

I. Call to Order/Pledge of Allegiance

Chairman Ray Lembke called the meeting to order at 10:05 a.m. Deputy Director Dennison 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. Motion to Adopt the Agenda, as Presented

Director Hemmer-Haight requested that the Executive Session include a discussion of pending litigation per ORC §121.22(G)(3).

2022-63 –Mr. Grant 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 – Brian Shrive, Assistant County Prosecutor

V. Public participation – none.

VI. Approval of Minutes

- April 20, 2022 – Regular Board Meeting

2022-64 – Mr. Combs made the motion to approve the minutes of the April 20, 2022 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 May 24, 2022

Mr. Combs asked whether the Red Barn lease is still pending approval. Director Hemmer-Haight replied that the Commissioners still have the contract under review; they have 30 days for approval. Mr. Lembke asked if the advertising for the Williamsburg Township and Felicity Village levies would be charged back to the subdivisions; the directors confirmed that is the statutory process.

2022-65 – Mr. Grant made the motion to approve payment of the bills as of May 24, 2022. Mr. Conrad seconded the motion. Upon roll call:

Mr. Combs – Yes

Mr. Conrad – Yes

Mr. Grant – Yes

Mr. Lembke – Yes

VIII. Absentee Ballots

A. Absentee Ballots to be Reviewed by Board

Director Hemmer-Haight reported that we had received a tray of valid absentee ballots after Election Day, plus several ballots that were postmarked and/or received past the May deadline. One ballot was postmarked on 4/28 but not received until 5/17. Deputy Director Dennison has followed up with our designated USPS contact on the postal delivery delay. There are 21 total invalid ballots.

2022-66 – Mr. Conrad made the motion to reject the 21 regular domestic civilian absentees that should not be counted. Mr. Combs seconded the motion. Upon roll call:

Mr. Combs – Yes

Mr. Conrad – Yes

Mr. Grant – Yes

Mr. Lembke – Yes

B. Valid Absentees

Director Hemmer-Haight stated that there are five absentee ballots whose identification envelopes were initially incomplete. However, the voter’s 11-S forms to cure those ballots were returned timely during the allowed ten-day period.

2022-67 – Mr. Grant made the motion to accept five additional valid regular absentee ballots for which 11-S forms were postmarked by May 2, 2022 and received by May 13, 2022 and add them to the count. Mr. Conrad seconded the motion. Upon roll call:

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

IX. Provisional Ballots

Director Hemmer-Haight discussed a gentleman who voted in the office on April 26th, then voted a provisional ballot on Election Day. He was born in 1950; when he voted in the office, he personally inserted his ballot into the DS-200 scanner, so there was no reason for him to believe his in-office vote did not count. The board confirmed that we cannot count his provisional ballot, and recommended that the prosecutor review the situation.

<u>PROVISIONAL BALLOTS FOR BOARD REVIEW</u>		<u>Invalid</u>	<u>Valid</u>
1	Already Voted in Office 4/26/22	<u>1</u>	<u>0</u>
1	No Prov. Envelope; ballot returned in supply envelope; no voter signature	<u>1</u>	<u>0</u>
1	No Signature	<u>1</u>	<u>0</u>
4	No ID (No SS or DL – one had expired DL)	<u>4</u>	<u>0</u>
4	Voted Wrong Precinct/Wrong Location	<u>4</u>	<u>0</u>
10	Not Registered in Ohio	<u>10</u>	<u>0</u>
Total Provisional Ballots with Unresolved Issues		21	0
8	Voted Right Location/Wrong Precinct – Duplicate/Add to Good Count	<u>0</u>	<u>8</u>
184	VALID PROVISIONAL BALLOTS – NO VISIBLE PROBLEMS	<u>0</u>	<u>184</u>

213 TOTAL PROVISIONALS CAST

Following the director’s review of the provisional issues, Mr. Conrad suggested a template that could be used by poll workers to verify that each envelope is complete before a voter leaves the building.

2022-68 – Mr. Conrad made the motion to reject the 21 provisional ballots as identified by the staff that should not be counted. Mr. Combs seconded the motion. Upon roll call:

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

2022-69 – Mr. Combs made the motion to accept 192 valid provisional ballots and add those to the count for the official canvass. Mr. Conrad seconded the motion. Upon roll call:

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

X. Motion to Outsource Printing and Mailing of Absentee Ballots

Deputy Director Dennison reminded the board that the SOS requires a motion to outsource absentee ballot processing for each election. The mail house performed well in the last election, other than the previously discussed delay in processing one batch of ballots. Because the error happened a couple of weeks before Election Day, the voters still had sufficient time to vote either by mail or in person. Mr. Lembke asked if the issue had been addressed with the mail house. Deputy Director Dennison confirmed that the mail house had added additional personnel to their oversight processes. The board asked the directors to emphasize with the mail house management the seriousness of this issue, especially in an era of increased public concern for election integrity; the mail house must ensure that they have adopted sufficient quality control measures to prevent similar issues as their business grows.

2022-70 – Mr. Grant made the motion to outsource the printing and mailing of absentee ballots for the August 2022 election to Graphic Village. Mr. Conrad seconded the motion. Upon roll call:

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

XI. Director's report

a. Crossroads church polling location

Director Hemmer-Haight reported that Crossroads Church (which leases the site near Jungle Jim's) has asked us to find a different polling location due to shopper complaints about political signs. She recommended moving the five affected precincts to the Union Township Civic Center which is less than a half-mile farther on Aicholtz Road. The civic center currently hosts precincts UN-G and UN-R1R; we plan to put all seven precincts in the gymnasium. Michael Logue, the township administrator, has tentatively agreed pending a trustee meeting on June 14th. Mr. Combs asked if we are required to notify voters who are moving to the other part of the civic center; Director Hemmer-Haight replied that we will send postcards to the voters. Mr. Lembke inquired about any ADA issues. Because we have two precincts in the civic center now, we have already verified that it meets the ADA standards; plus, it has better parking than Crossroads.

2022-71 – Mr. Combs made the motion to move the polling location for Union Township F, I, J, X and P1P from Crossroads Church located at 4450 Eastgate South Drive to the Union Township Civic Center located at 4350 Aicholtz Road. Mr. Conrad seconded the motion. Upon roll call:

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

b. Moscow Village Dissolution

The board discussed the Moscow petition that was filed with the Board of Elections moments before the May 4th filing deadline. Based on the staff's review to date (with the system still frozen from the May election until after the certification and audit) we have determined that six of the signatures are invalid. The village (via legal firm Strauss Troy) has protested the petition and raised concerns about Mr. Skeene's residency. However, since his signature is missing the date, which is specifically required by statute, his petition signature is invalid regardless of his residency. The board will need to resolve the issue of his residency, but not necessarily in connection with the petition process.

Mr. Combs asked how many signatures are required on a petition to dissolve a village. Mr. Shrive indicated that the requirement is at least 30 percent of the voters in the last general municipal election. Since there were 61 Moscow ballots cast in that election, 30% of the total is 18.3 signatures. On Friday, Mr. Shrive spoke to Jeff Hobday (SOS legal counsel), who agreed that the appropriate calculation is to round up to 19. Mr. Lembke stated that the statute requires **at least** 30%, so **at least** 18.3 signatures are required; accepting 18 signatures, or less than 18.3 signatures, would violate the statute and subject us to additional litigation. Mr. Lembke asked if the pending litigation from Strauss Troy stays the board from acting on the petition and whether the board could vote today without a specific item on the meeting agenda. Mr. Shrive replied that the litigation does not prohibit the board from taking action. Also, since this is a regular monthly meeting, the agenda is open for any business of the board that arises.

2022-72 – Mr. Combs made the motion to reject the petition to surrender the corporate powers of the village of Moscow, Ohio on the basis that they did not submit the statutorily required number of valid signatures. Upon discussion, Mr. Conrad requested that the board members see the petition before voting. Upon roll call subsequent to their review of the petition pages:

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

Director Hemmer-Haight will notify the petition committee of the board's motion; the board also suggested notifying Strauss Troy as a courtesy. The board will discuss scheduling the residency hearing when it reconvenes on Friday, May 27th to certify the election.

XII. Deputy Director's report

a. Website update

Deputy Director Dennison indicated that he expects to present the page organization of the new web site for the board's review at the June monthly meeting.

b. HB 673

Deputy Director Dennison mentioned that the Ohio General Assembly has a bill pending that would allocate \$7.5 million to boards of elections for electronic poll books. If the amount is divided equally by the 88 counties, we could get approximately \$85,000, although the division of funds is usually based on county size. Our latest budget requested \$270,000 for replacement poll books in 2024; that cost would be somewhat offset by the state grant if the bill passes.

XIII. Executive Session

The board noted that there is no need to further discuss pending litigation in the Executive Session.

2022-73 – At 11:14 a.m., Mr. Conrad made the motion to go into Executive Session to discuss employment and compensation of a public employee or official, pursuant to Ohio Revised Code §121.22(G)(1). Mr. Grant seconded the motion. Upon roll call:

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

The four board members, director, deputy director and legal counsel were present at the executive session.

2022-74 – At 11:36 a.m., Mr. Conrad made the motion to come out of Executive Session. Mr. Combs seconded the motion. Upon roll call:

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

The board reported that the only topic discussed in the executive session was employment and compensation.

2022-75 – Mr. Conrad made the motion to offer the vacant Democratic clerk position previously held by Barbara Hudson to Brian Chapman with a starting salary of \$16 per hour, with a potential increase to \$17 per hour contingent on the successful completion of the 90-day probation period. Mr. Combs seconded the motion. Upon roll call:

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

XIV. Upcoming Events and Meetings:

- Certification of May 3, 2022 primary election: May 27, 2022 (Friday) 9:00 a.m.
- **Recounts:**
 - **candidate or group requested = 5 days after certification**
 - **automatic = NLT 10 days after certification**
- **Post-Election Audit: 6/9 @ 9 a.m.**
 - **no recount = 6 days after certification**
 - **recount = immediately after certification, completed within 14 days**
- June 17 – Friday – 4:00 p.m.: certify audit
Audit must be complete by June 17 (21 days after May 27 certification)
- June Regular Monthly Board Meeting: June 22, 2022 (Wednesday) 10:00 a.m.
- Tuesday, June 28 and Wednesday, June 29, 2022 – SOS Summer Conference

Per discussion with our SOS contacts, Summer Conference attendees will receive 6 credit hours, and the January 2022 Winter Conference attendees received 4.7 credit hours.

**Opening of Official Canvass
of the May 3, 2022 Primary Election**

Earlier in the meeting, Director Hemmer-Haight mentioned a tray of absentee ballots that had been received during the ten-day period following Election Day. The envelopes have valid postmarks and were received by the deadline. She asked the board for a motion to accept them.

2022-76 – Mr. Grant made the motion to count the 251 additional absentee ballots that the staff has determined are compliant and eligible for counting under Ohio law. Mr. Conrad seconded the motion. Upon roll call:
Mr. Combs – Yes
Mr. Conrad – Yes
Mr. Grant – Yes
Mr. Lembke – Yes

XV. Board to Instruct the Director and Deputy Director and Office Staff to Proceed with the Official Canvass

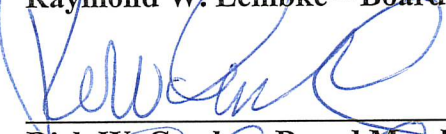
2022-77 – Mr. Grant made the motion to instruct the Director, Deputy Director and office staff to proceed with the official canvass of the May 2022 Primary Election. Mr. Combs seconded the motion. Upon roll call:
Mr. Combs – Yes
Mr. Conrad – Yes
Mr. Grant – Yes
Mr. Lembke – Yes

XVI. Motion for Board to Reconvene May 27, 2022 at 9:00am to Certify

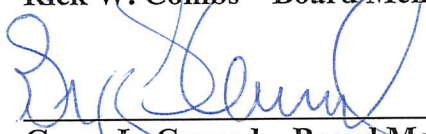
2022-78 – At 11:54 a.m., Mr. Grant made the motion to recess until 9:00 a.m. on Friday, May 27, 2022. Mr. Combs seconded the motion. Upon roll call:
Mr. Combs – Yes
Mr. Conrad – Yes
Mr. Grant – Yes
Mr. Lembke – Yes



Raymond W. Lembke – Board Chairman



Rick W. Combs – Board Member



Gregg L. Conrad – Board Member



Rick Grant – Board Member

Date 6/22/22

Cherie Wilson

From: Cherie Wilson
Sent: Wednesday, April 20, 2022 4:10 PM
To: legals@clermontsun.com
Cc: bmilam@clermontsun.com; Stephanie Haight
Subject: May 2022 Board Meeting Schedule
Attachments: 2022 May Primary Election meetings.docx

Good afternoon!

Please be advised and post as a PSA (no cost) the attachment regarding the scheduled May board meetings for the Primary Election.

My direct phone number is 732-7485 if you have any questions.

Thank you!

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

Clermont County Board of Elections Notice of Board Meetings

The Clermont County Board of Elections has scheduled Board Meetings for

May 3, 2022 at 6:30 a.m. – Primary Election Day Board Meeting.

May 24, 2022 at 10:00 a.m. – Opening of the Official Canvass, review of provisional ballots, and regular monthly board meeting.

May 27, 2022 at 9:00 a.m. – Certification of the May 2022 Primary Election.

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

Ray Lembke – Chairman
Stephanie Hemmer-Haight – Director