

ELECTION BOARD MEETING MINUTES

August 18, 2023

1:30 P.M.

Those in attendance: James Holland (Chairman), Mark Kevitt (Vice-Chairman), Peter King (Attorney), Shari J. Lentz (Secretary), Julie Robertson (Clerk Chief Deputy) Taylor Seegraves (Elections Administrator), Debra Settle (Voter Registration Administrator), Ross Thomas (Democratic Party Chair), Jay Foyst (Challenged Candidate), Luann Welmer (Republican Party Chair), Josh Burnett (Republican Party Vice-Chair), Jana Wiersema (Reporter with The Republic) and Mike Wolanin (Photographer with The Republic).

Chairman, James Holland called the meeting to order at 1:27p.m.

James Holland acknowledges challenger Ross Thomas and asks if he has any witnesses.

Ross Thomas responds that he has no witnesses but would like to note additions to the exhibits he originally submitted that contained two typos. Those typos are on the 2nd page of his statement. The first is twelve lines down, the date of July 21, 2023 should be June 21, 2023. The second is fourteen lines down, the date of July 22, 2023 should be June 22, 2023. The board acknowledges those additions.

James Holland opens the floor to Ross Thomas for a summation of his final statement.

Ross Thomas begins by stating that it all speaks for itself in regards to rules. The rules state that the notice should have been turned in 10 days prior to caucus and per the receive stamp it was not filed in time. Thomas states, "Why do we have these rules", the reason we have these rules is to keep a rouge county party chair from scheduling a caucus without proper notice to the precinct committeeman so that they can push their candidate through. Thomas states that the rules make sure everyone is timely notified and that was not done. Thomas makes note of

two similar cases in 1985 where these rules were upheld. One in Brown County involving a candidate not filing for office by the deadline and the other involving an appeal not meeting the deadline to file. Thomas also noted an additional case Edwards vs Edwards involving a time frame on an appeal filing that was not timely and the deadline upheld. Thomas finished with the statement that the CAN-47 was filed on June 22nd which is only 9 days prior to the Republican party's caucus and that the Republican Party could have corrected this and still had the caucus in time.

James Holland acknowledges challenged candidate Jay Foyst and asks if he has any witnesses.

Jay Foyst responds that he has no witnesses but would like to defer to the attending Republican Party representatives Luann Welmer or Josh Burnett. Foyst states that this issue is with the paperwork filed by the party not himself.

James Holland opens the floor to Josh Burnett for a summation of his final statement.

Josh Burnett states that no additional changes could have been made since the pre-hearing conference. Burnett also points out that the dates in the exhibit filed by Ross Thomas are incorrect. Burnett states that other than allegations the only notice the Republican Party had was when the challenge was filed. Burnett points out that the Republican Party has 30 days to fill the vacancy if Jay Foyst is taken off of the ballot and that they can place Jay Foyst back on to the ballot since there has not been a Primary, General, or sore loser law issue.

Mark Kevitt asks Josh Burnett if he is questioning the date on the CAN-47.

Josh Burnett replies that he is not questioning the date on the CAN-47 just questioning the time frame but has no question.

Ross Thomas requests to have a rebuttal & James Holland allows it.

Ross Thomas states that it was a typo but has included the correction with the actual timeframes in his earlier exhibit. Thomas states that there was a typo but clearly nobody is not on notice because the dates are on the filing.

James Holland asks the board if they have any further questions. Shari Lentz and Mark Kevitt both affirm that they have no further questions.

Mark Kevitt made a motion to grant the candidate challenge and James Holland seconded the motion. With no further questions about the motion the board moves to a vote. Mark Kevitt votes Yes, James Holland votes Yes, and Shari Lentz votes Yes. With all votes being in favor of the motion, the motion is granted and the election board signed the Order Granting Candidate Challenge.

With no further business to discuss, the meeting was adjourned by unanimous consent at 2:00p.m.