

## **Marion County Election Board Meeting Minutes February 29, 2008**

**Members Present:** Chairman Mark K. Sullivan; Secretary Elizabeth L. “Beth” White

**Others Present:** Andy Mallon, Director of Elections; Tenley Drescher-Rhoades, Counsel to the Election Board; Terry Burns; Cindy Mowery; John Riordan; Jennifer Handlon.

- I. Call to Order.** Chairman Sullivan called the meeting to order and introduced the agenda. Clerk White explained that Mr. Dietrich could not make it and has given consent to continue without him.
- II. Ratification of New Hire:** Mr. Mallon introduced Jennifer Troutman as the new member of the Election Board Staff. Clerk White made the motion for approval of the hire and Chairman Sullivan seconded, and the motion passed unanimously.
- III. Ratification of Contract:** Mr. Mallon introduced the contract with Elect Staffing, a staffing agency that assists with more technical matters related to voting machines for the Special Election. Elect Staffing would do the work that ES&S normally does at a third of the cost. Clerk White explained that the late introduction of this contract is because of the decision to send IvoTronic voting machines to the polls, rather than having them in floating regions around the county. Clerk White made a motion for passage, Chairman Sullivan seconded that motion, and it was passed unanimously.
- IV. Candidate Challenges:** Mr. Mallon introduced the first challenge, but Lonnie Smith of Perry Township Board, District 1. Mr. Smith challenged John Laut, who he claimed does not live in District 1. Mr. Mallon stated that Mr. Laut’s voter registration indicated he lives in District 5. Clerk White moved that the challenge be approved, and Chairman Sullivan seconded, passing it unanimously.

The second challenge was John C. Warren Jr. of Center Township, challenging Lawrence “Larry” Ryan, who was running for Center Township Board. Mr. Ryan filed in both District 5 and 6. Mr. Mallon said that Mr. Ryan lives in District 6, which is the first office he filed to run for. Mrs. Drescher-Rhoades stated that the Indiana Code indicates a candidate who files a second filing for an office is not eligible for the second office. The second filing is invalid. Clerk White moved that Mr. Ryan’s second filing be invalidated and Chairman Sullivan seconded, passing the motion unanimously.

Mr. Mallon introduced the third challenge, from Marvin Hawkins of Perry Township, challenging Bill Rowley, who is running for Perry Township Advisory Board District 3. Mr. Hawkins asserts that Mr. Rowley does not live in District 3. Mr. Mallon stated that according to Voter Registration

records, Mr. Rowley lives in District 4. Mr. Rowley has asked the Board to accept a late amendment to change his candidacy to District 4. Mrs. Drescher-Rhoades indicated that the law states that the Board cannot accept a filing after the deadline, but in her opinion does not address an amendment. Chairman Sullivan indicated that the Board has denied such requests in the past, and prefers to stick to past precedent. Clerk White stated that Township Board district boundaries have not changed, and despite being misinformed, the burden of knowing which district is correct resides with the candidate. Chairman Sullivan moved that the challenge be granted, Clerk White seconded, making it unanimous.

Mr. Mallon introduced the fourth challenge, from Lynne McWurter of Wayne Township, challenging Rosemary Turentine, who had filed to run for Wayne Township Advisory Board District 7, asserting that Ms. Turentine does not live in Wayne Township. Mr. Mallon indicated that according to her Voter Registration, she lives in Pike Township. The Board decided to accept the challenge, and provided Ms. Turentine until close of business Monday to provide sufficient evidence because of the late submission of this challenge.

Mr. Mallon introduced the last challenge from Joe Turner, challenging the candidacy of Annamarie Byers, who was running for Pike Township Advisory Board District 4, then filed for District 1, then withdrew her candidacy from District 4. Mr. Turner's challenge is for District 4, which Clerk White indicated makes the challenge moot, and made the motion, which carried unanimously.

Mr. Mallon indicated that some candidates for Republican Precinct Committeeman and State Convention Delegates for both parties filed late amendments. Another issue is the name of the candidate did not match, according to the law, the name they wished to appear on the ballot. Their name will appear in a way that conforms to the Indiana Code, and those candidates have been contacted and informed as such. Some candidates did not indicate an office they wished to run for, and unless the Board is able to contact these candidates, they will not appear on the ballot. Mr. Mallon indicated that for some Precinct Committeeman and State Delegate races, names would not appear on the ballot because fewer people filed than available seats for that office.

- V. Adjournment:** Chairman Sullivan motioned for adjournment and closed today's hearing.

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Vice Chairman, Patrick Dietrick

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Secretary, Elizabeth L. White