

Minutes
Athens County Board of Elections
Emergency Meeting
September 26, 2024, 2:30 pm

The Athens County Board of Elections met on September 26, 2024 at 2:30 pm at the board office. The meeting was called to order by Board Chair Pettey, Roll Call –Gary Van Meter, Aundrea Carpenter-Colvin, Sky Pettey and Kate McGuckin all present. Also present at the meeting: Director Debra Quivey, Deputy Director Tony Brooks, Debbie Perry, Helen King from the League of Women Voters, Keri Johnson from Athens County Independent, David Foster from WOUB, Jonathan Robe, Greg Smith, Daniel Klos and Assistant Prosecutor TL Warren.

Mr. Pettey led the pledge.

Motion 2024:09:12

Mrs. Carpenter-Colvin moved, seconded by Ms. McGuckin to go into Executive Session regarding conferring with an attorney about a dispute involving the board that is the subject of a pending or imminent court action (ORC 121.22 (G)(3)) with Assistant Prosecutor TL Warren, Director Quivey and Deputy Director Brooks. Voting: Mrs. Carpenter-Colvin – Yes, Ms. McGuckin – Yes, Mr. Van Meter – Yes, Mr. Pettey – Yes.

The Board entered into Executive Session at 2:31 pm.

The Board came out of Executive Session at 3:03 pm.

Board Chair gave a short statement regarding Resolution 2024-1 and the reasoning behind it and opened the floor for public comment and questions.

Mr. Klos gave a clarifying statement regarding Resolution 2024-1

Mr. Robe also gave his response regarding Resolution 2024-1

Ms. Johnson asked a question regarding what will be done with UOCAVA ballots after Resolution 2024-1. Deputy Director Brooks Responded to this question that the corrected ballot will be resent to UOCAVA voters from any precinct in the City of Nelsonville.

Mr. Foster asked a clarifying question regarding the counting of UOCAVA ballots that are returned from these voters in any precinct in the City of Nelsonville. Deputy Director Brooks explained the process of how and which ballots would be county for these voters.

Motion 2024:09:13 (Attachment 1)

Mr. Van Meter moved, seconded by Mrs. Carpenter-Colvin to approve Resolution 2024-1. Voting: Mrs. Carpenter-Colvin – Yes, Ms. McGuckin – Yes, Mr. Van Meter – Yes, Mr. Pettey – Yes.

Motion 2024:09:14

Ms. McGuckin moved, seconded by Mrs. Carpenter-Colvin to adjourn. Motion passed unanimously.



Director



Chair

Attachment 1 - Motion 2024:09:13

Resolution No. 2024-1

A RESOLUTION ACCEPTING THE PART PETITION SUBMITTED TO PLACE A PROPOSED QUESTION ON THE NOVEMBER 2024 BALLOT WHETHER TO ABOLISH THE NELSONVILLE CITY CHARTER AND RETURN TO A STATUTORY FORM OF GOVERNMENT

Whereas, the Athens County Board of Elections, having received an uncertified petition to place a question on the ballot for the November 5, 2024, general election on whether to abolish the City Charter of Nelsonville, Ohio, and return to a statutory form of government; and

Whereas, the Athens County Board of Elections notes that there are currently 180 verified signatures on 8 valid part petitions; and

Whereas, the Ohio State Constitution, Article XVIII, Section 9, states that there must be signatures of at least in the amount of 10% of electors within the municipality to amend a city charter; and

Whereas, electors, being defined by *State ex rel. Huebner v. West Jefferson Village Council*, 75 Ohio St.3d 381 (1995), as "the total number of votes cast at the last preceding general municipal election."

Whereas, the Athens County Board of Elections finds that there were 930 votes in the 2023 general election in the City of Nelsonville, Ohio; and

Whereas, the Athens County Board of Elections finds that 10% necessary would be 93 signatures; and

Whereas, the provided petition has met this threshold and has the sufficient amount of signatures; now therefore,

BE IT RESOLVED by the Board of Elections of the *County* of Athens, Ohio:

SECTION 1. To ACCEPT the petition for placement on the ballot for the November 5, 2024 general election.

Signed the 26th of September 2024,


Sky Petty, Chair


Kate McGuckin, Member


Aundrea Carpenter-Colvin, Member


Gary Van Meter, Member