

Chairman Tim Rudd called the meeting to order at 10:03 a.m. Rick Combs led the Pledge of Allegiance. Board Members present were Tim Rudd, Dave Lane, Rick Combs, and Paul Campbell. Also present were Judy Miller – Director, Mike Keeley – Deputy Director and Becky Rudd – Clerk taking Record.

**OTHER ATTENDEES:** None

**APPROVAL OF MINUTES:**

**2011-53** – Rick Combs made the motion to accept the minutes of the June 30, 2011 Regular Board Meeting. Paul Campbell seconded the motion. Upon roll call, all Members voted “yes”.

**APPROVAL OF BILLS:**

**2011-54** – Paul Campbell made the motion to accept and pay the July Bills. Rick Combs seconded the motion. Upon roll call, all Members voted “yes”.

**CORRECTIONS TO ELECTION LEGISLATION REVIEW-  
REFERENDUM OF AMENDED SUBSTITUTE H.B. 194**

Director Miller advised and gave the Board the updated and corrected Bill Analysis from H.B 194. At the June meeting she brought to the Board’s attention several key topics included within the minutes, that have since been corrected. The In Person Absentee Voting is 17 days not 10 days. Mail In Absentee Voting is 21 days not 10 days. The “double bubble” issue is not completely eliminated. Absentee ballots will still be reviewed for the “double bubble” on Write-Ins because they do not have the “second chance” to correct their ballots, as do the voters at the polls. A vote of at least three (3) Board Members is required and the “write-in name” must be identical to that on the ballot for the vote to count. The Minimum Precinct Size (500) is applicable to municipal precincts (villages and cities). We can still apply for waivers for some of the villages. Judy reminded the Board that the date to begin Mailing Out Absentee Ballots is October 18 and In Person Absentee Voting will begin Saturday October 22 from 8:00-noon, weekday hours are 8 a.m. to 6 p.m. Rick suggested writing a letter to the papers advising voters of the changes. Judy agreed and had already planned to submit an article closer to the election.

**DENNIS SKEENE vs MOSCOW VILLAGE OFFICIALS AND JUDY MILLER:**

Director Miller reported to the Board that Dennis Skeene filed an Initiative Petition with the Village of Moscow to Repeal Zoning. After the Initiative Petition is filed with the Village Council, the Council files the petition with the Board of Elections and we verify the signatures. The Council was given advice from their solicitor that the petitions should not be forwarded to us. The petition in question has not been filed with the Board of Elections. Judy received notice that she was being sued along with the Village of Moscow by Dennis Skeene. Judy sent the information to Mary Lynne Birck (Prosecutor’s Office). Mary Lynne contacted Mr. Skeene’s attorney, Denise Barone, and she emailed Mary Lynne stating Judy was being dismissed from the case.

**DIRECTOR'S REPORT:**

Judy updated the Board regarding the State Petitions that were received in the office. The Secretary of State's Office announced that Senate Bill 5 and the Health Care Amendment would be on the November Ballot. We received one Part Petition for the Referendum of certain portions of H.B. 194 (the Election Legislation) containing 24 signatures, 22 of them were valid. This is an initial phase of the Referendum; they must collect 1,000 valid signatures by July 29, 2011. If they are successful, they can move forward and must collect 231,000 valid signatures by September 29, 2011 to be placed on the ballot. This Bill is challenging portions of the new Election Bill and would put the entire Bill on hold until November 2012.

Judy advised the Board of problems with several Senate Bill 5 petitions. Several circulators (all were paid circulators from Professional Petition Management) that appear to have non-genuine signers on the petitions when they were verified with the names on file at the BOE. This could be election falsification. The Board reviewed the petitions in question.

**2011-55** – Dave Lane made the motion to refer the Senate Bill 5 Petitions that appear to have questionable signers to the Prosecutor's Office for review. Rick Combs seconded the motion. Upon discussion, Judy

added that she checked with one of the signers and he stated that he had not signed the petition and that the signature was not his. Upon roll call, all Members voted "yes".

Judy reminded the Board that August 10, 2011, 4:00 p.m. is the deadline to file Questions & Issues and Candidate Petitions for the November General Election Ballot. She gave the Board a list of those candidates that have filed to date.

Judy advised the Board and gave them copies of Directive 2011-24 (Withdrawal of Candidacy), Code Sections 3513.263 (Processing Nominating Petitions) and 3513.31 (Withdrawal, Disqualification, or Death of Candidate Prior to a General Election). If a candidate files a petition and then withdraws that petition, that candidate cannot re-file or be a write-in for that same office. Rick asked the question if there is a full term and the unexpired term is this considered two different offices. Judy will check on it. One candidate has withdrawn their petitions. This person did not fill out the area the Committee Area to select a candidate to replace them.

Judy reviewed the Budget and gave the Board current and estimated balances. We will have approximately \$80,000 coming back in from the May Special Election Chargebacks. We anticipate being \$77,000 short at the end of the year. Overall, Judy thinks we are in good shape.

Steve Rabolt (County Administrator's Office) advised Judy and Mike that the BOE would probably not be getting the second floor for additional space. The Board discussed the need for storage space, the problems we have, and the answers we need. We are still waiting on the ventilation system in the annex. **2011-56** – Rick Combs made the motion to direct the Board Chairman to contact Dave Spinney and find out what the assessment is going to be and try to work toward our best interest for some space for storage. Paul Campbell seconded the motion. Upon roll call, all Members voted "yes".

Rick suggested we go on the Record with a written document to Dave Spinney (County Administrator) and Sukie Scheetz as to "here is what our Budget situation, here's how much we are going to be short, here is what we applied for during the budget process, we were cut this amount of money, and here is what we have in Chargebacks." Rick wants it clear that what we requested to run this office, we were shorted a lot, we had an Election that they hadn't planned for, we do have chargebacks coming in, tie this in so they can have a fair assessment of what we will need transferred. Rick wants it to be clear that this Board has done a good budget (we would be right where we need to be) and having to go back to them for more money is not a problem with our fiscal management.

Judy also reviewed staffing with the Board. Rick would like an assessment of sick time of the staff and work-study data. Dave Lane stated that he has a certain amount of confidence in the Director and Deputy Director to determine what the workload is and what people are doing. Paul wants to look to the future needs of the office and to keep the operations that we have now. Dave directed the Director and Deputy Director to compile information relative to sick leave, workload, functions, and times.

**DEPUTY DIRECTOR'S REPORT:**

Deputy Director Keeley gave the Board copies of a comparison of H.B. 194 and Referendum Items. He discussed several topics within the handout. We will proceed with the House Bill as written.

Mike stated that Facilities Management has started moving wires and cables (phone and computer) in the annex. This is in preparation to enlarge the absentee voting room. Facilities indicated that they were going to start before July 4 on the heat and air conditioning issues in the annex but still have not started.

**RESOLUTIONS:** None

**EXECUTIVE SESSION:** None

**NEXT MEETING DATE AND TIME:**

August 22, 2011 at 10:00 a.m., Regular Board Meeting and Certify Candidates and Issues to the November 8, 2011 General Election Ballot.  
September 22, 2011 at 10:00 a.m., Regular Board Meeting.

**ADJOURNMENT:**

2011-57 – At 11:34 p.m. Paul Campbell made the motion to adjourn. Rick Combs seconded the motion. Upon direction of the Chairman, all Members answered “aye”.

  
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Timothy R. Rudd – Board Chairman

  
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Dave A. Lane – Board Member

  
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Rick W. Combs – Board Member

  
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Paul L. Campbell – Board Member

  
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Attest – Judith A. Miller - Director

**APPROVAL OF BILLS FOR REGULAR BOARD MEETING  
JULY 28, 2011**

VENDOR	DESCRIPTION OF PAYMENT	AMOUNT
<b>INVOICES PRE-APPROVED BY DIRECTOR OR DEPUTY:</b>		
ALPINE VALLEY	BOTTLED WATER	\$ 43.55
BATAVIA ELECTRIC	4 - 12 VOLT BATTERIES (NICK SOMMER)	\$ 90.00
DAYTON LEGAL BLANK	PROCESS NCOA CARDS (25,003)	\$ 1,975.24
DELAGE LANDEN	RENTAL ON COPIER	\$ 399.57
DONNELLON MCCARTHY	COLOR COPIES	\$ 106.44
DONNELLON MCCARTHY	BLACK & WHITE COPIES	\$ 40.73
HATHAWAY STAMPS	AUTOMATIC NUMBERING MACHINE (PETITIONS)	\$ 142.70
OFFICE DEPOT	MISC OFFICE SUPPLIES	\$ 103.21
PITNEY BOWES	POSTAGE MACHINE - APRIL PAYMENT	\$ 321.29
PITNEY BOWES	POSTAGE MACHINE - JULY PAYMENT	\$ 321.29
J. ROBERT TRUE	JUNE PHONE BILL	\$ 560.51
UNITED PARCEL SERVICE	SHIPPING CHARGE FOR RETURNING SB-5 PETITIONS	\$ 390.18
<b>INVOICES APPROVED BY BOARD MEMBERS</b>		
STAFF SALARIES	PAY PERIOD 05-30-11 TO 06-12-11	\$ 15,371.15
BOARD SALARIES	PAY PERIOD 05-30-11 TO 06-12-11	\$ 1,953.40
STAFF SALARIES	PAY PERIOD 06-13-11 TO 06-26-11	\$ 15,586.41
BOARD SALARIES	PAY PERIOD 06-13-11 TO 06-26-11	\$ 1,953.40
STAFF SALARIES	PAY PERIOD 06-27-11 TO 07-10-11	\$ 15,896.40
BOARD SALARIES	PAY PERIOD 06-27-11 TO 07-10-11	\$ 1,953.40
TEMPORARY EMPLOYEES	PAY PERIOD 06-27-11 TO 07-10-11	\$ 525.00
OVERTIME	PAY PERIOD 06-27-11 TO 07-10-11	\$ 3,176.61
	<b>TOTAL:</b>	<b>\$ 60,910.48</b>