

I. Call to Order/Pledge of Allegiance

Chairman Ray Lembke called the meeting to order at 9:00 a.m. Mr. Combs led the Pledge of Allegiance.

II. Roll Call

Ray Lembke – Chair – Yes

Rick Combs – Yes

Gregg Conrad – Yes

Richard Grant – Yes

Also present were Director Stephanie Hemmer-Haight, Deputy Director Chris Dennison and Administrative Assistant Cherie Wilson.

III. Other attendees – Brian Shrive (Assistant County Prosecutor), Kenny Henning (SOS Liaison), Tim Suter (Moscow Mayor), Emily Supinger (Moscow counsel)

IV. Review Part Petitions to Surrender the Corporate Powers of the Village of Moscow, Ohio

Director Hemmer-Haight explained that Mr. Freeman, who circulated the Moscow dissolution petition, had called to understand why the board rejected the petition. While reviewing some of the invalid signatures, we learned that one of the signers, Douglas Newberry, does live at 53 Elizabeth Street, the address he wrote on the petition. However, the BOE voter registration database shows that he is registered at 52 Elizabeth Street. Apparently he moved across the street sometime before 2015 and did not update his registration. When we sent a confirmation notice in 2015, he returned it stating that he lived at 53 Elizabeth Street, then submitted a registration form without proper identification, and did not return the replacement registration card we sent. Mr. Combs asked if he voted in elections in the interim where he would have signed to confirm that he lived at 52 Elizabeth Street. According to his voting history, he has voted in each general election from 2015 through 2021; however, he signed the electronic poll book versus writing his address himself. Mr. Combs asked whether accepting his petition signature would make a difference. Mr. Lembke stated that his signature, if valid, could potentially increase the valid signature count to 19, the minimum requirement. However, there are other potential issues, including whether his petition signature matches his registration, and the numerous issues raised by the Moscow village litigation.

Mr. Shrive clarified that the statutorily correct procedure to contest a petition action of the board is a written protest, which would initiate a hearing for presentation and examination of evidence. There is no action for the board to take unless a formal protest was timely filed. The board is not obligated to speak for the committee, nor to make assumptions for (or against) them. Ms. Supinger reminded the board that the village indeed filed a timely written protest and is entitled to a hearing with opportunity for testimony and cross-examination should the board consider reversing the previous motion. Mr. Lembke stated that there is no substantial prejudice against the petition committee; they have an opportunity to circulate another petition for the November election. Upon inquiry by Mr. Combs, the directors confirmed that Mr. Newberry will be mailed a new registration form to allow him to update his address. The board concluded there is no need for a new motion to reaffirm their previous action.

V. Motion to Adjourn

2022-91 – At 9:38 a.m., Mr. Grant made the motion to adjourn. Mr. Combs seconded the motion.

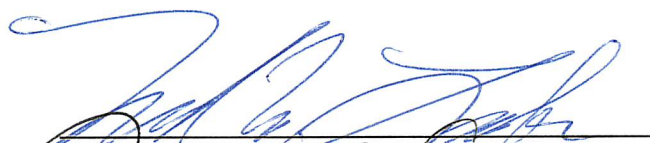
Upon roll call:


Mr. Combs – Yes

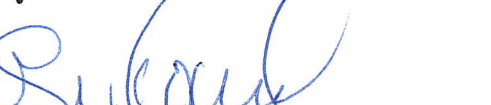
Mr. Conrad – Yes

Mr. Grant – Yes

Mr. Lembke – Yes


Raymond W. Lembke – Board Chairman


Rick W. Combs – Board Member


Gregg L. Conrad – Board Member


Rick Grant – Board Member

Date

July 20, 2022