

SPECIAL MEETING / PROTEST HEARING

August 28, 2023

MINUTES

The meeting was called to order by Chairman Dennis Pavella at 2:05 p.m. Present were Board Members Janet Carson, Joan Windnagel and Nancy McArthur, Director Michelle Lane, and Deputy Director Nora McGinnis. Also present were Assistant Prosecuting Attorney, Kristen Rine, Neil Harrison, Andrea Clark, Dan Clark, Madelon Horvath, Richard Bair, Shelly Lewis, Molly Nikkila, Dorothy Hoffacker, Kathy Johnson, Attorney, Larry Hupertz, and Court Reporter, Brian Keubler.

All guests introduced themselves and then Chairman Pavella proceeded to review the protest hearing guidelines.

Mr. Hupertz, attorney for Ms. Hoffacker and Ms. Nikkila, began his statement with details of the protest and then called on Dorothy Hoffacker to testify. Ms. Hoffacker was sworn in by the court reporter.

Exhibit 1 was entered as evidence. It was a picture of a Facebook post showing Andrea Clark's front porch with her petition on a table by the front door. Ms. Hoffacker stated she did not witness anyone signing the petition, she was just made aware of the Facebook post.

Next, Mr. Hupertz called on Molly Nikkila to testify and she was sworn in by the court reporter. Ms. Nikkila stated that she received the same picture from a Facebook friend of hers. The picture submitted by Ms. Nikkila was entered as Exhibit 2.

Mr. Hupertz called on Andrea Clark to testify. She was sworn in and stated she was running for the Chardon School Board. Mr. Hupertz asked Ms. Clark about her doorbell camera and whether or not she observed all the signatures. Ms. Clark stated that she viewed all the signatures either through her front screen door, the front window, or the doorbell camera, via her cellphone, if she was unavailable to go to the door.

Andrea Clark then identified which part-petitions were placed on the porch and which were self-circulated. The part-petitions were entered as Exhibits 3, 4, 5, and 6. Ms. Clark went on to explain her process of running for Chardon School Board and getting signatures on her petition. Only one part-petition was set out on her front porch. The other three parts were self-circulated around the neighborhood and at sporting events and public locations. She stated numerous times that she observed each and every signature placed on her petition. Ms. Clark also prepared a list of the names/signatures from her petition and how she knew the person.

Following Andrea Clark's statement, the guests were asked to leave the room so the Board could deliberate and make a ruling on the protest. Discussion was held with Assistant Prosecuting Attorney, Kristen Rine. Ultimately, based on facts presented to the Board from both sides, the Board rendered a

decision. The guests were then accompanied back into the board room and were informed of the Board's decision.

Chairman Dennis Pavella made a motion to not uphold the protest. Mrs. McArthur seconded the motion. All voted: AYE. Motion carried.

Kristen Rine asked to have a motion to affirm the decision. Mr. Pavella made a motion to affirm the Board's decision. Mrs. McArthur seconded the motion. All voted: AYE. Motion carried.

Mr. Pavella made a motion to adjourn the meeting at 3:10 p.m. Mrs. McArthur seconded the motion. All voted: AYE. Motion carried.

Next meeting: TBA