



# ST. JOSEPH COUNTY

ESTABLISHED 1830

TOM DIXON  
Chairman

AMY ROLFES  
Secretary

CHARLES LEONE  
Member

## ELECTION BOARD

April 27, 2023

5:00 PM

### Minutes for 04/27/2023 Meeting

1. Call to order

Present are:

Pat Schafer-citizen

Nick Abernathy-RBM

Trisha Carrico-Chief Deputy

Kim R-Election Clerk

Janet Yarbrough- Chief Deputy

Dave Smith-machine tech

Judy Bradford-League of women voters of SBA

Peter Agostino-representing Karen White, Bianca Tirado, Jody Freid

Karen White-candidate

Donna Hurley-Voter's Registration

Ana Serrano-VR

Debra Walker-citizen

Susan Baxmeyer-St. Joe Co Republican

Laurie Seifer-Absentee

Jeanine Hickman-Absentee

Canneth Lee-Council member

Diana Hess-SJC Dems

Pam Claeys-citizen

Craig Clark-Democrats

Cleo Roberts Jr.-citizen

Joe Rice-Clerk's

John Butler-Tech support

Brandyn Baumbaugh-Clerk's office

Jorden Giger-candidates

Andrew Jones-attorney

Bianca Tirado-candidate

Eric Clark-VR

Gino Catanzarite-VR

2. Pledge of Allegiance

3. 1<sup>st</sup> Item-Hearing concerning complaint filed by Jordan Giger

- Tom Dixon stated Jordan Giger filed a complaint with the Election Board and summarized the chain of events that lead to the hearing. It was stated Mr. Giger sent video evidence to Tom Dixon, and it was sent to John Butler to be uploaded.
- Mr. Giger was called up, and everyone who was going to testify, including Mr. Giger, was sworn in.
- Mr. Giger stated he believed Jodi Freid, Karen White, and Bianca Tirado were involved in electioneering behavior on April 14<sup>th</sup>, 2023.
- Mr. Giger gave his testimony about the events that occurred on April 14<sup>th</sup>, 2023.
- Mr. Peter Agostino (attorney for Karen White, Bianca Tirado, and Jody Freid) was called to approach the board. He then asked Mr. Giger a series of questions.
- Tom Dixon then asked Mr. Giger questions.
- Charles Leone then asked Mr. Giger questions.
- John Butler then uploaded the video, and everyone present watched.
- During the video Mr. Giger stated he was not present in the video.
- Mr. Agostino was asked to have his clients come up. He asked for the board to dismiss the complaint.
- This was denied, and Mr. Agostino called his clients to the podium, and questioned Ms. White and Ms. Tirado.
- Tom Dixon questioned Ms. White and Ms. Tirado.
- Tom Dixon then asked Mr. Giger if there was anything else he wanted to bring forward?
- Mr. Giger stated no but asked Ms. Tirado to clarify a response she gave Tom Dixon.
- Ms. Tirado Clarified the statement.
- Mr. Agostino requested to submit additional evidence, and permission was granted. Mr. Agostino gave the members of the board (and Joe Rice for the record) a signed Affidavit from Jody Freid.
- Tom Dixon stated she indicated she did vote before she encountered Ms. White and Ms. Tirado. He asked if there was anything else Mr. Agostino would like to bring up.
- Mr. Agostino stated no but reserved the right to do so later.
- Tom Dixon stated electioneering happens a lot and spoke about how the board approaches the subject. It was stated the focus is on intent. It was also stated candidates are allowed in the voting area, but only to vote. There was concern because Ms. Freid voted and did not immediately leave. Then it was stated Ms. Freid was not a candidate.

- Tom Dixon Stated that his perspective that if there was anything done that violated the letter of the law, it was done unintentionally, and in his opinion did not consider anything to be sanctionable at this point.
  - Amy Rolfes stated she agreed. She added this occurred on the day when filings were due, so there would have been candidates coming in.
  - Charles Leone stated he did not see anything resembling electioneering as the statute defines it.
  - There was some brief discussion regarding why the County-City building can hard to navigate in terms of where the chute is.
  - Tom Dixon thanked Mr. Giger for bringing this concern to the board's attention.
  - Tom Dixon entertained a motion to dismiss the complaint.
  - A motion was made, seconded, and was carried unanimously.
4. Next item-Approval of April 18<sup>th</sup> minutes
- Tom Dixon entertained a motion to approve the minutes from 4/18/2023.
  - A motion was made, seconded, and carried unanimously.
5. Other business
- Tom Dixon brought up that Pam Claeys filed a complaint concerning a conflict of interest. It was addressed and tabled.
6. Other Business
- Dave Smith stated all equipment had been delivered to the voting centers that day.
  - Edison School changed the location of the vote center. Dave Smith will follow up with the principal of the school regarding the situation.
7. Other Business
- Amy Rolfes brought up a concern about a candidate on the ballot, and someone not on the ballot paying for lunches that were delivered to absentee workers.
  - The elections commissions experts in Indianapolis were notified, and they were also concerned.
  - Tom Dixon stated that if food was going to be provided, it should come out of the Election Board budget.
  - Kim Riskovitch stated she thought it was an ethical question, regarding where to draw the line.
  - Andrew Jones stated he and attorney Mike Misch agreed that there did not seem to be anything nefarious, just a kind act. They both suggest a formal policy be adopted prohibiting this. They also suggested reimbursing the individuals who paid for the lunches.
  - Tom Dixon and Charles Leone agreed and would allow Mr. Jones and Mr. Misch to come up with a proposal.

8. Public comment

- Pam Claeys stated she had a concern regarding updates from voter's registration and was disappointed.

9. Tom Dixon stated the board would take a break until 6:30 for the vote center training.

10. Next item-

- The vote center trainings took place on 4/28, 4/29, and 4/30.

11. It was decided the next meeting would be held on 5/12/2023.

12. Adjourned.