

**I. Call to Order/Pledge of Allegiance**

Chairman Ray Lembke called the meeting to order at 2:13 p.m. Mr. Grant led the Pledge of Allegiance.

**II. Roll Call**

Ray Lembke – Chair – Yes

Rick Combs – Yes – by speakerphone

Gregg Conrad – Yes

Richard Grant – Yes

Also present were Director Julia Carney, Deputy Director Chris Dennison and Administrative Assistant Cherie Wilson.

**III. Motion to Adopt the Agenda as Presented**

The agenda was amended to add items to the Director's report for the audit and prosecutor referrals.

**2021-1** – Mr. Combs made the motion to adopt the agenda as amended. Mr. Conrad seconded the motion. Upon roll call:

Mr. Combs – Yes

Mr. Conrad – Yes

Mr. Grant – Yes

Mr. Lembke – Yes

**IV. Other attendees – none**

**V. Public participation – none**

**VI. Approval of Minutes**

- December 18, 2020 – Regular Monthly Board Meeting

**2021-2** – Mr. Conrad made the motion to approve the minutes of the December 18, 2020 board meeting. Mr. Grant seconded the motion. Upon roll call:

Mr. Combs – Yes

Mr. Conrad – Yes

Mr. Grant – Yes

Mr. Lembke – Yes

**VII. Approval of Bills as of January 13, 2021**

**2021-3** – Mr. Grant made the motion to approve payment of the bills as of January 13, 2021. Mr. Conrad seconded the motion. Upon roll call:

Mr. Combs – Yes

Mr. Conrad – Yes

Mr. Grant – Yes

Mr. Lembke – Yes

**VIII. Director's report**

A. Approval of 2020 general election revised official results

Director Carney distributed revised election results. She indicated that a small discrepancy in the number of ballots in a couple of precincts was discovered during the audit. The Secretary of State asked us to revise the official election results to reflect the audit hand count for those precincts.

When ballots jammed in the DS200 machines on Election Day, some PEOs did not know whether the machines had already counted the jammed ballots. The ballots were placed in emergency envelopes to be counted Election Night. We believe that the audit overage resulted from some ballots being counted by the DS200s as they jammed, then counted again when the emergency ballots were run on Election Night. We modified the election results in those precincts to reflect the correct results. The final change to the results is four less ballots than previously reported in our Official Election Results; the difference was within the SOS norms for the post-election audit. To our knowledge and that of Dan Shebesta (experienced ES&S support), this is the first time the SOS has required us to modify election results that were within the margin of error percentage allowed for the audit.

**2021-4** – Mr. Conrad made the motion to certify the revised election results to account for the four excess votes identified in the post-election audit. Mr. Combs seconded the motion. Upon roll call:

Mr. Combs – Yes

Mr. Conrad – Yes

Mr. Grant – Yes

Mr. Lembke – Yes

Mr. Combs authorized Director Carney to use his signature stamp to sign the revised results.

The SOS also asked that the post-election audit documents be re-signed, since there was a typo in one precinct; the board signed the revised post-election audit workbook as requested.

B. Voter registration cancellations

Director Carney reported that pursuant to the supplemental process required by the SOS Directive #2020-14, 1306 voters were cancelled on January 5th for failure to respond and 849 voters were cancelled for National Change of Address. The total cancelled voters was 2155. Mr. Conrad asked what inactivity timeframe triggered the "failure to vote or respond" designation; Director Carney indicated that the cancelled voters had no activity since 2016 (two consecutive federal elections): no voting, registration updates, petition signatures or response to the follow-up confirmation mailing.

C. Possible Prosecutor referrals:

1. Jerry Pickrell

As discussed during the October 21<sup>st</sup> meeting, Mr. Pickrell resisted removing a Trump hat on October 15<sup>th</sup> during early voting. He was asked to remove the hat by Director Carney, by the on-site sheriff deputy, by Mike Keeley and again by the staff person who printed his ballot. Director Carney also provided him a copy of the ORC 3501.35 language prohibiting wearing campaign attire within 100 feet of a polling location. Mr. Pickrell refused multiple times to remove his hat. Director Carney indicated that we are trying to locate the video of the incident; however, we have several witnesses.

**2021-5** – Mr. Combs made the motion to refer Mr. Pickrell to the Clermont County Prosecutor for them to exercise their discretion as to whether or not to institute proceedings. Mr. Conrad seconded the motion. Upon discussion, Mr. Conrad asked if this was our first time to refer a voter for this reason. Director Carney stated that people usually remove or cover campaign attire when requested; this is our first time to refer a voter who refused. Upon roll call:

Mr. Combs – Yes

Mr. Conrad – Yes

Mr. Grant – Yes

Mr. Lembke – Yes

2. Russell Walker

Mr. Walker voted in precinct MI-G1G on Election Day. He wore a Trump shirt, and when asked to remove his shirt, his pistol underneath his shirt was visible. When the PEO asked him to leave the building because he had a pistol in a school zone, Mr. Walker became enraged and said that he would file a complaint. Mr. Combs asked if the school was marked with signs prohibiting weapons. Director Carney stated that we have not investigated the school signage, but the Prosecutor would have the jurisdiction to verify the school signage and interview witnesses if necessary. Mr. Lembke commented that the campaign attire violation is within our jurisdiction, but we would be reporting the firearm violation as a spectator, like any other citizen. The board agreed that since we do not have an investigatory branch, a referral is not a finding of probable cause. However, the board is stating that we have information about incidents that may constitute a violation of criminal law, or knowledge of a potential crime that was committed.

**2021-6** – Mr. Conrad made the motion to refer Mr. Walker to the Clermont County Prosecutor for them to exercise their discretion as to whether or not to institute proceedings. Mr. Grant seconded the motion. Upon roll call:

Mr. Combs – Yes

Mr. Conrad – Yes

Mr. Grant – Yes

Mr. Lembke – Yes

3. Voters who voted more than once during the 2020 General Election

- a. Charisse Poulter voted in the office on 10/28 and at the polls on 11/3 at 7:35 a.m. before the smart update. She was born in 1984.
- b. Christopher Mellor returned his mailed absentee ballot signed on 10/28 (processed on 10/30) and also voted at the polls on Election Day morning before the smart update.
- c. Dennis Ralph Tomlin voted absentee and was given a provisional ballot at the polls on Election Day. The provisional ballot was mistakenly counted by a staff member who entered it without realizing that an absentee ballot had already been processed for Mr. Tomlin.

Director Carney discussed the smart update process with the board. We do an update after we close of early voting at 2 p.m. on the day before Election Day, then ES&S creates an update from those early voting records, which is recorded on flash drives to update the Electronic Poll Books. The rovers typically update the EPBs during their first stop at each polling location on Election Day; however, we had additional equipment issues on Election Day which delayed the rovers. The Director and Deputy Director will review the smart update process to determine if there is a

way to load the EPBs with the latest update before voting starts on Election Day. The board concluded that Mr. Tomlin should not be referred to the prosecutor due to an internal error; the provisional ballot is the correct process when a voter has been issued an absentee ballot.

**2021-7** – Mr. Combs made the motion to refer only Ms. Poulter and Mr. Mellor, not Mr. Tomlin, to the Clermont County Prosecutor. Mr. Grant seconded the motion. Upon roll call:  
Mr. Combs – Yes  
Mr. Conrad – Yes  
Mr. Grant – Yes  
Mr. Lembke – Yes

Mr. Conrad asked if there was an update on the staff reviews; Director Carney indicated that they were scheduled for later this month.

Mr. Conrad also asked if the board might be given a periodic update on BOE spending vs. our budget. The board commented that up-to-date budget numbers would be helpful to plan for possible staffing needs and other potential purchases.

Mr. Grant asked if Prosecutor Tekulve has provided the name of our new legal counsel to Director Carney; she has not yet received any information from the new prosecutor.

Mr. Lembke asked if there were any issues for a May primary. Director Carney replied that Wayne Township had inquired about the process, but had not yet pursued it further upon hearing about the cost and pre-payment requirements for a special election.

#### IX. Deputy Director's report

Deputy Director Dennison stated that he had no specific items to report, except that he and the Director are taking OAE classes on Microsoft Project and redistricting.

#### X. Upcoming Calendar

- Regular Board Meeting – February 24, 2021

Director Carney reminded the board that there is a required reorganization meeting between the 2<sup>nd</sup> and 6<sup>th</sup> of March; she asked if the board would prefer to reschedule the February 24<sup>th</sup> regular meeting for early March. The board discussed possible dates and the SOS processing of the required paperwork should Mr. Combs and Mr. Lembke be reappointed by their parties to serve another term on the board. The board agreed to keep the regularly scheduled February meeting date, and schedule a March reorganization meeting after Director Carney verifies that the pandemic rules still allow board members to attend via phone.

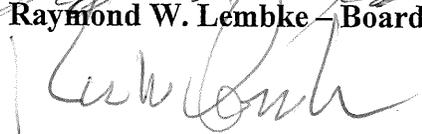
#### XI. Motion to Adjourn

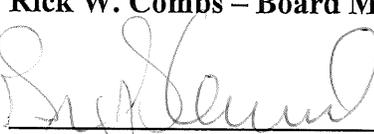
**2021-8** – At 2:52 p.m., Mr. Combs made the motion to adjourn. Mr. Conrad seconded the motion.

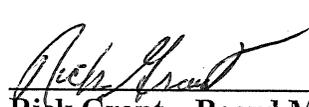
Upon roll call:

Mr. Combs – Yes  
Mr. Conrad – Yes  
Mr. Grant – Yes  
Mr. Lembke – Yes

  
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Raymond W. Lembke – Board Chairman

  
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Rick W. Combs – Board Member

  
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Gregg L. Conrad – Board Member

  
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Rick Grant – Board Member

Date 2-10-2020



**Cherie Wilson**

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**From:** Cherie Wilson  
**Sent:** Friday, January 8, 2021 10:33 AM  
**To:** legals@clermontsun.com  
**Cc:** bnilam@clermontsun.com  
**Subject:** Notice of meeting date change  
**Attachments:** 2021 Jan 13 chg reg mtg.doc

Happy New Year!

Please be advised and post as a PSA (no cost) the attachment regarding the date change for the January regular monthly board meeting. Please let me know if you have any questions.

Jamie, I have been copying Brett on these emails. Is there someone else who needs to be included?

Thank you,

Cherie Wilson, Administrative Support Specialist  
Clermont County Board of Elections  
76 S. Riverside Dr.  
Batavia, OH 45103  
513-732-7485

**Clermont County Board of Elections  
Notice of Change of Meeting Date**

The Clermont County Board of Elections has re-scheduled the January 2021 Regular Monthly Board Meeting for:  
**Wednesday, January 13 at 2:00 p.m.**

The meeting will be held at the Board Office, 76 S. Riverside Dr.,  
Batavia, 45103.

Ray Lembke – Chairman  
Julia Carney – Director

Summary Results Report  
2020 General Election  
November 3, 2020

REVISED RESULTS

Clermont County

<b>Statistics</b>	TOTAL
Election Day Precincts Reporting	166 of 166
Registered Voters - Total	145,129
Ballots Cast - Total	111,329
Voter Turnout - Total	76.71%

Summary Results Report  
 2020 General Election  
 November 3, 2020

REVISED RESULTS  
 Clermont County

**For President and Vice President**  
 Vote For 1

	TOTAL	VOTE %
Dem Joseph R. Biden	34,093	30.80%
Howie Hawkins	272	0.25%
Lib Jo Jorgensen	1,514	1.37%
Rep Donald J. Trump	74,563	67.35%
Write-In Totals	264	0.24%
Write-In: Undeclared	230	0.21%
Write-In: Carroll/Patel	23	0.02%
Write-In: Hoefling/Prior	6	0.01%
Write-In: Simmons/Roze	5	0.00%
Not Assigned	0	0.00%
Overvotes	260	
Undervotes	363	
Precincts Reporting	166 of	
	166	

**For Representative to Congress (2nd District)**  
 Vote For 1

	TOTAL	VOTE %
Dem Jaime M. Castle	29,367	27.09%
Rep Brad Wenstrup	78,982	72.85%
Write-In Totals	62	0.06%
Write-In: Undeclared	54	0.05%
Write-In: James Condit Jr.	8	0.01%
Not Assigned	0	0.00%
Overvotes	41	
Undervotes	2,877	
Precincts Reporting	166 of	
	166	

**For State Senator (14th District)**  
 Vote For 1

	TOTAL	VOTE %
Rep Terry A. Johnson	75,047	70.71%
Dem Ryan Ottney	31,089	29.29%
Overvotes	29	
Undervotes	5,163	
Precincts Reporting	166 of	
	166	

Summary Results Report  
 2020 General Election  
 November 3, 2020

REVISED RESULTS  
 Clermont County

**For State Representative (65th District)**  
 Vote For 1

	TOTAL	VOTE %
Dem Alan Darnowsky	23,022	33.72%
Rep Jean Schmidt	44,432	65.07%
Write-In Totals	828	1.21%
Write-In: Jim Lewis	507	0.74%
Write-In: Undeclared	321	0.47%
Not Assigned	0	0.00%
Overvotes	32	
Undervotes	2,909	
Precincts Reporting	105 of 105	

**For State Representative (66th District)**  
 Vote For 1

	TOTAL	VOTE %
Rep Adam C. Bird	30,973	93.26%
Write-In Totals	2,238	6.74%
Write-In: Alicia Gee	1,713	5.16%
Write-In: Undeclared	525	1.58%
Not Assigned	0	0.00%
Overvotes	11	
Undervotes	6,885	
Precincts Reporting	61 of 61	

**For County Commissioner (1-2)**  
 Vote For 1

	TOTAL	VOTE %
Rep Bonnie Batchler	75,565	71.30%
Dem Jeff Richards	30,421	28.70%
Overvotes	18	
Undervotes	5,324	
Precincts Reporting	166 of 166	

**For County Commissioner (1-3)**  
 Vote For 1

	TOTAL	VOTE %
Rep David L. Painter	83,908	100.00%
Overvotes	0	
Undervotes	27,420	
Precincts Reporting	166 of 166	

**For Prosecuting Attorney**  
 Vote For 1

	TOTAL	VOTE %
Rep Mark J. Tekulve	85,101	100.00%
Overvotes	0	
Undervotes	26,227	
Precincts Reporting	166 of 166	

Summary Results Report  
 2020 General Election  
 November 3, 2020

REVISED RESULTS  
 Clermont County

**For Clerk of the Court of Common Pleas**  
 Vote For 1

	TOTAL	VOTE %
Dem Acacia Uible	28,406	26.99%
Rep Barbara Wiedenbein	76,830	73.01%
Overvotes	22	
Undervotes	6,070	
Precincts Reporting	166 of 166	

**For Sheriff**  
 Vote For 1

	TOTAL	VOTE %
Rep Robert S. Leahy	86,970	100.00%
Overvotes	0	
Undervotes	24,358	
Precincts Reporting	166 of 166	

**For County Recorder**  
 Vote For 1

	TOTAL	VOTE %
Rep Deborah Clepper	85,063	100.00%
Overvotes	0	
Undervotes	26,265	
Precincts Reporting	166 of 166	

**For County Treasurer**  
 Vote For 1

	TOTAL	VOTE %
Rep Jeannie M. Zurmehly	85,706	100.00%
Overvotes	0	
Undervotes	25,622	
Precincts Reporting	166 of 166	

**For County Engineer**  
 Vote For 1

	TOTAL	VOTE %
Rep Jeremy Evans	85,202	100.00%
Overvotes	0	
Undervotes	26,126	
Precincts Reporting	166 of 166	

**For Coroner**  
 Vote For 1

	TOTAL	VOTE %
Rep Brian Treon	85,427	100.00%
Overvotes	0	
Undervotes	26,002	
Precincts Reporting	166 of 166	

Summary Results Report  
 2020 General Election  
 November 3, 2020

REVISED RESULTS  
 Clermont County

**For Member of the State Board of Education (10th District) (10th District)**  
 Vote For 1

	TOTAL	VOTE %
Mary E. Binegar	38,946	43.93%
Brendan P. Shea	49,708	56.07%
Overvotes	47	
Undervotes	22,990	
Precincts Reporting	166 of 166	

**For Justice of the Supreme Court (1-1)**  
 Vote For 1

	TOTAL	VOTE %
Sharon L. Kennedy	60,347	63.81%
John P. O'Donnell	34,222	36.19%
Overvotes	39	
Undervotes	17,083	
Precincts Reporting	166 of 166	

**For Justice of the Supreme Court (1-2)**  
 Vote For 1

	TOTAL	VOTE %
Jennifer Brunner	40,510	43.32%
Judi French	53,008	56.68%
Overvotes	35	
Undervotes	18,138	
Precincts Reporting	166 of 166	

**For Judge of the Court of Appeals (12th District) 1-1**  
 Vote For 1

	TOTAL	VOTE %
Matthew Byrne	76,575	100.00%
Overvotes	0	
Undervotes	35,116	
Precincts Reporting	166 of 166	

**For Judge of the Court of Appeals (12th District) 2-9**  
 Vote For 1

	TOTAL	VOTE %
Robert A. Hendrickson	76,567	100.00%
Overvotes	0	
Undervotes	35,124	
Precincts Reporting	166 of 166	

Summary Results Report  
 2020 General Election  
 November 3, 2020

REVISED RESULTS  
 Clermont County

**For Judge of the Court of Common Pleas (Probate/Juvenile Division)**  
 Vote For 1

	TOTAL	VOTE %
James A. Shriver	80,432	100.00%
Overvotes	0	
Undervotes	31,259	
Precincts Reporting	166 of 166	

**Local Option - Felicity Ugly Goat - Felicity Village**  
 Vote For 1

	TOTAL	VOTE %
Yes	137	68.50%
No	63	31.50%
Overvotes	0	
Undervotes	7	
Precincts Reporting	1 of 1	

**Local Option The Governor - Milford City B**  
 Vote For 1

	TOTAL	VOTE %
Yes	606	83.70%
No	118	16.30%
Overvotes	1	
Undervotes	19	
Precincts Reporting	1 of 1	

**Williamsburg Electric Aggregation**  
 Vote For 1

	TOTAL	VOTE %
Yes	541	52.52%
No	489	47.48%
Overvotes	0	
Undervotes	71	
Precincts Reporting	2 of 2	

**Williamsburg Gas Aggregation**  
 Vote For 1

	TOTAL	VOTE %
Yes	542	52.67%
No	487	47.33%
Overvotes	0	
Undervotes	72	
Precincts Reporting	2 of 2	

Summary Results Report  
 2020 General Election  
 November 3, 2020

REVISED RESULTS  
 Clermont County

**Goshen Township Police**  
 Vote For 1

	TOTAL	VOTE %
For the Tax Levy	4,082	54.19%
Against the Tax Levy	3,451	45.81%
Overvotes	1	
Undervotes	246	
Precincts Reporting	12 of 12	

**Union Township Fire**  
 Vote For 1

	TOTAL	VOTE %
For the Tax Levy	16,168	64.27%
Against the Tax Levy	8,989	35.73%
Overvotes	10	
Undervotes	1,129	
Precincts Reporting	38 of 38	

**Union Township Police**  
 Vote For 1

	TOTAL	VOTE %
For the Tax Levy	13,964	55.74%
Against the Tax Levy	11,086	44.26%
Overvotes	4	
Undervotes	1,242	
Precincts Reporting	38 of 38	

**Washington Township Fire**  
 Vote For 1

	TOTAL	VOTE %
For the Tax Levy	649	61.17%
Against the Tax Levy	412	38.83%
Overvotes	0	
Undervotes	47	
Precincts Reporting	3 of 3	

**Little Miami Local School**  
 Vote For 1

	TOTAL	VOTE %
For the Tax Levy	10	35.71%
Against the Tax Levy	18	64.29%
Overvotes	0	
Undervotes	0	
Precincts Reporting	1 of 1	

Summary Results Report  
 2020 General Election  
 November 3, 2020

REVISED RESULTS  
 Clermont County

**Clermont County Children Services**

Vote For 1

	TOTAL	VOTE %
For the Tax Levy	75,256	70.15%
Against the Tax Levy	32,017	29.85%
Overvotes	37	
Undervotes	4,381	
Precincts Reporting	166 of 166	

**Clermont County Mental Health**

Vote For 1

	TOTAL	VOTE %
For the Tax Levy	70,325	65.87%
Against the Tax Levy	36,439	34.13%
Overvotes	25	
Undervotes	4,902	
Precincts Reporting	166 of 166	

**Clermont County Senior Services**

Vote For 1

	TOTAL	VOTE %
For the Tax Levy	77,864	72.62%
Against the Tax Levy	29,355	27.38%
Overvotes	11	
Undervotes	4,461	
Precincts Reporting	166 of 166	

