an insufficient number of signatures to be placed on the ballot. Mr. Triantafilou made a motion to deny certification to the ballot for these two candidates; Mr. Faux seconded. The motion passed unanimously.

The third list included one candidate for whom staff requested further review by the Board to determine substantial compliance. The Board sought advice from counsel and determined that substantial compliance had been met. Mr. Triantafilou made a motion to certify this candidate to the ballot; Mr. Faux seconded. The motion passed unanimously.

VI. CERTIFICATION: QUESTIONS AND ISSUES TO THE MARCH 17, 2020 PRESIDENTIAL PRIMARY ELECTION BALLOT

The Board was advised of the list of Questions and Issues for which Staff has recommended certification to the ballot.

Mr. Triantafilou made a motion to Certify the Questions and Issues to the March 17, 2020 Presidential Primary Ballot; Mr. Faux seconded. The motion passed unanimously.

VII. HEARING: PROTEST OF THE CANDIDACY OF CHRISTINE A. PATEL FOR JUDGE, COURT OF COMMON PLEAS

The Board was advised of a protest filed by Mr. Edward Davenport regarding the candidacy of Christine A. Patel for Judge of the Court of Common Pleas, Drug Division. Both the protester, Mr. Davenport, and the subject of the protest, Ms. Patel, were notified of this hearing.

Mr. Davenport was sworn and provided testimony, detailing his reason for filing this challenge. Ms. McFarlin advised the Board that Mr. Davenport was her employee and therefore she would recuse herself from the discussion and vote on this matter.

Mr. Cooper Bowen of the Hamilton County Prosecutor's Office provided statutory background and counsel on the matter.

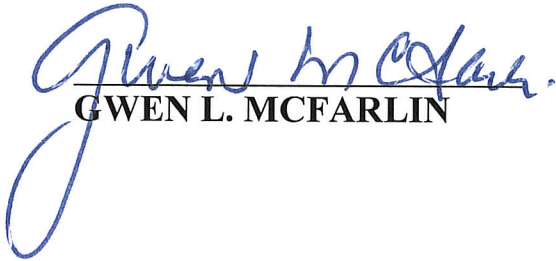
Mr. Triantafilou made a motion, referencing clear guidance by counsel, to deny the protest; Mr. Faux seconded. The motion passed unanimously with Ms. McFarlin recusing.

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: January 14, 2020

CHAIR:


GWEN L. MCFARLIN

DIRECTOR:


SHERRY L. POLAND