

# Marion County Election Board Meeting Minutes

## December 8, 2008

Members Present: Chairman Mark Sullivan; Vice Chairman Patrick Dietrick; Secretary Jon Bryant, proxy for Elizabeth "Beth" White

Cindy Mowery, Lawrence Newman, Jamie Rough, David Woo, Adam Kirsch, Terry Burns, Tenley Drescher-Rhoades, Will French, Jenny Troutman, Angie Nussmeyer, Drew Carlson, Katrena Coghill.

- I. **Call to Order:** Chairman Sullivan calls the meeting to order.
- II. **Ratification of Meeting Minutes:** Chairman Sullivan states that Jon Bryant is filling in for Madame Clerk White. Chairman Sullivan mentions the need to approve the minutes. Chairman Sullivan asks the board if they reviewed the past meetings' minutes. The board motions they have. Chairman Sullivan motions to the approval of the minutes. Jon Bryant seconds the motion. It passes unanimously.
- III. **Campaign Finance Fine Issues:** Chairman Sullivan mentions that there are a couple finance fine issues to discuss in front of the board.
  - a. Lawrence Newman: Mr. Newman presents himself to the board. He thanks the board for letting him to be able to speak. He mentions he is a first time candidate. Mr. Newman didn't realize he had to file with the county. He did timely file with the state, but not with the county. He mentions he read the campaign manual and it wasn't clearly stated in the manual that you have to file with state and county. Chairman Sullivan agrees with Mr. Newman and motions the Board to waive this fine. Vice Chairman Dietrick seconds the motion. It passes unanimously.
  - b. Dino Batalis: Mr. Batalis did not show up to the Election Board Meeting. Chairman Sullivan states to put off the discussion of Mr. Batalis' fine.
- IV. **Approval of Contracts**
  - a. Baker & Daniels: Andy Mallon discusses the legal issues that B & D have helped the Election Board with during the election. Mr. Mallon mentions there was a tremendous amount work that was done by B & D attorneys due to last minute court cases that needed immediate attention. Director Mallon states the current contract for B & D needs to be amended. The amendment states to increase the not to exceed amount of 2008 by \$80,000 to cover the overages. Mr. Mallon mentions this allows B & D to cover their bills and fees. Mr. Mallon presents the Board with a spreadsheet of the breakdown of the fees and services done by B & D. Counsel Tenley Drescher-Rhoades speaks on behalf of B & D. Madame Counsel mentions in 2009 there are no elections, but there are contract negotiations that will need legal advice. There are possible construction contracts that will need counsel. Also, possible lawsuits might occur that

would need legal counsel provided by B & D. Vice Chairman Dietrick praises the work of Counsel Tinley and Counsel Scott. Vice Chairman Dietrick does not agree with the amendment and dollar amounts (\$46,000) presented to the Board. Vice Chairman Dietrick would like the addendum to be revised (the \$46,000 amount). Chairman Sullivan mentions he is also concerned with the increase in the contract price. Mr. Chairman believes we need to be aware of the spending of our public assets. Chairman Sullivan believes it is important for the Board to have independent representation. Chairman Sullivan states the time and work was spent properly and he motions to approve the increase in the contract. Jon Bryant seconds the motion. It passes 2 to 1.

- b. William French: Mr. Andy Mallon addresses the professional service contracts for Campaign Finances. Director Mallon mentions the Election Board has been appropriated \$50,000 by Indiana's Public Access Fund. Mr. Mallon states this fund can be used to hire staff to help assist with the Campaign Finances. This contract presented is for Mr. Will French, who has tremendous experience in IT background in Campaign Finance. Mr. French will be there to support Mrs. Allison Gritton when they have meetings with technology firms. Mr. French's hourly rate is less than half of Allison Gritton and his contract will not exceed the amount of \$25,000. Jon Bryant motions to approve the contract of Will French. Chairman Sullivan seconds the motion. Chairman Sullivan and Proxy Clerk Bryant approve. Co-Chairman Dietrick opposes. Motion passed with a vote of 2 to 1.

- V. **Adjournment**: Chairman Sullivan motions to adjourn the meeting. Vice Chairman Dietrick seconds the motion. The meeting is adjourned.

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Chairman, Mark K. Sullivan

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Vice Chairman, Patrick Dietrick

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Jon Bryant, proxy for Secretary, Elizabeth L. White