

## **Marion County Election Board Emergency Meeting Minutes August 17, 2007**

**Members Present:** Chairman Mark K. Sullivan; Vice Chairman Frank D. Otte; Secretary Elizabeth L. "Beth" White

**Others Present:** Andy Mallon, Director of Elections; Myla Eldridge, Deputy Director; Nate Brim, Program Coordinator; Tenley Drescher-Rhoades, Council to the Election Board; Kyle Walker; John Riordan; Jennifer Handlon.

**I. Call to Order.** Chairman Sullivan called the meeting to order at 10:08 a.m.

### **II. Candidate Amendments**

**A.** Eric Barnes was appointed by the Libertarian Party to fill a ballot vacancy for Lawrence City Council. Mr. Barnes filed his CAN-22 form on July 19, 2007; he listed Lawrence Council District 2 as the seat he was seeking. It was later brought to the attention of the EB, by the Libertarian Party Chairman, that there was a mistake on the EB website. Mr. Barnes resides in District 1 but listed District 2 on his CAN-22. On July 19, 2007, Mr. Barnes filed an amendment to change his CAN-22 form to show that he is the candidate in District 1. Mr. Barnes appeared before the board and stated it was a mistake on his part because he did not have access to proper council maps. Kyle Walker from Marion County Republican Party and Celeste Jaffe, Incumbent Lawrence City Council District 1 Member, urged the Board to oppose the change. The Board voted unanimously to accept Mr. Barnes' amended filing as it related back to his initial filing and allow Mr. Barnes to be placed on the ballot for Lawrence City Council District 1.

### **III. Candidate Challenges**

**A.** Mark Reynolds filed a challenge of the candidacy of Nancy Schantz, in the vacancy of Cumberland Town Council District 4. Mr. Reynolds challenged that the fact that the Republican Party held a caucus and that they filed the CAN-47 and CAN-49 in a timely manner. Ms. Schantz stated that she filed the forms she was responsible for by the deadline. She also tried on numerous occasions to contact Republican Party officials and was unsuccessful. Ron Sullivan, Chair of Buck Creek Five, stated that he held a caucus. Mr. Sullivan believes there are five precincts in District 4. Vice-Chairman Otte ask for clarification on the number of precincts in District 4. It was determined to be three. Tenley Drescher-Rhoades, Election Board Council believed that IC 3-5-4-1.9 is very clear that the EB cannot accept any late filings. Clerk White made a motion that the challenge is successful and the ballot vacancy still exist. Vice- Chairman Otte seconded the motion with an amendment that the board did not have enough evidence to confirm a caucus took place and that had passed for the caucus. Clerk White approved that

amendment. The board unanimously voted in support of the motion to approve the challenge and continue with a vacancy on the ballot.

**IV. Ratification of Candidate Withdrawals**

A. Angela Herrmann filed to be a candidate for the Rocky Ripple Town Council. She had since decided she did not wish to continue seeking the position, however, she filed her CAN-46 a day after the deadline of August 1, 2007. She stated that she was out of town when the deadline passed. Mr. Mallon stated his concern with keeping her on the ballot since it would create a race between five people for four positions. Clerk White stated that she knew Ms. Herrmann and was contacted by her for advice. Clerk White advised her to file the withdrawal as soon as possible. Vice Chairmen Otte shared his concern that Ms. Herrmann had missed the deadline and taking her off after the earlier ruling of just the opposite would send the board down a slippery slope. The board voted unanimously to deny the CAN-46 and keep Angela Herrmann on the November ballot.

V. **Adjournment.** Chairman Sullivan stated there was no other business and adjourned the meeting.

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Chairman, Mark K. Sullivan

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Vice Chairman, Frank D. Otte

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Secretary, Elizabeth L. White