

**Butler County Board of Elections
Regular Board Meeting Minutes
August 12, 2024**


The Butler County Board of Elections met on Monday, August 12, 2024, at 9:00 a.m., for a regular meeting. Roll call was taken, and present were Chairman Frank Cloud, Member mariann penska, Member Todd Hall, Member Chris Wunnenberg III, Director Nicole Unzicker, Deputy Director Eric Corbin and several members of the public.

Chairman Cloud presented Document 1, Bills. Member Hall moved to approve the bills on Document 1; seconded by Member penska. Roll Call:

Chairman Cloud	yea
Member penska	yea
Member Hall	yea
Member Wunnenberg	yea



Regular Board Meeting Bills
Butler County Board of Elections


Chairman


Director

Grand Total \$ 24,667.28

Account / Vendor / Description	Amount
520000 - OFFICE SUPPLIES	
AMAZON CAPITAL SERVI	
OFFICE SUPPLIES	\$200.68
AMAZON CAPITAL SERVI Total	\$200.68
HATHAWAY STAMP	
NAMEPLATE AND BADGE, ZACHARY TURNER	\$47.70
HATHAWAY STAMP Total	\$47.70
520000 - OFFICE SUPPLIES Total	\$248.38
524000 - GAS/FUEL/OIL	
VOYAGER FLEET SYSTEM	
JULY FUEL SUPPLIES.	\$68.08
VOYAGER FLEET SYSTEM Total	\$68.08
524000 - GAS/FUEL/OIL Total	\$68.08
529000 - OTHER MATERIALS/SUPPLIES	
AMAZON CAPITAL SERVI	
ELECTION SUPPLIES	\$702.27
AMAZON CAPITAL SERVI Total	\$702.27
INCLUSION SOLUTIONS	
BALLOT BAG	\$171.88
INCLUSION SOLUTIONS Total	\$171.88
NICOLE UNZICKER	
TEAM BUILDING SUPPLIES	\$31.94
NICOLE UNZICKER Total	\$31.94
ODP BUSINESS SOLUTIO	
ELECTION SUPPLIES	\$150.33
ODP BUSINESS SOLUTIO Total	\$150.33
US BANK	
BOARD OF THE YEAR STAFF CELEBRATION	\$187.82
US BANK Total	\$187.82
529000 - OTHER MATERIALS/SUPPLIES Total	\$1,244.24
530075 - TECHNOLOGY SUPPORT	
ESSVR LLC	

Bills

Account / Vendor / Description	Amount
JULY VOTER FILE MAINTENANCE AND SUPPORT	\$7,981.67
ESSVR LLC Total	\$7,981.67

FOR THE RECORD	
2024-2025 FTR PREMIUM SUPPORT	\$795.00
FOR THE RECORD Total	\$795.00

530075 - TECHNOLOGY SUPPORT Total	\$8,776.67
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530310 - RENTAL - EQUIPMENT

GREAT AMERICA FINANC	
3RD QUARTER COPIER LEASES	\$1,337.97
GREAT AMERICA FINANC Total	\$1,337.97

PITNEY BOWES GLOBAL	
2ND QUARTER RENTAL LEASE	\$1,973.19
PITNEY BOWES GLOBAL Total	\$1,973.19

530310 - RENTAL - EQUIPMENT Total	\$3,311.16
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530500 - TRAVEL & TRAIN EXPENSE

CHRIS WUNNENBERG III	
MEALS-MILEAGE REIMBURSEMENTS	\$217.66
CHRIS WUNNENBERG III Total	\$217.66

ERIC A CORBIN	
MEALS-MILEAGE REIMBURSEMENTS	\$147.12
ERIC A CORBIN Total	\$147.12

FRANK W CLOUD	
MEALS-MILEAGE REIMBURSEMENTS	\$341.66
FRANK W CLOUD Total	\$341.66

MARIANN PENSKA	
MEALS-MILEAGE REIMBURSEMENTS	\$281.66
MARIANN PENSKA Total	\$281.66

NICOLE UNZICKER	
MEALS-MILEAGE REIMBURSEMENTS	\$147.12
NICOLE UNZICKER Total	\$147.12

US BANK	
HOTEL AND PARKING. SOS CONFERENCE	\$2,675.00
US BANK Total	\$2,675.00

530500 - TRAVEL & TRAIN EXPENSE Total	\$3,810.22
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536000 - OTHER CONTRACT SVCS

ELITE REPORTING AGEN	
BOARD MEETING HEARING STENOGRAPHER	\$393.00
ELITE REPORTING AGEN Total	\$393.00

FEDEX	
JULY SHIPMENT	\$6.97
FEDEX Total	\$6.97

MILLENNIUM BUSINESS	
FLEX COPIES	\$181.56
MILLENNIUM BUSINESS Total	\$181.56

Bills

Account / Vendor / Description	Amount
US BANK	
JUNE TRACKING DEVICE	\$9.00
US BANK Total	\$9.00
VFP FIRE SYSTEMS	
INSTALL ELECTRONIC CARD READERS	\$5,578.00
1 YR STARLINK INTRUSION MONITORING SRVS	\$1,040.00
VFP FIRE SYSTEMS Total	\$6,618.00
536000 - OTHER CONTRACT SVCS Total	\$7,208.53
Grand Total	\$24,667.28

Chairman Cloud presented Document 2, the minutes of the July 5, 2024, meeting. Member Wunnenberg moved to approve the July 5, 2024, meeting minutes on Document 2; seconded by Member penska. Roll Call:

Chairman Cloud yea
Member penska yea
Member Hall abstain
Member Wunnenberg yea
All in favor; motion carried.

Chairman Cloud presented Document 3, the minutes of the July 9, 2024, meeting. Member penska moved to approve the July 9, 2024, meeting minutes on Document 3; seconded by Member Wunnenberg. Roll Call:

Chairman Cloud	yea
Member penska	yea
Member Hall	abstain
Member Wunnenberg	yea

All in favor; motion carried.

Chairman Cloud presented Document 4, the minutes of the July 31, 2024, meeting. Member penska moved to approve the July 31, 2024, meeting minutes on Document 4; seconded by Member Hall. Roll Call:

Chairman Cloud	yea
Member penska	yea
Member Hall	yea
Member Wunnenberg	yea

All in favor; motion carried.

Director Unzicker acknowledged receipt of the following directives.

- 2024-12 Instructions for the Examination of the Petition Proposing Constitutional Amendment - Redistricting
- 2024-13 Minor Political Party Formation
- 2024-14 Preparation for the Statewide Mailings of Absentee Ballot Application
- 2024-15 The Examination and Verification of Petitions from Minor Party "Libertarian Party of Ohio" Candidates for U.S. Senate as well as President and Vice President of the United States
- 2024-16 Removal of Non-Citizen Records
- 2024-17 Examination and Verification of Petitions from Independent Candidate for President and Vice President Filed with the Secretary of State's Office

Director Unzicker explained that Directives 2024-12 through 2024-15 are normally expected directives before a presidential election as well as Directive 2024-17. Directive 2024-16, Removal of Non-Citizen Records, is a new directive. She explained that the Ohio Secretary of State's office reviewed the SAVE database and sent notifications to individuals that the BMV identified as non-citizens. These voters failed to respond to the notices and the Board of Elections was directed to cancel the voter registrations of 35 people in Butler County.

Under New Business Director Unzicker introduced Document 5, Certify Ballot Issues. She explained that all the statutory requirements have been met for the issues listed on Document 5. Member penska moved to approve the issues on Document 5 to the November 5, 2024 General Election ballot; seconded by Member Wunnenberg. Member Hall noted that the City of Oxford Fire issue is an Additional levy. Roll Call:

Chairman Cloud	yea
Member penska	yea
Member Hall	yea
Member Wunnenberg	yea

All in favor; motion carried.

Ballot Issues & Local Liquor Options

All statutory requirements for certification for the ballot have been satisfied.

Certified *NRU 8/12/24*
Admin. Sign & Date

City of Oxford (Additional) Fire – 2.6 mills/10 years Tax Levy (filed on 6/5/24)

- Approved by County Prosecutor on 8/7/24.
- Approved by Secretary of State on 6/26/24.

UDF – Sunday sales – Liberty29 (filed petitions 6/6/24)

- Approved by County Prosecutor on 8/7/24.
- Approved by Secretary of State on 6/26/24.

Director Unzicker introduced Document 6, Sufficient Ballot Issues Pending Secretary of State and/or Prosecutor Approval. She explained these certifications must be complete by August 19th, and this certification will be conditional pending final approval from the Ohio Secretary of State and the Prosecutor’s office. Member Hall moved to certify the issues listed on page 1 and 2 of Document 6 on the condition that Secretary of State and Prosecutor approval is provided as noted; seconded by Member penska. Roll Call:

Chairman Cloud	yea
Member penska	yea
Member Hall	yea
Member Wunnenberg	yea

All in favor; motion carried.



November 5, 2024 General Election
Sufficient Ballot Issues Pending Secretary of State
and/or Prosecutor Approval

Ballot Issues & Local Liquor Options

The ballot issues listed below will be conditionally certified pending approval as noted for each issue.

Certified NRU 8/12/24
Admin. Sign & Date

Ross Township (Uninc.) (Renewal) - Fire – 2.75 mills/5 years (filed on 7/8/24)

- Approved by the County Prosecutor on 8/7/24.
- Pending final approval by the Ohio Secretary of State (submitted 7/29/24).

MidPointe Public Library (Additional) – Current expenses – 1.25 mills/continuing period of time (filed on 7/17/24)

- Approved by the County Prosecutor on 8/7/24.
- Pending final approval by the Ohio Secretary of State (submitted 7/29/24).

Lane Public Library (Renewal) – Current expenses – .75 mill/continuing period of time (filed on 7/26/24)

- Approved by the County Prosecutor on 8/7/24.
- Pending final approval by the Ohio Secretary of State (submitted 8/1/24).

Butler County Mental Health and Addiction Recovery Services (Additional) – Operational expenses - .5 mill/5 years (filed on 7/26/24)

- Approved by the County Prosecutor on 8/7/24.
- Pending final approval by the Ohio Secretary of State (submitted 8/1/24).

Monroe LSD \$36,750,000 School facilities bond – 3.49 mills/38 years (filed on 8/2/24)

- Pending final approval by the County Prosecutor (submitted 8/6/24).
- Pending final approval by the Ohio Secretary of State (submitted 8/6/24).

Village of New Miami (Additional) – Fire – 6 mills/5 years (filed on 8/5/24)

- Approved by the County Prosecutor on 8/8/24
- Pending final approval by the Ohio Secretary of State (submitted 8/7/24).

Village of New Miami (Additional) – Street – 3 mills/5 years (filed on 8/5/24)

- Approved by the County Prosecutor on 8/8/24
- Pending final approval by the Ohio Secretary of State (submitted 8/7/24).

McCauly's Carry Out – Sunday sales – Sharon2 (filed petitions 7/9/24)

- Approved by the County Prosecutor on 8/7/24.
- Pending final approval by the Ohio Secretary of State (submitted 7/29/24).

WaWa #7213 – Sunday sales – Fair1wd1 (filed petitions 8/1/24)

- Approved by the County Prosecutor 8/9/24.
- Pending final approval by the Ohio Secretary of State (submitted 8/7/24).

WaWa #7203 – Sunday sales – Liberty24 (filed petitions 8/1/24)

- Approved by the County Prosecutor 8/9/24.
- Pending final approval by the Ohio Secretary of State (submitted 8/7/24).

Garver Family Farm Market – Sunday sales – Lemon1 (filed petitions 8/2/24)

- Approved by the County Prosecutor 8/9/24.
- Pending final approval by the Ohio Secretary of State (submitted 8/6/24).

Deputy Director Corbin presented Document 7, Ballot Issues in Question. He explained there were multiple problems with the two issues filed for Millville Village, one electric aggregation issue and one natural gas aggregation issue. He explained that both submitted issues have the same problems. The date listed in the resolutions is for a past election of March 19, 2024. The ordinances were not certified as true and accurate copies to the Board of Elections. The ordinances state they are emergency measures without indicating there was a super majority of council to pass the motion in that way. Member Hall asked if anyone was present representing the village, there was no one present. Member Wunnenberg expressed his concerns about certifying the issue with the given problems and felt the village did not meet their obligations. Member Hall asked if Millville could appear on the ballot after this meeting. Deputy Director Corbin said the village would not be able to get on the November ballot but could file for a future election. Member Wunnenberg moved to not certify the electric and natural gas aggregation issues to the ballot for the village of Millville; seconded by Member penska. Roll Call:

Chairman Cloud	yea
Member penska	yea
Member Hall	yea
Member Wunnenberg	yea

All in favor; motion carried.

Deputy Director Corbin said the prosecutor’s office pointed out that there is an issue with the resolution numbers on the filed resolutions, the number listed is off by one. He explained that the office reached out to Lemon Township and received an email confirming the typo and were provided with the correct information. Member Hall asked to see the email. Member Wunnenberg moved to certify the Lemon Township Fire District Replacement levy to the November 5, 2024 General Election ballot; seconded by Member Hall. Roll Call:

Chairman Cloud yea
 Member penska yea
 Member Hall yea
 Member Wunnenberg yea

All in favor; motion carried.



November 5, 2024 General Election
 Ballot Issues in Question

Ballot Issues

The following proposed ballot issues have the following identified deficiencies which may prevent it from being certified for the ballot.

NRU 8/12/24
 Admin. Sign & Date

Village of Millville Electric/Natural Gas Aggregation (Two issues)

- In each ordinance in this filing period, there are at least two places where the village asks to place the issue on the ballot for the March 19, 2024 Primary Election, which has already occurred, and not the upcoming general election. Nowhere does either ordinance allude to placing the issue on the upcoming general election ballot.
- The ordinances are not certified by the village clerk-treasurer as true and accurate copies of the ordinances passed in a public session of the village council on a certain date.
- The ordinances state they are emergency measures but do not indicate they passed with the supermajority of Council necessary to pass the measure as an emergency.
- Taken separately or together, these issues raise a question for the Board as to whether the village adequately met the legal obligations of a political subdivision to place a ballot issue question to voters of its subdivision, such as R.C. 4928.20(B) which requires that the text of the ordinance “shall direct the board of elections to submit the question ... at a special election on the day of the next primary or general election in the municipal corporation.”

Gas Aggregation Certified Not Certified

Electric Aggregation Certified Not Certified

Lemon Township Fire District (Replacement) Fire Levy – 3.8 mills/5years (filed petitions 8/7/24)

- Fiscal Officer’s certification on each resolution is one number higher than the number written on the resolution.
- Received an email on Friday, August 9, 2024, from Rita Tannreuther, Fiscal Officer, indicating it was a typographical error.

Certified Not Certified

Deputy Director Corbin introduced Document 8, Insufficient Ballot Issues. He explained that the filed petitions did not have enough signatures because the petitioners filled out both questions on the form. Member Hall asked if the BOE provided the petitioner with assistance. Deputy Director Corbin said we do help as best we can when petitions are filed but the office is prohibited from doing a pre-check for the petitioner. Member Hall asked if the petitioner was notified so they could try again. Director Unzicker said the petitioner was contacted but only had a few days before the deadline and did not refile. Member Hall asked if there were any representatives from Christi’s Sports Bar, there were none. Member Hall moved to reject the insufficient ballot issue listed on document 8; seconded by Member penska. Roll Call:

Chairman Cloud yea
Member penska yea
Member Hall yea
Member Wunnenberg yea
All in favor; motion carried.



November 5, 2024 General Election
Insufficient Ballot Issues

Ballot Issues

The following ballot questions failed to meet the statutory requirements to appear on the ballot for the reasons stated below. The Board hereby rejects these issues for certification for the ballot.

Rejected NRU 8/12/24
Admin. Sign & Date

Christi's Sports Bar -Two local liquor option questions – StClair4

- When pulled, the petitioner indicated they only intended to put the Sunday sales question on the ballot, in which they would only need 50 valid signatures. However, the petitions filed asked to put two issues on the ballot which raised the necessary **minimum number of valid signatures to 146 signatures**. Petitioner only **submitted 72 signatures**, and therefore cannot meet the number of valid signatures necessary to place the issues on the ballot.

Under Old Business Deputy Director Corbin addressed two comments from the previous regular meeting.

Public Comment: Voting machine had votes on it the morning of election day before the polls were opened.

Response: It was reported by one of our prior precinct election officials that in a past election they noticed there was a machine that had votes recorded in the morning on Election Day before the polls opened. He reported it to the location supervisor and never heard anything more about the situation.

Voting machines are checked in the morning on election day to ensure the voting units all have zero ballots cast. In the event a voting machine is not zeroed out after the machine's logic and accuracy testing, and is found on the morning of the election, the Board of Elections instructs

the Location Supervisor to call the Board of Elections designated number to our IT department. If any votes are detected while running the report to open the polls the machine is incapable of completing that task and the machine is unable to be used. The Board of Elections will send a technician runner to the location to verify that the machine was not correctly cleared after Logic and Accuracy testing and will clear the machine. The Location Supervisor and PEO of opposite parties re-run the zero report, and both verify no votes are cast, both signatures are needed to attest to the Zero Report and then the polls can be opened.

Public Comment: Mathematical error on audit report

A citizen brought a mistake to our attention at the last regular board meeting about the audit report from the March 2020 Primary Election. The report posted to the website did not match the official form signed by the Board and sent to the SOS. The report has since been updated to include the overvotes which were included on the form sent to the SOS but were left off the report produced for the website.

When calculating the percent accuracy of the audit a discrepancy was found in the accuracy rate calculation. The Butler County Board of Elections reported a number 0.23% less accurate than the actual accuracy rate of 99.89%. The mistake has been updated and the new report has been posted to the website.

Director Unzicker said the office is happy the error was pointed out so that it could be corrected, and the public can have accurate information.

Chairman Cloud asked about scanning the SOS reporting form and posting that to the website. Deputy Director Corbin explained that it is possible to scan that form, but the document created by the Butler County Board of Elections has much more information about the audit process and was created to help educate those reading the results. Member Wunnenberg suggested multiple people look at the report before it is posted next time, the directors agreed.

Under General Office Updates Director Unzicker said the office celebrated Precinct Election Officials who go through a lot of training and work so that the polls are operational on Election Day. PEOs who were recognized had worked in at least 15, 25 or 50 elections. One PEO was recognized for working in 54 elections! She said we are looking forward to doing a larger event next year and that the PEOs in attendance were very appreciative of the event.

Director Unzicker was happy to report that all schools in Butler County will be closed on Election Day.

Deputy Director Corbin reported about a tabletop exercise that he and Director Unzicker attended in Hamilton County with Directors from around the state. The interaction was a very valuable experience as relationships were built up between counties and a few good ideas came from the discussions to help better prepare for election day.

Chairman Cloud asked if there was anyone who wanted to make a public comment. Two citizens presented comments to the Board.

With no further business, Member Hall moved to adjourn the meeting; seconded by Member Wunnenberg. Roll call:

Chairman Cloud	yea
Member penska	yea
Member Hall	yea
Member Wunnenberg	yea

All in favor; motion carried.

The meeting was adjourned at approximately 09:39 a.m.

Frank Cloud, Chairman

Nicole Unzicker, Director

Todd Hall, Member

Chris Wunnenberg III, Member

mariann penska, Member