



Special Election Board Meeting Minutes
Wednesday, June 26, 2019 at 7 p.m.
2112 North Ross (Julie Humphrey's Home)

Board Members:	President	Ed Murashie
	First Vice President	Julie Humphreys
	Second Vice President	Chris Switzer
	Co-Second Vice President	Nanci Zinngrabe
	Secretary	Angel Barnes
	Treasurer	Rich Heider
	Parliamentarian	Erik Hernandez
	Co-Parliamentarian	Ellen Koldewey
	Communications Director	Tracey Stein
	Social Director	Tammy Heider
	Membership Director	David Buster
	Home Tour Director	Sandy DeAngelis

Special Board Meeting Call to Order – The June 26, 2019 FPNA Special Election Board Meeting was called to order at 7 pm. With the exception of Ed Murashie, all the above Board members were in attendance. The First Vice President presided.

Public Comments

The members of the public who attended this Board meeting were Kathy Pierson, Jeff Katz, Candidate Craig Kalthoff-Patti and Elections Chairman Richard Payne.

Report by Elections Chairman Richard Payne

Mr. Payne reported that he and Board Secretary Angel Barnes both double-counted the ballots which totaled 144 on June 19, 2019. The opening of the envelopes was then conducted at 7 p.m. at 340 W. 19th Street on June 20. Richard and his Election Committee which consists of Laszlo Biro, Ann Andres and Nicole Fabian were all present. Also in attendance were candidate Craig Kalthoff-Patti, Sandy DeAngelis, Frank Patti, Tammy Heider and incumbent Rich Heider.

The Committee found that two ballots passed through the post office with no postmark date even though their stamps were cancelled by the Post Office. Given that it could not be determined if they were timely postmarked, the Election Committee made the decision to exclude those two ballots. Additionally, three envelopes could not be counted as they bore **no** return address. It should be noted that EVERY address was checked against the FPNA mailing list by two Committee members (Ann and Nicole) to verify the validity of each. Finally, one envelope post-marked June 15 was untimely, given the June 13 deadline.

Thus, of 144 envelopes received, 138 were left to be counted. The result was a tie, the **first** in any FPNA election. Rich Heider and Craig Kalthoff-Patti received 69 votes each.

There is nothing in the *Bylaws* or *Standing Rules* regarding how to resolve a tie, necessitating this Special Board Meeting.

Discussion

Neighbor Jeff Katz opined that the new candidate would fulfil the need for “new blood” and he was under the impression that Rich had voiced an interest to him in stepping-down. Rich responded that he is not interested in stepping down *at this time*. Jeff added that Rich has already served for four or five years in a position which needs a term-limit. Term-limits encourage other neighbors to step up and volunteer to run who may feel reluctant to do so for fear of alienating a nice neighbor who happens to be the incumbent.

Additionally, Jeff suggested that incumbents should be nurturing deputy co-chairs who would be already familiar with the duties of the position and would be more inclined to step up and run for Treasurer at the conclusion of a term. Once a term is at its end, if no one does volunteer, then the incumbent may re-apply for Treasurer at the end of one year during which the position has been temporarily filled by the Deputy Treasurer.

Rich Heider concurred that term-limits would encourage more interest in running. For the present, however, he suggested that there can be a Finance Director as a Sub-Committee of the Treasurer position. Currently the Bi-laws Standing Rules say that the Treasurer is also head of the Finance Committee. Rich stated that the position has expanded to the point where the duties should be divided between two people. Consequently, Rich proposed that, since this is the first year of his third two year term, he begin training a Finance Director and then at the end of one year, he would be amenable to resigning, at which time the Finance Director would assume the Treasurer position. He also suggested that Craig be appointed Finance Director, given Craig’s equally-favorable election results.

Craig responded that if the Board affirmed Rich’s suggestion, that he would decline the offer. Based on his own business experience, Craig would prefer to attack the Treasurer duties from his own perspective. Further, it should be noted that neither the Board nor the Election Committee actually has the power to endorse the Finance Director option.

Another option offered by Craig and David Buster was that the five disqualified ballots be counted since they would break the tie, rather than incur the approximately \$600 FPNA expense of a repeat election and avoid the possibility that more neighbors may be away on vacation now, rather than at the time the ballots were initially mailed in mid-May.

Finally, neighbor Tony Sherman proposed (through an e-mail delivered by Chris Switzer) that if a re-election is required, that to save some expense, we could use a neighborhood garage for **in-person** voting rather than mailed ballots. He would volunteer to man a voting station for at least a three-hour shift.

A 20-minute recess was taken during which the two candidates conferred. Thereafter they emphasized that neither wants a re-ballot due to the potential ill-will it may create and the expense to FPNA. However, neither was amenable to stepping out of the election, thus Craig reiterated that we reconsider accepting the untimely ballots, but Rich was not amenable to this suggestion.

CONCLUSION

Per our Constitution, Bylaws and Standing Rules, as written at this time, the Election Committee does not have the option of validating late ballots, nor can the Board direct its decision. The Election Committee must remain an independent body and its only two avenues are to either re-count the ballots (which it has already done **three times** prior to announcing the tie) or to conduct a re-ballot of the whole neighborhood.

Our Bylaws and Standing Rules do not provide a resolution for tie votes so Parliamentary procedure must be followed which defers to Roberts Rules for direction. In this situation, Roberts Rules directs re-balloting to break the tie. In fact, the Parliamentarians Ellen and Erik informed us that in 2012 our Constitution established an Election Committee on which no member of the FPNA Board can serve, *emphasizing* the Committee's independence.

Consequently, in light of the tie, and its only two options, the Elections Committee Chairman indicated that a re-ballot will need to occur at the first available date. Accordingly, a Motion endorsing the Committee's decision that there be a re-ballot of the neighborhood for the office of Treasurer, was made by Tracey and seconded by Chris. Six of the ten Board offices were in favor; the Treasurer abstained and the President was unavailable.

Accordingly, Richard Payne will immediately consult with his Committee as to their availability and he will contact Print Masters as to the soonest-possible turn-around for the new ballots. He will advise the Board promptly thereafter of the mailing date, return deadline date, and the date, place and time of the new count.

Per the Bylaws, the Treasurer's term ends on July 31st, however, his responsibilities do not end on July 31st **if** the re-election is not completed by that date. Per the Standing Rules, the incumbent Treasurer's Board responsibilities do not end until the end of the year (December 31st).

A Motion to Adjourn was made by Julie at 8:26 p.m. and seconded by Chris. All were in favor. Thereupon, a sealed manila envelope containing all the ballots and envelopes from the failed election was transferred from Elections Chairman Payne to the custody of FPNA Secretary Angel Barnes per *Standing Rules (c) Election Committee 3.1*.
