Hamilton County Election Board Minutes
July 2, 2019

Present:
Ray Adler, Chairman and Republican Member
Greg Purvis, Democrat Member
Kathy Kreag Williams, Clerk and Secretary
Debbie LePere, Chief Deputy Clerk
Beth Sheller, Elections Administrator

Also attending: Joe Weingarten, Ronnie Miller, Andrew Greider, Larry Kehoe, Jennifer Kehl, Yasmin Stump and Ann Marie Shambaugh

The meeting was called to order at 10:07 a.m. by Chairman Adler.

Chairman Adler asked for the approval of the Minutes from the May 14, 2019 meeting. Clerk Williams made the motion to approve, Mr. Purvis seconded, and the motion was carried.

The first item on the agenda was Election Complaints. A complaint by Eric Morris concerning Mayor Brainard’s campaign was presented. Eric Morris was not present. Ronnie Miller was present for the Brainard campaign. There were several technical issues that have all been corrected by amending campaign finance reports. Mayor Brainard’s campaign was 2 days late in reporting his 2019 Pre-Primary Report. Ronnie Miller took responsibility for the errors, as well as, the late report. Clerk Richardson made a motion to fine the Brainard Committee $100 ($50 per day) for the late submission. Mr. Purvis seconded the motion, and the motion carried unanimously. The check for $100 was submitted to the Election Board and will be deposited in the Campaign Finance Violation Fund.

A complaint filed by Chanel Darbeau concerning a possible election violation against Jennifer Kehl, candidate for Fishers Clerk, was presented. Chanel Darbeau was not present. Jennifer Kehl was present. Ms. Kehl was sworn in and presented testimony and written proof, filed with the Clerk concerning election allegations. After Board discussion, Clerk Williams made a motion to dismiss the complaint made by Chanel Darbeau, Mr. Purvis seconded the motion, and motion carried unanimously.

Two complaints filed by Larry Kehoe concerning the Yasmin Stump Law Group and Orchard Software Corporation were presented. Orchard Software has allegedly violated IC 3-9-2-4(7) which states that “during a year a corporation or labor organization may not make total contributions in excess of: an aggregate of $2,000 apportioned in any manner among all candidates for school board offices and local office”. Larry Kehoe and Yasmin Stump were present. Ms. Stump took responsibility for an administrative error made in her office. Letters were presented from Brian Poindexter and Ron Carter, along with copies of checks returning the contributions to the Yasmin Stump Law Group. President Adler made a motion to dismiss the complaint against the Yasmin Stump Law Group, Mr. Purvis seconded the motion, and the motion carried unanimously.

The second complaint by Larry Kehoe concerning the Orchard Software Corporation was presented. Orchard Software has allegedly violated IC 3-9-2-4(7) which states that “during a year a corporation or labor organization may not make total contributions in excess of: an aggregate of $2,000 apportioned in any manner among all candidates for school board offices and local office”. Rob Bush, President of Orchard Software was not present. Beth Sheller said that she has spoken with Rob Bush, and he intends to replace from his personal account to Orchard Software the contributions of $1,000 each.
made to Bruce Kimball and Jeff Worrell. President Adler questioned why Mr. Bush did not come to or send a representative to the meeting. After discussion, Mr. Purvis made a motion the Orchard Software Corporation (Mr. Rob Bush) provide evidence within 20 days that the overpayment in corporation contributions has been returned. Clerk Williams seconded the motion, and the motion carried unanimously.

Two complaints by Democratic Chairman, Joe Weingarten, were presented. Mr. Weingarten was present. The first complaint was made regarding the Mayor Scott Fadness campaign. Andrew Greider, a representative for the Fadness campaign, was present. The complaint was regarding some occupation disclosures, technicalities on the campaign finance form, and 7 entities that had made excess contributions to the Fadness Campaign. Mr. Greider spoke of some human error and some future steps their campaign will be implementing to check that contributors to their campaign are following Indiana laws. Mr. Greider presented copies of checks for proof that the contributions had been returned to those contributors who gave in excess of Indiana codes. Mr. Purvis moved to admit the checks for the refunds into record. The Fadness campaign finance reports have been amended to show all corrections. Mr. Purvis moved to dismiss the complaint made by Mr. Weingarten, Clerk Williams seconded, and the motion carried unanimously.

The second complaint by Democratic Chairman, Joe Weingarten, was presented. The complaint was made regarding Mayor Brainard’s campaign. As recorded earlier, Mr. Weingarten was present, along with Ronnie Miller for the Brainard campaign. The complaint was concerning some technicalities on the campaign finance reports of Mayor Brainard. The amended forms with corrections have been submitted. Mr. Weingarten’s complaint of the Brainard campaign’s late report had already been addressed in the Kehoe complaint. Mr. Purvis made a motion to dismiss the complaint made by Mr. Weingarten, Clerk Williams seconded, and the motion carried unanimously.

Clerk Williams presented Resolution #2 for the Election Board to review. The resolution would change the ballot language when there is more than one candidate to vote for in an office. The proposed language says, “vote for up to (insert the number of candidates to be elected) candidates for this office”. Clerk Williams made a motion to accept Resolution #2 to change the wording on the ballot, Mr. Purvis seconded. After discussion, Resolution #2 was passed unanimously.

Clerk Williams presented Resolution #3 for the Election Board’s review. The resolution would set the payment of election workers beginning with the 2020 election cycle. Clerk Williams made a motion to accept Resolution #3, and Mr. Purvis seconded the motion. After discussion, Resolution #3 was passed unanimously.

Clerk Williams made a motion to Re-certify the Voting System and Electronic Poll Pad list. An error had been corrected on the numbers. Mr. Purvis seconded the motion, and the motion carried unanimously.

Clerk Williams let the Board know that precinct changes will be coming. A new law effective July 1, 2019 was enacted that new precincts cannot have under 600 active voters and current precincts cannot have over 2,000 active voters. Clerk Williams has also requested in the budget for 100 new voting machines for 2020.

Mike Miller from MicroVote demonstrated the Verifiable Voter Paper Assurance Trail (VVPAT) equipment which is going to be required by State law. MicroVote would like for Hamilton County to pilot this equipment in the 2019 Municipal General Election.

President Adler dismissed the meeting at 11:30 A.M.