

**I. Call to Order/Pledge of Allegiance**

Chairman Ray Lembke called the meeting to order at 9:01 a.m. Mr. Conrad led the Pledge of Allegiance.

**II. Roll Call**

Ray Lembke – Chair – Yes  
Rick Combs – Yes  
Gregg Conrad – Yes  
Richard Grant – Yes

Also present were Director Julia Carney, Deputy Director Chris Dennison and Administrative Assistant Cherie Wilson.

**III. Motion to Adopt the Agenda as Presented**

2021-26 – Mr. Combs made the motion to adopt the agenda as presented. Mr. Conrad seconded the motion. Upon roll call:

Mr. Combs – Yes  
Mr. Conrad – Yes  
Mr. Grant – Yes  
Mr. Lembke – Yes

**IV. Other attendees – Kenny Henning (SOS Liaison), Brian Shrive (Prosecutor’s Office)**

**V. Opening of Bids Received for the Printing of Ballots**

Director Carney advised the Board that we received four bids for printing ballots; the deadline to return bids was yesterday (3-10-2021) by 4:00 p.m. Each board member opened one of the bid packets and read the details into the record as summarized below:

Vendor	Oregon Printing Communications	Integrated Voting Systems (IVS)	ES&S	Election IQ
14"	\$0.18 Test Deck \$0.16 Blank ballot \$0.12	\$180/1000 = \$0.18/ballot full duplex, black or color	\$0.26 color \$0.27 2-page \$0.46/\$0.47	\$0.25, color \$0.27 up to 2 stubs
17"	\$0.20 Test Deck \$0.18 Blank Ballot \$0.13	\$190/1000 = \$0.19/ballot full duplex, black or color	\$0.27 color \$0.28 2-page \$0.49/\$0.50	\$0.26, color \$0.28 up to 2 stubs
19"	\$0.20 Test Deck \$0.18 Blank Ballot \$0.13	\$200/1000 = \$0.20/ballot full duplex, black or color	\$0.31 color \$0.32 2-page \$0.59/\$0.60	\$0.28, color \$0.295 up to 2 stubs
Printed in Ohio?	Dayton, OH	Berea, OH	Yes, via Barrett Brothers	Ohio-based company
Insurance/Bond	No bond provided; owner unavailable	Insured \$80,000 Bond not to exceed \$50 million	Insured, Bond amount \$522,000	200% of bid, not to exceed \$50 million

Director Carney recommended rejecting the Oregon Printing Communications bid because they were unable to secure a bond; she had received an email from the company explaining that the owner was on vacation. The board concluded that IVS is the lowest bidder and discussed whether they are the lowest responsible bidder. Their bid package includes their bond certificate and describes their inkjet technology: it avoids the use of toner that tends to rub off of the ballot’s surface over time. Mr. Henning stated that other Ohio counties have used IVS; he is not aware of any issues they have encountered. Mr. Lembke indicated that there is usually hesitation with an unfamiliar vendor, but unless we have information to the contrary, their bid appears to be in compliance and we are obligated to choose the lowest responsible bidder. If we approve IVS, Director Carney will still need to review their contract and references.

**2021-27** – Mr. Combs made the motion to accept the bid of Integrated Voting Systems as the lowest responsible bidder for 2021, subject to successful contract negotiation, review of contractual requirements and printing of ballots in Ohio. Mr. Conrad seconded the motion. Upon roll call:

Mr. Combs – Yes  
Mr. Conrad – Yes  
Mr. Grant – Yes  
Mr. Lembke – Yes

#### **VI. Bethel-Tate Overlap**

Director Carney reminded the board that Bethel-Tate School District protrudes minimally into Brown County; there are three voters in confirmation status within that portion of land. We received a letter from Brown County stating that their Board of Elections had voted to request that we take in those voters for this special election so Brown County does not have to open a polling location. Director Carney already has the names and addresses of the voters. We do plan to send ballots to Brown County for in-office or provisional voters who show up there. Brown County will send notice to the three voters that their polling location for this election will be Bethel-Tate Middle School.

**2021-28** – Mr. Conrad made the motion to accept registered voters from Brown County, who are eligible to vote in the Bethel-Tate School District, to vote at our polling location at Bethel-Tate Middle School for the May 4, 2021 special election. Mr. Grant seconded the motion. Upon roll call:

Mr. Combs – Yes  
Mr. Conrad – Yes  
Mr. Grant – Yes  
Mr. Lembke – Yes

At 9:30, the board recessed.

At 9:40, the board returned from recess.

#### **VII. Personnel Issue**

**2021-29** – At 9:40 a.m., Mr. Conrad made the motion to go into Executive Session to discuss matters of personnel compensation and discipline, pursuant to Ohio Revised Code §121.22(G)(1). Mr. Combs seconded the motion. Upon roll call:

Mr. Combs – Yes  
Mr. Conrad – Yes  
Mr. Grant – Yes  
Mr. Lembke – Yes

**2021-30** – At 10:57 a.m., Mr. Conrad made the motion to come out of Executive Session. Mr. Combs seconded the motion. Upon roll call:

Mr. Combs – Yes  
Mr. Conrad – Yes  
Mr. Grant – Yes  
Mr. Lembke – Yes

There was no action or motion from the Executive Session.

Jeremy Heroux from Integrated Voting Systems joined the meeting following the executive session. The board informed him of their earlier decision to accept his company as the lowest responsible bidder, pending the conditions stated in the motion.

Mr. Shrive addressed the board regarding memoranda he has provided at their request. He reminded the board that requests for opinion letters and those opinions, communications and advice is privileged under Ohio law for the attorney/client privilege. That privilege can be waived by the board (acting as a body) by making the information public themselves. The board may choose to do so under certain circumstances, but should be careful not to do so inadvertently. Mr. Lembke indicated that a single board member may not waive privilege for the board. However, if a board member discloses information to the public, the board has created a potential waiver issue that we want to avoid.

Mr. Grant asked for clarification that the next scheduled board meeting is April 28<sup>th</sup>. Director Carney does not plan another March meeting, but we will call a special meeting if a need arises.

**VIII. Motion to Adjourn**

2021-31 – At 11:05 a.m., Mr. Grant made the motion to adjourn. Mr. Combs seconded the motion.


Upon roll call:

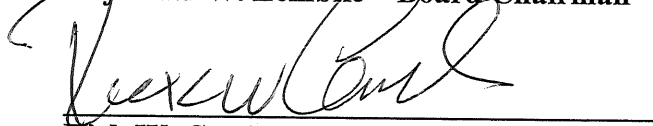
Mr. Combs – Yes

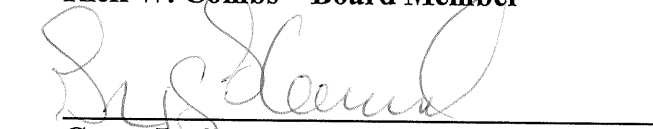
Mr. Conrad – Yes

Mr. Grant – Yes

Mr. Lembke – Yes

  
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Raymond W. Lembke – Board Chairman

  
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Rick W. Combs – Board Member

  
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Gregg L. Conrad – Board Member

  
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Rick Grant – Board Member

Date 4-14-2021

## **Cherie Wilson**

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**From:** Cherie Wilson  
**Sent:** Wednesday, March 10, 2021 8:06 AM  
**To:** legals@clermontsun.com; bmilam@clermontsun.com  
**Cc:** Julia Carney  
**Subject:** FW: 2021 Mar 11 - special mtg ballot bid and personnel rev JBC  
**Attachments:** 2021 Mar 11 - special mtg ballot bid and personnel rev JBC.pdf  
  
**Importance:** High

Please see the attached revised notice for the special board meeting tomorrow.

Cherie Wilson – Clermont County BOE

**From:** Julia Carney <jcarney@vote.clermontcountyohio.gov>  
**Sent:** Tuesday, March 9, 2021 2:45 PM  
**To:** Cherie Wilson <cwilson@vote.clermontcountyohio.gov>  
**Subject:** 2021 Mar 11 - special mtg ballot bid and personnel rev JBC  
**Importance:** High

Cherie,

I revised this notice. Can you forward it to the Sun first thing in the morning.

Thank you,

Julia

## **REVISED**

### **Clermont County Board of Elections Notice of Special Board Meeting Date**

The Clermont County Board of Elections has scheduled a Special Board Meeting on March 11, 2021 at 9:00 a.m. to open and accept bids for printing ballots, consider the request to host Brown County voters at the May 4, 2021 Special Election and to discuss a personnel matter.

The meeting will be held at the Board Office, 76 S. Riverside Dr., Batavia, 45103.

Ray Lembke – Chairman  
Julia Carney – Director