

**Marion County Board of Elections  
Special Meeting Minutes**

Purpose: Discuss hiring of an independent counsel to represent the Board and Director in the pending Mandamus action filed by Jeff Ratliff

December 14, 2018

**I. Call to order**

Phyllis Eshman-Thomas called the Special Meeting to order at 2:00PM on December 14, 2018 at the Board of Elections office.

**II. Attendance**

The following board members were present: Chair Phyllis Eshman-Thomas, Tom Frericks and Lynn Zucker, along with the Director (guest sign in sheet copy attached).

**III. Discuss hiring independent counsel to represent the Board and Director in Mandamus action**

Mr. Grogan asked if the board felt this matter should be discussed in executive session. Mr. Frericks stated he felt it should be discussed in open session.

Mr. Grogan noted that since the pending litigation involved the November Election for the Marion County Prosecutor race, he felt his office had a conflict of interest. It would be appropriate for the board to retain outside counsel for legal representation in the pending Mandamus action. Mr. Frericks moved to hire outside counsel and to select such counsel at the board's next regular meeting after researching billing rates. Mrs. Zucker seconded the motion. The board voted 2:1 with Mrs. Thomas dissenting.

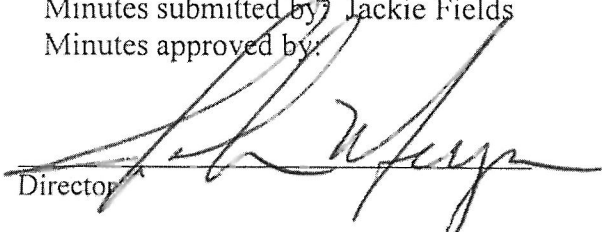
There was a long discussion concerning the hiring of outside counsel while the Chair recognized various members of the gallery.

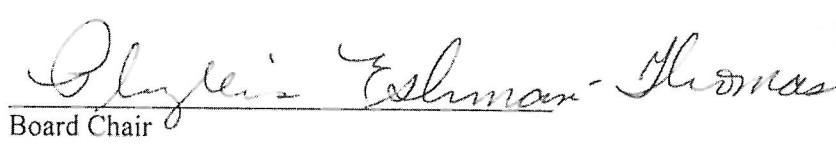
**IV. Adjournment**

Mr. Frericks moved to adjourn. Mrs. Zucker seconded the motion. Chair Eshman-Thomas adjourned the meeting at 3:45 p.m.

Minutes submitted by Jackie Fields

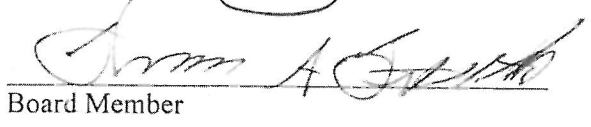
Minutes approved by:

  
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Director

  
\_\_\_\_\_  
Board Chair

\_\_\_\_\_  
Deputy Director

  
\_\_\_\_\_  
Board Member

  
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Board Member

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Board Member