

IN THE SUPREME COURT OF OHIO

State of Ohio <i>ex rel.</i>	:	
Marshall L. Blair Hildreth;	:	
	:	Case No. _____
State of Ohio <i>ex rel.</i>	:	
Christopher N. Hildreth Blair;	:	
	:	
State of Ohio <i>ex rel.</i>	:	
Sarah B. Lewis;	:	
	:	Original Action for Writ
State of Ohio <i>ex rel.</i>	:	of Mandamus
Victoria Maddox; and	:	
	:	(Expedited Election Case
State of Ohio <i>ex rel.</i>	:	under S.Ct.Prac.R. 12.08)
Katelyn Roby	:	
	:	
Relators,	:	
-vs-	:	
	:	<u>VERIFIED COMPLAINT</u>
Frank LaRose, in his official	:	<u>FOR WRIT OF MANDAMUS</u>
capacity as Ohio Secretary of State	:	
22 North Fourth Street, 16 <sup>th</sup> Floor	:	
Columbus, Ohio 43215; and	:	
	:	
Logan County Board of Elections	:	
225 South Main Street	:	
Bellefontaine, Ohio 43311	:	
	:	
Respondents.	:	
<hr/>		
Tim Steinhelfer (99877)		Dave Yost (56290)
THE STEINHELPER FIRM, LLC		OHIO ATTORNEY GENERAL
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<i>Counsel for Relators</i>		
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		<i>Bd. of Elections</i>

## INTRODUCTION

1. This is an original action in mandamus within this Court's constitutional authority and brought properly as an expedited election matter pursuant to Sup.Ct.Prac.R. 12.08.
2. This action involves a Bellefontaine municipal initiative petition to regulate how people dress in public spearheaded by extremist community outsiders to bankrupt the City of Bellefontaine in endless First Amendment litigation in which the city would stand little chance of success.
3. This Court has original jurisdiction over this matter pursuant to Article IV, Section 2 of the Ohio Constitution and R.C. 2731.02.
4. Relators are entitled to the requested writ of mandamus because they have no recourse in the ordinary course of law, the November 7, 2023 election being less than sixty days away.
5. This Complaint is supported by the affidavits of the Relators, attached hereto as "**Exhibits 3-7.**"

## ALLEGATIONS IN SUPPORT OF CLAIMS

6. These allegations are presented in chronological order in the interests of clarity.
7. On the evening of December 2, 2022, a Christmas parade was held along Main Street in the city of Bellefontaine. The parade was sponsored by a non-profit foundation of Bellefontaine small business owners.

8. The City of Bellefontaine took no state actions regarding the parade other than issuing the permit and maintaining the peace.
9. The Christmas parade was attended by thousands of Bellefontaine residents and tourists who came to Bellefontaine's Main Street to watch dozens of holiday-themed floats and walking krewes sponsored by community businesses and non-profits.
10. The Christmas parade resulted in increased revenue for local small businesses and positive press coverage.
11. Among entries in the Christmas parade was that of Extending the Branch, a Bellefontaine-based Ohio non-profit corporation whose mission is "to educate the community and its individual members on issues of equality, bigotry, queer history, and queer culture." The primary activities of Extending the Branch focus on youth suicide prevention via group support meetings and educational outreach.
12. Extending the Branch's entry in the Christmas parade consisted of a walking krewe of social workers, teachers, counselors, and community allies. A drag queen dressed as an elf rode behind them on a jet ski.
13. On January 10, 2023, Danielle Stefaniszyn<sup>1</sup> spoke during the public comments period of the Bellefontaine City Council meeting to convey that she and her husband<sup>2</sup> moved to Bellefontaine a couple years ago seeking a community

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<sup>1</sup> A member of the committee representing the municipal ordinance initiative petition *sub judice*.

<sup>2</sup> Skate Buchanan, also a member of the committee representing the instant municipal ordinance petition.

without “metropolitan values.” She further expressed her outrage about “a scantily clad drag queen” at the Christmas parade.

14. This photograph is a true and accurate depiction of the alleged scantily clad drag queen at the Christmas parade<sup>3</sup>:



15. At that same January 10, 2023 city council meeting, Devan Palmer<sup>4</sup> spoke during the public comments period and urged city council to adopt a standard of conduct for public places “including but not limited to costumes, outfits, behavior,

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<sup>3</sup> Photograph courtesy of Amanda Avink.

<sup>4</sup> A member of the committee representing the municipal ordinance initiative petition *sub judice*.

attitudes, language, music and dance moves.” See “**Exhibit 8**,” Bellefontaine City Council Meeting Minutes.

16. No scantily clad drag queen ever appeared at the Christmas parade. The December weather in Ohio would have rendered it difficult for anyone to be scantily clad at the parade, even if they wanted to<sup>5</sup>.

17. Subsequent to the January 10, 2023 city council meeting, the Bellefontaine City Council did not adopt any measure regulating costumes, outfits, behavior, attitudes, language, music or dance moves in public places.

18. On April 14, 2023, Danielle Stefaniszyn filed with the Bellefontaine City Auditor’s office an initiative petition on the Secretary of State’s prescribed form for Chapter 731 municipal initiative petitions. See “**Exhibit 1**” at part A, Pre-Circulation Petition; accord with “**Exhibit 9**.”

19. That petition states, in pertinent part:

**“To the City Auditor of the City of Bellefontaine, Ohio:**

We, the undersigned, electors of the City of Bellefontaine, Ohio respectfully propose to the electors of such city, village or township for their approval or rejection at the general election to be held on the 7th day of November, 2023 the following Ordinance:

The following is a full and correct copy of the title and text of the proposed Ordinance:

**The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing**

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<sup>5</sup> There is no evidence that any drag queen had any intention of being scantily clad at the event.

to sexual interests, shall not permit the attendance of a minor.

Adult Cabaret Performances shall not be held on public property, or any location viewable by a minor.”

20. The full title and text of the Pre-Circulation Petition does not contain any language amending any existing ordinance.

21. The full title and text of the Pre-Circulation Petition does not contain any language making the ordinance a zoning ordinance.

22. The full title and text of the Pre-Circulation Petition does not contain any language making the ordinance part of Bellefontaine’s zoning scheme regulating “Adult Entertainment.”

23. On April 14, 2023, six committee members representing the petition began circulating a petition, a photograph of which was taken by Relator Maddox on April 14, 2023. See Exhibit 1 at part B, Circulated Petition.

24. The Petition states, in pertinent part:

**“To the [CITY AUDITOR, VILLAGE CLERK OR TOWNSHIP FISCAL OFFICER] of the [CITY, VILLAGE OR TOWNSHIP] of [NAME OF CITY, VILLAGE OR TOWNSHIP], Ohio:**

We, the undersigned, electors of the [CITY, VILLAGE OR TOWNSHIP] of [NAME OF CITY, VILLAGE OR TOWNSHIP], Ohio respectfully propose to the electors of such city, village or township for their approval or rejection at the general election to be held on the \_\_\_\_\_ day of November, \_\_\_\_\_ the following Ordinance:

The following is a full and correct copy of the title and text of the proposed Ordinance:

The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interests, shall not permit the attendance of a minor.

Adult Cabaret Performances shall not be held on public property, or any location viewable by a minor.”

25. The Circulated Petition (Ex. 1.B) did not identify the municipality for which the ordinance was proposed or the year during which the measure sought to be placed on the ballot. See also “Exhibit 11,” Hearing Transcript (HT) at 55:14 – 58:3; 60:14 – 61:19.

26. At the May 2, 2023 primary election, a Republican challenger defeated the long-time Republican mayor for the party’s nomination.

27. On May 9, 2023 at the Logan County Republican monthly luncheon, in the presence of most of Logan County’s judges, party chair and Logan County Board of Elections member Ranae Lentz referred to undersigned counsel as a “local attorney and cross dresser” while introducing the Republican mayoral nominee.

28. Undersigned counsel is the 2023 Democratic nominee for mayor of Bellefontaine.

29. Undersigned counsel is not a “cross dresser.”

30. The allegations of Board member Ms. Lentz, made in the presence of the judges in front of whom undersigned counsel practices, are entirely false and baseless.

31. On May 10, 2023, undersigned counsel mailed Ms. Lentz a letter explaining how her “foul and reckless mouth has placed many good people in an awkward position” and ultimately encouraging her to “[d]o better.” Along the left side of the letter was the acrostic “**BIGOTRY WILL NOT WIN BE NICE**”. See “**Exhibit 10**,” Letter to Ranae Lentz.

32. Board member Ranae Lentz is undersigned counsel’s maternal cousin.

33. On or about July 22 – 23 at Logan County, Ohio, Skate Buchanan and Danielle Stefaniszyn removed the signature pages from 27 part petitions and affixed to them 27 petitions with the following text drafted by them:

**“To the City Auditor of the City of Bellefontaine, Ohio:**

We, the undersigned, electors of the City of Bellefontaine, Ohio respectfully propose to the electors of such city, village or township for their approval or rejection at the general election to be held on the 7<sup>th</sup> day of November, 2023 the following Ordinance:

The following is a full and correct copy of the title and text of the proposed Ordinance:

**Proposal to amend City of Bellefontaine Codified  
Ordinance Chapter 1177 Adult Entertainment – 1177.02  
Definition**

**by adding the following text**

***The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interest, shall not permit the attendance of a minor. Adult Cabaret Performances shall not be held on public property, or any location viewable by a minor.”***

HT, 58:23 – 60:4; 67:12-23; 80:25 – 81:12.

34. On July 24, 2023, Skate Buchanan filed with the Bellefontaine city auditor the 27 signature pages attached to the aforementioned petition which no voter signed. HT, 58:23 – 59:6; 63:9-15; Exhibit 1.C; accord with “**Exhibit 2**”<sup>6</sup>.
35. On August 4, 2023, the City Auditor forwarded the 27 part-petitions to the Logan County Board of Elections.
36. On August 25, 2023, one day after the petition swapping became known to undersigned counsel, Relators filed the instant electoral protest with the Logan County Board of Elections. See Exhibit 1.
37. On September 6, 2023, Petitioners filed a Response to the electoral protest with the Logan County Board of Elections through their attorney. See “**Exhibit 11**,” Petitioners’ Response.
38. On September 7, 2023, the Logan County Board of Elections held an electoral protest hearing. See “**Exhibit 12**,” Hearing Transcript.
39. At that hearing, Petitioners Skate Buchanan and Danielle Stefaniszyn testified that no one signed a petition containing the ordinance language filed with the city auditor by Skate Buchanan on July 24, 2023.
40. At that hearing, Petitioner Buchanan testified that the petitioners stopped circulating the petitions before the revised ordinance language sub judice was drafted.

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<sup>6</sup> The attached “Exhibit 2” has apparently omitted signature lines 18-24 on each of the 27 part petitions due to a scanning error. Undersigned counsel intends to obtain the true and correct copies from the Logan County Board of Elections prior to filing the opening brief.

41. At that hearing, Board of Elections members Kathryn Clark (Ohio Bar. No. 58482) and Rev. Robert Fulton asked a combined twenty questions of the seven witnesses.
42. At that hearing, Board of Elections members Steven Fansler (Ohio Bar. No. 644) and Ranae Lentz asked a combined zero questions of the seven witnesses.
43. Following the hearing, the Board reconvened privately and deliberated. HT, 94:15 – 110:10.
44. The Board voted 2 – 2 with Board members Kathryn Clark and Robert Fulton voting to sustain the protest and not place the measure on the November 2023 ballot, and Board members Steven Fansler and Ranae Lentz voting to overrule the protest and place the measure on the November 2023 ballot. See “**Exhibits 13 & 14,**” Position Statements.
45. On Tuesday, September 12, 2023, the Board submitted the matter to Ohio Secretary of State Frank LaRose for his tie-breaking vote.
46. On September 19, 2023, Secretary of State Frank LaRose cast his tie vote in favor of overruling the protest and placing the measure on the ballot. See “**Exhibit 15,**” Tie Vote Letter.
47. Because the Secretary of State acted in clear disregard of existing law and Board member Lentz corrupted the proceedings, Relators (the five original electoral protestors) now bring this action in mandamus seeking to compel Respondents to sustain the electoral protest and stop placement of a proposed ordinance on the November 2023 ballot for which *no* voter signed a petition.

**CORRUPTION AND BIAS**

**(as to Respondent Logan Cty. Bd. of Elections by way of member Ranae Lentz)**

48. In a mandamus action challenging the decision of a county board of elections, the standard is whether the board engaged in fraud, corruption, or abuse of discretion, or acted in clear disregard of applicable legal provisions. See, e.g., *State ex rel. Bd. of Edn. v. Lucas Cty. Bd. of Elections*, 2023-Ohio-3286, ¶13.

49. Logan County Board of Elections member Ranae Lentz had a duty to disclose to the Board of Elections, and the litigants, the fact that she is the maternal cousin of undersigned counsel or to recuse herself due to that fact.

50. Ms. Lentz did not disclose to the Board of Elections or the litigants that she is the maternal cousin of undersigned counsel; nor did she recuse herself.

51. Ms. Lentz had a duty to disclose to the Board of Elections and the litigants that she stood in front of at least sixty people at the Logan County Republican Party luncheon on May 9, 2023 and referred<sup>7</sup> to undersigned counsel as a “cross dresser,” or recuse herself due to that fact.

52. Ms. Lentz did not disclose to the Board of Elections or the litigants that she called undersigned counsel a “cross dresser” four months before the hearing in the presence of the judges in front of whom undersigned counsel practices; nor did she recuse herself.

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<sup>7</sup> Falsely and without basis.

53. By failing to recuse herself or disclose her pattern of unwarranted bigotry against a family member involved in the litigation, Board member Lentz has corrupted the proceedings requiring sustaining of the protest.

**ABUSE OF DISCRETION & CLEAR DISREGARD OF APPLICABLE LAW**  
**(as to both Respondents)**

54. R.C. 731.28 allows municipal ordinances to be proposed by initiative petition. See *State ex rel. Schmitt v. Bridgeport*, 165 Ohio St.3d 300, 2021-Ohio-2664, 178 N.E.3d 499, ¶4.

55. Before an initiative petition may be circulated, its proponents must file a certified copy of the proposed ordinance with the city auditor. *Id.*, citing R.C. 731.32.

56. No alterations, corrections, or additions may be made to a petition after it is filed with the city auditor. R.C. 3501.38(I)(1).

57. Each petition paper seeking an initiated municipal ordinance must contain a full and correct copy of the title and text of the proposed ordinance. R.C. 731.31.

58. The reason for the "full and correct copy of the title and text" requirement "is to ensure that the issue is fairly and substantially presented to the electors and to avoid misleading electors." See *E. Liverpool Citizens Against Traffic Cameras v. City of E. Liverpool*, 7th Dist. Columbiana No. 18 CO 0027, 2019-Ohio-4080, ¶19-20.

59. The requirements of R.C. 731.31 "must be met with strict compliance." *State ex rel. Esch v. Lake Cty. Bd. of Elections*, 61 Ohio St.3d 595, 596, 575 N.E.2d 835 (1991).

60. The title and text of the proposed ordinance in the pre-circulation petition filed with the city auditor is the same as the title and text of the proposed ordinance on the part petitions signed by voters. Accord Exhibit 1.A with 1.B.
61. The petition signed by voters fails to notify them as to the municipality for which the proposed ordinance is applicable. Exhibit 1.B.
62. The petitions signed by voters fails to notify them as to the election for which the ballot measure seeks to be placed.
63. Nothing in the pre-circulation petition or the circulated petition amends any existing ordinance.
64. No voter or signatory signed any petition to amend an existing ordinance.
65. Amending an existing ordinance is substantively different than enacting an entirely new ordinance.
66. Nothing in the pre-circulation petition or the circulated petition would enact a zoning ordinance.
67. No voter or signatory signed any petition to enact a zoning ordinance.
68. The designation of an ordinance as a zoning ordinance is substantive in nature.
69. Nothing in the pre-circulation petition or the circulated petition would regulate drag performances as part of Bellefontaine's zoning code for "Adult Entertainment."
70. No voter or signatory signed any petition to regulate drag performances as part of Bellefontaine's zoning code regulating "Adult Entertainment."

71. The ballot measure can only amend an existing city ordinance by dint of Secretary Frank LaRose's tie vote based upon his novel legal theory that municipal initiative petitions in Ohio can be substantively altered post-circulation if the alteration is a "header."

72. The ballot measure can only become a zoning ordinance by dint of Secretary Frank LaRose's tie vote based on his novel theory that municipal initiative petitions in Ohio can be substantively altered post-circulation if the alteration is a "header."

73. The ballot measure can only become a zoning ordinance regulating "Adult Entertainment" by dint of Secretary Frank LaRose's tie vote based on his novel theory that municipal initiative petitions in Ohio can be substantively altered post-circulation if the alteration is a "header."

74. This Court should look to the substance over the form, cutting through any shift, device or subterfuge.

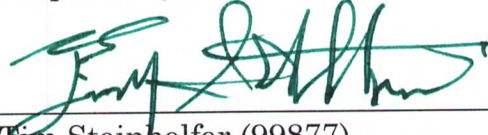
75. Secretary Frank LaRose and the Logan County Board of Elections have abused their discretion and acted in clear disregard of applicable law.

76. Relators are entitled to a writ of mandamus on this basis.

WHEREFORE, Relators Marshall L. Blair Hildreth; Christopher N. Hildreth Blair; Sarah B. Lewis; Victoria Maddox; and Katelyn Roby respectfully request this Honorable Court issue a writ of mandamus compelling Relators to sustain their electoral protest and stop placement of the Bellefontaine Anti-Drag Initiative on the November, 2023 ballot.

DATED this 21 day of September, 2023.

Respectfully submitted:



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*Attorney for Relators*

*State ex rel. Blair Hildreth et al. v. LaRose et al.*

# **“Exhibit 1”**

Filed Electoral Protest  
Aug. 25, 2023

**BEFORE THE LOGAN COUNTY BOARD OF ELECTIONS**

**IN THE MATTER OF:**

**PROTEST OF BELLEFONTAINE  
ORDINANCE INITIATIVE PETITION**

**PROTEST OF BELLEFONTAINE ORDINANCE INITIATIVE PETITION**

NOW COME the Protestors, Victoria Maddox; Katelyn Roby; Christopher N. Hildreth Blair; Sarah B. Lewis; and Marshall L. Blair Hildreth, through their undersigned attorney and pursuant to R.C. 3501.39, and hereby protest the certification and placement on the November 7, 2023 ballot of the proposed Bellefontaine ordinance referencing “drag artist(s).”

This Protest is made and based on the petition papers on file with the Board and with the Auditor; Memorandum of Points and Authorities below; the Auditor’s Petition, attached hereto as “**Exhibit A**,” the Circulated Petition, attached hereto as “**Exhibit B**,” the BOE Petition, attached hereto as “**Exhibit C**,” the Affidavits of the Protesters, attached hereto as “**Exhibits D; E; F; G & H**,” and on any evidence and argument the Board may entertain at the time of hearing.

WHEREFORE, Protesters Victoria Maddox; Katelyn Roby; Christopher N. Hildreth Blair; Sarah B. Lewis; and Marshall L. Blair Hildreth respectfully request that the Board hold a hearing and invalidate the petition as violating the requirements of R.C. 731.31.

## MEMORANDUM OF POINTS AND AUTHORITIES

### **I. FACTUAL BACKGROUND**

On or about April 14, 2023, a petition committee consisting of Julia Cook, Renee Price, Skate Buchanan, Danielle Stefaniszyn, Devin Palmer and Charles Palmer (“Committee”) filed with the Bellefontaine City Auditor’s office an initiative petition on the Secretary of State’s prescribed form for Chapter 731 municipal initiative petitions. A copy of that petition is attached hereto as “**Exhibit A**,” Auditor’s Petition and Public Records Request Response. That petition states, in pertinent part:

**“To the City Auditor of the City of Bellefontaine, Ohio:**

We, the undersigned, electors of the City of Bellefontaine, Ohio respectfully propose to the electors of such city, village or township for their approval or rejection at the general election to be held on the 7th day of November, 2023 the following Ordinance:

The following is a full and correct copy of the title and text of the proposed Ordinance:

The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interests, shall not permit the attendance of a minor.

Adult Cabaret Performances shall not be held on public property, or any location viewable by a minor.”

On or about April 14, 2023, the Committee members began circulating a petition, a photograph of which was taken by Protester Maddox on April 14, 2023.

See attached “**Exhibit B**,” Circulated Petition. The Petition states, in pertinent part:

**“To the [CITY AUDITOR, VILLAGE CLERK OR TOWNSHIP FISCAL OFFICER] of the [CITY, VILLAGE OR TOWNSHIP] of [NAME OF CITY, VILLAGE OR TOWNSHIP], Ohio:**

We, the undersigned, electors of the [CITY, VILLAGE OR TOWNSHIP] of [NAME OF CITY, VILLAGE OR TOWNSHIP], Ohio respectfully propose to the electors of such city, village or township for their approval or rejection at the general election to be held on the \_\_\_\_\_ day of November, \_\_\_\_\_ the following Ordinance:

The following is a full and correct copy of the title and text of the proposed Ordinance:

The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interests, shall not permit the attendance of a minor.

Adult Cabaret Performances shall not be held on public property, or any location viewable by a minor.”

The signature portion of the petition paper photographed in Exhibit B was ultimately submitted to the Logan County Board of Elections as the petition paper bearing the name “Jenny Wren” on line one and the signature of Committee member Stefaniszyn below the Circulator Statement. See Exhibit D.

From April 14, 2023 through May 31, 2023, Committee members collected signatures for the Circulated Petition on the west lawn of the Logan County Courthouse; via a door-to-door canvass; and otherwise.

Sometime between May 31, 2023 and August 4, 2023, the Committee submitted a petition with some 796 signatures for verification. See attached “**Exhibit C**,” BOE Petition. The petition was presented as 27 petition papers in support of a petition which states, in pertinent part:

**“To the City Auditor of the City of Bellefontaine, Ohio:**

We, the undersigned, electors of the City of Bellefontaine, Ohio respectfully propose to the electors of such city, village or township for their approval or rejection at the general election to be held on the 7<sup>th</sup> day of November, 2023 the following Ordinance:

The following is a full and correct copy of the title and text of the proposed Ordinance:

**Proposal to amend City of Bellefontaine Codified  
Ordinance Chapter 1177 Adult Entertainment – 1177.02  
Definition**

**by adding the following text**

***The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interest, shall not permit the attendance of a minor. Adult Cabaret Performances shall not be held on public property, or any location viewable by a minor.”***

Attached to the BOE Petition and ostensibly incorporated, was a copy of Chapter 1177 of the Codified Ordinances of the City of Bellefontaine, with the insertion of the following language following subsection 1177.02(k):

**“(l) The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interest, shall not permit the attendance of a minor. Adult Cabaret Performances shall not be held on public property, or any location viewable by a minor.”**

On or about August 4, 2023, the Board transmitted to the Secretary of State, ballot language incorporating verbatim the in-box text of the BOE Petition.

Because the Committee was caught red handed engaging in a cynical subterfuge devised to subvert Ohio's election laws by swapping out the petitions before submitting them for BOE verification, Protesters now state this Protest seeking their invalidation.

## II. LAW & ARGUMENT

R.C. 731.31 states, in part:

“Any initiative or referendum petition may be presented in separate parts, but ***each part of any initiative petition shall contain a full and correct copy of the title and text of the proposed ordinance*** or other measure, and each part of any referendum petition shall contain the number and a full and correct copy of the title of the ordinance or other measure sought to be referred.”

(Emphasis added).

The reason for the R.C. 731.31 "full and correct copy of the title and text" requirement "is to ensure that the issue is fairly and substantially presented to the electors and to avoid misleading electors." *E. Liverpool Citizens Against Traffic Cameras v. City of E. Liverpool*, 7th Dist. Columbiana No. 18 CO 0027, 2019-Ohio-4080, ¶19-20.

The requirements of R.C. 731.31 “must be met with strict compliance.” *State ex rel. Esch v. Lake Cty. Bd. of Elections*, 61 Ohio St.3d 595, 596, 575 N.E.2d 835 (1991).

R.C. 731.31 provides, in part, that “Petitions shall be governed in all other respects by the rules set forth in section 3501.38 of the Revised Code.”

R.C. 3501.38(I)(1) provides “No alterations, corrections, or additions may be made to a petition after it is filed in a public office.”

The Auditor’s Petition and the Circulated Petition differ from the BOE Petition in very substantive ways. Because of this, the petition fails to comply with the mandate of R.C. 731.31 that the “initiative petition shall contain a full and correct copy of the title and text of the proposed ordinance.” This flaw is fatal to the petition, requiring that the Board sustain the Protest and invalidate the petition. See *E. Liverpool Citizens Against Traffic Cameras* at ¶20-23.

Neither the Auditor’s Petition nor the Circulated Petition contain any indication that the proposed initiative is an amendment to an existing ordinance. The BOE Petition, by contrast, contains the following language: “Proposal to amend City of Bellefontaine Codified Ordinance Chapter 1177 Adult Entertainment – 1177.02 Definition by adding the following text[.]” The Ohio Supreme Court has made it very clear that the difference between the amendment of an existing statute and the enactment of an entirely new provision, is substantive in nature. See, e.g., *Giroux v. Commt. Representing the Petitioners with Respect to the Initiative Program Proposing an Amendment to the Ohio Constitution Entitled the Right to Reproductive Freedom with Protections for Health and Safety*, Slip Opinion No. 2023-Ohio-2786 (Aug. 11, 2023).

Neither the Auditor's Petition nor the Circulated Petition contain any indication that the proposed ordinance is part of the city's zoning and planning scheme. The BOE Petition, by contrast, sets forth a zoning ordinance by reference to a section of the Codified Ordinances and by attaching the chapter to be amended. This is significant because zoning ordinances are a specialized area of law that receive unique treatment by the courts. *Euclid v. Ambler Realty Co.*, 272 U.S. 365, 47 S.Ct. 114, 71 L.Ed. 303 (1926). An ordinance may be treated differently and be given a different legal construction largely because of its classification as a zoning ordinance. *Id.*; also see *State ex rel. Sunset Estate Properties, LLC v. Village of Lodi*, 142 Ohio St.3d 351, 2015-Ohio-790, 30 N.E.3d 934, ¶8.



Neither the Auditor's Petition nor the Circulated Petition contain any reference to the chapter of the Codified Ordinances in which the ordinance seeks placement. The BOE Petition, by contrast, sets forth the exact section and subsection of the proposed ordinance. This is significant because in cases of vagueness or ambiguity, courts construe statutes in pari materia, requiring that statutes in the same chapter or on the same subject "be construed together, so that inconsistencies in one statute may be resolved by looking at [the] other statute on the same subject." *State v. Smith*, 167 Ohio St.3d 423, 2022-Ohio-274, 194 N.E.3d 297, ¶30, citing *Black's Law Dictionary* 911 (10th Ed.2014); see also *State ex rel. Clay v. Cuyahoga Cty. Med. Examiner's Office*, 152 Ohio St.3d 163, 2017-Ohio-8714, 94 N.E.3d 498, ¶17; *State ex rel. Thurn v. Cuyahoga Cty. Bd. of Elections*, 72 Ohio St.3d 289, 294, 649 N.E.2d 1205 (1995). The petition suffers, inter alia, from issues

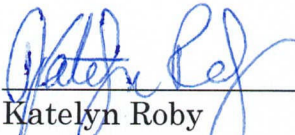

of vagueness and ambiguity, rendering its placement in the “Adult Oriented Entertainment” section of Bellefontaine’s zoning code a significant substantive matter.

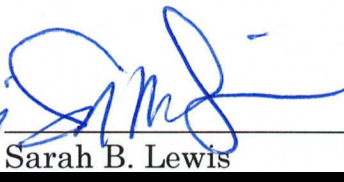
A petition, once filed with the city auditor, cannot be amended. R.C. 3501.38(I)(1). A petition, after being circulated to the electors for signature, cannot be swapped out for a different petition with more specific language in an attempt to correct its perceived defects. Id. Also see R.C. 731.31. The Committee’s conduct blatantly violates Ohio’s election laws. They were caught red handed. The issue is not complex. The petition certified by the board is substantively different than the petition filed with the city auditor. A simple comparison of the two demonstrates this. The petition violates the requirements of R.C. 731.31, and the Board has a clear legal duty to hold a hearing and invalidate the petition pursuant to R.C. 3501.39(A)(2).

WHEREFORE, Protesters Victoria Maddox; Katelyn Roby; Christopher N. Hildreth Blair; Sarah B. Lewis; and Marshall L. Blair Hildreth respectfully request that the Board hold a hearing and invalidate the petition as violating the requirements of R.C. 731.31.

**WE SO MOVE, PROTEST, AND CONCUR IN THE RELIEF REQUESTED:**

  
Victoria Maddox  
  
Bellefontaine, Ohio 43311  
Protestor

  
Katelyn Roby  
  
Bellefontaine, Ohio 43311  
Protestor

Christopher N. Hildreth Blair

Sarah B. Lewis

[REDACTED]  
Bellefontaine, Ohio 43311

*Protestor*

[REDACTED]  
Bellefontaine, Ohio 43311

*Protestor*



Marshall L. Blair Hildreth

[REDACTED]  
Bellefontaine, Ohio 43311

*Protestor*

Respectfully submitted by:

THE STEINHELPER FIRM, LLC



Tim Steinhelfer (99877)

112 West Columbus Avenue

Bellefontaine, Ohio 43311

tim@ohiocivilappeals.com

*Attorney for Protestors*

"Exhibit A"

To the City Auditor of the City of  
(City Auditor, Village Clerk or Township Fiscal Officer) (City, Village or Township)  
Bellefontaine, Ohio:  
(Name of City, Village or Township)

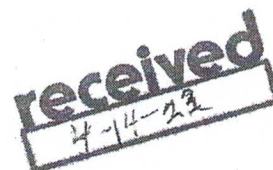
We, the undersigned, electors of the City of Bellefontaine,  
(City, Village or Township) (Name of City, Village or Township)

Ohio respectfully propose to the electors of such city, village or township for their approval or rejection at the general election to be held on the 7<sup>th</sup> day of November, 2023 the following Ordinance:

The following is a full and correct copy of the title and text of the proposed Ordinance:

The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interests, shall not permit the attendance of a minor.

Adult Cabaret Performances shall not be held on public property, or any location viewable by a minor.



From: **Barbra Gant** <[gantbarbra@gmail.com](mailto:gantbarbra@gmail.com)>

Date: Fri, Apr 14, 2023 at 4:15 PM

Subject: proposed ballot language for city ordinance regarding drag performance

To: <[fbrentlinger@ci.bellefontaine.oh.us](mailto:fbrentlinger@ci.bellefontaine.oh.us)>

Auditor Brentlinger,

I have heard that there is a petition for a ballot initiative proposing a city ordinance that would restrict drag performances in the City of Bellefontaine. I have not seen the proposed ballot language, which should be public information, and I request to know how to gain access to this public information. If it is to be added to your website, I would like to know how and when it will be viewable; if it is available to be emailed to me, I request that I receive an emailed copy. Thank you!

Sincerely,

Barbra Gant

From: **Fred Brentlinger** <[fbrentlinger@ci.bellefontaine.oh.us](mailto:fbrentlinger@ci.bellefontaine.oh.us)>

Date: Thu, Apr 20, 2023 at 7:46 AM

Subject: RE: proposed ballot language for city ordinance regarding drag performance

To: Barbra Gant <[gantbarbra@gmail.com](mailto:gantbarbra@gmail.com)>

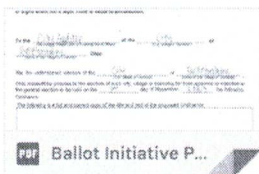
Ms. Grant,

I have attached the ballot initiative petition you requested.

**Frederick L. Brentlinger, CPA**  
City Auditor

937-592-2215

One attachment • Scanned by Gmail ⓘ



Thank you!

What is this?

Haha, thanks!

"Exhibit B"

To the \_\_\_\_\_ of the \_\_\_\_\_ of  
(City Auditor, Village Clerk or Township Fiscal Officer) (City, Village or Township)  
\_\_\_\_\_, Ohio:  
(Name of City, Village or Township)

We, the undersigned, electors of the \_\_\_\_\_ of \_\_\_\_\_  
(City, Village or Township) (Name of City, Village or Township)  
Ohio respectfully propose to the electors of such city, village or township for their approval or rejection  
the general election to be held on the \_\_\_\_\_ day of November, \_\_\_\_\_ the following  
Ordinance:

The following is a full and correct copy of the title and text of the proposed Ordinance:

The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interests, shall not permit the attendance of a minor.

Adult Cabaret Performances shall not be held on public property, or any location viewable by a minor.

**Initiative Petition  
Municipality or Home Rule Township**

R.C. 504.14, 731.28-41, 3501.38, 3503.06

**COPY**

**NOTE:** Prior to circulation of an initiative petition proposing an ordinance or measure, a certified copy of such ordinance or measure must be filed with the City Auditor, Village Clerk or Township Fiscal Officer (home rule township). This petition must be signed by ten percent of the number of electors in the city, village or unincorporated area of the township who voted for governor at the preceding gubernatorial election and must be filed with the City Auditor, Village Clerk or Township Fiscal Officer.

(NOTE –The below notice must be printed in red.)

**NOTICE –** Whoever knowingly signs this petition more than once, signs a name other than his own, or signs when not a legal voter is liable to prosecution.

To the City Auditor of the City of  
(City Auditor, Village Clerk or Township Fiscal Officer) (City, Village or Township)  
Bellefontaine, Ohio:  
(Name of City, Village or Township)

We, the undersigned, electors of the City of Bellefontaine,  
(City, Village or Township) (Name of City, Village or Township)  
 Ohio respectfully propose to the electors of such city, village or township for their approval or rejection at the general election to be held on the 7th day of November, 2023 the following Ordinance:

The following is a full and correct copy of the title and text of the proposed Ordinance:

**Proposal to amend City of Bellefontaine Codified Ordinance Chapter 1177 Adult Entertainment –  
1177.02 Definition**

by adding the following text

*The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interest, shall not permit the attendance of a minor. Adult Cabaret Performances shall not be held on public property, or any location viewable by a minor.*

**CHAPTER 1177**  
**Adult Entertainment**

**COPY**

1177.01 Purpose.

1177.02 Definition.

1177.03 Conditional use.

1177.04 Zoning.

**1177.01 PURPOSE.**

The purpose of Sections 1177.01 to 1177.04 inclusive of this Ordinance is to promote the public health, safety and welfare through the regulation of adult entertainment businesses. It is the intent of these sections to regulate entertainment businesses, as defined herein, in such a manner as to prevent the erosion of the character of the surrounding neighborhoods and to prohibit the establishment of such businesses within close proximity to existing adult entertainment businesses, residentially zoned areas, schools, churches, parks and playgrounds within the city.

**1177.02 DEFINITION.**

The following definition shall apply in the interpretation of this Ordinance:

(a) "Adult Entertainment Business" means an adult book store, adult motion picture theater, adult drive-in motion picture theater, or an adult only entertainment establishment as further defined in this section.

(b) "Adult Book Store" means an establishment which utilizes 15 percent or more of its retail selling area for the purpose of retail sale or rental, or for the purpose of display by coin or slug-operated, or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices, or both, books, magazines, other periodicals, films, tapes and cassettes which are distinguished by their emphasis on adult materials as defined in this section.

(c) "Adult Motion Picture Theater" means an enclosed motion picture theater which is regularly used or utilizes 15 percent or more of its total viewing time, for presenting material distinguished or characterized by an emphasis on matter depicting, describing or related to adult material as defined in this section.

(d) "Adult Motion Picture Drive-In Theater" means an open air drive-in theater which is regularly used or utilizes 15 percent or more of its total viewing time, for presenting material distinguished or characterized by an emphasis on matter depicting, describing or related to adult material as defined in this section.

(e) "Adult Only Entertainment Establishment" means an establishment where the patron directly or indirectly is charged a fee where the establishment features entertainment or services which constitute adult material as defined in this section, or which features exhibitions, dance routines, or gyrational choreography of persons totally nude, topless, bottomless, or strippers, male or female impersonators or similar entertainment or services which constitute adult material.

(f) "Adult Material" means any book, magazine, newspaper, pamphlet, poster, print, picture, slide, transparency, figure, image, description, motion picture film, phonographic record or tape, other tangible thing, or any service, capable of arousing interest through sight, sound, or touch, and:

(1) Which material is distinguished or characterized by an emphasis on matter displaying, describing, or representing sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination; or

(2) Which service is distinguished or characterized by an emphasis on sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination.

(g) "Bottomless" means less than full opaque covering of male or female genitals, pubic area or buttocks.

(h) "Nude or Nudity" means the showing, representation, or depiction of human male or female genitals, pubic area, or buttocks with less than full, opaque covering of any portion thereof, or female breast(s) with less than a full, opaque covering of any portion thereof below the top of the nipple, or of covered male genitals in a discernibly turgid state.

(i) "Topless" means the showing of a female breast with less than a full opaque covering of any portion thereof below the top of the nipple.

(j) "Sexual Activity" means sexual conduct or sexual contact, or both. "Sexual Contact" means any touching of an erogenous zone of another, including without limitation the thigh, genitals, buttock, pubic region, or, if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person.

(k) "Sexual Excitement" means the condition of the human male or female genitals, when in a state of sexual stimulation or arousal.

(l) The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interest, shall not permit the attendance of a minor. Adult Cabaret Performance shall not be held on public property, or any location viewable by a minor.

**COPY**

### **1177.03 CONDITIONAL USE PERMIT REQUIRED.**

No building shall be erected, constructed, or developed, and no building or premises shall be reconstructed, remodeled, arranged for use or used for any adult entertainment business unless authorized by the issuance of a conditional use permit in accordance with this Ordinance. In addition to said provisions, an adult entertainment business shall comply with the following conditional use criteria:

(a) Adult entertainment businesses shall comply with the district regulations applicable to all properties in any district in which they are located.

(b) No adult entertainment business shall be permitted in a location which is within 1,500 feet of another adult entertainment business;

(c) No adult entertainment business shall be permitted in a location which is within 1,000 feet of any church, any public or private school, any park, any playground, or any social services facility or neighborhood center;

(d) No adult entertainment business shall be permitted in a location which is within 500 feet of any residence or boundary of any residential district;

(e) No adult entertainment business shall be permitted in a location which is within 200 feet of any boundary of any residential district in a local unit of government abutting the city.

### **1177.04 ZONING OF ADULT ENTERTAINMENT BUSINESSES.**

Adult entertainment businesses shall be conditionally permitted in accordance with the following schedule:

Conditionally Permitted Use	Districts Wherein Permitted
Adult Book Store	M-2
Adult Motion Picture Theater	M-2
Adult Motion Picture Drive-In Theater	M-2
Adults Only Entertainment Establishment	M-2

(Ord. 15-10. Passed 3-10-14.)

**COPY**

**“Exhibit D”**

**BEFORE THE LOGAN COUNTY BOARD OF ELECTIONS**

**IN THE MATTER OF:**

**PROTEST OF BELLEFONTAINE  
ORDINANCE INITIATIVE PETITION**

**AFFIDAVIT**

STATE OF OHIO :  
 :ss  
COUNTY OF LOGAN :

Victoria Maddox, being first duly sworn according to law, states and avers as follows:

1. That I make this Affidavit upon personal knowledge and in support of the Protest of Bellefontaine Ordinance Petition to which it is attached, except as to those matters specifically stated upon information and belief, and as to those matters, I believe them to be true.
2. That I am above the age of majority, and a qualified elector of the City of Bellefontaine for the November 7, 2023 election.
3. That the “Circulated Petition,” Exhibit B to the Protest, is a photograph taken by me on April 14, 2023, and that it is my right thumb at the bottom of that photograph.
4. That the petition paper submitted by Committee member Stefaniszyn bearing the name “Jenny Wren” on line one was attached to the Circulated Petition, Exhibit B on the evening of April 14, 2023. It designated no municipality or election whatsoever and contained different text of the proposed ordinance than that which was submitted for Board verification. I know this because I defaced the aforementioned petition paper with an opprobrious comment on line 24 thereof, and the signature portion of said petition paper, which originally contained no municipality or election date and different ordinance text, was subsequently submitted to the Board for verification in support of the BOE Petition, Exhibit C hereto.
5. That the Committee submitted to the Board for verification a petition with ordinance language that was swapped out after the original petition had been circulated.

6. That I have compared the petition on file with the city auditor to that submitted to the Board for verification, and the text of the proposed ordinance is different.
7. That I have reviewed with my attorney the Protest of Bellefontaine Ordinance Petition to which this Affidavit is attached, and all factual statements contained therein are true and correct to the best of my knowledge, information and belief.
8. That the aforementioned petition should not be placed on the November 7, 2023 ballot due to its noncompliance with applicable Ohio election law.

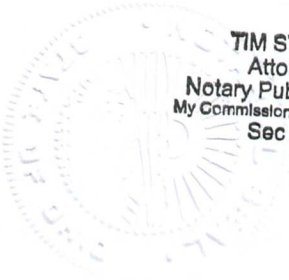
Further sayeth Affiant naught.

Victoria Maddox  
Victoria Maddox

Sworn to before me and subscribed in my presence by Victoria Maddox at Logan County, Ohio this 25<sup>th</sup> day of August, 2023.

  
\_\_\_\_\_  
Notary Public – State of Ohio

TIM STEINHELPER  
Attorney at Law  
Notary Public, State of Ohio  
My Commission Has No Expiration Date  
Sec 147.03 RC



**“Exhibit E”**

**BEFORE THE LOGAN COUNTY BOARD OF ELECTIONS**

**IN THE MATTER OF:**

**PROTEST OF BELLEFONTAINE  
ORDINANCE INITIATIVE PETITION**

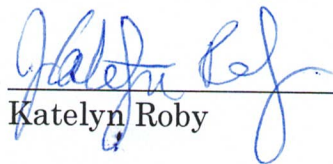
**AFFIDAVIT**

STATE OF OHIO :  
 :SS  
COUNTY OF LOGAN :

Katelyn Roby, being first duly sworn according to law, states and avers as follows:

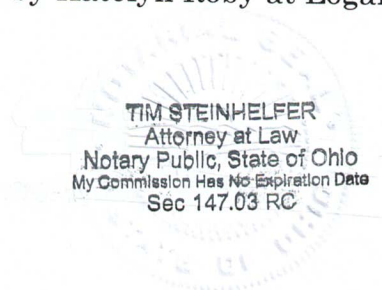
1. That I make this Affidavit upon personal knowledge and in support of the Protest of Bellefontaine Ordinance Petition to which it is attached, except as to those matters specifically stated upon information and belief, and as to those matters, I believe them to be true.
2. That I am above the age of majority, and a qualified elector of the City of Bellefontaine for the November 7, 2023 election.
3. That I have compared the petition on file with the city auditor to that submitted to the Board for verification, and the text of the proposed ordinance is different.
4. That I have reviewed with my attorney the Protest of Bellefontaine Ordinance Petition to which this Affidavit is attached, and all factual statements contained therein are true and correct to the best of my knowledge, information and belief.
5. That the aforementioned petition should not be placed on the November 7, 2023 ballot due to its noncompliance with applicable Ohio election law.

Further sayeth Affiant naught.

  
Katelyn Roby

Sworn to before me and subscribed in my presence by Katelyn Roby at Logan County, Ohio this 25<sup>th</sup> day of August, 2023.

  
Notary Public – State of Ohio

  
TIM STEINHELPER  
Attorney at Law  
Notary Public, State of Ohio  
My Commission Has No Expiration Date  
Sec 147.03 RC

**“Exhibit F”**

**BEFORE THE LOGAN COUNTY BOARD OF ELECTIONS**

**IN THE MATTER OF:**

**PROTEST OF BELLEFONTAINE  
ORDINANCE INITIATIVE PETITION**

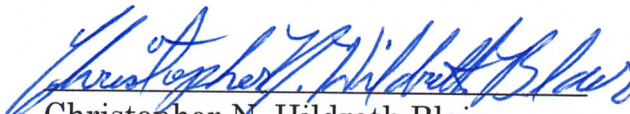
**AFFIDAVIT**

STATE OF OHIO :  
 :ss  
COUNTY OF LOGAN :

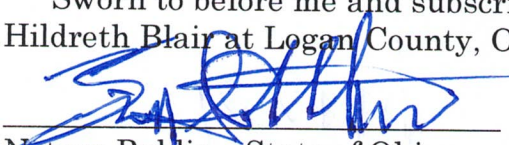
Christopher N. Hildreth Blair, being first duly sworn according to law, states and avers as follows:

1. That I make this Affidavit upon personal knowledge and in support of the Protest of Bellefontaine Ordinance Petition to which it is attached, except as to those matters specifically stated upon information and belief, and as to those matters, I believe them to be true.
2. That I am above the age of majority, and a qualified elector of the City of Bellefontaine for the November 7, 2023 election.
3. That I have compared the petition on file with the city auditor to that submitted to the Board for verification, and the text of the proposed ordinance is different.
4. That I have reviewed with my attorney the Protest of Bellefontaine Ordinance Petition to which this Affidavit is attached, and all factual statements contained therein are true and correct to the best of my knowledge, information and belief.
5. That the aforementioned petition should not be placed on the November 7, 2023 ballot due to its noncompliance with applicable Ohio election law.

Further sayeth Affiant naught.

  
Christopher N. Hildreth Blair

Sworn to before me and subscribed in my presence by Christopher N. Hildreth Blair at Logan County, Ohio this 25<sup>th</sup> day of August, 2023.

  
Notary Public – State of Ohio

TIM STEINHELPER  
Attorney at Law  
Notary Public, State of Ohio  
My Commission Has No Expiration Date  
Sec 147.03 RC

**“Exhibit G”**

**BEFORE THE LOGAN COUNTY BOARD OF ELECTIONS**

**IN THE MATTER OF:**

**PROTEST OF BELLEFONTAINE  
ORDINANCE INITIATIVE PETITION**

**AFFIDAVIT**

STATE OF OHIO :  
 :ss  
COUNTY OF LOGAN :

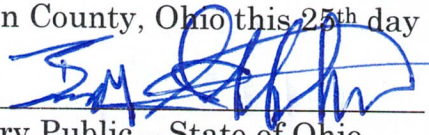
Sarah B. Lewis, being first duly sworn according to law, states and avers as follows:

1. That I make this Affidavit upon personal knowledge and in support of the Protest of Bellefontaine Ordinance Petition to which it is attached, except as to those matters specifically stated upon information and belief, and as to those matters, I believe them to be true.
2. That I am above the age of majority, and a qualified elector of the City of Bellefontaine for the November 7, 2023 election.
3. That I have compared the petition on file with the city auditor to that submitted to the Board for verification, and the text of the proposed ordinance is different.
4. That I have reviewed with my attorney the Protest of Bellefontaine Ordinance Petition to which this Affidavit is attached, and all factual statements contained therein are true and correct to the best of my knowledge, information and belief.
5. That the aforementioned petition should not be placed on the November 7, 2023 ballot due to its noncompliance with applicable Ohio election law.

Further sayeth Affiant naught.

  
\_\_\_\_\_  
Sarah B. Lewis

Sworn to before me and subscribed in my presence by Sarah B. Lewis at Logan County, Ohio this 25<sup>th</sup> day of August, 2023.

  
\_\_\_\_\_  
Notary Public – State of Ohio

**TIM STEINHELPER**  
Attorney at Law  
Notary Public, State of Ohio  
My Commission Has No Expiration Date  
Sec 147.03 RC

**“Exhibit H”**

**BEFORE THE LOGAN COUNTY BOARD OF ELECTIONS**

**IN THE MATTER OF:**

**PROTEST OF BELLEFONTAINE  
ORDINANCE INITIATIVE PETITION**

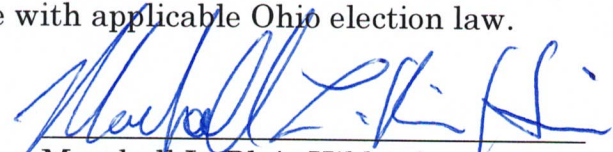
**AFFIDAVIT**

STATE OF OHIO :  
 :ss  
COUNTY OF LOGAN :

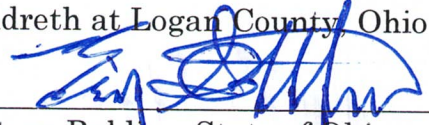
Marshall L. Blair Hildreth, being first duly sworn according to law, states and avers as follows:

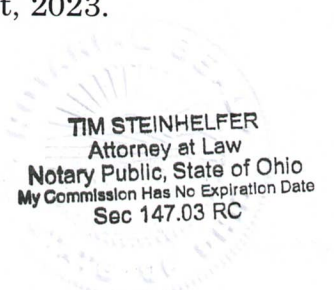
1. That I make this Affidavit upon personal knowledge and in support of the Protest of Bellefontaine Ordinance Petition to which it is attached, except as to those matters specifically stated upon information and belief, and as to those matters, I believe them to be true.
2. That I am above the age of majority, and a qualified elector of the City of Bellefontaine for the November 7, 2023 election.
3. That I have compared the petition on file with the city auditor to that submitted to the Board for verification, and the text of the proposed ordinance is different.
4. That I have reviewed with my attorney the Protest of Bellefontaine Ordinance Petition to which this Affidavit is attached, and all factual statements contained therein are true and correct to the best of my knowledge, information and belief.
5. That the aforementioned petition should not be placed on the November 7, 2023 ballot due to its noncompliance with applicable Ohio election law.

Further sayeth Affiant naught.

  
Marshall L. Blair Hildreth

Sworn to before me and subscribed in my presence by Marshall L. Blair Hildreth at Logan County, Ohio this 25<sup>th</sup> day of August, 2023.

  
Notary Public – State of Ohio

  
TIM STEINHELPER  
Attorney at Law  
Notary Public, State of Ohio  
My Commission Has No Expiration Date  
Sec 147.03 RC

*State ex rel. Blair Hildreth et al. v. LaRose et al.*

## **“Exhibit 2”**

Submitted Petition

July 24, 2023

**Initiative Petition**  
**Municipality or Home Rule Township**

R.C. 504.14, 731.28-41, 3501.38, 3503.06

**COPY**

**NOTE:** Prior to circulation of an initiative petition proposing an ordinance or measure, a certified copy of such ordinance or measure must be filed with the City Auditor, Village Clerk or Township Fiscal Officer (home rule township). This petition must be signed by ten percent of the number of electors in the city, village or unincorporated area of the township who voted for governor at the preceding gubernatorial election and must be filed with the City Auditor, Village Clerk or Township Fiscal Officer.

(NOTE –The below notice must be printed in red.)

**NOTICE –** Whoever knowingly signs this petition more than once, signs a name other than his own, or signs when not a legal voter is liable to prosecution.

To the City Auditor of the City of  
(City Auditor, Village Clerk or Township Fiscal Officer) (City, Village or Township)  
Bellefontaine, Ohio:  
(Name of City, Village or Township)

We, the undersigned, electors of the City of Bellefontaine,  
(City, Village or Township) (Name of City, Village or Township)  
Ohio respectfully propose to the electors of such city, village or township for their approval or rejection at the general election to be held on the 7th day of November, 2023 the following Ordinance:

The following is a full and correct copy of the title and text of the proposed Ordinance:

**Proposal to amend City of Bellefontaine Codified Ordinance Chapter 1177 Adult Entertainment –  
1177.02 Definition**

**by adding the following text**

*The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interest, shall not permit the attendance of a minor. Adult Cabaret Performances shall not be held on public property, or any location viewable by a minor.*

**CHAPTER 1177**  
**Adult Entertainment**

**COPY**

1177.01 Purpose.

1177.02 Definition.

1177.03 Conditional use.

1177.04 Zoning.

**1177.01 PURPOSE.**

The purpose of Sections 1177.01 to 1177.04 inclusive of this Ordinance is to promote the public health, safety and welfare through the regulation of adult entertainment businesses. It is the intent of these sections to regulate entertainment businesses, as defined herein, in such a manner as to prevent the erosion of the character of the surrounding neighborhoods and to prohibit the establishment of such businesses within close proximity to existing adult entertainment businesses, residentially zoned areas, schools, churches, parks and playgrounds within the city.

**1177.02 DEFINITION.**

The following definition shall apply in the interpretation of this Ordinance:

(a) "Adult Entertainment Business" means an adult book store, adult motion picture theater, adult drive-in motion picture theater, or an adult only entertainment establishment as further defined in this section.

(b) "Adult Book Store" means an establishment which utilizes 15 percent or more of its retail selling area for the purpose of retail sale or rental, or for the purpose of display by coin or slug-operated, or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices, or both, books, magazines, other periodicals, films, tapes and cassettes which are distinguished by their emphasis on adult materials as defined in this section.

(c) "Adult Motion Picture Theater" means an enclosed motion picture theater which is regularly used or utilizes 15 percent or more of its total viewing time, for presenting material distinguished or characterized by an emphasis on matter depicting, describing or related to adult material as defined in this section.

(d) "Adult Motion Picture Drive-In Theater" means an open air drive-in theater which is regularly used or utilizes 15 percent or more of its total viewing time, for presenting material distinguished or characterized by an emphasis on matter depicting, describing or related to adult material as defined in this section.

(e) "Adult Only Entertainment Establishment" means an establishment where the patron directly or indirectly is charged a fee where the establishment features entertainment or services which constitute adult material as defined in this section, or which features exhibitions, dance routines, or gyrational choreography of persons totally nude, topless, bottomless, or strippers, male or female impersonators or similar entertainment or services which constitute adult material.

(f) "Adult Material" means any book, magazine, newspaper, pamphlet, poster, print, picture, slide, transparency, figure, image, description, motion picture film, phonographic record or tape, other tangible thing, or any service, capable of arousing interest through sight, sound, or touch, and:

(1) Which material is distinguished or characterized by an emphasis on matter displaying, describing, or representing sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination; or

(2) Which service is distinguished or characterized by an emphasis on sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination.

(g) "Bottomless" means less than full opaque covering of male or female genitals, pubic area or buttocks.

(h) "Nude or Nudity" means the showing, representation, or depiction of human male or female genitals, pubic area, or buttocks with less than full, opaque covering of any portion thereof, or female breast(s) with less than a full, opaque covering of any portion thereof below the top of the nipple, or of covered male genitals in a discernibly turgid state.

(i) "Topless" means the showing of a female breast with less than a full opaque covering of any portion thereof below the top of the nipple.

(j) "Sexual Activity" means sexual conduct or sexual contact, or both. "Sexual Contact" means any touching of an erogenous zone of another, including without limitation the thigh, genitals, buttock, pubic region, or, if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person.

(k) "Sexual Excitement" means the condition of the human male or female genitals, when in a state of sexual stimulation or arousal.

(l) The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interest, shall not permit the attendance of a minor. Adult Cabaret Performance shall not be held on public property, or any location viewable by a minor.

**COPY**

### **1177.03 CONDITIONAL USE PERMIT REQUIRED.**

No building shall be erected, constructed, or developed, and no building or premises shall be reconstructed, remodeled, arranged for use or used for any adult entertainment business unless authorized by the issuance of a conditional use permit in accordance with this Ordinance. In addition to said provisions, an adult entertainment business shall comply with the following conditional use criteria:

(a) Adult entertainment businesses shall comply with the district regulations applicable to all properties in any district in which they are located.

(b) No adult entertainment business shall be permitted in a location which is within 1,500 feet of another adult entertainment business;

(c) No adult entertainment business shall be permitted in a location which is within 1,000 feet of any church, any public or private school, any park, any playground, or any social services facility or neighborhood center;

(d) No adult entertainment business shall be permitted in a location which is within 500 feet of any residence or boundary of any residential district;

(e) No adult entertainment business shall be permitted in a location which is within 200 feet of any boundary of any residential district in a local unit of government abutting the city.

### **1177.04 ZONING OF ADULT ENTERTAINMENT BUSINESSES.**

Adult entertainment businesses shall be conditionally permitted in accordance with the following schedule:

Conditionally Permitted Use	Districts Wherein Permitted
Adult Book Store	M-2
Adult Motion Picture Theater	M-2
Adult Motion Picture Drive-In Theater	M-2
Adults Only Entertainment Establishment	M-2

(Ord. 15-10. Passed 3-10-14.)

**COPY**

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Charles R. Palmer	1612 White Pines Drive
Denin Palmer	1412 White Pines Drive
Danielle Stetiniszyk	1712 White Pines Dr. Bellefontaine, OH 43011
Renee Price	118 Glen Hollow Dr. Bellefontaine
SKate Buchanan	1712 White Pines Dr. Bellefontaine, OH
Julia Cook	227 Pine Ridge Court Bellefontaine

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1. ✓	Judy Coons	840 Allison Rd	Bellefontaine	Logan	4-14-2023
2. ✓	Janey Fulton	540 Woodland Dr	Bellefontaine	Logan	4/14/2023
3. ✓	Fulton	221 N mad river st	Bellefontaine	Logan	4-14-23
4. ✓	William	3985 State route 47W	Bellefontaine	Logan	4-14-23
5. ✓	Erin	221 N Madriver St	Bellefontaine	Logan	4-14-23
6. ✓	[Signature]	202 Shady Lane	Bellefontaine	Logan	4-14-23
7. ✓	Imber Palmer	725 Eastern Ave	Bellefontaine	Logan	4-14-23
8. ✓	Robert Harwood	1036 CAMBRIAN ROAD	Cable	CHAMPAIGN	4-14-23
9. ✓	Dawn Wilcox	351 Washington Ave.	Bellefontaine	Logan	4-14-23
10. ✓	Maile Nig	148 Terrence Dr.	Bellefontaine	Logan	4-14-23
11. ✓	Beverly Price	1320 Dakota Rd.	Bellefontaine	Logan	4-14-23
12. ✓	[Signature]	1300 Dakota Rd	Bellefontaine	Logan	4-14-23
13. ✓	Sharon Alexander	829 W. Williams Ave	Bellefontaine	Logan	4-14-23
14. ✓	Tom Cochran	413 N. Detroit St.	Bellefontaine	Logan	4-14-23
15. ✓	Sandy Sprigg	512 Jefferson St	Bellefontaine	Logan	4-14-23
16. ✓	James S. Jensen	541 E. Brown Av	Bellefontaine	Logan	4-14-23
17. ✓	[Signature]	104 N. St	Bellefontaine	Logan	4/14/23

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.	<i>Kevin Palmer</i>	11612 White Pines Drive	Bellefontaine	Logan	4-16-23
26.	<i>Charles Palmer</i>	1612 White Pines Drive	Bellefontaine	Logan	4-16-23
27.	<i>Taylor Quay</i>	1704 White Pines Dr	Bellefontaine	Logan	4-23-23
28.	<i>Kathy Latimer</i>	102 Willow End	Bellefontaine	Logan	4-23-23
29.	<i>Terry J. Latimer</i>	122 Willow End	Bellefontaine	Logan	4-23-23
30.	<i>Yuri M. B.</i>	118 N. Heather Hill Dr.	Bellefontaine	Logan	4-23-23
31.	<i>Yuri M. B.</i>	118 N. Heather Hill Dr.	Bellefontaine	Logan	4-23-23
32.	<i>Stephanie J.</i>	600 Saxon #E	Bellefontaine	Logan	4-24-23
33.	<i>Rebecca Shew</i>	108 N Springhill St	Bellefontaine	Logan	4-24-23
34.	<i>Michael Shew</i>	108 N Springhill St	Bellefontaine	Logan	4/24/23
35.	<i>Blond Shew</i>	108 N. SPRINGHILL	Bellefontaine	Logan	4-24-23
36.	<i>Lyndee Shew</i>	108 N Springhill St	Bellefontaine	Logan	4/24/2023
37.	<i>Kacey L. Carmichael</i>	1608 White Pines Dr	Bellefontaine	Logan	4-26-2023
38.	<i>Sol</i>	1500 White Pines Dr	Bellefontaine	Logan	4-26-2023

### Circulator Statement

Must be completed and signed by the circulator.

I, Charles Palmer, declare under penalty of election falsification that I reside at the address appearing below my signature; that I am the circulator of the foregoing petition containing 38 signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**WHOEVER COMMITS ELECTION  
FALSIFICATION IS GUILTY OF A  
FELONY OF THE FIFTH DEGREE**

*Charles Palmer*

Signature of Circulator

1612 White Pines Dr.

Permanent Residence Address

Bellefontaine

City or Village

OH

State

43311

Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Julia Cook	227 Pine Ridge Court Bellefontaine
Renee Price	118 Glen Hollow Dr. Bellefontaine
Charles Palmer	1612 White Pines Dr. Bellefontaine
Danielle Stefaniszyn	1712 White Pines Dr. Bellefontaine, OH
Skate Buchanan	1712 White Pines Dr. Bellefontaine, OH
Darin Palmer	1612 White Pines Dr. Bellefontaine

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1.	Linda Whitsett	111 North Park Street	Bellefontaine	Logan	April 16, 2023
2.	Jeffery D. Williams	616 Hillcrest Dr.	BELLEFONTAINE	LOGAN	4/16/2023
3.	Cathy Whitsett	616 Hillcrest Dr.	Bellefontaine	Logan	4/16/2023
4.	Sharon Mullins	1321 DAKOTA RD.	BELLEFONTAINE	LOGAN	4/16/2023
5.	Chad J. Mullins	1321 DAKOTA ROAD	BELLEFONTAINE	LOGAN	4-16-2023
6.	Norm Zigmund	238 Pine Ridge Ct.	Bellefontaine	Logan	4-17-2023
7.	Sharon Zigmund	238 Pine Ridge Ct	Bellefontaine	Logan	4-17-2023
8.	Randy Knox	714 E BROWN AVE	BELLEFONTAINE	LOGAN	4-17-2023
9.	Terri Amari	714 E BROWN AVE	BELLEFONTAINE	LOGAN	4/17/2023
10.	Tim Barnett	532 N. PARK ST.	BELLEFONTAINE	LOGAN	4/17/2023
11.	C. Jacobs	1108 Michigan St	Bellefontaine	Logan	4/18/2023
12.	Bebeek Morrison	1116 Michigan St.	Bellefontaine	Logan	4-18-2023
13.	Larry K Lewis	303 Pine Ridge Ct	Bellefontaine	Logan	4-19-2023
14.	Kathryn Lewis	303 Pine Ridge Ct	Bellefontaine	Logan	4-19-2023
15.	Carol Ann Clayton	1308 Michigan Rd.	Bellefontaine	Logan	4-22-2023
16.	Heather Johnston	121 Maple Ave.	Bellefontaine	Logan	4-22-2023
17.	R. C. C.	121 Maple Ave.	Bellefontaine	Logan	4-22-2023

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.	<i>Tracy Frozer</i>	232 Pine Ridge Ct. Bellefontaine OH 43311	Bellefontaine	Logan	5/3/2023
26.	<i>Wanda G. St. Clair</i>	201 Oregon Bellefontaine OH 43311	Bellefontaine	Logan	5/3/2023
27.	<i>Vaughn Staben</i>	371 Billingsworth Dr. 43311	Bellefontaine	Logan	5/3/2023
28.	<i>Art U. Bell</i>	1219 Co. Rd. 10	Bellefontaine	Logan	5/3/2023
29.	<i>Michelle</i>	530 East Samplaxby Ave	Bellefontaine	Logan	5/3/2023
30.	McKenzie Leonard	371 Belle Meadows Dr	Bellefontaine	Logan	5/3/23
31.	Terry Robinson	800 Eastern Ave Bellefontaine Ohio	Bellefontaine	Logan	5-3-23
32.	Lois Ruff	1504 Hawke St.	Bellefontaine	Logan	5-3-23
33.	Kelly Robinson	800 Eastern Ave	Bellefontaine	Logan	5-3-23
34.	James L. Ansley	1974 Chapel St	Bellefontaine	Logan	5-3-23
35.	Charlene L. Dwyer	1120 Buckingham Ave	Bellefontaine	Logan	5-3-23
36.	Megan Yaussey	108 N. Stanley St	Bellefontaine	Logan	5/3/23
37.	Kerrie McCoy	1502 Tur Rd 56	Bellefontaine	Logan	5/3/23
38.	Carol Perry	321 Ludlow	Bellefontaine	Logan	5/3/23

### Circulator Statement

Must be completed and signed by the circulator.

I, Julia Cook, declare under penalty of election falsification that I reside at the address  
Printed Name of Circulator  
 appearing below my signature; that I am the circulator of the foregoing petition containing 38 signatures;  
Number  
 that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief  
 qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person  
 whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**WHOEVER COMMITS ELECTION  
FALSIFICATION IS GUILTY OF A  
FELONY OF THE FIFTH DEGREE**

Julia Cook  
Signature of Circulator  
227 Pine Ridge Court  
Permanent Residence Address  
Bellefontaine OH 43311  
City or Village State Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Danielle Stefaniszyn	1712 White Pines Dr. Bellefontaine
Devin Palmer	1612 White Pines Dr. Bellefontaine, OH
Renee Price	118 Glen Hollow Dr. Bellefontaine
Charles Palmer	1612 White Pines Dr. Bellefontaine
Julia Cook	227 Pine Ridge Court Bellefontaine
Skate Buchanan	1712 White Pines Dr. Bellefontaine, OH

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1.	Nancy Steinberg	1128 Knowlton	Bellefontaine	Logan	4-14-23
2.	Wade Sear	1128 Knowlton	Bellefontaine	Logan	4-14-23
3.	Courtney Wilt	476 Twp. RD. 135	Bellefontaine	Logan	4-14-23
4.	Ann Adams	2250 Carriage Hill	Bellefontaine	Logan	4-14-23
5.	Cecil Adams	" "	" "	" "	" "
6.	Julie Andersen	2448 Carriage Hill Dr.	Bellefontaine	Logan	4-14-23
7.	Lammy, Steve	2497 CR 12	Bellefontaine	Logan	4-14-23
8.	Delroy Mancos	548 E. High Ave	Bellefontaine	Logan	4-14-23
9.	Ann P. M.	225 East Columbus St	West Liberty	Logan	4-14-23
10.	Renee Price	118 Glen Hollow Dr.	Bellefontaine	Logan	4-14-23
11.	Amye Remy	127 S. Hayes St.	Bellefontaine	Logan	4-16-23
12.	Robert A. Spawmatt	1716 White Pines Dr.	Bellefontaine	Logan	4-23-23
13.	Laura Beard	1716 White Pines Dr.	Bellefontaine	Logan	4-23-23
14.	M. K.	106 Lakeroad Dr	Bellefontaine	Logan	4-25-23
15.	M. K.	110 Lakewood Dr	Bellefontaine	Logan	4-25-23
16.	Brenda Badlett	114 Lakewood Dr.	Bellefontaine	Logan	4/25/23
17.	Mike Dement	119 Lakewood Dr	Bellefontaine	Logan	4/26/23

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.		205 E Glen Dr.	Bellefontaine	Logan	4-25-2023
26.		1316 Glenview Circle	Bellefontaine	Logan	4-28-2023
27.		5382 OH 245	West Liberty	Champaign	4-28-2023
28.		725 Eastern Ave	Bellefontaine	Logan	4-28-2023
29.		424 Kent Dr	Bellefontaine	Logan	4-28-2023
30.		21615 ct Rd 245	Mt. Victory	Hardin	4-28-2023
31.		704 South Duff	Bellefontaine	Logan	4-28-2023
32.		9436 Amherst Rd	Harrod	Allen	4-28-23
33.		9956 Mayberry	Col. Grove	Allen	4-28-23
34.		9436 Amherst Rd	Harrod	Allen	4/28/23
35.		9436 Amherst Rd	Harrod	Allen	4/28/23
36.		3416 Penny Ln	Bellefontaine	Logan	4/28/23
37.		908 N Paule	Bellefontaine	Logan	4/28/23
38.		908 N. Paule	Bellefontaine	Logan	4/28/23

### Circulator Statement

Must be completed and signed by the circulator.

I, Danielle Stefanisum, declare under penalty of election falsification that I reside at the address  
Printed Name of Circulator  
 appearing below my signature; that I am the circulator of the foregoing petition containing 38 signatures;  
Number  
 that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief  
 qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person  
 whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**WHOEVER COMMITS ELECTION  
FALSIFICATION IS GUILTY OF A  
FELONY OF THE FIFTH DEGREE**

Signature of Circulator  
1712 White Pines Drive  
Permanent Residence Address  
Bellefontaine OH 43111  
City or Village State Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Danielle Stefaniszyn	1712 White Pines Drive, Bellefontaine
Devin Palmer	1612 White Pines Dr. Bellefontaine
Shate Buchanan	1712 White Pines Dr. Bellefontaine
Charles Palmer	1612 white Pines Dr Bellefontaine
Renee Price	118 Glen Hollow Dr. Bellefontaine
Julia Cook	227 Pine Ridge Court Bellefontaine

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1. ✓	Jenny Wren	1120 N. Park	Bellef	Logan	4/14/23 JW
2. ✓	Bill Wren	1120 N. Park	Bellefontaine	Logan	4/14/23 BW
3. ✓	Arista M. Gues	1500 Whispering Pines Ln	Bellefontaine	Logan	4/14/23 AG
4. ✓	<del>Gay Mori</del>	<del>224 Oak Lane</del>	<del>Bellefontaine</del>	<del>Logan</del>	<del>3/14/23</del>
5. ✓	Sharon Richardson	111 Glen Hollow Dr.	Bellefontaine	Logan	4-14-23
6. ✓	Deanna Blain	230 N. Madriver St	Bellefontaine	Logan	4/14/23
7. ✓	Maree L. Tume	230 N. Madriver St	Bellefontaine	Logan	14 APR 23
8. ✓	Gina Wanegethor	861 E Sandusky	Bellefontaine	Logan	4/14/23
9. ✓	<del>Donna</del>	<del>861 E Sandusky</del>	<del>Bellefontaine</del>	<del>Logan</del>	<del>4/14/23</del>
10. ✓	James Bottorff	228 LUDLOW RD	BELLEFONTAINE	LOGAN	04/14/2023
11. ✓	Marsha Bottorff	228 Ludlow Rd	Bellefontaine	Logan	4/14/2023
12. ✓	Elaine Kelly	413 HIGHVIEW DR	BELLEFONTAINE	LOGAN	4/14/2023
13. ✓	Julia Cook	227 Pine Ridge Court	Bellefontaine	LOGAN	4/14/2023
14. ✓	Devin Palmer	1612 White Pines Dr	Bellefontaine	Logan	4-14/2023
15. ✓	Shate Buchanan	1712 White Pines Drive	Bellefontaine	Logan	4/14/2023
16. ✓	Taylor Ross	549 N. Madriver St	Bellefontaine	Logan	4/14/2023
17. ✓	George	321 E. Hudson Ave	Bellefontaine	Logan	4/14/2023

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.	<del>Karla King</del>	<del>312 E. Auburn Ave</del>	<del>Bellefontaine</del>	<del>Logan</del>	<del>4-14-2023</del>
26.	<del>Mr. Reynolds</del>	<del>312 E. Auburn</del>	<del>Bellefontaine</del>	<del>Logan</del>	<del>4-14-2023</del>
27.	<del>Karla King</del>	<del>312 E. Auburn Ave</del>	<del>Bellefontaine</del>	<del>Logan</del>	<del>4-14-2023</del>
28.	Edward M Price	118 Glen Hollow	Bellefontaine	Logan	4/14/23
29.	Amanda Schment	217 Grand Ave	Russell St	Logan	4/14/23
30.	Monica Wilcox	331 Washington Ave	Bellefontaine	Logan	4/14/23
31.	Saturnia L Wickley	11365 Locust St	Lakeview	Logan	4/14/23
32.	Brittany Kilbi	413 HIGHVIEW DR	BELLEFONTAINE	LOGAN	4/14/23
33.	Shannon	56136 Path	Bellefontaine	Logan	4-14-23
34.	Shannon Chamberlain	6758 Wilmont Terrace	Huntsville	Logan	4-14-23
35.	Brittany Russell	116 1/2 powers St	Bellefontaine	Logan	4-14-23
36.	Ruth Jensen	541 E. Brown Ave.	Bellefontaine	Logan	4-14-23
37.	Jan Suber	344 S. Main St.	Bellefontaine	Logan	4-14-23
38.	Stacy Sue Brown	344 S. Main	Bellefontaine	Logan	4-14-23

### Circulator Statement

Must be completed and signed by the circulator.

I, Danielle Stefaniszyn, declare under penalty of election falsification that I reside at the address  
Printed Name of Circulator  
 appearing below my signature; that I am the circulator of the foregoing petition containing 38 signatures;  
Number  
 that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief  
 qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person  
 whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**WHOEVER COMMITS ELECTION  
FALSIFICATION IS GUILTY OF A  
FELONY OF THE FIFTH DEGREE**

Danielle Stefaniszyn  
 Signature of Circulator  
1712 White Pines Drive  
 Permanent Residence Address  
Bellefontaine OH 43311  
 City or Village State Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
<del>Julia</del>	
Julia Cook	227 Pine Ridge Court Bellefontaine
Renee Price	118 Glen Hollow Dr. Bellefontaine
Charles Palmer	1612 White Pines Dr. Bellefontaine
Devin Palmer	1612 White Pines Dr. Bellefontaine
Danielle Stefanisryn	1712 White Pines Dr. Bellefontaine, OH
Skate Buchanan	1712 White Pines Dr., Bellefontaine, OH

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1.	Francis Smith	423 E. Williams Ave	Bellefontaine	Logan	4.18.2023
2.	Adam Smith	423 E Williams Ave	Bellefontaine	Logan	4-18-23
3.	Hannah Smith	423 E Williams Ave	Bellefontaine	Logan	4-19-23
4.	James M. Smith	423 E. Williams Ave	Bellefontaine	Logan	4.20.23
5.					
6.					
7.					
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13.					
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16.					
17.					

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.					
26.					
27.					
28.					
29.					
30.					
31.					
32.					
33.					
34.					
35.					
36.					
37.					
38.					

### Circulator Statement

*Must be completed and signed by the circulator.*

I, Julia Cook, declare under penalty of election falsification that I reside at the address  
Printed Name of Circulator  
 appearing below my signature; that I am the circulator of the foregoing petition containing 4 signatures;  
Number  
 that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief  
 qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person  
 whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**WHOEVER COMMITS ELECTION  
FALSIFICATION IS GUILTY OF A  
FELONY OF THE FIFTH DEGREE**

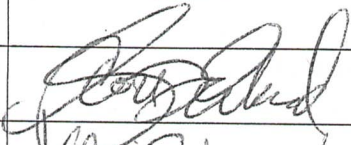
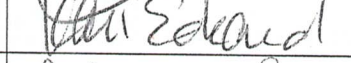







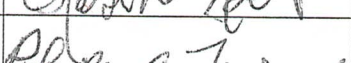
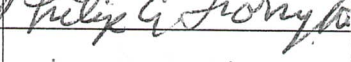
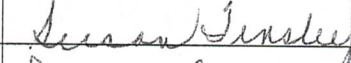

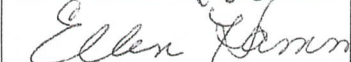
Julia Cook  
Signature of Circulator  
221 Pine Ridge Court Bellefontaine  
Permanent Residence Address  
Bellefontaine Ohio 43311  
City or Village State Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Renee Price	118 Glen Hollow Dr. Bellefontaine
Danielle Stefanisyn	1712 White Pines Dr. Bellefontaine, OH
Skate Buchanan	1712 White Pines Dr., Bellefontaine, OH
Derin Palmer	1612 White Pines Dr, Bellefontaine
Charles Palmer	1612 White Pines Dr. Bellefontaine
Jalie Cook	227 Pine Ridge Court Bellefontaine

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1.	Brooke Pulfer	761 E. Columbus Ave	Bellefontaine	Logan	4-20-23
2.	Gerald Rawlins	1121 Omaha Rd	Bellefontaine	Logan	4-20-23
3.	Austen Pulfer	761 E. Columbus Ave	Bellefontaine	Logan	4-21-23
4.	Darcy Neeld	1329 Turner Rd.	Bellefontaine	Logan	4-21-23
5.	Melissa Wical	309 N. Park	Bellefontaine	Logan	4-21-23
6.	Joe Price	118 Glen Hollow	Bellefontaine	Logan	4/21/23
7.	Tyler Johnson	705 Heritage Dr	Bellefontaine	Logan	4/21/23
8.	Jim Gumbert	908 Allison Rd.	Bellefontaine	Logan	4/21/23
9.	Paul Brown	536 Woodward Dr.	Bellefontaine	Logan	4/21/23
10.	Jacay Vollrath	132 Lakewood Dr	Bellefontaine	Logan	4/21/23
11.	Jeff Ziel	512 Madison Ct	Bellefontaine	Logan	4/21/23
12.	Emily Thompson	119 Glen Hollow Dr	Bellefontaine	Logan	4/22/23
13.	Tyler Thompson	119 Glen Hollow Dr	Bellefontaine	Logan	4/22/23
14.	Kyle Rummel	536 N. Park St	Bellefontaine	Logan	4-23-23
15.	Charles Robert	905 Euclid St	Bellefontaine	Logan	4-23-23
16.	Tracey Mitchell	421 Kent Dr. Apt 3	Bellefontaine	Logan	4-23-23
17.	Dawn K...				

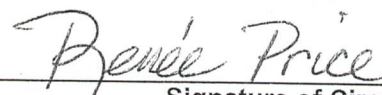
	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.		1000 N Park St.	Bellefontaine	Logan	4-26-23
26.		1000 N Park St.	Bellefontaine	Logan	4-26-23
27.		1312 RESERVOIR	BELLEFONTAINE	LOGAN	4-26-23
28.		1312 RESERVOIR	BELLEFONTAINE	LOGAN	4-26-23
29.		700 STONE HOLLOW CT	BELLEFONTAINE	LOGAN	4-28-23
30.		700 STONE HOLLOW CT	BELLEFONTAINE	LOGAN	4-28-23
31.		116 E Adams Ave Apt 23	Bellefontaine	Logan	4-30-23
32.		212 Miami Ave	Bellefontaine	Logan	5-2-23
33.		620 Oakview Rd	Bellefontaine	Logan	5-3-23
34.		309 Ashbrook	Bellefontaine	Logan	5-3-23
35.		1409 Woodglen Dr	Bellef.	Logan	5-3-23
36.		115 E Glen	Bellef.	Logan	5-5-23
37.		317 Green St	Bellef.	Logan	5-5-23
38.		562 Stonebridge Dr.	Bellef.	Logan	5/5/23

### Circulator Statement

Must be completed and signed by the circulator.

I, Renee Price, declare under penalty of election falsification that I reside at the address appearing below my signature; that I am the circulator of the foregoing petition containing 38 signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**WHOEVER COMMITS ELECTION  
FALSIFICATION IS GUILTY OF A  
FELONY OF THE FIFTH DEGREE**



Signature of Circulator

118 Glen Hollow Dr.

Permanent Residence Address

Bellefontaine

City or Village

OH

State

43311

Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Renee Price	118 Glen Hollow Dr. Bellefontaine
Charles Palmer	1612 White Pines Dr. Bellefontaine
Julia Cook	227 Pine Ridge Court Bellefontaine
Skate Buchanan	1712 White Pines Dr. Bellefontaine, OH
Danielle Stefani Szym	1712 White Pines Dr. Bellefontaine, OH
Denia Palmer	1612 White Pines Dr. Bellefontaine

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1.	Brittany Preston	1705 White Pines Dr.	Bellefontaine	Logan	4/24/23
2.	Randy Christman	117 Belle Pines Court	Bellefontaine	Logan	4/24/23
3.	Sally Pelt	101 Belle Pines Ct	Bellefontaine	Logan	4/24/23
4.	Rich Moldas	101 Belle Pines Ct	Bellefontaine	Logan	4/24/23
5.	Col R. Major	104 BELLE PINES CT	BELLEFONTAINE	LOGAN	4/24/23
6.	Farrel J. Murg	104 Belle Pines	Bellefontaine	Logan	4/24/23
7.	April Stanley	109 Belle Pines	Bellefontaine	Logan	4/24/23
8.	Diane M. Jordan	113 Red Pines	Bellefontaine	Logan	4-24-23
9.	Beth Collins	1524 Whig Pike	Bellefontaine	Logan	4-24-23
10.	Mark Collins	1512 Whispering Pines	Bellefontaine	Logan	4-24-23
11.	Jeff D	212 Bent Pines Ct	Bellefontaine	Logan	4-24-23
12.	Jeff Fry	136 Terrence Ave	Bellefontaine	Logan	4-24-23
13.	Kara Frey	130 Terrence Dr	Bellefontaine	Logan	4-24-23
14.	Mary Vefrino	100 Pinecrest Ct	Bellefontaine	Logan	4-24-23
15.	Kathryn Remy	11235 Brentlinger Rd	Harrodsburg	Allen	4-24-23
16.	Collin Richs	201 Evergreen Dr	Bellefontaine	Logan	4/24/23
17.	Lin Hanks	201 Evergreen Dr	Bellefontaine	Logan	4/24/23

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.	[Signature]	213 Bent Pines Ct. Bellefontaine	Bellefontaine	Logan	4-24-23
26.	[Signature]	217 EVERGREEN AVE.	Bellefontaine	Logan	4/24/23
27.	[Signature]	209 Evergreen Dr	Bellefontaine	Logan	4/24/23
28.	[Signature]	209 Evergreen dr	Bellefontaine	Logan	4/24/2023
29.	[Signature]	1501 Whispering Pines Lane	Bellefontaine	Logan	4/24/2023
30.	[Signature]	1417 Whispering	Bellefontaine	Logan	4-24-2023
31.	[Signature]	129 Bent Pines Dr	Bellefontaine	Logan	4-24-2023
32.	[Signature]	129 RED PINE DRIVE	BELLEFONTAINE	LOGAN	4-24-23
33.	[Signature]	213 White Pines Dr	Bellefontaine	Logan	4-26-23
34.	[Signature]	213 White Pines Dr.	Bellefontaine	Logan	4-26-23
35.	[Signature]	1600 White Pine Dr.	Bellefontaine	Logan	4-26-23
36.	LISA DETWEILER	224 BENT PINES CT	BELLEFONTAINE	LOGAN	4-26-23
37.	STEPHEN WILT	224 WHITE PINES DR	BELLEFONTAINE	LOGAN	4-26-23
38.	Marsha Karg	220 White Pines	Bellefontaine	Logan	4-26-23

## Circulator Statement

*Must be completed and signed by the circulator.*

I, Charles Palmer, declare under penalty of election falsification that I reside at the address  
Printed Name of Circulator  
appearing below my signature; that I am the circulator of the foregoing petition containing 38 signatures;  
Number  
that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief  
qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person  
whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**WHOEVER COMMITS ELECTION  
FALSIFICATION IS GUILTY OF A  
FELONY OF THE FIFTH DEGREE**

Signature of Circulator  
1612 White Pines Dr.  
Permanent Residence Address  
Bellefontaine OH 43311  
City or Village State Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Renee Price	118 Glen Hollow Dr. Bellefontaine, OH
Danielle Stefanisun	1712 White Pines Dr. Bellefontaine, OH
Skate Buchanan	1712 White Pines Dr. Bellefontaine, OH
Devin Palmer	1112 White Pines Dr. Bellefontaine
Charles Palmer	1512 White Pines Dr. Bellefontaine
Julia Cook	221 Pine Ridge Court Bellefontaine

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1.	Caleb Mitchell	736 Euclid Street	Bellefontaine	Logan	4/24/23
2.	Madison Mitchell	1149 Michigan St.	Bellefontaine	Logan	4/24/23
3.	Ami Mosgrove	404 Kelly Way	Bellefontaine	Logan	4-26-23
4.	Rosalind Brown	450 Kristina Dr	Bellefontaine	Logan	4-26-23
5.	Zhil Mosgrove	404 Kelly Way	Bellefontaine	Logan	4-26-23
6.	<del>Rosalind</del>				
7.	Dessie Karp	364 Belle Meadows	Bellefontaine	Logan	5-3-23
8.	Sheila Welsch	204 1/2 N. Detroit	Bellefontaine	Logan	5-3-23
9.	Paula Wilson	336 S. Detroit St.	Bellefontaine	Logan	5-17-23
10.	Patricia A Wilson	640 Cooper Ave	Bellefontaine	Logan	5-17-23
11.	Jarvis Wilson	336 S. Detroit St.	Bellefontaine	Logan	5-17-23
12.	Ayla Welsch	336 S. Detroit St.	Bellefontaine	Logan	5-17-23
13.					
14.					
15.					
16.					
17.					

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.					
26.					
27.					
28.					
29.					
30.					
31.					
32.					
33.					
34.					
35.					
36.					
37.					
38.					

### Circulator Statement

*Must be completed and signed by the circulator.*

I, Renee Price, declare under penalty of election falsification that I reside at the address  
Printed Name of Circulator  
 appearing below my signature; that I am the circulator of the foregoing petition containing 12 signatures;  
Number  
 that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief  
 qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person  
 whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**WHOEVER COMMITS ELECTION  
FALSIFICATION IS GUILTY OF A  
FELONY OF THE FIFTH DEGREE**

Renee Price  
 Signature of Circulator  
118 Glen Hollow Dr.  
 Permanent Residence Address  
Bellefontaine OH 43311  
 City or Village State Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Julia Cook	227 Rise Ridge Court Bellefontaine
Renee Price	118 Glen Hollow Dr. Bellefontaine
Charles Palmer	1602 White Pines Dr. Bellefontaine
Danielle Stefaniszyn	1712 white Pines Dr. Belle fontaine, OH
Skate Buchanan	1712 white Pines Dr, Bellefontaine , OH
Denn Palmer	1612 White Pines Dr, Bellefontaine

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1.	Barbara Krama	1508 Eagle St	Bellefontaine	Logan	4/23/2023
2.	Betty Stengel	124 S. Heather Hill	Bellefontaine	Logan	4-23-2023
3.	Loretta Likan	216 Green Tree Dr.	Bellefontaine	Logan	4-23-2023
4.	Holly Jones	322 Study Lane Dr.	Bellefontaine	Logan	4-23-2023
5.	Debra Brentlinger	532 Woodland Dr.	Bellefontaine	Logan	4-23-2023
6.	Fredrick L Brantley	532 Woodland Dr.	Bellefontaine	Logan	4/23/23
7.	Jammy Queen	700 twp rd 179 apt 3C	Bellefontaine	Logan	4/23/23
8.	Cheryl Jacobs	1108 michigan St	Bellefontaine	Logan	4-23-23
9.		613 Hilltop Dr.	Bellefontaine	Logan	4-23-23
10.	Margie Hamilton	115 Allison Rd.	Bellefontaine	Logan	4-23-23
11.	Andrea Reid	139 N. Stanley St	Bellefontaine	Logan	4-23-23
12.	Ken Giesman	806 Ridgview Dr.	Bellefontaine	Logan	4-24-23
13.	Ann Mauer	461 Woodside Place	Bellefontaine	Logan	4-24-23
14.	Beth A. Christian	117 Belle Pine Ct	Bellefontaine	Logan	4/24/23
15.	Sharon Betty	433 Woodside Place	Bellefontaine	Logan	4/24/23
16.	Gonnie Miller	475 Woodruff	Bellefontaine	Logan	4/24/23
17.			Bellefontaine	Logan	4/24/23

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.		1015 N. MAIN	Bellefontaine	Logan	4/29/2023
26.		1015 N Main	Bellefontaine	Logan	4/29/2023
27.		413 N West St	Bellefontaine	Logan	4/30/23
28.		505 Stone Bridge	Bellefontaine	Logan	4/30/23
29.		1161 Erie St	Bellefontaine	Logan	4/30/23
30.		310 Pine Ridge Ct	Bellefontaine	Logan	4/30/2023
31.		104 Greenridge Dr	Bellefontaine	Logan	4/30/2023
32.		104 Greenridge Dr	Bellefontaine	Logan	4/30/2023
33.		124 S. Heather	Bellefontaine	Logan	4-30-2023
34.		726 N. Main St.	Bellefontaine	Logan	4-30-2023
35.		539 Woodland Dr.	Bellefontaine	Logan	5-2-2023
36.		608 S. main st	Bellefontaine	Logan	5-3-2023
37.		608 S. Main St	B. town	Logan	5-3-2023
38.		101 SHEATHER HILL	BELLEFONTAINE	LOGAN	5/3/2023

### Circulator Statement

Must be completed and signed by the circulator.

I, Julia Cook, declare under penalty of election falsification that I reside at the address  
Printed Name of Circulator  
 appearing below my signature; that I am the circulator of the foregoing petition containing 38 signatures;  
Number  
 that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief  
 qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person  
 whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**WHOEVER COMMITS ELECTION  
 FALSIFICATION IS GUILTY OF A  
 FELONY OF THE FIFTH DEGREE**

Signature of Circulator  
227 Pine Ridge Court  
Permanent Residence Address  
Bellefontaine Oh 43311  
City or Village State Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Danielle Stekinisyn	1712 White Pines Dr. Bellefontaine, OH 43311
Devin Palmer	11612 White Pines Dr, Bellefontaine OH
Charles Palmer	11612 White Pines Dr. Bellefontaine
Skate Buchanan	1712 white Pines Dr. Bellefontaine, OH
Julia Cook	227 Pine Ridge Court Bellefontaine
Renee Price	118 Glen Hollow Dr. Bellefontaine

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1.	Conni Klein	1109 Lost Creek Dr.	Bellefontaine	Logan	4/23/23
2.	CJK	1109 LOST CREEK DR.	BELLEFONTAINE	LOGAN	04/23/2023
3.	Julia Wilson	400 E. Peterson	Bellefontaine	Logan	4/23/2023
4.	Timothy J. White	527 Brookwood Dr	Bellefontaine	Logan	4/23/23
5.	Mallory White	521 Brookwood Dr.	Bellefontaine	Logan	4-23-23
6.	Susan M. Vicari	620 S. MAIN ST.	Bellefontaine	Logan	4-23-23
7.	Rick Schrader	1054 Township Rd 181	Bellefontaine	Logan	4-23-23
8.	Teri Shaw-Lankford	328 E. Peterson Ave	Bellefontaine	Logan	4/23/23
9.	Judith E. Decker	108 PLEASANT DR	Bellefontaine	Logan	4/28/23
10.	2-2	717 HEFFELDR.	Lima	ALLEN	5/5/23
11.	Ale Frances	2582 CR 130	Bellefontaine	Logan	5-6-23
12.	Mary Ann	576 E SANDUSKY A	BELLEFONTAINE	LOGAN	5-6-23
13.	Donald Howell	1152 Michigan St	Bellefontaine	LOGAN	5-6-2023
14.	Mary Jennings	1254 Twp Rd 129 S.	Zanesfield	Logan	5-6-23
15.	Delmy Chick	548 E. High Ave	Bellefontaine	Logan	5-6-23
16.	Joanne Hall	256 Jump Rd 334 N.	Bellefontaine	Logan	5-6-23
17.	Edith C. Miller	1152 Michigan St	Bellefontaine	Logan	5-6-23

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.	Sally Kellen	4859 Co Rd. 55	Bellefontaine	Logan	5-6-23
26.	Dag Kellen	4859 Co. Rd. 55	Hellefontaine	Logan	5-6-23
27.	Tray Phibbs	727 S Wayne	Kenton	Hardin	5-6-23
28.	TJ Dinter	412 E Bakusm	Bell of	Logan	5-6-23
29.	Brian Rollins	236 Pl 57 East	Bellefontaine	Logan	5-6-23
30.	Bryson Green	120 Powers St.	Bellefontaine	Logan	5-6-23
31.	Matthew Pickering	128 Blair Ave	Bellefontaine	Logan	5-6-23
32.	Loren Laeg	727 S Wayne St	Kenton	hardin	5-6-23
33.	James Purdy	705 W Alburn	Bellefontaine	Logan	5-6-23
34.	Barb McAnan	PO Box 694	Belle Center	Logan	5-6-23
35.	Jordan McAnan	PO Box 694	Belle Center	Logan	5-6-23
36.	Trini Stemmmons	7836 TWPRD 177	Zanesfield	Logan	5-6-23
37.	Audrey Stemmmons	7836 TWPRD 177	ZANESFIELD	LOGAN	5-6-23
38.	James Harkin	433 N Detroit	Bellefontaine	Logan	5-6-23

### Circulator Statement

Must be completed and signed by the circulator.

I, Danielle Stefaniszyn, declare under penalty of election falsification that I reside at the address appearing below my signature; that I am the circulator of the foregoing petition containing 38 signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**WHOEVER COMMITS ELECTION  
FALSIFICATION IS GUILTY OF A  
FELONY OF THE FIFTH DEGREE**

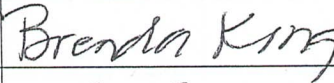
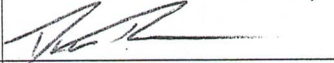
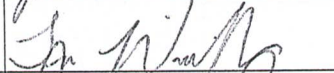
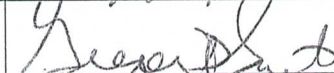

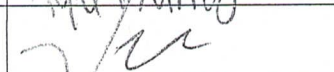
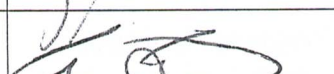



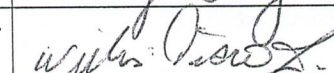
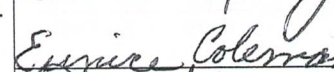

Danielle G. Stefaniszyn  
Signature of Circulator  
1712 White Pines Dr.  
Permanent Residence Address  
Bellefontaine OH 43111  
City or Village State Zip Code


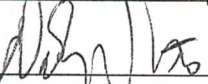
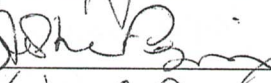
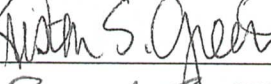
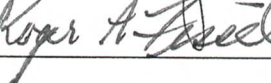
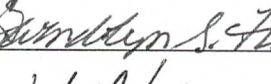

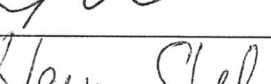
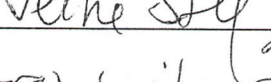
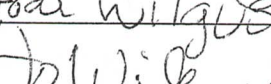
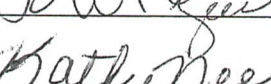
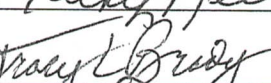
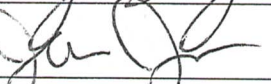
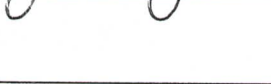
We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

COPY

NAME	RESIDENCE
<del>Rob Palmer</del> Charles Palmer	1612 White Pines Dr, Bellefont
Renee Price	118 Glen Hollow Dr. Bellefontaine
Julia Cook	<del>229 Pine Ridge Court Bellefontaine</del>
Skate Buchanan	1712 White Pines Dr., Bellefontaine, OH
Danielle Stefaniszyn	1712 White Pines Dr. Bellefontaine, OH
Devin Palmer	1612 White Pines Dr, Bellefontaine

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1		Woodglan Dr.	Bellefontaine	Logan	4/24/23
2		1705 WHITE PINES DR	BELLEFONTAINE	LOGAN	4/24/23
3	Betty Gardner	216 Whitepines Dr	Bellefontaine	LOGAN	4/26/23
4	Jean A. Gordon	1501 White Pines Dr.	Bellefontaine	Logan	4/26/23
5		1408 Pinewood Ct	Bellefontaine OH	Logan	4/26/23
6		1601 WHISPERING PINES	BELLEFONTAINE	LOGAN	4/26/2023
7		212 Bent Pines Ct.	Bellefontaine	Logan	4/26/2023
8		229 Bent Pines Ct.	Bellefontaine	LOGAN	4/26/23
9		220 Bent Pines Ct	Bellefontaine	Logan	4/26/23
10		220 Bent Pines Ct	Bellefontaine	Logan	4/26/23
11		1505 Whispering Pines Ln	Bellefontaine	Logan	4/26/23
12		1412 WHISPERING PINES	Bellefontaine	LOGAN	4-26-23
13	Emily Borg	1412 Whispering Pines	Bellefontaine	Logan	4-26-23
14		110 E. Glen Dr	Bellefontaine	LOGAN	4-26-23
15	Arleen Neely	115 N. Spring Hill St	Bellefontaine	Logan	4-27-23
16		610 Sharon Dr	Bellefontaine	Logan	4-27-23
17		2145 N. D	Bellefontaine	LOGAN	4-27-23

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.		1468 Woodglen	Bellefontaine	Logan	5/4/2023
26.		1087 Township Rd 179	Bellefontaine	Logan	5/4/2023
27.		1316 Woodglencir	Bellefontaine	Logan	5/4/2023
28.		221 E. Glen Dr.	Bellefontaine	Logan	5/4/2023
29.		1313 Glenview Cir	Bellefontaine	Logan	5-4-2023
30.		1313 Glenview Cir	Bellefontaine	Logan	5-4-2023
31.		1309 Glenview Cir	Bellefontaine	Logan	5-4-23
32.		1309 Glenview Cir	Bellefontaine	Logan	5-4-23
33.		1316 Reservoir	Bellefontaine	Logan	5-4-23
34.		1308 Reservoir Rd	Bellefontaine	Logan	5-4-23
35.		1308 Reservoir Rd	Bellefontaine	Logan	5-4-23
36.		117 Greenridge Dr.	Bellefontaine	Logan	5-4-23
37.		121 Greenridge Dr.	Bellefontaine	Logan	5/4/23
38.		209 Greenridge Dr.	Bellefontaine	Logan	5/4/23

### Circulator Statement

Must be completed and signed by the circulator.

I, Charles Palmer, declare under penalty of election falsification that I reside at the address  
Printed Name of Circulator  
 appearing below my signature; that I am the circulator of the foregoing petition containing 38 signatures;  
Number  
 that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief  
 qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person  
 whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**WHOEVER COMMITS ELECTION  
FALSIFICATION IS GUILTY OF A  
FELONY OF THE FIFTH DEGREE**



Signature of Circulator

1612 White Pines Dr.

Permanent Residence Address

Bellefontaine

City or Village

OH  
State

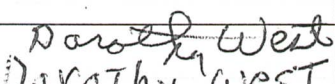

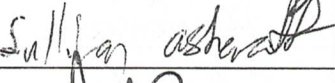

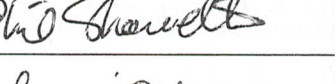
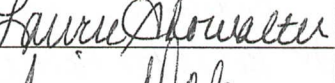
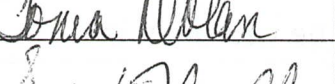
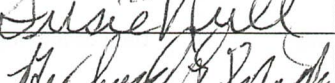
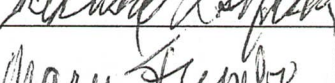


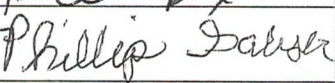
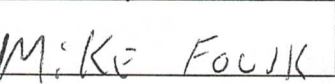

43311  
Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Julia Cook <b>COPY</b>	227 Pine Ridge Court Bellefontaine
Renee Price	118 Glen Hollow Dr. Bellefontaine
Charles Palmer	1612 White Pines Dr. Bellefontaine
Danielle Stefaniszyn	1712 White Pines Dr. Bellefontaine, OH
Skate Buchanan	1712 White Pines Dr., Bellefontaine, OH
Devin Palmer	1612 White Pines Dr, Bellefontaine

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1.	Carolyn Sue Fullerton	306 PINE RIDGE CT.	BELLEFONTAINE	LOGAN	4-24-23
2.	Amy Fullerton	306 Pine Ridge Ct.	Bellefontaine	Logan	4-24-23
3.	Nancy S. Decker	101 Split Rail Ct.	Bellefontaine	Logan	4-26-23
4.	Timothy S. Decker	101 Split Rail Ct	Bellefontaine	Logan	4-26-23
5.	Paul H. Jones	201 SHADY LAKE	Bellefontaine	Logan	4-26-23
6.	Keith Howe	1105 Garfield AVE	Bellefontaine	LOGAN	4/26/2023
7.	Donald M. Brown	805 W. Auburn Ave	Bellefontaine	Logan	4/27/2023
8.	Laura J. Brown	905 W Auburn Ave	Bellefontaine	Logan	4/27/2023
9.	Alfred Mansfield	121 Lincoln Ave	Bellefontaine	Logan	4/27/2023
10.	James Burr	116 Lincoln Ave	Bellefontaine	Logan	4-27-2023
11.	Alyssa Brown	116 Lincoln Ave	Bellefontaine	Logan	4-27-2023
12.	Levy Reeder	1221 Firehorn	Bellef.	Logan	4/27/23
13.	Eliq. Wilcoxson	118 Peppercorn Dr.	Bellef.	Logan	4-27-23
14.	Shellen L. Moore	1537 Hawke St.	Bellef.	Logan	4-28-23
15.	Rog Moore	1537 HAWKE ST	Bellef.	Logan	4-28-23
16.	Ben Edwards	1529 HAWKE ST	Bellef.	Logan	4-28-23
17.	D. H. R. R. R.	1525 Hawke St	Bellefontaine	Logan	4/28/23

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.	 Dorothy West	1121 Michigan	Bellevue	Logan	4/29/2023
26.	 Cheryl	1138 Michigan	Bellevue	Logan	4/29/2023
27.	 Sally	1133 Michigan	Bellevue	Logan	4/29/23
28.	 Dan	1133 Michigan St	Bellevue	Logan	4/29/23
29.	 Phil	1136 Michigan St.	Bellevue	Logan	4/29/23
30.	 Laurie	1136 Michigan St.	Bellevue	Logan	4/29/23
31.	 Anna	1154 Michigan St	Bellevue	Logan	4/29/23
32.	 Susan	1205 E Dietz	Bellevue	Logan	4-29-23
33.	 Richard	1187 Erie	Bellevue	Logan	4-29-23
34.	 Mary	1181 Erie St.	Bellevue	Logan	4/29/23
35.	 Mary	1181 Erie St	Bellevue	Logan	4/29/23
36.	 Dale	1176 Erie St.	Bellevue	Logan	4/29/23
37.	 Phillip	1180 Erie St	Bellevue	Logan	4/29/23
38.	 Mike	1169 Erie	Bellevue	Logan	4/29/23

### Circulator Statement

Must be completed and signed by the circulator.

I, Julie Cook, declare under penalty of election falsification that I reside at the address  
Printed Name of Circulator  
 appearing below my signature; that I am the circulator of the foregoing petition containing 38 signatures;  
Number  
 that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief  
 qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person  
 whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**WHOEVER COMMITS ELECTION  
FALSIFICATION IS GUILTY OF A  
FELONY OF THE FIFTH DEGREE**

Julie Cook  
Signature of Circulator  
227 Pine Ridge Court  
Permanent Residence Address  
Bellevue OH 43311  
City or Village State Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Danielle Stefaniszyn	1712 White Pines Dr Bellefontaine, OH 43011
Devin Palmer	1612 White Pines Dr, Bellefontaine
Charles Palmer	1612 White Pines Dr. Bellefontaine
Renee Price	118 Glen Hollow Dr. Bellefontaine
Julia Cook	227 Pine Ridge Court Bellefontaine
Skate Buchanan	1712 White Pines Dr., Bellefontaine, OH

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1.	Nancy Harman	109 N Springhill	Bellefontaine	Logan	4-27-23
2.	[Signature]	113 N. Springh. 11	Bellefontaine	Logan	4/27/23
3.	[Signature]	113 N Springhill St	Bellefontaine	Logan	4/27/23
4.	[Signature]	121 N. Springhill St.	Bellefontaine	Logan	4/27/23
5.	Rolin Wessinger	121 N. Springhill St.	Bellefontaine	Logan	4/27/23
6.	[Signature]	APT 604-D 611 Saxon Dr	Bellefontaine	Logan	4/27/23
7.	Patsy Davis	604 Saxon Dr E	Bellefontaine	Logan	4/27/23
8.	Linda K. McCormick	604 Saxon Dr. Apt B	Bellefontaine	Logan	4/27/23
9.	Betty Dorell	606 Saxon Dr. Apt B	Bellefontaine	Logan	4-27-23
10.	Judy Thompson	APT. D 606 Saxon Dr.	Bellefontaine	Logan	4-27-23
11.	Marion Symphy	606 Saxon Dr.	Bellefontaine	Logan	4-27-23
12.	Judy Ostermeyer	609 Saxon Dr.	Bellefontaine	Logan	4/27/23
13.	Roger Turso	610 Saxon Dr	Bellefontaine	Logan	4/27/23
14.	Carol Popp	521 E. Sandusky Ave Bellefontaine	Bellefontaine	Logan	5/6/23
15.	John Bozmann	137 N. Hays Street Bellefontaine	Bellefontaine	Logan	5/6/23
16.	Debra Duncan	121 E. Brown Ave	Bellefontaine	Logan	5/6/23
17.	[Signature]	[Address]	Bellefontaine	Logan	5/6/23

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.		636 Highland	Bellevue	Logan	5-6-23
26.		Co. Rd 11	Bellevue	Logan	5-6-23
27.		3645 Bell Rd	Huntville	Logan	5-6-23
28.		10402 Tup RD. 141	E. Liberty	Logan	5-6-23
29.		501 Kennedy St. Bellefontaine	Bellefontaine	Logan	5-6-23
30.		304 Race St. DeGraff	DeGraff	Logan	5-6-23
31.		1004 W. Columbus	Bellefontaine	Logan	5-6-23
32.		415 S. Park St.	Bellefontaine	Logan	5-6-23
33.		4302 US Hwy 68 S	West Liberty	Logan	5-6-23
34.		804 TWPRD 185	Bellefontaine	Logan	5-6-23
35.		804 TWPRD 185	Bellefontaine	Logan	5/6/23
36.		9750 TD 110	Rushsylvania	Logan	5-6-23
37.		425 West DR APT 10	Bellefontaine	Logan	5-6-23
38.		709 Rushville	Bellefontaine	Logan	5-6-23

### Circulator Statement

Must be completed and signed by the circulator.

I, Devin Palmer, declare under penalty of election falsification that I reside at the address  
Printed Name of Circulator  
 appearing below my signature; that I am the circulator of the foregoing petition containing 38 signatures;  
Number  
 that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief  
 qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person  
 whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**WHOEVER COMMITS ELECTION  
FALSIFICATION IS GUILTY OF A  
FELONY OF THE FIFTH DEGREE**

Devin Palmer  
 Signature of Circulator  
1612 White Pines Dr  
 Permanent Residence Address  
Bellefontaine Oh 43311  
 City or Village State Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Danielle Stefaniszyn	1712 White Pines Drive, Bellefontaine, OH 43111
Devin Palmer	1612 White Pines Dr, Bellefontaine
Skate Buchanan	1712 White Pines Dr, Bellefontaine, OH
Charles Palmer	1612 White Pines Dr, Bellefontaine
Renee Price	118 Glen Hollow Dr. Bellefontaine
Julia Cook	221 Pine Ridge Court Bellefontaine

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1. <input checked="" type="checkbox"/>		804 N. Main	Bellefontaine	Logan	4-28-23
2. <input checked="" type="checkbox"/>		1204 W. Columbus	Bellef.	Logan	4-28-23
3. <input checked="" type="checkbox"/>		1616 76th Ave	Belle Center	Logan	4-28-23
4. <input checked="" type="checkbox"/>		429 E Sandusky Ave	Bellefontaine	Logan	4-28-23
5. <input checked="" type="checkbox"/>		724 CR 21	DeGraff	Logan	4-28-23
6. <input checked="" type="checkbox"/>		724 CR 21	DeGraff	Logan	4-28-23
7. <input checked="" type="checkbox"/>		310 S Detroit St	Bellefontaine	Logan	4-28-23
8. <input checked="" type="checkbox"/>		840 Eastern Ave	Bellefontaine	Logan	4-28-23
9. <input checked="" type="checkbox"/>		840 Eastern Ave	Bellefontaine	Logan	4-28-23
10. <input checked="" type="checkbox"/>		3243 W St Rt 245	W. Liberty	Champaign	4-28-23
11. <input checked="" type="checkbox"/>		3243 St Rt. 245	W. Liberty	Champaign	4-28-23
12. <input checked="" type="checkbox"/>		424 N. West St.	Bellef.	Logan	4-28-23
13. <input checked="" type="checkbox"/>		4302 US Highway 68 S	West Liberty	Logan	4/28/23
14. <input checked="" type="checkbox"/>		116 1/2 Powers St.	Bellefontaine	Logan	4/28/23
15. <input checked="" type="checkbox"/>		2830 Co Rd 29	Bellefontaine	Logan	4/28/23
16. <input checked="" type="checkbox"/>		428 Kent Dr. Apt 11	Bellefontaine	Logan	4/28/23
17. <input checked="" type="checkbox"/>		428 Kent Dr	Bellefontaine	Logan	4/28/23

Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.	1022 Heidi	Bellefontaine	Logan	4/28/23
26.	520 W. Columbus Ave	Bellefontaine	Logan	4/28/23
27.	520 W. Columbus	Bellefontaine	Logan	4/28/23
28.	5857 County Rd 5	Rushsylvania	Logan	4/28/23
29.	10945 New Bremen New Knoxville	New Knoxville	Auglaize	4/18/23
30.	4089 S. S. S. Ave.	Bellefontaine	Logan	4/28/23
31.	405 Superior St	Bellefontaine	Logan	4/29/23
32.	404 Superior	Bellefontaine	Logan	4/29/23
33.	1117 Erie St	Bellefontaine	Logan	4/29/23
34.	1112 Erie St	Bellefontaine	Logan	4/29/23
35.	1112 Erie St	Bellefontaine	Logan	4/29/23
36.	1103 W. Columbus Ave	Bellefontaine	Logan	4-29-23
37.	1120 Erie St	Bellefontaine	Logan	4-29-23
38.	1120 Erie St,	Bellefontaine	Logan	4-29-23

### Circulator Statement

Must be completed and signed by the circulator.

I, Danielle Stefaniszyn, declare under penalty of election falsification that I reside at the address appearing below my signature; that I am the circulator of the foregoing petition containing 38 signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.



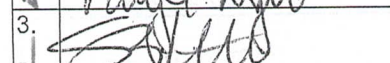
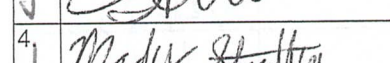
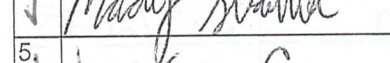
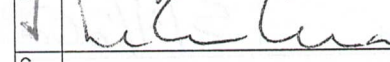

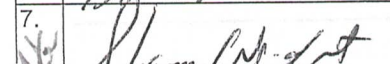
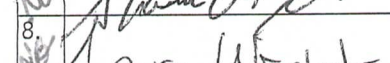
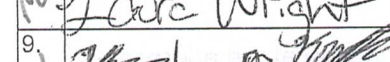



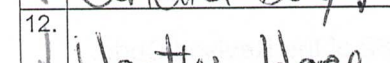
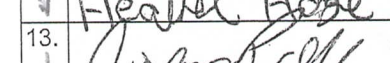
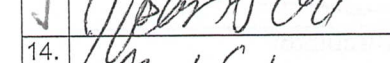
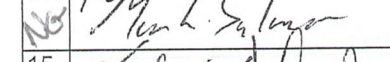
**WHOEVER COMMITS ELECTION  
FALSIFICATION IS GUILTY OF A  
FELONY OF THE FIFTH DEGREE**

Signature of Circulator  
1717 White Pines Dr.  
Permanent Residence Address  
Bellefontaine  
City or Village  
OH 43311  
State Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Shate Buchanan	1712 White Pines Dr. Bellefontaine
Renee Price	118 Glen Hollow Dr. Bellefontaine
Charles Palmer	1612 White Pines Dr. Bellefontaine
Julia Cook	221 Pine Ridge Court Bellefontaine
Danielle Stefaniszyn	1712 White Pines Dr. Bellefontaine, OH
Denin Palmer	1612 White Pines Dr. Bellefontaine

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1.		1304 Superior St.	Bellefontaine	Logan	4-29-23
2.		1304 Superior St.	Bellefontaine	Logan	4-29-23
3.		1336 Superior St.	Bellefontaine	Logan	4-29-23
4.		1336 Superior St.	Bellefontaine	Logan	4-29-23
5.		1164 Michigan	Bellefontaine	Logan	4-29-23
6.		1225 Superior	Bellefontaine	Logan	4/29/23
7.		441 Ontario Ave	Bellefontaine	Logan	4/29/23
8.		441 Ontario Ave	Bellefontaine	Logan	4/29/23
9.		437 Ontario Ave	Bellefontaine	Logan	4/29/23
10.		425 Ontario Ave	Bellefontaine	Logan	4-29-23
11.		421 Ontario Ave	Bellefontaine	Logan	4-29-23
12.		1136 Erie St	Bellefontaine	Logan	4-29-23
13.		1140 Erie St	Bellefontaine	Logan	4-29-23
14.		428 E Lake Ave	Bellefontaine	Logan	4-29-23
15.		416 E. Lake Ave	Bellefontaine	Logan	4-29-23
16.		416 E. Lake Ave	Bellefontaine	Logan	4-29-23
17.		408 E Lake Ave	Bellefontaine	Logan	4-29-23

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.	Carla Nalen	516 Brookwood Dr	Bellefontaine	Logan	5-4-23
26.	[Signature]	520 Brookwood Dr	Bellefontaine	Logan	5-4-23
27.	[Signature]	523 Brookwood Dr	Bellefontaine	Logan	5/4/23
28.	Paula M. Deardurff	537 Hillcrest Dr	Bellefontaine	Logan	5/4/23
29.	Paul Deardurff	537 Hillcrest Dr	Bellefontaine	Logan	5/4/23
30.	[Signature]	612 Hillcrest Dr	Bellefontaine	Logan	5/4/23
31.	[Signature]	536 Woodland Dr	Bellefontaine	Logan	5/4/23
32.	Ellen Cruso	520 Woodland Dr	Bellefontaine	Logan	5/4/23
33.	James Burkholder	520 Woodland Dr	Bellefontaine	Logan	5/4/23
34.	Madison Brumke	528 Woodland Dr	Bellefontaine	Logan	5/4/23
35.	Vin Jones	500 Oakland Dr	Bellefontaine	Logan	5/4/23
36.	[Signature]	416 Woodland Dr	Bellefontaine	Logan	5/4/23
37.	Kathleen Judy	416 Woodland Dr	Bellefontaine	Logan	5/4/2023
38.	Doreen [Signature]	416 Woodland Dr	Bellefontaine	Logan	5/4/2023

### Circulator Statement

Must be completed and signed by the circulator.

I, Skate Buchanan, declare under penalty of election falsification that I reside at the address  
Printed Name of Circulator  
 appearing below my signature; that I am the circulator of the foregoing petition containing 38 signatures;  
Number  
 that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief  
 qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person  
 whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**WHOEVER COMMITS ELECTION  
FALSIFICATION IS GUILTY OF A  
FELONY OF THE FIFTH DEGREE**

[Signature]  
 Signature of Circulator

1712 White Pines Drive  
 Permanent Residence Address


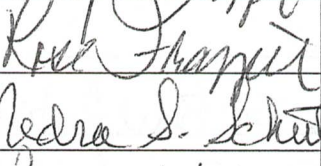
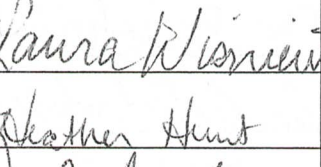
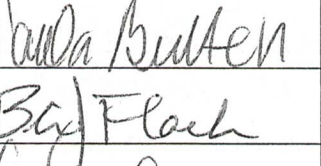
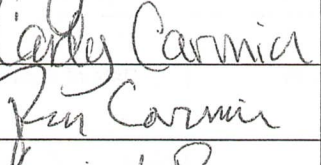
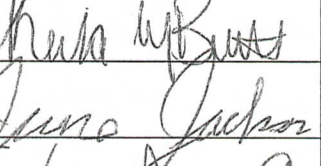
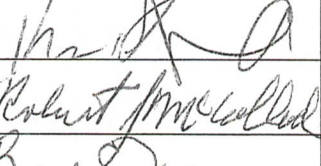
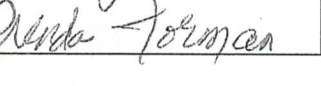
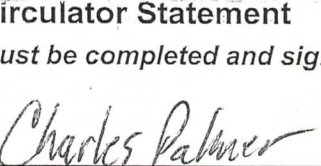
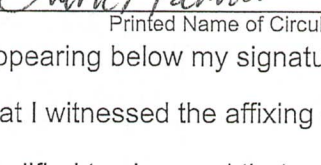

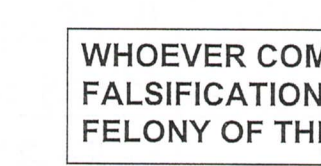
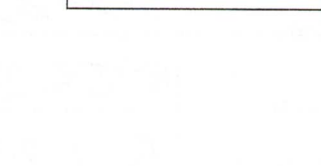

Bellefontaine OH 43311  
 City or Village State Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Skate Buchanan	1712 White Pines Drive
Danielle Stefaniszyn	1712 white Pines Dr. Bellefontaine
Derin Palmer	1612 White Pines Dr, Bellefontaine
Charles Palmer	1612 White Pines Dr. Bellefontaine
Renee Price	118 Glen Hollow Dr. Bellefontaine
Julia Cook	227 Pine Ridge Court Bellefontaine

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1.	Melene Inke	1200 Superior St.	Bellf.	Logan	4/29/23
2.	Patricia Stonerock	1213 Superior	Bellefontaine	Logan	4/29/2023
3.	Phyllis Butler	1520 Superior	Bellefontaine	Logan	4/29/2023
4.	[Signature]	1224 Superior St	Bellefontaine	Logan	4/29/2023
5.	[Signature]	1228 Superior St.	Bellefontaine	Logan	4/29/2023
6.	Janet Casey	1232 Superior	Bellefontaine	Logan	4/29/2023
7.	Judy Turner	1332 Superior St	Bellefont	Logan	4/29/23
8.	John Lynch	1340 Superior St	Bellefontaine	Logan	4/29/23
9.	Tim Miller	1173 Michigan St	Bellefontaine	Logan	4/29/23
10.	Calvin M. [Signature]	736 Euclid St	Bellefontaine	Logan	4/29/23
11.	Jake [Signature]	1168 Michigan Street	Bellefontaine	Logan	4-29-23
12.	Wendy Withers	1309 Superior	Bellefontaine	Logan	4-29-23
13.	Debra [Signature]	440 Ontario Ave	Bellefontaine	Logan	4-29-23
14.	Jack [Signature]	436 Ontario Ave	Bellefontaine	Logan	4-29-23
15.	Theresa [Signature]	18504 C.R. 75	Bellefontaine	Logan	5-5-23
16.	Les [Signature]	7990 [Signature]	Liberty	Logan	5-5-23
17.	[Signature]	[Signature]	Bellefontaine	Logan	5-7-23

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.		924 Euclid St	Bellef	Logan	5-8-23
26.		924 Euclid St	Bellef	Logan	5-8-23
27.		439 Woodside Pl	Bellef	Logan	5-11-23
28.		1087 Township Rd 179	Bellefontaine	Logan	5-14-23
29.		304 Evergreen Dr.	Bellef, OH	Logan	5/14/23
30.		1218 Rosewood Dr	Bellef OH	Logan	5/15/23
31.		109 S Heather Hill	Bellef, OH	Logan	5-15-23
32.		129 S. Heather Hill Dr	Bellefontaine OH	Logan	5-15-23
33.		129 S. Heather Hill Dr	Bellefontaine	Logan	5-15-23
34.		1031 Reservoir Rd	Bellefontaine	Logan	5/15/23
35.		1021 Reservoir	Bellef.	Logan	5/15/23
36.		971 Reservoir Rd	Bellef	Logan	5/15/23
37.		100 Oregon	Bellef	Logan	5-15-23
38.		100 Oregon	Bellef	Logan	5-15-23

### Circulator Statement

Must be completed and signed by the circulator.

I, Charles Palmer, declare under penalty of election falsification that I reside at the address  
Printed Name of Circulator  
 appearing below my signature; that I am the circulator of the foregoing petition containing 38 signatures;  
Number  
 that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief  
 qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person  
 whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**WHOEVER COMMITS ELECTION  
FALSIFICATION IS GUILTY OF A  
FELONY OF THE FIFTH DEGREE**



Signature of Circulator

1612 White Pines Dr.

Permanent Residence Address

Bellefontaine

City or Village

OH

State

43311

Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Renee Price	118 Glen Hollow Dr. Bellefontaine
Danielle Stefaniszw	1712 White Pines Dr. Bellefontaine, OH
Skate Buchanan	1712 White Pines Dr., Bellefontaine, OH
Devin Palmer	1612 White Pines Dr, Bellefontaine
Charles Palmer	1612 White Pines Dr. Bellefontaine
Julia Cook	227 Pine Ridge Court Bellefontaine

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1.	Ellie Johnson	705 Heritage Dr. Bellefontaine, OH 43311	Bellefontaine	Logan	5-2-23
2.	Makenzie Reminder	908 Allison Dr. Bellefontaine, OH 43311	Bellefontaine	Logan	5-2-23
3.	Tracy Nuld	1329 Turner Rd. Bellefontaine, OH 43311	Bellefontaine	Logan	5/3/23
4.	Matthew Reed	1329 Turner Rd. Bellefontaine, OH 43311	Bellefontaine	Logan	05/03/2023
5.	Jim Bertoni	542 Stonebridge	Bellefontaine	Logan	5/5/23
6.	Al A	863 Crestview Dr.	Bellefontaine	Logan	5/7/23
7.	Ed Str	863 Crestview Drive Bellefontaine, OH 43311	Bellefontaine	Logan	5/7/23
8.	Dorothy L. Emerick	404 Belle Meadows Dr.	Bellefontaine	Logan	5/7/23
9.	Shelby Adams	354 Belle Meadows Dr. P.O. Box 53	Bellefontaine	Logan	5/7/23
10.	Michael Mitchell	736 Euclid Street	Bellefontaine	Logan	5/7/23
11.	Melissa Rogers	115 Glen Hollow Dr.	Bellefontaine	Logan	5/7/23
12.	Katie Regula	225 Bent Pines	Bellefontaine	Logan	5/8/23
13.	Mandy Tellner	419 E. Williams Ave	Bellefontaine	Logan	5/9/23
14.	Mandy Tellner	419 E Williams Ave	Bellefontaine	Logan	5/9/23
15.	Yol Price	118 Glen Hollow Dr	Bellefontaine	Logan	6/12/23
16.	Tracy	209 Summit Dr.	Bellefontaine	Logan	5-14-23
17.					5-14-23

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.	<i>Adrian Smith</i>	516 OAKWOOD DRIVE BELLEFONTAINE OHIO	Bellefontaine	Logan	5/18/2023
26.	<i>Tom</i>	516 Oakwood Drive Bellefontaine, OHIO	Bellefontaine	Logan	5/18/2023
27.	<i>Paul Will</i>	508 Oakwood Drive Bellefontaine, Ohio	Bellefontaine	Logan	5/18/2023
28.	<i>Dana W. Kern</i>	504 Oakwood Dr., Bellefontaine	Bellefontaine	Logan	5/18/2023
29.	<i>Jamelle Langenby</i>	500 Willow Dr. Bellefontaine OH	Bellefontaine	Logan	5/18/2023
30.	<i>Diana Baughman</i>	521 Willow Dr	Bellefontaine	Logan	5/18/2023
31.	<i>Wanda Baughman</i>	521 Willow DR	Bellefontaine	Logan	5-18-2023
32.	<i>Sony Hanson</i>	541 Stone Bridge	Bellefontaine	Logan	5-18-2023
33.	<del><i>[Signature]</i></del>				
34.	<i>Mark Stump</i>	204 Organ Street	Bellefontaine	Logan	5/24/23
35.	<i>Bob</i>	119 LAKEWOOD DR	Bellefontaine	Logan	5/24/23
36.	<i>Lefty</i>	119 S. Hayes	Bellefontaine	Logan	5/25/23
37.	<i>Mark</i>	3683 CR 1	Bellefontaine	Logan	5-25-23
38.	<i>Anthony Redd</i>	1525 Peach St	Bellefontaine	Logan	5/25/23

### Circulator Statement

Must be completed and signed by the circulator.

I, Renee Price, declare under penalty of election falsification that I reside at the address  
Printed Name of Circulator  
 appearing below my signature; that I am the circulator of the foregoing petition containing 38 signatures;  
Number  
 that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief  
 qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person  
 whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**WHOEVER COMMITS ELECTION  
FALSIFICATION IS GUILTY OF A  
FELONY OF THE FIFTH DEGREE**

*Renee Price*

Signature of Circulator

118 Glen Hollow Dr.

Permanent Residence Address

Bellefontaine

City or Village

OH

State

43311

Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Julia Cook <b>COPY</b>	227 Pine Ridge Court Bellefontaine
Renee Price	118 Glen Hollow Dr. Bellefontaine
Charles Palmer	1612 White Pines Dr Bellefontaine
Denir Palmer	1612 White Pines Dr, Bellefontaine
Danielle Stefaniszyn	1712 White Pines Dr Bellefontaine, OH
Skate Buchanan	1712 White Pines Dr. Bellefontaine, OH

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1. ✓	Donna Peters	547 E Columbus Ave Apt 5	Bellefontaine	Logan	5-3-23
2. ✓	Robert Hedrick	1974 CHRYSLER	Bellefontaine	Logan	0503-23
3. ✓	Kelly Snyder	317 W. Auburn Ave	Bellefontaine	Logan	5-3-23
4. ✓	<del>Kelly S</del>	<del></del>	<del></del>	<del></del>	<del></del>
5. ✓	Blake Kerner	379 GARFIELD AVE	Bellef.	Logan	5-3-23
6. ✓	Anthony Kerner	329 Garfield Ave	Bellef	Logan	5-3-23
7. ✓	Maranda Mulholland	450 Kristina Dr. Apt. 104	Bellefontaine	Logan	5-3-23
8. ✓	Chris Woy	1481 CR 9	Bellefontaine	Logan	05/03/2023
9. ✓	J Bennett	567 Stone Bridge Blvd	Bellefontaine	Logan	5/3/23
10. ✓	Liz Yang	188 W. Stanley Str.	Bellefontaine	Logan	5/3/23
11. ✓	Robert Young	17248 Twp Rd 39	Belle center	Logan	5/3/23
12. ✓	James McCoy	1502 Twp Rd 56	Bellefontaine	Logan	5/3/23
13. ✓	Tommy	1161 Erie St.	Bellefontaine	Logan	5/7/2023
14. ✓	Latherine White	482 Twp Rd 190 E Bellef.	Bellef.	Logan	5/7/23
15. ✓	Chris Prall	412 E High Ave Bellef.	Bellef.	Logan	5/8/23
16. ✓	Chris Prall	412 E High Ave	Bellefontaine	Logan	5/8/23
17. ✓	Chris Prall	341 S. Detroit St	Bellefontaine	Logan	5/8/23

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.	John E. Drake	505 Hilltop Drive	Bellefontaine	Logan	5/15/23
26.	Judy L. Bishop	1528 Hawks St	Bellefontaine	Logan	5/15/23
27.	Robert J. Bishop	1528 Hawks St	Bellefontaine	Logan	5-15-23
28.	John V. Z	1505 Eagles	Bellefontaine	Logan	5-15-23
29.	May R. Cox	1517 Eagle St	Bellefontaine	Logan	5-15-23
30.	Orlene Robb	1524 Eagles St	Bellefontaine	Logan	5-15-23
31.	Nicole R. Vance	1529 Eagle	Bellefontaine	Logan	5-15-23
32.	David L. Vance	1529 Eagle	Bellefontaine	Logan	5/15/23
33.	Angie Walker	1525 Eagle	Bellefontaine	Logan	5/15/23
34.	<del>John V. Z</del>	<del>12389 CR 15</del>	<del>East Liberty</del>	<del>Logan</del>	<del>5-15-23</del>
35.	Louise J. Gordon	200 Pine Ridge Ct	Bellefontaine	Logan	5/15/23
36.	James A. Gordon	200 Pine Ridge Ct	Bellefontaine	Logan	5/15/23
37.	Dwight Wall	405 E Patterson	Bellefontaine	Logan	5/17/23
38.	Sheryl L. Wall	405 E. Patterson	Bellefontaine	Logan	5/17/23

### Circulator Statement

Must be completed and signed by the circulator.

I, Julia Cook, declare under penalty of election falsification that I reside at the address  
Printed Name of Circulator  
 appearing below my signature; that I am the circulator of the foregoing petition containing 38 signatures;  
Number  
 that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief  
 qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person  
 whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

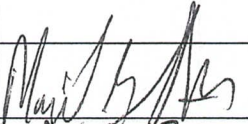

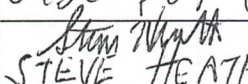
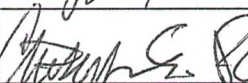
**WHOEVER COMMITS ELECTION  
FALSIFICATION IS GUILTY OF A  
FELONY OF THE FIFTH DEGREE**

Julia Cook  
 Signature of Circulator  
227 Pine Ridge Court Bellefontaine  
 Permanent Residence Address  
Bellefontaine Ohio 43311  
 City or Village State Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Renee Price	118 Glen Hollow Dr. Bellefontaine
Charles Palmer	1612 White Pines Dr. Bellefontaine
Julia Cook	221 Pine Ridge Court Bellefontaine
Skate Buchanan	1712 White Pines Dr. Bellefontaine, OH
Danielle Stefaniszyk	1712 White Pines Dr. Bellefontaine, OH
Dawn Palmer	1612 White Pines Dr. Bellefontaine

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1		201 Greenridge Drive	Bellefontaine	Logan	5-4-23
2		401 E. BROWN AVE.	BELLEFONTAINE	LOGAN	5-4-23
3	Gage Popt	401 E. BROWN AVE	Bellefontaine	Logan	5-4-23
4		116 GREENRIDGE DR.	BELLEFONTAINE	LOGAN	5-4-23
5	Amy L. Heath	116 Greenridge Dr.	Bellefontaine, OH	Logan Co.	5-04-23
6		112 Greenridge Dr.	Bellefontaine, OH	Logan Co.	5-04-23
7	Stephen Patton	112 Greenridge Dr.	Bellefontaine, OH	Logan Co.	5-4-23
8	Scott Gill	1601 Maple Ridge Dr	Bellefontaine, OH	Logan Co.	5-4-23
9	Jamie Gill	1601 Maple Ridge Dr.	Bellefontaine, OH	Logan Co.	5-4-23
10	Jane Phillips	416 S. Madriver	Bellefontaine, OH	Logan Co.	5-6-23
11	Chelsea Phillips	416 S madriver	Bellefontaine, OH	Logan Co.	5-6-23
12	Kylee Thornburg	544 S Detroit St	Bellefontaine	Logan Co.	5-6-23
13	Chris Thornburg	544 S Detroit St	Bellefontaine	Logan Co.	5-6-23
14	Yolanda Stokes	8607 St. Rt. 274	Lewistown	Logan Co.	5/6/23
15	Thomas R. Taylor	209 Lerone	Bellefontaine	Logan Co.	5-6-23
16	Vera Y. Y. Y.	4295 HIGH ST	HUNTSVILLE	LOGAN CO	5-6-23
17					

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.					
26.					
27.					
28.					
29.					
30.					
31.					
32.					
33.					
34.					
35.					
36.					
37.					
38.					

**Circulator Statement**  
*Must be completed and signed by the circulator.*

I, Skate Buchanan, declare under penalty of election falsification that I reside at the address  
Printed Name of Circulator  
 appearing below my signature; that I am the circulator of the foregoing petition containing 16 signatures;  
Number  
 that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief  
 qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person  
 whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**WHOEVER COMMITS ELECTION  
 FALSIFICATION IS GUILTY OF A  
 FELONY OF THE FIFTH DEGREE**

Skate Buchanan  
 Signature of Circulator  
1712 White Pines Drive  
 Permanent Residence Address  
Bellefleur OH 43311  
 City or Village State Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Julia Cook	227 Pine Ridge Court Bellefontaine
Renee Price	118 Glen Hollow Dr. Bellefontaine
Charles Palmer	1612 White Pines Dr. Bellefontaine
Denin Palmer	1412 White Pines Dr, Bellefontaine
Danielle Stefani syn	1712 White Pines Dr. Bellefontaine, OH
Skate Buchanan	1712 White Pines Dr., Bellefontaine, OH

COPY

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1	[Signature]	404 WOODLAND DR.	Bellefontaine	Logan	5/4/23
2	[Signature]	411 Woodland Dr	Bellefontaine	Logan	5/4/23
3	[Signature]	423 Woodland Dr.	Bellefontaine	Logan	5/4/23
4	[Signature]	427 Woodland Dr.	Bellefontaine	Logan	5-4-23
5	[Signature]	509 Woodland	Bellefontaine	Logan	5-4-23
6	[Signature]	500 Woodland Dr	Bellefontaine	Logan	5-4-23
7	[Signature]	500 Woodland Dr	Bellefontaine	Logan	5-4-23
8	[Signature]	537 Woodland Dr.	Bellefontaine	Logan	5-4-23
9	[Signature]	433 N. Detroit St.	Bellefontaine	Logan	5-6-2023
10	[Signature]	536 S. Park Str.	Bellefontaine	Logan	5-6-2023
11	[Signature]	206 Pine Ridge Court St.	Bellefontaine	Logan	5-6-2023
12	[Signature]	409 N. Main St	Bellefontaine	Logan	5-6-2023
13	[Signature]	9738 C.R 44 E.	East Liberty	Logan	5-6-2023
14	[Signature]	9738 C.R 44 E	E. Liberty	Logan	5-6-2023
15	[Signature]	9738 C.R 44 E	E. Liberty	Logan	5-6-2023
16	[Signature]	1141 Michigan St.	Bellefontaine	Logan	5-6-23
17	[Signature]	1141 Michigan St.	Bellefontaine	Logan	5-6-23

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.		26525 Lunda Rd. W	West Mansfield	Logan	5/19/2023
26.		3859 Harrison Rd Bellevue	Bellevue	Logan	5/19/23
27.		450 Kristina Dr. Vt Apt 11C	Bellevue	Logan	5/19/23
28.		450 Kristina Dr Apt 13C	Bellevue	Logan	5/19/23
29.		26525 Lunda Rd.	W. Mansfield	Logan	5/19/23
30.		26525 Lunda Rd.	W. Mansfield	Logan	5/19/23
31.		6099 Tup Rd Bellevue	W.L.	Logan	5-19-23
32.		450 Kristina	Bellevue	Logan	5-19-23
33.		13165 Detroit 420	Bellevue	Logan	5-19-23
34.		308 W. High	Bellevue	Logan	5-19-23
35.		750 Spiegel Ct	Marysville	Union	5-19-23
36.		1604 Briarwood St	W. Liberty	Logan	5-19-23
37.		301 East Main St	Bellevue	Logan	5-19-23
38.		301 E Main St	Belle Center	Logan	5-19-23

### Circulator Statement

Must be completed and signed by the circulator.

I, Skate Buchanan, declare under penalty of election falsification that I reside at the address  
Printed Name of Circulator  
 appearing below my signature; that I am the circulator of the foregoing petition containing 38 signatures;  
Number  
 that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief  
 qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person  
 whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**WHOEVER COMMITS ELECTION  
FALSIFICATION IS GUILTY OF A  
FELONY OF THE FIFTH DEGREE**

Signature of Circulator

1712 White Pine Drive

Permanent Residence Address

Bellevue

City or Village

OH

State

43311

Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
<del>Rob Palmer</del> Charles Palmer	1612 White Pines Drive, Belle f.
Danielle Stefanisyn	1712 White Pines Dr. Bellefontaine, OH 43111
Renee Price	118 Glen Hollow Dr. Bellefontaine, OH
Julia Cook	227 Pine Ridge Court Bellefontaine
Denin Palmer	1612 White Pines Dr, Bellefontaine
Skate Buchanan	1712 White Pines Dr., Bellefontaine, OH

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1. ✓	Andrea Jorsee	115 N Heather Hill Dr.	Bellef.	Logan	5/15/23
2. ✓	Stacy Farnum	120 Organ St.	Bellefontaine	Logan	5/15/23
3. ✓	Dani WLP	124 Organ	Bellefontaine	Logan	5/15/23
4. ✓	Pat Nguyen	212 ORGAN	Bellefontaine	LOGAN	5-15-23
5. ✓	[Signature]	919 Eastern Ave	Bellefontaine	Logan	5-15-23
6. ✓	Jana Organ	919 Eastern Ave	Bellefontaine	Logan	5-15-23
7. ✓	Gloria Taylor	209 Terrence Dr.	Bellefontaine	LOGAN	5-15-23
8. ✓	Joe Mann	149 TERRENCE DR	BELLEFONTAINE	LOGAN	5-15-23
9. ✓	Gary Fergus	125 TERRENCE DR.	BELLEFONTAINE	LOGAN	5-15-23
10. ✓	[Signature]	107 Terrence	Bellefontaine	Logan	5/15/23
11. ✓	[Signature]	148 Terrence	Bellefontaine	Logan	5/15/23
12. ✓	[Signature]	208 Terrence Dr.	Bellefontaine	Logan	5/15/23
13. ✓	Marilyn Holter	220 Terrence	Bellefontaine	Logan	5/15/23
14. ✓	[Signature]	269 Terrence Dr	Bellefontaine	Logan	5/15/23
15. ✓	[Signature]	208 Terrence Dr	Bellefontaine	Logan	5/15/23
16. ✓	[Signature]	213 ORGAN	BELLEFONTAINE	LOGAN	5-15-23
17. ✓	[Signature]	213 ORGAN	Bellefontaine	Logan	5-15-23

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.	<i>[Signature]</i>	121 Summit	Bellefontaine	Ohio Logan	5/17/23
26.	<i>[Signature]</i>	201 Summit	Belft	Off LOGAN	5/17/23
27.	<i>[Signature]</i>	209 Summit	Bellefontaine	Logan	05.17.2023
28.	<i>[Signature]</i>	212 Summit Dr	Bellefontaine	Logan	5/17/23
29.	<i>[Signature]</i>	212 Summit Dr	Bellefontaine	Logan	5/17/23
30.	<i>[Signature]</i>	208 Summit	Bellefontaine	Logan	5/17/23
31.	<i>[Signature]</i>	204 Summit Dr	Bellefontaine	Logan	5-17-23
32.	<i>[Signature]</i>	204 Summit Dr	Bellefontaine	Logan	5-17-23
33.	<i>[Signature]</i>	844 Western	Bellefontaine	LOGAN	5-17-23
34.	<i>[Signature]</i>	840 W. Main	Bellefontaine	Logan	5-17-23
35.	<i>[Signature]</i>	104 Summit	Bellefontaine	Logan	5-17-23
36.	<i>[Signature]</i>	844 Reservoir	Bellefontaine	Logan	5/17/23
37.	<i>[Signature]</i>	844 Reservoir	Bellefontaine	Logan	5-17-23
38.	<i>[Signature]</i>	844 Reservoir	Bellefontaine	Logan	5-17-23

### Circulator Statement

Must be completed and signed by the circulator.

I, Charles Palmer, declare under penalty of election falsification that I reside at the address  
Printed Name of Circulator  
 appearing below my signature; that I am the circulator of the foregoing petition containing 38 signatures;  
Number  
 that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief  
 qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person  
 whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**WHOEVER COMMITS ELECTION  
FALSIFICATION IS GUILTY OF A  
FELONY OF THE FIFTH DEGREE**

*[Signature]*

Signature of Circulator

1612 White Pines Dr.

Permanent Residence Address

Bellefontaine

City or Village

OH

State

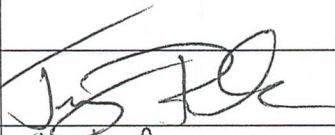
43311

Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Danielle Stefaniszyn	1712 White Pines Dr. Bellefontaine, OH
Skate Buchanan	1712 white Pines Dr., Bellefontaine, OH
Devin Palmer	1612 White Pines Dr, Bellefontaine
Charles Palmer	1612 White Pines Dr. Bellefontaine
Renee Price	118 Glen Hollow Dr. Bellefontaine
Julia Cook	221 Pine Ridge Court Bellefontaine

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1		105 Pleasant Dr	Bell. Pal.	Logan	5-17-23
2	Shel Russell	124 Pleasant Dr	Bell. Pal.	Logan	5-17-23
3	Dorothy Snapp	120 Pleasant Dr	Bellef.	Logan	5-17-23
4	Jeffrey Koppelman	104 Pleasant Dr	Bellef.	Logan	5-17-23
5	Linda Snapp	816 Reservoir Rd.	Bellef.	Logan	5-17-23
6	Risa Snapp	816 Reservoir Rd	Bellefontaine	Logan	5-17-23
7	Mike Snapp	819 Reservoir Rd	Bellefontaine	Logan	5-17-23
8	Matt Kr	835 Reservoir Rd	Bellefontaine	Logan	5/17/23
9	De Winkle	850 Bainn Lane	Bellefontaine	Logan	5-17-23
10.					
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	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
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### Circulator Statement

*Must be completed and signed by the circulator.*

I, Charles Palmer, declare under penalty of election falsification that I reside at the address  
Printed Name of Circulator  
 appearing below my signature; that I am the circulator of the foregoing petition containing 9 signatures;  
Number  
 that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief  
 qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person  
 whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**WHOEVER COMMITS ELECTION  
FALSIFICATION IS GUILTY OF A  
FELONY OF THE FIFTH DEGREE**

Charles Palmer  
 Signature of Circulator  
1612 White Pines Dr.  
 Permanent Residence Address  
Bellefontaine OH 43311  
 City or Village State Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Renee Price <b>COPY</b>	118 Glen Hollow Dr. Bellefontaine
Charles Palmer	1612 White Pines Dr. Bellefontaine
Julia Cook	227 Pine Ridge Court Bellefontaine
Skate Buchanan	1712 White Pines Dr., Bellefontaine, OH
Danielle Stefanisyn	1712 White Pines Dr. Bellefontaine, OH
Denin Palmer	1612 White Pines Dr, Bellefontaine

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1.	Zachary Zacher	8100 CR 54	Lewistown	Logan	5/19/23
2.	Derrick Bevington	140 east south Street	Ridgeway	Logan	5/19/23
3.	Susan Bevington	140 South St.	Ridgeway	Logan	5-19-23
4.	Tracy Gault	10136 Co Rd 101 Belle Center, Ohio	Belle Center	Logan	5-19-23
5.	Curt Gibson	1266 Rd. 56 Bellefontaine	Bellefontaine	Logan	5-19-23
6.	Mollie Gibson	1266 Rd 56	Bellefontaine	Logan	5-19-23
7.	Fiona Price	3956 Harrison Rd.	Bellefontaine	Logan	5-19-23
8.	Benjamin Chaffin	12767 St. Rt. 274 W	Lewistown Ohio	Logan	5-19-23
9.	Stacy	714 N Main St	Kenton	Hardin	5-19-23
10.	Abigail Durl	4009 US Highway 65	Bellefontaine	Logan	5-19-23
11.	Tim K	4009 US Highway 65	Bellefontaine	Logan	5-19-23
12.	My Chelina	523 west Columbus	Bellefontaine	Logan	5-19-23
13.	Mick	560 North Ave	Bellefontaine	Logan	5-19-23
14.	K. A. Lee	857 CR 32 S	Bellefontaine	Logan	5-19-23
15.	Morgan K. Johnson	857 CR 32 S	Bellefontaine	Logan	5/19/23
16.					
17.					

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
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**Circulator Statement**

*Must be completed and signed by the circulator.*

I, Denin Palmer, declare under penalty of election falsification that I reside at the address  
Printed Name of Circulator  
 appearing below my signature; that I am the circulator of the foregoing petition containing 15 signatures;  
Number  
 that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief  
 qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person  
 whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

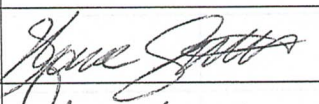
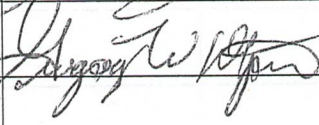
**WHOEVER COMMITS ELECTION  
 FALSIFICATION IS GUILTY OF A  
 FELONY OF THE FIFTH DEGREE**

Denin Palmer  
 Signature of Circulator  
1612 White Pine Dr  
 Permanent Residence Address  
Bellevue OH 43311  
 City or Village State Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Danette Stefanis <b>COPY</b>	1712 White Pines Dr Bellefontaine, OH
Devin Palmer	1612 White Pines Dr, Bellefontaine, OH
Skate Buchanan	1712 White Pines Dr, Bellefontaine, OH
Charles Palmer	1612 White Pines Dr Bellefontaine
Renee Price	118 Glen Hollow Dr. Bellefontaine
Julia Cook	227 Pine Ridge Court Bellefontaine

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1.		404 East Spring Avenue	Bellefontaine	Logan	5/19/23
2.		12430 TWP RD 180 KEI	KENTON, OH	HARDIN	5/19/23
3.					
4.					
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	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
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27.					
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**Circulator Statement**

*Must be completed and signed by the circulator.*

I, Deni Palmer, declare under penalty of election falsification that I reside at the address  
Printed Name of Circulator  
 appearing below my signature; that I am the circulator of the foregoing petition containing 2 signatures;  
Number  
 that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief  
 qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person  
 whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**WHOEVER COMMITS ELECTION  
 FALSIFICATION IS GUILTY OF A  
 FELONY OF THE FIFTH DEGREE**

Deni Palmer  
Signature of Circulator  
1612 White Pines Dr  
Permanent Residence Address  
Bellefontaine Oh 43311  
City or Village State Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Julia Cook	227 Pine Ridge Court Bellefontaine
Renee Price	118 Glen Hollow Dr. Bellefontaine, OH
Charles Palmer	1612 White Pines Dr. Bellefontaine, OH
Danielle Stefaniszyn	1712 White Pines Dr Bellefontaine, OH
Skate Buchanan	1712 White Pines Dr. Bellefontaine, OH
Devin Palmer	1612 White Pines Dr, Bellefontaine

COPY

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1. ✓	Wendy Doherty	413 N. West Street	Bellefontaine	Logan	5-21-23
2. ✓	Cassie Jansell	229 Green Tree	Bellefontaine	Logan	5-21-23
3. ✓	Robert D Maufel	1265 Dakota Rd	Bellefontaine	Logan	5.21.23
4. ✓	Jerry Harmon	510 S Detroit St	Bellefontaine	Logan	5-21-23
5. ✓	Martha Giffman	1506 Cross Street	Bellefontaine	Logan	05/21/2023
6. ✓	Shawn James	1450 W. Sandersky	Bellefontaine	Logan	5/21/2023
7. ✓	John James	1450 W. Sandersky	Bellefontaine	Logan	5/21/2023
8. ✓	Tim Porter	314 Washington	Bellefontaine	Logan	5/23/2023
9. ✓	Karen Elliott	213 E. Patterson	Bellefontaine	Logan	5/24/2023
10. ✓	Pamela Patton	540 N Main St	Bellefontaine	Logan	5/24/2023
11. ✓	Donald E Patton	540 N MAIN ST	Bellefontaine	Logan	5/24/23
12. ✓	Joseph Welch	Bellefontaine Manor Apt 44	Bellefontaine	Logan	5/24/23
13. ✓	Leroy D. Grier	1150 Allison Ct Bellefontaine, Ohio	Bellefontaine	Logan	5-30-23
14. ✓		1158 Allison Ct	Bellefontaine	Logan	5-30-23
15. ✓	Karen & Colburn	1142 Allison	BELLEF.	LOGAN	5/30/23
16. ✓	Allie G. Huber	508 Center Ave. Bellefontaine, OH 43111	Bellefontaine	Logan	5/30/23
17. ✓	Latasha D. Doss	513 Maplewood Drive	Bellefontaine	Logan	5/30/23

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.					
26.					
27.					
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**Circulator Statement**

*Must be completed and signed by the circulator.*

I, Julia Cook, declare under penalty of election falsification that I reside at the address  
Printed Name of Circulator  
 appearing below my signature; that I am the circulator of the foregoing petition containing 24 signatures;  
Number  
 that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief  
 qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person  
 whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.


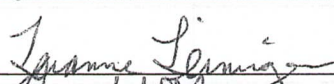
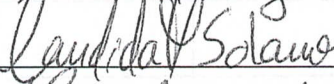
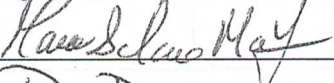
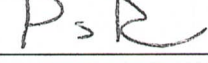
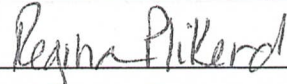
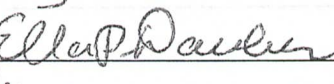
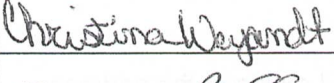
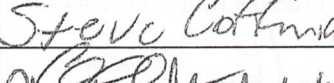
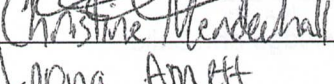
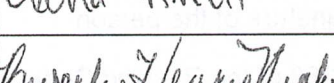
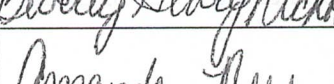
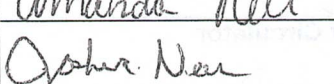
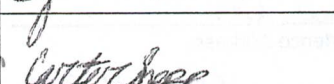
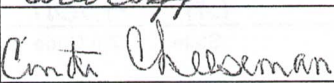

**WHOEVER COMMITS ELECTION  
 FALSIFICATION IS GUILTY OF A  
 FELONY OF THE FIFTH DEGREE**

Julia Cook  
Signature of Circulator  
227 Pine Ridge Court  
Permanent Residence Address  
Bellport, Ohio 43311  
City or Village State Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Renee Price	118 Glen Hollow Dr. Bellefontaine, OH
Danielle Stefaniszyk	1712 White Pines Dr. Bellefontaine, OH
Derin Palmer	1612 White Pines Dr, Bellefontaine
Charles Palmer	1612 White Pines Dr. Bellefontaine
Skate Buchanan	1712 White Pines Dr. Bellefontaine, OH
Julie Cook	227 Pine Ridge Court Bellefontaine

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1		Jeff Dinale 437 Ontario Ave.	Lake	Logan	5/28/23
2		Luanne 1600 S Detroit Leininger Apt 71	Lake	Logan	5-28-23
3		921 TWP RD 179 Bellefontaine	Bellefontaine	Logan	5/28/2023
4		921 Twp Rd 179 Bellefontaine	Bellefontaine	Logan	5-28-2023
5		609 NEWFORD DR BELLEFONTAINE, OH 43311	BELLEFONTAINE	LOGAN	5-28-2023
6		609 Newford Dr Bellef. OH. 43311	Bellefontaine	Logan	5/28/23
7		827 Cooper Ave Bellef. OH	Bellefontaine	Logan	5/28/23
8		529 Newford Dr	Bellefontaine	Logan	5-28-23
9		109 S. Twp St. Bellefontaine	"	"	5/28/23
10		426 Kent Dr Apt 7	Bellefontaine	Logan	5/28/23
11		1134 A Union Rd	Bellefontaine	Logan	5/28/23
12		803 Brookway Dr	BELLEFONTAINE	LOGAN	5/28/23
13		708 Stone Hollow Ct	Bellefontaine	Logan	5/28/23
14		708 Stone Hollow Ct.	Bellefontaine	Logan	5/28/23
15		816 Riser Voir Road	Bellefontaine	Logan	5/28/23
16		6000 CR 28	Zanesfield	Logan	5/28/23
17		8110 Posenor Rd	Bellefontaine	Logan	5/28/23

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.					
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**Circulator Statement**

*Must be completed and signed by the circulator.*

I, Renee Price, declare under penalty of election falsification that I reside at the address  
Printed Name of Circulator  
 appearing below my signature; that I am the circulator of the foregoing petition containing 18 signatures;  
Number  
 that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief  
 qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person  
 whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**WHOEVER COMMITS ELECTION  
 FALSIFICATION IS GUILTY OF A  
 FELONY OF THE FIFTH DEGREE**

Renee Price  
Signature of Circulator  
118 Glen Hollow Dr.  
Permanent Residence Address  
Bellefontaine OH 43311  
City or Village State Zip Code

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Renee Price	118 Glen Hollow Dr. Bellefontaine, OH
Danielle Stefanisyn <b>COPY</b>	1712 White Pines Dr Bellefontaine, OH
Skate Buchanan	1712 White Pines Dr, Bellefontaine, OH
Denir Palmer	1612 White Pines Dr, Bellefontaine
Charles Palmer	1612 White Pines Dr. Bellefontaine
Julia Cook	227 Pine Ridge Court Bellefontaine

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1. <input checked="" type="checkbox"/>	Brenda Mitchell	429 E Sandusky	Bellefontaine	Logan	5/28/23
2. <input checked="" type="checkbox"/>	Phodi K	308 Richard Ave	Bellefontaine	Logan	5-28-23
3. <input checked="" type="checkbox"/>	Buc K	868 Hilltop Dr	Bellefontaine	Logan	5/28/23
4. <input checked="" type="checkbox"/>	Killer Marking	409 N. Main St	Bellefontaine	Logan	5/28/23
5. <input checked="" type="checkbox"/>	Vicki Rowe	309 Pine Ridge Ct	Bellefontaine	Logan	5/28/23
6. <input checked="" type="checkbox"/>	Adam Parson	425 W 5th Chidwick	Bellefontaine	Logan	5/28/23
7. <input checked="" type="checkbox"/>	Karla Lantz Jensen	229 N. Medway Dr	Bellefontaine	Logan	5/28/23
8. <input checked="" type="checkbox"/>	Alana Roberts	116 E. Spring Ave	Bellefontaine	Logan	5/28/23
9. <input checked="" type="checkbox"/>	Clarence Roberts	116 E. Spring Ave	Bellefontaine	Logan	5/28/23
10. <input checked="" type="checkbox"/>	Bonnie Pool	309 miami Ave.	Bellef.	Logan	5-28-23
11. <input checked="" type="checkbox"/>	Sue Ann Early	578 N. Detroit	Bellefontaine	Logan	5-28-23
12. <input checked="" type="checkbox"/>	Michael D. Dineen	1134 Allison Rd.	Bellefontaine	Logan	5-28-23
13. <input checked="" type="checkbox"/>	James Waymire	529 Newford Dr.	Bellefontaine	Logan	5-28-23
14. <input checked="" type="checkbox"/>	Christine Dineen	529 N. Elm St.	Bellefontaine	Logan	5-28-23
15. <input checked="" type="checkbox"/>	Cassey Green	517 N. Elm St.	Bellefontaine	Logan	5-28-23
16.					
17.					

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
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38.					

**Circulator Statement**

*Must be completed and signed by the circulator.*

I, Renee Price, declare under penalty of election falsification that I reside at the address  
Printed Name of Circulator  
 appearing below my signature; that I am the circulator of the foregoing petition containing 15 signatures;  
Number  
 that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief  
 qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person  
 whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**WHOEVER COMMITS ELECTION  
 FALSIFICATION IS GUILTY OF A  
 FELONY OF THE FIFTH DEGREE**

Renee Price  
 Signature of Circulator  
118 Glen Hollow Dr.  
 Permanent Residence Address  
Bellefontaine OH 43311  
 City or Village State Zip Code

*State ex rel. Blair Hildreth et al. v. LaRose et al.*

## **“Exhibit 3”**

Affidavit of Relator Marshall L. Blair Hildreth  
Sept. 21, 2023

IN THE SUPREME COURT OF OHIO

State of Ohio *ex rel.*  
Marshall L. Blair Hildreth, *et al.*

Relators,

-vs-

Frank LaRose, *et al.*

Respondents.

STATE OF OHIO :  
 :ss  
COUNTY OF LOGAN :

AFFIDAVIT OF MARSHALL  
L. BLAIR HILDRETH

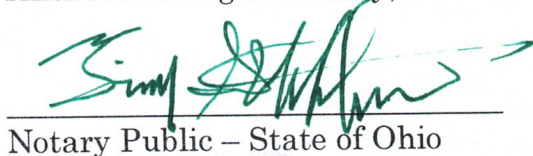
Marshall L. Blair Hildreth, being first duly sworn according to law, states and avers as follows:

1. I make this Affidavit upon personal knowledge and in support of the Complaint for Writ of Mandamus to which it is attached.
2. I am above the age of majority, and a qualified elector of the City of Bellefontaine for the November 7, 2023 election.
3. I have read the facts set forth in the foregoing Complaint, and they are true.
4. I have read the exhibits attached to the Complaint, and they are true and correct copies of what they purport to be.

Further sayeth Affiant naught.

  
Marshall L. Blair Hildreth

Sworn to before me and subscribed in my presence by Marshall L. Blair Hildreth at Logan County, Ohio this 21<sup>st</sup> day of September, 2023.

  
Notary Public – State of Ohio

TIM STEINHELPER  
Attorney at Law  
Notary Public, State of Ohio  
My Commission Has No Expiration Date  
Sec 147.03 RC

*State ex rel. Blair Hildreth et al. v. LaRose et al.*

## **“Exhibit 4”**

Affidavit of Relator Christopher N. Hildreth Blair  
Sept. 21, 2023

IN THE SUPREME COURT OF OHIO

State of Ohio *ex rel.*  
Marshall L. Blair Hildreth, *et al.*

Relators,

-vs-

Frank LaRose, *et al.*

Respondents.

AFFIDAVIT OF CHRISTOPHER  
N. HILDRETH BLAIR

STATE OF OHIO :  
 :SS  
COUNTY OF LOGAN :

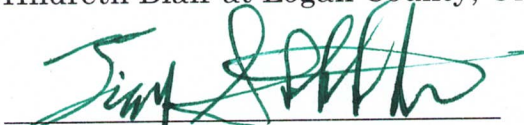
Christopher N. Hildreth Blair, being first duly sworn according to law, states and avers as follows:

1. I make this Affidavit upon personal knowledge and in support of the Complaint for Writ of Mandamus to which it is attached.
2. I am above the age of majority, and a qualified elector of the City of Bellefontaine for the November 7, 2023 election.
3. I have read the facts set forth in the foregoing Complaint, and they are true.
4. I have read the exhibits attached to the Complaint, and they are true and correct copies of what they purport to be.

Further sayeth Affiant naught.

  
Christopher N. Hildreth Blair

Sworn to before me and subscribed in my presence by Christopher N. Hildreth Blair at Logan County, Ohio this 21<sup>st</sup> day of September, 2023.

  
Notary Public – State of Ohio

TIM STEINHELPER  
Attorney at Law  
Notary Public, State of Ohio  
My Commission Has No Expiration Date  
Sec 147.03 RC

*State ex rel. Blair Hildreth et al. v. LaRose et al.*

## **“Exhibit 5”**

Affidavit of Relator Sarah B. Lewis  
Sept. 21, 2023

**State of Ohio *ex rel.***  
**Marshall L. Blair Hildreth, *et al.***

**-VS-**

### Respondents.

COUNTY OF DELAWARE

1. I make this Affidavit upon personal knowledge and in support of the Complaint for Writ of Mandamus to which it is attached.
2. I am above the age of majority, and a qualified elector of the City of Bellefontaine for the November 7, 2023 election.
3. I have read the facts set forth in the foregoing Complaint, and they are true.
4. I have read the exhibits attached to the Complaint, and they are true and correct copies of what they purport to be.

Sarah Beth Lewis

The foregoing instrument was subscribed and sworn  
before me on 09/21/2023 by Sarah Beth Lewis.



7966620

Notarized online using audio-video communication

*State ex rel. Blair Hildreth et al. v. LaRose et al.*

## **“Exhibit 6”**

Affidavit of Relator Victoria Maddox  
Sept. 21, 2023

IN THE SUPREME COURT OF OHIO

State of Ohio *ex rel.*  
Marshall L. Blair Hildreth, *et al.*

Relators,

-vs-

Frank LaRose, *et al.*

Respondents.

AFFIDAVIT OF VICTORIA  
MADDOX

STATE OF OHIO :  
:SS  
COUNTY OF LOGAN :

Victoria Maddox, being first duly sworn according to law, states and avers as follows:

1. I make this Affidavit upon personal knowledge and in support of the Complaint for Writ of Mandamus to which it is attached.
2. I am above the age of majority, and a qualified elector of the City of Bellefontaine for the November 7, 2023 election.
3. I have read the facts set forth in the foregoing Complaint, and they are true.
4. I have read the exhibits attached to the Complaint, and they are true and correct copies of what they purport to be.

Further sayeth Affiant naught.

Victoria Maddox  
Victoria Maddox

Sworn to before me and subscribed in my presence by Victoria Maddox at Logan County, Ohio this 21<sup>st</sup> day of September, 2023.

[Signature]  
Notary Public – State of Ohio

TIM STEINHELPER  
Attorney at Law  
Notary Public, State of Ohio  
My Commission Has No Expiration Date  
Sec 147.03 RC

*State ex rel. Blair Hildreth et al. v. LaRose et al.*

## **“Exhibit 7”**

Affidavit of Relator Katelyn Roby  
Sept. 21, 2023

IN THE SUPREME COURT OF OHIO

State of Ohio *ex rel.*  
Marshall L. Blair Hildreth, *et al.*

Relators,

-vs-

Frank LaRose, *et al.*

Respondents.

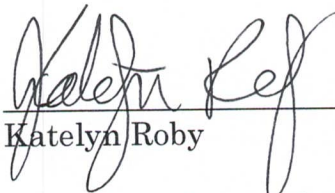
STATE OF OHIO :  
:ss  
COUNTY OF LOGAN :

AFFIDAVIT OF KATELYN ROBY

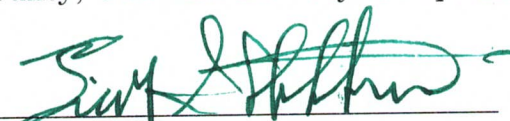
Katelyn Roby, being first duly sworn according to law, states and avers as follows:

1. I make this Affidavit upon personal knowledge and in support of the Complaint for Writ of Mandamus to which it is attached.
2. I am above the age of majority, and a qualified elector of the City of Bellefontaine for the November 7, 2023 election.
3. I have read the facts set forth in the foregoing Complaint, and they are true.
4. I have read the exhibits attached to the Complaint, and they are true and correct copies of what they purport to be.

Further sayeth Affiant naught.

  
Katelyn Roby

Sworn to before me and subscribed in my presence by Katelyn Roby at Logan County, Ohio this 21<sup>st</sup> day of September, 2023.

  
Notary Public – State of Ohio

TIM STEINHELPER  
Attorney at Law  
Notary Public, State of Ohio  
My Commission Has No Expiration Date  
Sec 147.03 RC

*State ex rel. Blair Hildreth et al. v. LaRose et al.*

## **“Exhibit 8”**

Bellefontaine City Council Meeting Minutes  
Jan. 1, 2023

**BELLEFONTAINE CITY COUNCIL  
MINUTES FOR TUESDAY, JANUARY 10, 2023  
7:30 pm**

**CALL TO ORDER:** Zeb Wagner  
**PLEDGE & INVOCATION:**  
**ROLL CALL:** Aler *First Chair*  
Baker  
DeSomma  
James - absent  
Lile  
Reser  
Springs *Minister*

*Motion to excuse the absence of Mrs. James moved by Springs, seconded by DeSomma* V Ayes

**SUSPENSION READING OF MINUTES:** moved by Springs, seconded by DeSomma V Ayes

**CORRECTIONS/ADDITIONS:** none

**ADMINISTRATION REPORTS:**

**Mayor -** Introduction of Jim Bischoff, City Engineer, who comes to the city with 23 years of engineering experience, 9 years on the private consulting side, 13 years in municipal government, 7 of which were the Director of Public Works/City Engineer for the city of Marion.

**S/SD -** Shares the good news that, because of funding through the Ohio Tech Cred Program, we were able to further the education of city team members with technical training in the area of GIS.

**Law -** Thanks the service and safety crews for the efforts that were put in over the Christmas weekend. Light agenda with no new legislation. Upcoming matters will include grants and a potential amendment to the community reinvestment area. Concerning the CRA's that were previously passed in 2018, looking at annexing new land into the city. Under the CRA Laws through the State of Ohio we cannot just pass a resolution and add the land to our existing CRA, but must go through a more administrative process.

**Auditor -** Three deadline dates to remind Council including the 1<sup>st</sup> petition for reelection needs to be in by 4:00 pm on February 1<sup>st</sup>, April 3<sup>rd</sup> deadline to file 2022 financial disclosure statement with the Ohio Ethics Commission and by the end of December 31<sup>st</sup> everyone must take public records course if not already taken in this term.

**Police Chief -** Not present

**Fire Chief -** No report

**Engineer -** No report

**Parks & Rec -** Not present

**Economic Dev -** Received news concerning Ohio Development Brown Field Remediation Program that the applications for our community for Lewistown School and the McBeth School were both awarded city funding to move forward for remediation and possible demolition. Thanks all for support.

Attended a CRA meeting with the school board last evening regarding the CRA application for the hotel in Bellefontaine. Should be on track for a resolution at next meeting. The goal to set up agreement for compensation to schools. Thanks again for all support.

Renovation was started at the Chamber Office yesterday and are temporarily located on the on 2<sup>nd</sup> floor as renovations take place on the 1<sup>st</sup> floor.

**REPORTS OF STANDING COMMITTEES:**

**Finance –** The finance committee met this evening concerning capital budget requests with department heads and working on the permanent budget.

**Rules -** No report

**Safety -** No report

**Utilities -** The committee will plan to meet when notified that the City of Oakwood Annual Survey is received.

**Streets -** No report  
**Sidewalks, Curbs & Parks -**No report  
**Audit –** No report

**Mayor -** State of the City Address (copy att to clerk's official minutes)

**COMMUNICATIONS FROM CITIZENS:** Danielle Stefaniszyn, 1712 White Pines, 1<sup>st</sup> Ward, here to express concerns over a metropolitan city type float in the recent Christmas Parade.  
Devan Palmer, 1612 White Pines Dr., Ward 1, here to express disappointment over some of the content in this year's Christmas Parade. Asks to put forth a possible resolution in collaboration with the Downtown Bellefontaine Partnership and other private organizations to develop a standard of conduct as it relates to community events with young audiences in attendance, with example including but not limited to costumes, outfits, behavior, attitudes, language, music and dance moves being appropriate for young audiences.

**INTRODUCTION OF ORDINANCES:**

1. **ORDINANCES FOR 1ST READING**
2. **ORDINANCES FOR 2ND READING**
3. **ORDINANCES FOR 3RD READING**

**COMMUNICATIONS FROM CLERK:** A new liquor license for Eicholtz, Inc., 321 N. Main Street. No objections, this will be mailed.  
Read an invitation for Council to celebrate the retirement of Office Blake A. Kenner, Police Department on Friday, February 10, 2023 from 1:00 – 3:00 pm in Council Chambers.

**COMMUNICATIONS FROM COUNCIL:**

**ADJOURNMENT -** 8:10 pm moved by Lile, seconded by Aler

*State ex rel. Blair Hildreth et al. v. LaRose et al.*

## **“Exhibit 9”**

Public Records Request of Counsel and Response from City Auditor  
Sept. 19, 2023

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**Public Records Request: Initiated Ordinance Petition(s)**

2 messages

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**Tim Steinhelfer** <tim@ohiocivilappeals.com>  
To: fbrentlinger@ci.bellefontaine.oh.us

Mon, Sep 18, 2023 at 3:40 PM

Mr. Brentlinger,

Please email me a copy of any **pre-circulation** (R.C. 731.32) initiative petitions filed with your office this year.

Sincerely,

--

Tim Steinhelfer, Attorney at Law  
**THE STEINHELPER FIRM, LLC**  
112 W. Columbus Avenue  
Bellefontaine, Ohio 43311  
(937) 900-0025  
[Tim@OhioCivilAppeals.com](mailto:Tim@OhioCivilAppeals.com)  
[TimISMYLAWYER.com](http://TimISMYLAWYER.com)  
Leave no *stone* unturned.



---

**Fred Brentlinger** <fbrentlinger@ci.bellefontaine.oh.us>

Tue, Sep 19, 2023 at 8:16 AM

To: Tim Steinhelfer &lt;tim@ohiocivilappeals.com&gt;

Cc: Heather Feasel &lt;hfeasel@ci.bellefontaine.oh.us&gt;, Ben Stahler &lt;bstahler@ci.bellefontaine.oh.us&gt;, Wes Dodds &lt;wdodds@ci.bellefontaine.oh.us&gt;

Mr. Steinhelfer,

I have attached a copy of the pre-circulation initiative petition as presented to me on Friday, April 14, 2023 at approximately 3:30pm.

Thank you.

**Frederick L. Brentlinger, CPA****City Auditor**



937-592-2215

This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain private, confidential and/or privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, employee or agent responsible for delivering this message, please contact the sender by reply e-mail and destroy all copies of the original e-mail message.

According to Ohio Public Records Law written communications to or from agencies/staff regarding this agency are public records and may be available to the public and media upon request. Your e-mail may be subject to public disclosure.

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**From:** Tim Steinhelfer <[tim@ohiocivilappeals.com](mailto:tim@ohiocivilappeals.com)>  
**Sent:** Monday, September 18, 2023 3:41 PM  
**To:** Fred Brentlinger <[fbrentlinger@ci.bellefontaine.oh.us](mailto:fbrentlinger@ci.bellefontaine.oh.us)>  
**Subject:** Public Records Request: Initiated Ordinance Petition(s)

You don't often get email from [tim@ohiocivilappeals.com](mailto:tim@ohiocivilappeals.com). [Learn why this is important](#)

**Caution:** External Email

[Quoted text hidden]

This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain private, confidential and/or privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, employee or agent responsible for delivering this message, please contact the sender by reply e-mail and destroy all copies of the original e-mail message. According to Ohio Public Records Law written communications to or from agencies/staff regarding this agency are public records and may be available to the public and media upon request. Your e-mail may be subject to public disclosure.



**Ballot Initiative Petition.pdf**

367K

or signs when not a legal voter is liable to prosecution.

To the City Auditor of the City of  
(City Auditor, Village Clerk or Township Fiscal Officer) (City, Village or Township)  
Bellefontaine, Ohio:  
(Name of City, Village or Township)

We, the undersigned, electors of the City of Bellefontaine,  
(City, Village or Township) (Name of City, Village or Township)  
Ohio respectfully propose to the electors of such city, village or township for their approval or rejection at  
the general election to be held on the 7<sup>th</sup> day of November, 2023 the following  
Ordinance:

The following is a full and correct copy of the title and text of the proposed Ordinance:

The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interests, shall not permit the attendance of a minor.

Adult Cabaret Performances shall not be held on public property, or any location viewable by a minor.

received  
4-14-23

*State ex rel. Blair Hildreth et al. v. LaRose et al.*

## **“Exhibit 10”**

Letter to Ranae Lentz

May 10, 2023



112 West Columbus Avenue • Bellefontaine, Ohio 43311  
(937) 4000-TIM • (937) 400-0846  
TimIsMyMayor.com • Victory@TimIsMyMayor.com

May 10, 2023

S. Ranae Lentz

[REDACTED]  
Bellefontaine, Ohio 43311

Dear Ranae,

By the time you receive this letter, you will likely be aware of its subject matter. I was dismayed to hear that on Monday, you stood in front some sixty people at the GOP monthly luncheon and referred to me as a “local attorney and cross dresser.” On a normal day, I may have laughed at your comments; however, you made them To a group including the judges in front of whom I practice every day, and they are Respectable jurists whose reputations for civility and candor are beyond dispute. Your foul and reckless mouth has placed many good people an awkward position.

When I got into this race, I pledged to run a positive campaign of civility and ideas. I must, though, disabuse you of any notion that your accusations are true. There’s a Loving charity in Bellefontaine comprised of parents, volunteers, therapists, Licensed social workers and community members that does great work.

Not only do they volunteer tirelessly to for the cause of youth suicide prevention, Occasionally, having a good sense of humor, they will sponsor a lighthearted event To raise funds to support their good work as well.

When the local charity asked me to dress up in drag to raise funds for their cause, I responded with an enthusiastic “yes!” Unfortunately now, for reasons having Nothing to do with your comments, that event has been indefinitely postponed.

Because of this, your designation of me as a “cross dresser” is now devoid of Even the slightest semblance of truth, if ever it even had one in the first place.

Not to belabor a dead horse, but I am clearly not a so-called “cross dresser.” I will continue to run a positive campaign of forward-thinking ideas. I must now Call on you to do the same. When any party chair – of *any* party – chooses to Engage in false accusations, distraction, and division, we all suffer. Do better.

Sincerely,

Tim Steinhelfer  
Your Future Mayor



*State ex rel. Blair Hildreth et al. v. LaRose et al.*

## **“Exhibit 11”**

Petitioner’s Response to Electoral Protest  
Sept. 6, 2023

## IN THE LOGAN COUNTY BOARD OF ELECTIONS

In the matter of:

Protest of Bellefontaine Ordinance Initiative Petition  
Referencing Public Displays and Minor Children Exposure  
to "Drag Artists."

Hearing September 7, 2023, 9:00a.m.

### COMMITTEE'S RESPONSE TO PROTEST

The Protest submitted by Protestors lacks merit for the reasons that follow and Petitioners request that the Board of Election deny the Protestors' Protest.

Here, the Protest makes a fatal mistake, because it fails to distinguish between two very different things:

1) collecting and submitting initiative petitions;

and

2) preparation of ballots.

Although the Board may not alter, correct, or make additions to a petition (pursuant to R.C. 3501.38(I)(1)); the Board is *required* to add a title to the ballot when preparing the ballots (pursuant to R.C. 3505.06(D)).

This is not a contradiction—this is a reference to two different things.

#### I. STATEMENT OF FACTS

On August 31, 2023, a letter was sent to Skate Buchanan, indicating that a protest was filed to a petition and that a hearing would be held September 7, 2023 by the Logan County Board of Elections. Mr. Buchanan is a member of a Committee that submitted a

ballot is correct rests with the board members, as indicated by their signatures.” Ohio Election Official Manual, 02/02/2022, p. 146.

The Board of Elections is required to do the following in preparing a petition’s language for the ballot:

Immediately below such top line shall be printed a brief title descriptive of the question or issue below it, such as "Proposed Constitutional Amendment," "Proposed Bond Issue," "Proposed Annexation of Territory," "Proposed Increase in Tax Rate," or such other brief title as will be descriptive of the question or issue to which it pertains

R.C. 3505.06(D).

The only requirement regarding the title of the *petition* is that it be “full and correct” (R.C. 731.31). The only requirement of the title on the *ballot* is that the title be “descriptive of the question or issue to which it pertains.” R.C. 3503.06(D).

The law requires that the Protest show the “petition violates any requirement established by law” pursuant to R.C. 3501.39(A)(2) or whether the initiative is beyond the scope of the jurisdiction’s authority pursuant to R.C. 3501.39(A)(3). The Protest is required to state the law that is violated by the petition. R.C. 3501.39(A)(2).

The Protest cites two primary cases to support its argument. The first does not apply to this hearing and involves a completely different set of facts. The second actually shows why the Protest is incorrect and the Petitioners are correct.

# **1. *Liverpool* Does Not Apply to This Hearing**

First, Protestors argue that the Board’s compliance with R.C. 3505.06(D) invalidates a petition and/or a ballot. Protestors cite *E. Liverpool Citizens Against Traffic*

repealed if the proposed constitutional amendment is adopted. We deny Giroux's challenge because R.C. 3519.01(A) does not require a petition proposing a constitutional amendment to include the text of an existing statute.

*Giroux*, at ¶10.

The question in *Giroux* was whether a petition was required to guess which statutes an initiative would *impliedly* amend, rather than just literally amended. To that, the Court said, "Rarely has this court even suggested that the adoption of a constitutional amendment could impliedly repeal an existing statute. The standard phrasing is that an unconstitutional statute is 'void.'" *Giroux*, at ¶22. Thus, the Court found that the petition does not have to inform the electors of what existing laws may be affected by adoption of the petition language.

### **3. Whether a Zoning or Planning Scheme is Amended, is Irrelevant**

Next, Protestors argue that the Board should invalidate the Petition and/or ballot because it "does not contain any indication that the proposed ordinance is part of the city's zoning and planning scheme." (Protest, p. 7). Protestors say this is important because the petition language may someday be construed by the Courts in conjunction with the rest of the city zoning code. (Protest, p. 7). Thus, Protestors argue that the petition language is vague and ambiguous without such a reference.

This argument is undermined by Protestor's own citation to *Giroux*, where the Ohio Supreme Court ruled that a petition does not have to identify every, or any part of law that it would impliedly amend. *Giroux*, at ¶23.

office, it would deprive the Petitioners of constitutional rights to the initiative petition.

The state created the right to referendum and the state has authority to impose limitations on it—but that does not mean that the state may ignore constitutional requirements. *Meyer v. Grant*, 486 U.S. 414, 420, 108 S. Ct. 1886, 100 L. Ed. 2d 425 (1988). In *Meyer*, the U.S. Supreme Court struck down a Colorado law prohibiting the payment of petition circulators, because the law violated constitutional rights related to free speech. *Id.*, at 422, 425.

Securing 796 signatures on a petition is difficult and involves great investment and reliance on existing law.

The securing of sufficient signatures to place an initiative measure on the ballot is no small undertaking. Unless the proponents of a measure can find a large number of volunteers, they must hire persons to solicit signatures or abandon the project. I think we can take judicial notice of the fact that the solicitation of signatures on petitions is work. It is time-consuming and it is tire-some — so much so that it seems that few but the young have the strength, the ardor and the stamina to engage in it, unless, of course, there is some remuneration.

*State v. Conifer Enterprises, Inc.*, 82 Wash. 2d 94, 104, 508 P. 2d 149, 155 (1973) (Rosellini, J., dissenting).

Petitioners' municipal ordinance initiative rights arise from state constitutional and local authority. The Ohio Constitution affords municipalities "authority to exercise all powers of local self-government and to adopt and enforce within their limits such local police, sanitary and other similar regulations, as are not in conflict with general laws." Ohio Constitution, Article XVIII, Section 3.

September 6, 2023

Respectfully Submitted,

/s/ Joshua J. Brown

Joshua J. Brown (0089836)

3979 Main Street

Hilliard, OH 43026

P: (614) 383-8886

F: (614) 388-3947

josh@joshbrownesq.com

Attorney for Petitioners

*State ex rel. Blair Hildreth et al. v. LaRose et al.*

## **“Exhibit 12”**

Hearing Transcript

Sept. 7, 2023

THE BOARD OF ELECTIONS OF LOGAN COUNTY, OHIO

In re:

Protest of Bellefontaine  
Ordinance Initiative Petition

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TRANSCRIPT OF PROCEEDINGS

Date: September 7, 2023

Time: 9:00 a.m. - 11:55 a.m.

Location: Logan County Board of Elections  
225 South Main Street  
Bellefontaine, Ohio 43311

Reported By: Belinda M. Wolford  
Registered Professional Reporter  
and Notary Public,  
State of Ohio.

BOARD MEMBERS:

Kathryn Clark, Board Member  
Robert Fulton, Chairman  
Steven Fansler, Board Member  
Ranae Lentz, Board Member

ALSO PRESENT:

Adam Brannon, Deputy Director  
Kandie Horton, Director

## A-P-P-E-A-R-A-N-C-E-S

FOR THE PROTESTORS: Victoria Maddox, Katelyn Roby,  
Christopher N. Hildreth Blair, Sarah B. Lewis, and  
Marshall L. Blair Hildreth

Tim Steinhelfer, Esquire  
The Steinhelfer Firm  
112 West Columbus Avenue  
Bellefontaine, Ohio 43311  
(937) 900-0025

FOR THE PETITIONERS: Danielle Stefaniszyn, Devin Palmer,  
Skate Buchanan, Charles Palmer, Renee Price, and Julia  
Cook:

Josh Brown, Esquire  
The Law Office of Josh Brown LLC  
3979 Main Street  
Hilliard, Ohio 43026  
(614) 383-8886

## FOR THE BOARD OF ELECTIONS:

Breanne Parcels, Esquire  
Logan County Prosecutor's Office  
117 East Columbus Avenue  
Suite 200  
Bellefontaine, Ohio 43311  
(937) 599-7272

## ALSO PRESENT (spelled to the best of ability):

Tom Reynolds, Edward M. Price, Drew Green, (indiscernible  
first name) Green, Robert Rood, Julie George, Gary Brown,  
Barbra Gant, Amanda Housler, April King, Steve Hudson,  
Josh Stolly, Bernie Even, Doug Minnich, Sue Neer, Mark  
Boyer, Chamika Collier.

## P-R-O-C-E-E-D-I-N-G-S

CHAIRMAN FULTON: The Board of Elections is coming out of recess at 9:00 a.m. for the purpose of hearing the protest to the action taken on August 21st to approve a ballot initiative. Turning the meeting over to Steve Fansler to conduct the hearing.

MR. FANSLER: Good morning, everyone. I'm going to read a brief statement -- maybe not so brief -- to lay some ground rules and let everybody know where we are today. I want to start, though, with one statement that we all heard when we were appointed by the Secretary of State to take this position. It's very simple, and we've always tried to follow it closely. And that was this: Leave your politics at the door. We are to be serving in our position with open minds, an unbiased nature, to decide things to create a fair election process in every case. That's what we attempt to do. Of course, we're all a product of our entire lives. We're a product of what we've heard, what we've been taught, what we've become. We can't leave what we think about things out of the mix, but we can approach things in an unbiased way.

So as to today's hearing, the Board of

1 Elections of Logan County, Ohio is in session today  
2 for a special meeting solely to consider the merits  
3 of a protest to an initiative petition which has  
4 previously been filed and approved by the Board of  
5 Elections and which would otherwise be placed on  
6 the fall 2023 ballot on November 7th of 2023.

7 Among the petitions presented for review at our  
8 regularly-scheduled Board of Elections meeting on  
9 August 21, 2023 at 4:30 p.m. was an initiative  
10 petition filed by a committee of people seeking to  
11 amend or add to Bellefontaine Codified Ordinance  
12 1177.02. No other action taken at that board  
13 meeting is relevant to today's hearing.

14 Today's hearing is solely for the purpose of  
15 allowing the required hearing based upon the filing  
16 on August 25, 2023 at 3:37 p.m. entitled Protest of  
17 Bellefontaine Ordinance Initiative Petition. That  
18 petition was filed by and through Attorney Tim  
19 Steinhelfer and was filed on behalf of protestors  
20 Victoria Maddox, Katelyn Roby, Christopher N.  
21 Hildreth Blair, Sarah B. Lewis, and Marshall Blair  
22 Hildreth. The Board of Elections of each county is  
23 instructed and obligated by the Ohio Revised Code  
24 Section 3501.11(K)(1) to review, examine, and  
25 certify the sufficiency and validity of petitions

1 and to examine each initiative petition to  
2 determine whether the petition falls within the  
3 scope of authority to enact via initiative and also  
4 to determine whether the petition satisfies the  
5 statutory prerequisites to place that issue on the  
6 ballot.

7 At the regularly-scheduled Board of Elections  
8 meeting on August 21, 2023, this board reviewed  
9 this initiative petition and determined that the  
10 petition falls within the scope of authority to  
11 enact via initiative and that the petition  
12 satisfied the statutory prerequisites to place the  
13 issue on the ballot. From a review of that protest  
14 filed on August 25, 2023, it does not appear that  
15 the question of whether or not the petition falls  
16 within the scope of authority to enact via  
17 initiative is being challenged. The protest is  
18 based upon whether the petition satisfies the  
19 statutory prerequisites to place the issue on the  
20 ballot. The protest speaks for itself, sets forth  
21 different reasons why the protestors believe the  
22 petition did not satisfy the statutory  
23 prerequisites to place it on the ballot, thus  
24 today's hearing.

25 The Ohio Revised Code Section 3501.39 sets

1       forth grounds for rejection of a petition or  
2       declaration of a candidate. In this case we're  
3       talking about the rejection of a petition not a  
4       declaration of candidacy. To initiate this  
5       process, a written protest against the petition  
6       must be filed and has been filed. A hearing must  
7       be held pursuant to Ohio Revised Code Section  
8       3501.39(A) (1), Ohio Revised Code Section  
9       3501.39(A) (3), also states that the initiative  
10      petition would fail if it is outside of the scope  
11      of the authority to act by initiative or if it did  
12      not satisfy the statutory prerequisites.

13           The Board of Elections previously has  
14      determined that both of those requirements were met  
15      and that the initiative petition was effective and  
16      did not fail. All of our Board of Elections  
17      decisions must be made by a majority vote pursuant  
18      to Ohio Revised Code Section 3501.11. In the event  
19      of a tie or a disagreement within the board or if  
20      no decision can be reached by the board, the  
21      director or the chairperson submits the controversy  
22      directly to the Secretary of State, who shall  
23      within 14 days decide the question.

24           So, a determination was made by the board  
25      that the petition was valid. The protest was

1 filed. Today's hearing is upon us. The Board of  
2 Elections is, in essence, the judge at such  
3 hearing. The Board of Elections sets the rules for  
4 the hearings and considers all evidence presented.  
5 The rules for the hearing today are as follows:  
6 Number one. No person in the audience may speak  
7 unless they've been recognized by the person  
8 conducting the hearing.

9 Number two, upon being recognized, before  
10 speaking, each person must clearly state his or her  
11 name for the record.

12 Number three, all statements must be oral and  
13 each presenter shall keep in mind that the  
14 recording -- the proceeding is being recorded. We  
15 have a court reporter here, so that motions,  
16 signals, or any type of facial or bodily actions  
17 cannot be captured by that reporter so each  
18 presenter's word must be loud, clear, and available  
19 for transcription. Only one person may speak at a  
20 time.

21 Number five -- and this is crucial to us and  
22 to this hearing. The hearing today is a procedural  
23 hearing to determine the validity of a petition.  
24 No person's personal feelings about the outcome of  
25 a vote or on the subject matter of the petition is

1 relevant to today's hearing. The hearing will not  
2 accept or allow people to get into a debate, a  
3 heated discussion, or otherwise to discuss the  
4 merits of the underlying proposed legislation.  
5 Today's hearing has nothing to do with the merits.  
6 It has nothing to do with the feelings. It has  
7 nothing to do with what we all think about the  
8 issue. Today's hearing discusses the process, the  
9 procedure, and the propriety, and the proper or  
10 improper methodology of starting and completing an  
11 initiative petition process.

12 When one person is speaking, no other person  
13 from the audience may speak. It will be grounds  
14 for removal from the hearing if a person engages in  
15 name calling, disparaging remarks, or angry or  
16 reactive responses to any presenter. This hearing  
17 is not about the subject matter but the procedural  
18 process. Because a determination has already been  
19 made by the board, today's hearing is based upon  
20 the objection to that decision, and the burden of  
21 going forward, therefore, is with the protestors.  
22 The case will begin with the opportunity of counsel  
23 for the protestors to make his opening remarks.  
24 Thereafter, counsel for the protestors shall  
25 present to the Board of Elections his or their case

1 to be considered as a protest to the board's  
2 earlier determination that the petition is  
3 sufficient and valid. This may include his  
4 statement, witnesses presenting testimony, and  
5 presenting exhibits.

6 At the conclusion of the protestor's case,  
7 counsel for the petition committee may make an  
8 opening statement. In fact, if he would prefer to  
9 make an opening statement following the opening  
10 statement, we'll give you the option of either  
11 following his opening statement with yours or  
12 reserving it until you present your case.

13 Thereafter, counsel for petition committee shall  
14 present to the Board of Elections the committee's  
15 case to contradict the protest and/or to bolster  
16 the acceptance of the petition. This, again, may  
17 include calling witnesses, presenting testimony,  
18 and presenting exhibits.

19 At the conclusion of both cases, the Board of  
20 Elections will recess for discussion. At the  
21 conclusion of that we may advise everyone that  
22 we're taking it under advisement. If so, we'll  
23 tell you an exact time and date which the decision  
24 will be issued, and that would again be at a public  
25 meeting. Or we may issue decision by vote today.

1 I think it's more likely that we will take it under  
2 advisement because they are serious issues. No one  
3 has preconceived their decision. We're going to  
4 hear all of the evidence and all of the testimony  
5 before we do that. So, we are ready to proceed.

6 MR. STEINHELPER: I just have a housekeeping  
7 question that I think both of us are interested  
8 in --

9 MR. FANSLER: Mr. Steinhelfer, let's start  
10 with state your name -- every time let's begin by  
11 stating names so the record is clear. So we  
12 recognize Tim Steinhelfer. Go ahead.

13 MR. STEINHELPER: Tim Steinhelfer, number  
14 99877 for the protestors. Just briefly, is there  
15 going to be cross and is there going to be closings  
16 or are we not going to do -- bother with those  
17 things?

18 MR. FANSLER: There will be available the  
19 cross-examination on each witness, yes. As for  
20 closing, when we get done, yes, we'll give you the  
21 option to make a closing statement, yes.

22 MR. STEINHELPER: All right. Thank you.

23 MR. FANSLER: Mr. Steinhelfer, we're to your  
24 case. You may begin. You can either make or waive  
25 an opening statement and then we'll be ready to

1           begin with your presentation.

2           MR. STEINHELPER: We're going to make an  
3           opening statement because most of this has to do  
4           with the law. Good morning, everybody. First, I  
5           want to thank the members of the board for  
6           arranging this hearing on short notice. You know  
7           better than any of us how important it is to avoid  
8           delay in election matters. For today's maxi  
9           challenge, you must determine whether the proponent  
10          of a petition seeking to regulate how people in  
11          Bellefontaine dress in public complied with Ohio --

12          MR. BROWN: Objection.

13          MR. STEINHELPER: -- election law.

14          MR. BROWN: They already said --

15          MR. STEINHELPER: This is my opening. Calm  
16          down.

17          MR. BROWN: Objection. You're introducing  
18          evidence. It's not argument.

19          MR. FANSLER: Let's go to the opening  
20          statement. Again, let's keep it to the procedural  
21          aspect and not the subject matter. But go ahead.

22          MR. STEINHELPER: I hope that here today we  
23          can shed light upon the details of this entire  
24          case. I want to talk for a second about the  
25          details because I think it's very important that

1 each of you pays close attention to the evidence:

2 -- what's there and what is not there -- and you  
3 can determine whether the proper procedure was  
4 followed to allow this ballot measure, as written,  
5 to be placed on the November ballot.

6 If you look at our August 25th protest, it  
7 gives all of the details that were known to the  
8 protestor at that time. It gives names, dates,  
9 statutes, procedure, and it even sets forth how the  
10 protestors came to know these facts. We're going  
11 to put more of that evidence on today through  
12 direct testimony. As the board well knows, details  
13 are important in election law; an entire case can  
14 turn on the details.

15 I've had the opportunity last night to review  
16 the petitioner's written responses to the protest,  
17 and to put matters mercifully, it's very scant on  
18 details. The only details they give about the  
19 collection of the signatures and the submission of  
20 the petition is that, quote, Mr. Buchanan is a  
21 member of a committee that submitted a petition  
22 with 796 signatures to amend the Bellefontaine  
23 municipal code. And then it refers to the petition  
24 in quotes with a capital P. Doesn't tell us which  
25 one of the three petitions attached to the protest

1 was circulated, which one they're talking about,  
2 and I think that was intentional. It doesn't  
3 specify which one of the three protests was filed,  
4 when it was filed, who filed it, or even which  
5 public office it was filed.

6 Then, incredibly, on page six of this  
7 response we have a heading that says: Petitioner  
8 did it right. Well, that sort of assertion would  
9 seem to beg the details of how the petitioners did  
10 it right. That is to say, how they complied with  
11 the applicable Ohio election law. Instead of  
12 setting forth any of those details, we get the  
13 opinion of counsel about his sentiments on  
14 citizens' general right to bring initiative  
15 petitions. Well, that's a bunch of who shot John  
16 and it misses the point of this proceeding  
17 entirely. The Ohio Supreme Court has passed on  
18 this issue as recently as August 3rd of 2023.

19 MR. FANSLER: Just a second. Just one  
20 moment. Again, we're going to try to keep this as  
21 close to a proceeding. It sounds like we're  
22 getting into argument which I think is going to be  
23 your closing argument as opposed to an opening  
24 statement which tells us what your evidence is  
25 going to be. Just try to make that distinction if

1           you can.

2                   MR. STEINHELPER: I'm going to try to,  
3           Mr. Fansler, but there is a case where the Ohio  
4           Supreme Court explains the procedure with which  
5           they must comply and that's about what I'm going to  
6           get into.

7                   MR. FANSLER: Okay.

8                   MR. STEINHELPER: It is a case called *Schmitt*  
9           *versus Bridgeport*. We, in fact, included that as  
10          our Exhibit 10 for your convenience. If you look  
11          at paragraph four to five of that opinion, our  
12          State Supreme Court explains the proper procedure  
13          for municipal initiative petitions in a non  
14          chartered city such as Bellefontaine. They  
15          explained, quote, before such a petition may be  
16          circulated, its proponent must file a certified  
17          copy of the proposed ordinance.

18                   The evidence will -- is going to show that  
19          that did in fact happen. That happened on  
20          April 14th. And that is included in the protest.  
21          Then, to qualify the initiative for the ballot,  
22          proponents must file the petition containing the  
23          valid signatures of no less than ten percent of the  
24          number of electors who voted for governor in the  
25          municipality at the most recent general

1       gubernatorial election. They said crucially for  
2       this case, the law requires -- they're citing  
3       731.28, which we cite in our protest as well --  
4       that the completed petition with all the signatures  
5       be filed with the city auditor.

6               I don't even know whether that happened here,  
7       how this came to -- into the possession of the  
8       Board of Elections, but in this case as recently as  
9       two years ago, our State Supreme Court decided that  
10      failing to file it with the city auditor, the  
11      completed petition, was fatal to an initiative  
12      petition requiring the sustaining of a protest.

13             You are going to see more evidence today.  
14      You're going to hear the direct testimony of  
15      Victoria Maddox who actually saw the circulating of  
16      the petition, who took a picture of it, and not  
17      only was it not the same petition that was filed  
18      with the public office that made this a zoning  
19      ordinance, it didn't even specify the municipality  
20      for which this was proposed, failing to give the  
21      signatories notice of the jurisdiction in which --  
22      for which this ordinance was supposed to be put on  
23      the ballot. That is fatal to their claim.

24             It is a rare instance that we catch someone  
25      so red handed. I want you to pay attention to

1       what's there, what is not there, and when you do,  
2       you will determine that the board has a clear,  
3       legal duty to sustain this protest and make this  
4       valid measure sashay away.

5               MR. FANSLER: Thank you, Mr. Steinhelfer.  
6       Mr. Brown, I'm going to give you the opportunity to  
7       make a statement now or reserve that until you  
8       begin your case.

9               MR. BROWN: We'll reserve.

10              MR. FANSLER: All right. Mr. Steinhelfer,  
11       you may begin your presentation.

12              MR. STEINHELPER: I'm going to call my first,  
13       which will be Sarah Lewis.

14              MR. FANSLER: Each witness will testify from  
15       this place over here and will be sworn by the court  
16       reporter before beginning. So if you'll go to the  
17       place, remain standing to be sworn in before  
18       sitting down.

19                               SARAH LEWIS,

20               Having been first duly sworn, as hereinafter  
21       certified, testifies as follows:

22                               DIRECT EXAMINATION

23       BY MR. STEINHELPER:

24               Q.       Ms. Lewis, would you state your name and  
25       spell it for the record.

1           A.       Sarah B. Lewis.   S-A-R-A-H, L-E-W-I-S.

2	Middle initial B.
---	-------------------

3 Q. And your address, please?

4           A.       766 East Columbus Avenue, Bellefontaine,  
5   Ohio.

6 Q. Okay. Are you a registered voter here in  
7 Bellefontaine?

8	A. I am.
---	----------

9 Q. I see, ma'am, that you on occasion wear  
10 pants; is that correct?

11           A.     That is absolutely correct.

12	Q. Do you ever wear a blazer or a jacket?
----	---

13	A. I do.
----	----------

14	Q. Do you have any professional license?
----	--

15           A.     I am, as of May, a certified paralegal.

16 Q. Okay. Do you work in any manner with  
17 families or children?

18	A. I do.
----	----------

19 (Protestors' Exhibit 1-G, affidavit of Sarah Lewis,  
20 identified.)

21 Q. Okay. I am going to direct your attention to  
22 my exhibit -- and there's an exhibit book right there --  
23 1-G. Do you recognize that?

24	A. I do, yes.
----	---------------

25 Q. What do you recognize it to be?

A. This is the affidavit that I prepared and signed.

Q. Okay. And did you, in fact, have the opportunity to examine the entire petition that is our Exhibit A?

A. I did, that's correct.

(Protestors' Exhibit 1-A, proposed ordinance,  
identified.)

Q. I'm going to direct your attention to our Exhibit 1-A. Did you have the opportunity to review Exhibit 1-A?

A. Yes, I did.

Q. And I'm going to read this to you in pertinent part. The following is a full and correct copy of the title and text of the proposed ordinance. The classification of drag artist and drag shows as adult cabaret performance. Adult oriented exhibitions featuring male and female impersonators who provide displays and entertainment appealing to sexual interests shall not permit the attendance of a minor. Adult cabaret performances shall not be held on public property or any location viewable by a minor. Did I read that correctly, ma'am?

A. You did. Yes, you did.

(Protestors' Exhibit 1-C, Initiative Petition,

1 identified.)

2 Q. I'm going to have you flip to our  
3 Exhibit 1-C. Did you have the opportunity to review this  
4 exhibit?

5 A. I did, yes.

6 Q. I'm going to read to you the pertinent part.  
7 The following is a full and correct copy of the title and  
8 text of the proposed ordinance. Proposal to amend city  
9 of Bellefontaine codified ordinance Chapter 1177 adult  
10 entertainment 1177.02 definition by adding the following  
11 text. The classification of drag artist and drag shows  
12 as adult cabaret performance. Adult-oriented exhibitions  
13 featuring male or female impersonators who provide  
14 displays and entertainment appealing to sexual interest  
15 shall not permit the attendance of a minor. Adult  
16 cabaret performances shall not be held on public property  
17 or any location viewable by a minor. Did I read that  
18 correctly, ma'am?

19 A. Yes, you did.

20 Q. Is it the same text as what I read in 1-A?

21 A. No, it is not.

22 Q. They're different; is that right?

23 A. That's correct.

24 Q. Does the text in 1-A give any indication that  
25 this is a zoning ordinance?

1	A. No, it does not.
---	---------------------

2 Q. Does the text in 1-C specify a certain  
3 section in the Bellefontaine codified ordinances?

4	A. Yes, it does.
---	------------------

5 Q. And are you aware what type of ordinance that  
6 is?

7 | A. It's respective to a zoning ordinance.

8 Q. Does the text in 1-A filed within the city  
9 auditor contain anything about the classification of  
10 adult entertainment?

11	A. No, it does not.
----	---------------------

12 Q. And what about on our Exhibit 1-C?

13	A. Yes, it does.
----	------------------

14 Q. Do you know who submitted this petition?

15	A. I do not.
----	--------------

16 Q. Do you know whether it was submitted to the  
17 Bellefontaine City Auditor Fred Brentlinger after the  
18 collection of signatures?

19	A. I do not.
----	--------------

20 Q. Are you asking for this petition to be  
21 excluded from the November ballot on the basis of its  
22 noncompliance with Ohio election law?

23	A. Yes.
----	---------

24 MR. STEINHELPER: No further questions.

25 MR. FANSLER: Mr. Brown, do you have any

1 questions?

2 CROSS-EXAMINATION

3 BY MR. BROWN:

4 Q. Are you an attorney?

5 A. No.

6 Q. Do you have knowledge of Ohio election law,  
7 any expertise in that subject?

8 A. Do I have expertise?

9 Q. Are you going to testify as an expert on that  
10 subject?

11 A. No.

12 Q. Which law do you think that this petition  
13 violates?

14 A. Which law do I believe it violates?

15 Q. You just testified it violates Ohio law.

16 A. Ohio Revised Code.

17 Q. Which one?

18 A. Off the top of my head I do not know.

19 Q. And can you look at Exhibit 1-C, please?

20 A. Yes.

21 Q. Are you testifying that the language that  
22 says proposal to amend City of Bellefontaine, that title  
23 was not there when you signed the petition -- well, when  
24 you saw the original petition?

25 A. I did not sign the original petition.

1 Q. I'm sorry. But you saw it, right?

2 A. That's correct.

3 Q. That title wasn't there?

4 A. That is correct.

5 Q. Is that what your problem is with the -- this  
6 being on the ballot?

7 A. Is that what my problem is?

8 Q. Yeah. Your problem is that title wasn't  
9 there when you first saw it?

10 A. That is an issue that was brought to the  
11 attention, that's correct.

12 Q. Okay. Do you have any idea how that title  
13 got there?

14 A. I have no idea.

15 MR. BROWN: Okay. No more questions.

16 MR. FANSLER: Mr. Steinhelfer, additional  
17 questions of this witness?

18 MR. STEINHELPER: No.

19 THE COURT: All right. Ma'am, thank you for  
20 your testimony. You're free to go or stay and  
21 continue watching. Mr. Steinhelfer, your next  
22 witness.

23 MR. STEINHELPER: Fred Brentlinger. Did he  
24 leave?

25 MR. FANSLER: I haven't seen him. Is he --

1 did you -- was he subpoenaed to be here?

2 MR. STEINHELPER: No. I didn't know we could  
3 issue subpoenas.

4 MR. FANSLER: I haven't seen him here.  
5 Mr. Brentlinger here?

6 MR. STEINHELPER: Okay. It appears he's not  
7 here. We will call Mr. Brannon.

8 MR. FANSLER: Okay.

9 ADAM BRANNON,

10 Having been first duly sworn, as hereinafter  
11 certified, testifies as follows:

12 DIRECT EXAMINATION

13 BY MR. STEINHELPER:

14 Q. Sir, please state your name and spell it for  
15 the record.

16 A. Adam Brannon, A-D-A-M, B-R-A-N-N-O-N.

17 Q. And where are you employed?

18 A. Here at the Logan County Board of Elections.

19 Q. Just to be sure, you're not on the Board of  
20 Elections, you're an employee; is that correct?

21 A. That is correct.

22 Q. What is your position?

23 A. I'm the deputy director.

24 Q. Okay. Thank you. Have you had the  
25 opportunity to review the response filed on behalf of the

1 petitioners with regard to this protest?

2 A. Yes.

3 Q. Okay. There's an allegation in there that  
4 you were the person, the drafter of the language at my  
5 Exhibit 1-C. Can you flip to my 1-C?

6 MS. PARCELS: I would object on the basis of  
7 foundation. There's been no foundation for --

8 MR. STEINHELPER: Well, why --

9 MR. BROWN: You have to be an attorney to  
10 make an appearance.

11 MS. PARCELS: I am an attorney. My name is  
12 Breanne Parcels, 0089370.

13 MR. STEINHELPER: Who do you represent?

14 MS. PARCELS: I'm an attorney for the Board  
15 of Elections, therefore I'm an attorney for  
16 Mr. Brannon.

17 MR. BROWN: I have no problem with that. I  
18 just wanted to make the appearance before you give  
19 an objection.

20 MR. FANSLER: Well, what was your question  
21 again, Mr. Steinhelfer?

22 MR. STEINHELPER: We didn't have one. I  
23 don't know what she's objecting to.

24 MS. PARCELS: I'm objecting on the  
25 foundation. There's been no testimony --

1 MR. STEINHELPER: Well, can you let me lay  
2 one and have a question out there before you start  
3 objecting, please?

4 MR. FANSLER: Ask your question. We'll see  
5 what --

6 THE COURT REPORTER: Excuse me. Excuse me.  
7 One minute. One minute here. You all need to quit  
8 talking over each other, okay? I'm not a magician  
9 here, so one at a time.

10 MR. FANSLER: All right. Mr. Steinhelfer, do  
11 you have a question?

12 BY MR. STEINHELPER:

13 Q. Sir, did you draft this language that I'm  
14 about to read: Proposal to amend City of Bellefontaine  
15 codified ordinance chapter 177 [sic] adult entertainment  
16 177.02 [sic] definition by adding the following text?

17 A. No.

18 Q. Are you familiar with the circumstances by  
19 which the petition came in to the board of elections?

20 A. Yes.

21 Q. And can you explain that in your own words?

22 A. The petition was filed with the city auditor.  
23 According to the letter provided to us when he filed it  
24 with us, it was July 24th, I believe. And then when he  
25 conducted the ten-day inspection period as required, he

1 brought it to our office for submittal.

2 Q. So the completed petition was in fact filed  
3 with the city auditor --

4 A. Yes.

5 Q. -- that's your understanding? Okay. Do you  
6 know -- and I'm going to have you take a look at our 1-A,  
7 1-B, and 1-C -- which if any of these is what was filed  
8 with the city auditor in July of this year?

9 MS. PARCELS: Objection. Mr. Brannon is not  
10 a city employee. He is a Board of Elections  
11 employee. He cannot speak to matters outside his  
12 knowledge.

13 MR. STEINHELPER: I asked him whether he  
14 knew. If he doesn't know, he doesn't know.

15 MR. FANSLER: Mr. Brannon, if you know the  
16 answer to the question, which was when it was  
17 submitted to Mr. Brentlinger? Was that the  
18 question, Mr. Steinhelfer?

19 MR. STEINHELPER: Yes.

20 MR. FANSLER: If you know.

21 THE WITNESS: I don't know which of these was  
22 submitted to Mr. Brentlinger.

23 BY MR. STEINHELPER:

24 Q. When Mr. Brentlinger submitted it to your  
25 office, was that early August after the ten-day?

1           A.       Yes.

2           Q.       Okay.  When that came into your possession,  
3           which of these was transmitted by Mr. Brentlinger?

4           A.       1-C was what was submitted to our office.

5           Q.       Have you had the opportunity to -- do you  
6           have any knowledge of the pre-circulation petition that  
7           was filed with the city auditor?

8           A.       The only thing I'm aware of based on the  
9           information I have outside of my job here is 1-A is what  
10          was submitted to the city auditor at the beginning of the  
11          process.

12          Q.       Okay.  Is that also part of the records on  
13          file here with the Board of Elections?

14          A.       We have a copy of 1-A that was provided by a  
15          citizen.

16          Q.       And is it your understanding, then, that this  
17          is what was -- the certified copy required to be filed  
18          prior to circulation?

19          A.       I'm sorry, say that again.

20          Q.       Okay.  Is -- what is your understanding of  
21          what 1-A is, if you have any understanding?

22          A.       I don't -- all I know is that is what they  
23          intended to have submitted to the auditor as what they  
24          were circulating.

25          Q.       Okay.  And to be sure, that allegation in the

1 response that you drafted this title has no truth to it.

2 A. No, I did not draft anything. The only  
3 notation I've changed on the petition was on the top  
4 you'll see 25 out the 38, AB, when we check the petitions  
5 we note how many were valid out of how many signatures  
6 and then initial it so we know who checked that petition.

7 Q. You mean how many part -- what we call part  
8 petitions?

9 A. For that page, that part petition that was 38  
10 signature lines, 25 of those lines were valid signatures  
11 on that particular page.

12 (Protestor's Exhibit 2, part petition with signature  
13 pages, identified.)

14 Q. This -- I understand. I'm going to show you  
15 what I'm marking as my Exhibit 2.

16 MR. STEINHELPER: And I want to give opposing  
17 counsel the opportunity to review it because the  
18 pages are so large here (indicating) we couldn't  
19 make copies to include it in your books, so -- if  
20 you'd view, please.

21 MR. BROWN: Certified --

22 THE COURT REPORTER: I'm sorry, I can't hear  
23 you. I can't hear you.

24 MR. FANSLER: We're going to have to --

25 MR. BROWN: We're having a conversation off

1 the record.

2 THE COURT REPORTER: Well say off the record  
3 then.

4 MR. FANSLER: For the record, counsel is  
5 having a discussion off the record.

6 BY MR. STEINHELPER:

7 Q. All right. Sir, I'm going show you what I've  
8 marked as my Exhibit 2. Do you recognize that?

9 A. Yes.

10 Q. What do you recognize it to be?

11 A. So, this is the cover page of one of the part  
12 petitions, the proposed chapter that was included with  
13 the submission, and then the signature pages for each  
14 part petition.

15 Q. And to be sure, when you say the proposed  
16 chapter, was that -- are you talking about -- can you  
17 count them? Four pages?

18 A. These -- yeah. Three pages.

19 Q. And you know that to be a true and accurate  
20 copy of what was submitted -- what?

21 MR. FANSLER: Again, a discussion is being  
22 held off the record and will not be part of the  
23 transcript. Back on the record.

24 BY MR. STEINHELPER:

25 Q. Other than the fact that what you call the

1 cover page is not attached to each and every signature  
2 page --

3 A. When it was submitted, when the whole  
4 petition was submitted, there was this page (indicating),  
5 which was the cover to each of these signature pages.  
6 And then with each of the part petitions was these three  
7 letter-sized pages, which is the proposed Chapter 1177  
8 that then included the addition that's added.

9 Q. Thank you, sir. I do need you to let me  
10 finish this question because this ends up in the Supreme  
11 Court, we need to create a record. Is that a true and  
12 accurate copy of the petition as transmitted to you by  
13 the city auditor in August of this year?

14 A. Save for the fact that not every part  
15 petition has the cover page, yes.

16 Q. Okay. Thank you.

17 MR. STEINHELPER: And at this point can I  
18 just give that you to, Mr. Fansler?

19 MR. FANSLER: Yes.

20 MR. STEINHELPER: Okay. And I have no  
21 further questions for this witness.

22 MS. CLARK: I do have one question that I  
23 would like to ask. Adam -- if I can call you  
24 Adam -- when -- in the respondents' filings they  
25 refer to you as putting a title on a ballot. Has a

1 ballot ever been completed yet for this issue?

2 THE WITNESS: No, we've not created a ballot  
3 for this election yet.

4 MS. CLARK: Thank you.

5 MR. FANSLER: So there is an identification,  
6 Kathryn Clark, a member of the Board of Elections  
7 posed that question to the witness. Mr. Brown, do  
8 you have questions of this witness?

9 MR. BROWN: Yes, sir. Attorney Josh Brown on  
10 behalf of the petitioner. You mind if I sit while  
11 I ask questions?

12 MR. FANSLER: No, that's fine.

13 MR. BROWN: Thanks.

14 CROSS-EXAMINATION

15 BY MR. BROWN:

16 Q. I would like you to look at Exhibit 1-C.

17 CHAIRMAN FULTON: Mr. Brown, if I might ask,  
18 can you speak up a little bit? Some of us have  
19 hearing difficulties.

20 BY MR. BROWN:

21 Q. I would like you to look at Exhibit 1-C.

22 A. (Nods head).

23 Q. And compare it to 1-A. And in terms of the  
24 ballot language or the petition language, is there any  
25 differences?

1           A.       So where 1-A just has the classification of  
2 drag artist, 1-C includes the proposal to amend city of  
3 Bellefontaine codified ordinance. Other than that the  
4 following -- the adding the following text, that is the  
5 same as what is on 1-A.

6           Q.       And can you explain why there's a difference  
7 there?

8           A.       I cannot.

9           Q.       Did you ever talk to any of the petitioners  
10 about adding this title in?

11          A.       When they initially approached us, I provided  
12 them Chapter 6 from our election official manual, which  
13 deals with municipal initiative referendum, told them  
14 about the full and correct copy of the title and text,  
15 you know, laid out what that was to be. Now, as far as  
16 what -- if there's an addition, I don't recall having  
17 said there needed to be an addition of that. But that's  
18 all I remember from our conversations is pointing them in  
19 the directions they need to be.

20                   MR. BROWN: Can I have a quick recess? Can  
21 we go off the record real quick?

22                   (Discussion held off the record.)

23                   MR. BROWN: Thank you. Back on the record.

24                   MR. FANSLER: We're back on the record. Adam  
25 Brannon is still on the witness stand. The

1 question is to Mr. Brown at this time.

2 BY MR. BROWN:

3 Q. Mr. Brannon, what's your experience in the  
4 Board of Elections?

5 A. Been director or deputy director since --  
6 well, December of 2014, but been employed here since  
7 September, 2014.

8 Q. What's been your job at the Board of  
9 Elections? Can you explain your progression?

10 A. So we were hired in as clerks to learn for  
11 the first election and then was employed as director and  
12 deputy director again, December 1st, 2014. Been in  
13 alternating positions since that time.

14 Q. What's under the responsibility -- well, let  
15 me strike that.

16 Did you ever have any role in approving  
17 municipal initiatives before?

18 A. We've had a couple different initiatives that  
19 have been filed. The role that I've had is to check the  
20 signatures against our records to make sure the  
21 signatures are valid or not, and then we provide that  
22 information to the board. We've discussed with the  
23 county prosecutor on different ones on whether it's  
24 within the scope of the initiative process, and we've had  
25 I think two or so that were removed based on that issue.

1           Q.       What do you mean you've had two you said were  
2 removed?

3           A.       There was two -- or there was a gentleman  
4 passing a marijuana initiative for Bellefontaine. He did  
5 it for a couple other municipalities. The county  
6 prosecutor determined that was not within the scope of  
7 the initiative process to initiate.

8           Q.       So, if the county prosecutor made the  
9 determination, what was your role in that?

10          A.       Passing that information to the board.

11          Q.       Okay. Just passing information, nothing  
12 else?

13          A.       Not as far as we provide the information to  
14 the prosecutor and say here's what's been provided to us  
15 and then we pass the information back.

16          Q.       Do you ever offer advice to people that are  
17 preparing petitions?

18          A.       We answer questions best we can, yes.

19          Q.       On June 21st of 2022 --

20                   UNIDENTIFIED SPEAKER: July of this year.

21 BY MR. BROWN:

22          Q.       I'm sorry, July 21st? July 21st, 2022, did  
23 some people come in to talk to you about the petition  
24 that's in question here today?

25          A.       July 21st of this year, yes, they spoke with

1 us.

2 Q. It was '23?

3 A. Yeah.

4 Q. Sorry.

5 A. Yeah, they came and spoke with us then -- or  
6 spoke with me then. Sorry.

7 Q. Do you remember what advice you gave them?

8 A. I told them that it needed to -- that once  
9 they were completed they needed to file with the city  
10 auditor. As far as anything beyond that, I don't recall  
11 an exact reproduction of the conversation, no.

12 Q. You don't recall anything other than telling  
13 them that once it was completed they have to file with  
14 the city auditor?

15 A. I know they provide -- or showed me the 1-C  
16 and the three -- the chapter that they had included as  
17 well, that Chapter 1177 with the inclusion of the  
18 addition that they're asking for. They showed me those  
19 and then didn't have any -- there was no particular  
20 question to what they were asking me. I believe the  
21 statement is does this look good. And, again, we don't  
22 issue blanket statements. When we do petitions, it's do  
23 you have a particular question on a part of the petition.  
24 The only -- again, what I recall of the conversation is  
25 they asked me if what they had was sufficient. Again, I

1 can't make that determination. All I can provide is  
2 that, you know, that was a professional looking petition.  
3 Other than that, I don't have any ability to say one way  
4 or the other.

5 Q. Do you have any knowledge of how the title  
6 got added to 1-C?

7 A. No.

8 Q. In terms of that July 1st [sic] conversation,  
9 you say your memory is strong on that or is it kind of --

10 A. I remember it occurring. I don't -- I'll be  
11 honest. I do not suffer from any memory issues, but to  
12 say I recall every conversation, I don't have that.

13 Q. Do you frequently have conversations with  
14 people about these types of matters?

15 A. Within the scope of the office, yes.

16 MR. BROWN: Okay. I don't have anymore  
17 questions. I would like to reserve the right to  
18 re-call him in our case.

19 MR. FANSLER: Mr. Steinhelfer.

20 MR. STEINHELPER: Nothing further for this  
21 witness.

22 MR. FANSLER: Okay. Mr. Brannon, you're  
23 excused. Mr. Steinhelfer, you may call your next  
24 witness.

25 MR. STEINHELPER: My next witness is Barbra

1 Joe Gant.

2 BARBRA GANT,

3 Having been first duly sworn, as hereinafter  
4 certified, testifies as follows:

5 DIRECT EXAMINATION

6 BY MR. STEINHELPER:

7 Q. Ma'am, can you state your name and spell it  
8 for the record, please?

9 A. Yes. My name is Barbra Gant. The first name  
10 is spelled B-A-R-B-R-A, last name is G-A-N-T.

11 Q. And are you a registered voter under that  
12 name here in Logan County?

13 A. Yes, I am.

14 Q. I'm going to have you flip to our  
15 Exhibit 1-A. Ma'am, in April of this year did you make a  
16 public records request to the Bellefontaine City Auditor  
17 Fred Brentlinger?

18 A. I did.

19 Q. Looking at that Exhibit 1-A -- and I'm  
20 talking about the second page of it.

21 A. Yes.

22 Q. You see where there's an e-mail address at  
23 the top?

24 A. Yes.

25 Q. Is that your e-mail address?

1           A.       It is.

2           Q.       Is this the public records request that you  
3 made?

4           A.       Yes.

5           Q.       And referring to the first page of  
6 Exhibit 1-A, is that what you received in response to  
7 that request?

8           A.       It is.

9           Q.       Have you had the opportunity to review this?

10          A.       Yes.

11          Q.       I'm going to direct your attention to my  
12 Exhibit 1-C. Have you -- I'll let you get there first.

13          A.       Okay.

14          Q.       Have you had the opportunity to review this?

15          A.       Yes.

16          Q.       Is the text of the ordinance the same?

17          A.       No.

18          Q.       Does the text of the ordinance that you  
19 received from the city auditor in April give any  
20 indication that this is a zoning ordinance?

21          A.       No.

22          Q.       And to be clear, 1-C does in fact do that?  
23 It specifies a certain zoning ordinance?

24          A.       Yes.

25          Q.       Does the text of the draft you received from

1 the city auditor pursuant to your public records request  
2 state that it is amending a specific section of the  
3 Bellefontaine codified ordinances?

4 A. No.

5 Q. And 1-C does specify a specific section; is  
6 that correct?

7 A. Yes, correct.

8 Q. Does the text of the draft you received  
9 pursuant to your public record request at 1-A give any  
10 indication that it is classifying something as adult  
11 entertainment?

12 A. No.

13 Q. And to be sure, 1-C does do that?

14 A. Yes.

15 MR. STEINHELPER: Okay. I have no further  
16 questions.

17 MR. FANSLER: Mr. Brown, questions of this  
18 witness?

19 MR. BROWN: No questions. Thank you.

20 MR. FANSLER: All right. Thank you for  
21 testifying. Mr. Steinhelfer, your next witness.

22 MR. STEINHELPER: I'm going to call to the  
23 stand Victoria Maddox.

24 VICTORIA MADDOX,

25 Having been first duly sworn, testifies as

1 follows:

2 DIRECT EXAMINATION

3 BY MR. STEINHELPER:

4 Q. Ma'am, can you state your name and spell it  
5 for the record?

6 A. Victoria Maddox. V-I-C-T-O-R-I-A,  
7 M-A-D-D-O-X.

8 Q. And your address?

9 A. 556 East High Avenue, Bellefontaine, Ohio  
10 43311, apartment two.

11 Q. Do you have any reason to believe that the  
12 petition submitted for placement on the ballot is  
13 different than the pre-circulation petition that Ms. Gant  
14 just testified to?

15 A. One more time with that, please.

16 Q. What's that?

17 A. Can you repeat that, please?

18 Q. Do you have any reason to believe that the  
19 petition submitted for the November ballot is different  
20 than the one that the voters actually signed?

21 A. Yes.

22 (Protestors' Exhibit 1-B, photo of petition, identified.)

23 Q. I'm going to direct your attention to my  
24 Exhibit 1-B. Since these are double sided, everybody,  
25 sometimes it's on the back of the tab. If you look at

1 the bottom, what do we see there at the very bottom of  
2 the page?

3 A. My thumb.

4 Q. Did you take this picture?

5 A. I did.

6 Q. Do you recall when you took this picture?

7 A. Oh, July 14th, I believe. I'm not  
8 positive -- I know it was the 14th, I just can't remember  
9 which one.

10 Q. Could it have been April 14th?

11 A. That's it. April 14th. Apologize.

12 Q. Now, ma'am, where were you when you took the  
13 picture?

14 A. Outside the courthouse by the fountain.

15 Q. I'm going to direct your attention to the  
16 first of the text here. Were you following along with  
17 the testimony of everybody else here today?

18 A. Yes.

19 Q. And is the text -- and I want you to compare  
20 it -- the same as 1-A?

21 A. You say is it the same? Yes.

22 Q. Is the text the same as 1-C?

23 A. No.

24 Q. Okay. Now, I'm going to retrieve Exhibit 2  
25 from the court reporter.

1 THE COURT REPORTER: Do you want it to her?

2 MR. STEINHELPER: Yes, please.

3 BY MR. STEINHELPER:

4 Q. Now, this may be a little clunky because we  
5 may have to show it to opposing counsel so we can follow  
6 along and everything, but what I'm going to have you do  
7 is flip to the first signature page, the one that says I  
8 believe Jenny Wren on line one.

9 A. Yes.

10 Q. Okay. Do you recognize that?

11 A. Yes.

12 Q. Did you put your mark on that petition?

13 A. I did.

14 Q. Did you deface it with an opprobrious  
15 comment?

16 A. I did.

17 Q. On which line?

18 A. Line 24.

19 Q. Okay. Can you read for the board your  
20 opprobrious comment?

21 MR. FANSLER: Mr. Steinhelfer, we've had a  
22 little discussion about this, and I just want to  
23 express this caution. The Ohio Revised Code  
24 instructs that a person may not affix any signature  
25 to a petition except their own signature and to do

1 otherwise it's a potential felony.

2 MR. STEINHELPER: I've had the opportunity to  
3 look into that as well, and it is very clear that  
4 it wasn't a signature and never intended to be one.

5 MR. FANSLER: Okay. I just wanted that  
6 cautionary remark before we --

7 MR. STEINHELPER: I do appreciate that.

8 MR. FANSLER: Thank you.

9 BY MR. STEINHELPER:

10 Q. Can you read the opprobrious comment and  
11 nothing more?

12 A. Fuck you bigots.

13 Q. Okay. And what date was that signed?

14 A. 4/14/23.

15 Q. What date did everybody else sign that?

16 A. 4/14/23.

17 Q. And what was the part petition affixed to  
18 that? Was it 1-A, 1-B, 1-C, was it any of those?

19 A. 1-B.

20 Q. Okay. Now, I would like to ask you, looking  
21 at this 1-B, was it in this form when you defaced it with  
22 that comment?

23 A. Yes.

24 Q. Did it -- so the city was blank?

25 A. Correct.

1 Q. And it didn't specify an election?

2 A. Correct.

3 Q. And it didn't specify any section of the  
4 Bellefontaine codified ordinances.

5 A. Correct.

6 MR. STEINHELPER: I have no further  
7 questions.

8 MR. FANSLER: Mr. Brown, questions of this  
9 witness?

10 MR. BROWN: Thank you.

11 CROSS-EXAMINATION

12 BY MR. BROWN:

13 Q. You just testified that there is a difference  
14 in the petition that you marked and the one in 1-C,  
15 correct?

16 A. Correct.

17 Q. Do you know why there was a difference?

18 A. I do not know why.

19 Q. And why did you write F-U bigots on the  
20 petition?

21 A. Two reasons. First off, that was my feelings  
22 towards the petition. And, secondly, because I noticed  
23 the fact that it was not properly filled in, I knew that  
24 it was not a legally binding petition.

25 Q. What do you mean -- what do you mean it was

1 not properly filled?

2 A. For a petition to be circulated, the top  
3 portion needs to be filled out while people are signing  
4 it. The top portion was not filled out, therefore it was  
5 not legal.

6 Q. Can you be more specific? I don't know what  
7 you mean by top portion. Can you refer to an exhibit?

8 A. 1-B.

9 Q. You can't show it to me, you have to say it  
10 on the record.

11 A. Exhibit 1-B.

12 Q. Second page, right?

13 A. Yes. The top portion. Where it says the --  
14 all the blank spaces. They weren't filled in.

15 MR. BROWN: Okay. No more questions. Thank  
16 you.

17 MR. FANSLER: Mr. Steinhelfer, additional  
18 questions for this witness?

19 MR. STEINHELPER: No.

20 MS. CLARK: I do have a question. This is  
21 Kathryn Clark, a Board of Elections member.

22 Do you know who was circulating the petition  
23 before you defaced it?

24 THE WITNESS: I do not. There was a large  
25 group there.

1 MS. CLARK: Okay. And when you say that --  
2 that 1-B and 1-A are the same, is that true?

3 THE WITNESS: The only difference being that  
4 one is filled -- the wording on the text is  
5 correct, the only difference is that in one -- in  
6 Exhibit 1-A, the top portion is filled out and it  
7 has the received marked on it. On 1-B, those two  
8 things are not there.

9 MS. CLARK: And was this a petition that was  
10 being circulated when you defaced it? Was a  
11 petitioner there and you signed the petition?

12 THE WITNESS: Yes.

13 MS. CLARK: Thank you. I have no further  
14 questions.

15 MR. FANSLER: In light of that,  
16 Mr. Steinhelfer, do you have additional questions?

17 MR. STEINHELPER: I do.

18 REDIRECT EXAMINATION

19 BY MR. STEINHELPER:

20 Q. Was there a table set up for the circulation  
21 of this? I just want you to explain because -- so the  
22 board gets a full understanding of the circumstances  
23 during which you signed this.

24 A. There was a table set up with multiple people  
25 around it.

1 Q. Where?

2 A. By the courthouse by the fountain. There  
3 was -- they had very big signs that said something along  
4 the lines save the children or something like that.

5 Q. Okay. Would it refresh your memory to look  
6 at the signature page that you defaced, flip it over, and  
7 then be able to answer Ms. Clark's question as to who  
8 circulated that?

9 A. This says Danielle Stef -- Stefaniszyn?

10 Q. Okay. And she is one of the -- a member of  
11 the committee representing the petitioners, correct?

12 A. Yes.

13 MR. STEINHELPER: Nothing further.

14 MR. FANSLER: Mr. Brown?

15 MR. BROWN: Nothing.

16 MR. FANSLER: Thank you. Your next witness,  
17 Mr. Steinhelfer.

18 MR. STEINHELPER: The protestors rest.

19 MR. FANSLER: All right. Mr. Brown, would  
20 you like to make an opening statement or remark?

21 MR. BROWN: Yeah. Can we take a brief  
22 recess?

23 MR. FANSLER: Yes.

24 MR. BROWN: Thank you. We'll go off the  
25 record.

1 (Off the record.)

2 MR. FANSLER: All right. We're going to keep  
3 this moving along. It's 10:00. We took a brief  
4 recess. We're back on the record. Protestors have  
5 rested. They have presented their case. We're now  
6 over to the petitioners. Mr. Brown, opening  
7 statement?

8 MR. BROWN: Thank you, board.

9 MR. FANSLER: Make sure you project your  
10 voice well enough to be heard well.

11 MR. BROWN: Thank you very much. So,  
12 basically this case is very simple. It comes down  
13 to the brief I gave you, which is the difference  
14 between creating a petition and handing it in and  
15 the actual preparation of that petition for the  
16 ballot. So the Board of Elections, as we argued,  
17 did its job, and the protestor did not shown any  
18 facts yet that change that fact. So, the evidence  
19 will show that it's part of the ballot process, and  
20 that's what you can expect. Very simple. Thank  
21 you.

22 MR. FANSLER: Thank you. Do you wish to call  
23 witnesses?

24 MR. BROWN: Yes, sir.

25 THE COURT: Call your first witness, please.

1 MR. BROWN: I'll start with re-calling  
2 Victoria Maddox.

3 THE COURT REPORTER: Do you want her sworn  
4 again?

5 MR. FANSLER: Ms. Maddox, you've been sworn  
6 before. That continues. We will not re-swear you  
7 but your testimony will be under oath. Thank you.

8 VICTORIA MADDOX,

9 Having been previously duly sworn, testifies  
10 as follows:

11 DIRECT EXAMINATION

12 BY MR. BROWN:

13 Q. You testified earlier you took the picture of  
14 the 1-B second page, right?

15 A. Correct.

16 Q. Did you take any pictures of any other  
17 petitions?

18 A. No.

19 Q. Did you see any others?

20 A. No.

21 MR. BROWN: No more questions. Thank you.

22 MR. FANSLER: Mr. Steinhelfer, questions more  
23 of this witness?

24 MR. STEINHELPER: No.

25 MR. FANSLER: All right. Thank you.

1           MR. BROWN: We call Barbra Gant back to the  
2 stand.

3           MR. FANSLER: All right. Ms. Gant, same  
4 thing is true. We will not re-swear you. You're  
5 still under oath as you testify.

6           THE WITNESS: Sure.

7                       BARBRA GANT,  
8           Having been previously sworn, testifies as  
9 follows:

10                       DIRECT EXAMINATION

11 BY MR. BROWN:

12           Q.     Thank you for coming back. Same to Victoria.  
13 Thank you for coming back up. You have testified that  
14 there was a difference between Exhibit A-1 and  
15 Exhibit 1-C. Do you recall that testimony?

16           A.     Yes.

17           Q.     Do you know why there's a difference?

18           A.     The difference is --

19           Q.     I'm not asking you to identify the  
20 difference. Do you know why there was a difference?

21           A.     Oh, why there's a difference? No, I don't  
22 know why.

23           MR. BROWN: Okay. No more questions. Thank  
24 you.

25           MR. FANSLER: Mr. Steinhelfer, questions?

1 MR. BROWN: You've got to stay until he's --

2 MR. STEINHELPER: No.

3 MR. FANSLER: Ms. Gant, you're excused.

4 Thank you. Next witness, Mr. Brown?

5 MR. BROWN: All right. Skate Buchanan.

6 SKATE BUCHANAN,

7 Having been first duly sworn, as hereinafter  
8 certified, testifies as follows:

9 DIRECT EXAMINATION

10 BY MR. BROWN:

11 Q. So what is your name?

12 A. Skate Buchanan.

13 Q. Can you spell that, please?

14 A. S-K-A-T-E, B-U-C-H-A-N-A-N.

15 Q. And are you one of the protestors in this  
16 case? I'm sorry, strike that. Are you one of the  
17 petitioners in this case?

18 A. Yes.

19 Q. And did you collect any petition signatures  
20 yourself?

21 A. Yes.

22 Q. And what was your role with the petitioners?

23 A. We all -- there was six of us. We as a group  
24 came together. My role was just to help with some of the  
25 documentation, to go around and collect signatures. I

1 also turned the final petition -- all the documents in to  
2 the city auditor.

3 Q. Did you talk to the Board of Elections and  
4 ask for advice as you were engaging in the petition  
5 process?

6 A. Yes, once. It was way early on, but there  
7 were other people in our group that did.

8 Q. Okay. Did you take part in actually  
9 handing -- turning the petitions in to the city auditor's  
10 office --

11 A. Yes.

12 Q. -- in Bellefontaine?

13 A. Yep.

14 Q. You've got to wait until I'm done with the  
15 question.

16 A. Okay.

17 Q. And is it your understanding, once you have  
18 your petition signatures, what is the process from the  
19 petitioner's standpoint?

20 A. Once we had our signatures, we counted -- put  
21 a count on the bottom or the back of the sheets. We  
22 filled out the -- made sure everything was filled out.  
23 We actually -- I think we put the extra miles. We  
24 printed off Chapter 1177 to ensure it was attached to  
25 every single sheet, so it was a massive file that we had.

1 And then we put it all together in one file, bundled it  
2 up, and took it to the mayor's office to present. That  
3 is it.

4 Q. When you say the mayor's office, did you mean  
5 the city auditor's office?

6 A. Yeah. I think his office -- that's where he  
7 was that morning. That's where I went to, dropped it off  
8 there to his secretary. He was in a meeting with  
9 somebody.

10 Q. So you took it to the city auditor  
11 personally.

12 A. Yes.

13 Q. And were you the one who did that?

14 A. Yes.

15 Q. Was anybody with you?

16 A. No.

17 Q. Okay. What happened when you handed it to  
18 him?

19 A. He wasn't in the office. I gave it to his  
20 secretary. She just said okay. I said this is a  
21 petition that we prepared.

22 Q. What happened after that?

23 A. I left.

24 Q. And anything -- what happened in terms of --  
25 what happened after that in terms of the petition?

1           A.       We didn't really hear anything. We were told  
2 by the Board of Elections no news is good news. So we  
3 went along a couple weeks, and then we ended up reaching  
4 out -- we reached out to the Board of Elections. We also  
5 reached out to many other folks, and they just said it  
6 was approved.

7           Q.       Okay. Can you look at protestor's  
8 Exhibit 1-B -- I'm sorry, 1-A and 1-C.

9           A.       Okay.

10          Q.       And do you agree that there's a difference as  
11 the protestor witnesses have testified?

12          A.       You said 1-C?

13          Q.       Yeah.

14          A.       Yeah. The difference is just the header  
15 added in the box.

16          Q.       And do you have any explanation for that?

17          A.       I actually typed this in the actual area.  
18 We -- the explanation is we basically finished  
19 everything. We were actually curious and we were out  
20 collecting signatures. We heard from a lot of people.  
21 We actually had a copy of Chapter 1177 with us that we  
22 presented to everybody when we gained signatures. And  
23 people were -- so what we were kind of looking for is we  
24 weren't sure as how that was going to be represented in  
25 the ballot, so when we had this initial language, which

1 never changed, people weren't knowing that they were  
2 trying to amend what for a specific ordinance, so  
3 basically what happened is, we came down to the Board of  
4 Elections. I believe Danielle and Devin got direction or  
5 sought guidance on how do we clarify that is to be added  
6 and to make sure people know because we can't actually  
7 literally tab on the ballot Chapter 1177 onto the ballot.  
8 It's multiple pages. You can't add it to the ballot.

9 Q. So your understanding is the addition of that  
10 title was based on advice you got from the Board of  
11 Elections?

12 A. Absolutely.

13 MR. BROWN: No more questions.

14 CHAIRMAN FULTON: I have a question, please.  
15 On Exhibit 1-B. Excuse me. Thank you. Robert  
16 Fulton, member of the Board of Elections. On  
17 Exhibit 1-B, the information that Ms. Maddox made a  
18 copy of, the information is not filled out at the  
19 top.

20 THE WITNESS: Okay.

21 CHAIRMAN FULTON: Was the information filled  
22 out on the top of all of the other petitions? This  
23 is just one.

24 THE WITNESS: That's -- so this --

25 CHAIRMAN FULTON: There was multiple other

1           ones.

2           THE WITNESS: This is April -- is the one  
3           you're talking about April 14th?

4           CHAIRMAN FULTON: Right.

5           THE WITNESS: This isn't the actual finalized  
6           one that was turned in. We were asked to turn in  
7           to the city auditor a formal petition of what the  
8           language would be so they would have it on file.  
9           We didn't turn it in until the end, which is  
10          July 28th when that was, which everything was  
11          filled out. There was only one sheet that Fred  
12          had.

13          CHAIRMAN FULTON: When the petitioners signed  
14          the petitions, was the full information on the  
15          petitions that the petitioners signed -- excuse me.  
16          Not the petitioners but the voters of Logan County?  
17          When they signed on the petition, was all of the  
18          information correct and in its final form?

19          THE WITNESS: In its final form?

20          CHAIRMAN FULTON: Yeah.

21          THE WITNESS: You couldn't do it in its final  
22          form because you had to add numbers and counts to  
23          it once you obtained all the signatures.

24          CHAIRMAN FULTON: Okay. All right. Thank  
25          you. No more questions.

1 MS. CLARK: I have a question. When you  
2 circulated each and every petition --

3 THE WITNESS: Uh-huh.

4 MS. CLARK: -- was the title on each and  
5 every petition when you circulated them, and was  
6 the top part, the part that says the city auditor,  
7 blah, blah, the blank part of it on the top of the  
8 page, was that information filled in as well as  
9 having the titles on each and every petition when  
10 you circulated them?

11 THE WITNESS: The top part, the portion we  
12 had this -- on every page, we didn't have -- we had  
13 the city on some filled out. We didn't know  
14 that -- we thought it had to be at the end that you  
15 filled out everything 100 percent with the counts.  
16 That being said, we -- everybody knew what this was  
17 for because the actual Chapter 1177 had all the  
18 information in it and we briefed them on it, so --

19 MS. CLARK: My question is, when you  
20 circulated each and every petition -- because  
21 there's several of them.

22 THE WITNESS: Yep.

23 MS. CLARK: Did you have on each and every  
24 petition the top part, the blanks and the title as  
25 well as the text on each and every petition?

1 THE WITNESS: I would say not each and every  
2 petition, no.

3 MS. CLARK: Thank you.

4 THE WITNESS: Can I ask a question back?  
5 When you say title, what do you mean by title?

6 MS. CLARK: I'm talking about the part that  
7 says proposal to amend city of Bellefontaine  
8 codified ordinance Chapter 1117 on adult  
9 entertainment 1117.02 definition by adding the  
10 following text. Did you have that on each and  
11 every petition when you circulated it?

12 THE WITNESS: No, we did not.

13 MS. CLARK: Thank you.

14 MR. BROWN: I have no questions.

15 MR. FANSLER: Additional questions?

16 MR. STEINHELPER: I didn't get my turn.

17 MR. FANSLER: Wait. We're still on direct  
18 examination.

19 MR. BROWN: It is his turn. Go ahead.

20 MR. STEINHELPER: Mr. Steinhelfer.

21 CROSS-EXAMINATION

22 BY MR. STEINHELPER:

23 Q. Sir, to follow up on Ms. Clark's question,  
24 the text proposal to amend city of Bellefontaine codified  
25 ordinance Chapter 1177 adult entertainment 1177.02

1 definition by adding the following text, isn't it true  
2 that that was not on any of the part petitions that the  
3 voters signed?

4 A. True.

5 Q. And you were the drafter of that, correct --

6 A. Correct.

7 Q. -- as you testified? Do you recall when you  
8 drafted that text?

9 A. That addition, we came to the Board of  
10 Elections. We had directions to add that --

11 Q. No, no, no.

12 A. It was on the 23rd.

13 Q. Sir, I need you to listen carefully to the  
14 question. When I ask when, it's calling for a date, not  
15 an explanation, okay? Do you recall when you drafted it?

16 A. I think it was the 22nd or 23rd of July.

17 Q. Thank you. And were you in Logan County,  
18 Ohio when you did it?

19 A. Yeah.

20 Q. Okay. And did you do it on a laptop  
21 computer?

22 A. I did it on a computer.

23 Q. Okay. And you did it on purpose.

24 A. On purpose?

25 Q. Yeah. It wasn't an accident? You did it on

1 purpose.

2 A. I did it at somebody else's direction.

3 Q. You did it willingly.

4 A. Yeah. On somebody else's direction, yes.

5 Q. Okay. Just the question I asked you. That's  
6 it. What relationship, if any, do you have to Danielle  
7 Stefaniszyn?

8 A. She's my wife.

9 Q. Okay. And is the testimony of Ms. Maddox  
10 that Ms. Stefaniszyn circulated the part petition that  
11 has been identified as Exhibit 1-B, do you know whether  
12 that is correct?

13 A. Yeah, I think so. That's correct.

14 Q. Okay. And just to clarify, several of the  
15 part petitions signed by the voters did not have the city  
16 filled out when the voters signed them?

17 A. I don't know. There's only one at the table.

18 Q. Okay.

19 MR. FANSLER: Excuse me. I didn't hear that  
20 answer. What did you say?

21 THE WITNESS: I said I don't know. There was  
22 only one at the table.

23 BY MR. STEINHELPER:

24 Q. Okay. There was only one at the table on  
25 April 14th is what you mean, right?

1           A.       Yeah, one petition sheet.

2           Q.       I thought you testified earlier that some of  
3 them had that filled out, some of them didn't.

4           A.       Yeah. We petitioned over weeks and weeks.  
5 That particular day, I believe there was one sheet, and  
6 next to it was a copy of Chapter 1177 spread out so we  
7 could explain that to each person individually.

8           Q.       Okay. And you -- you did that because you  
9 thought that that can just be filled out in the end,  
10 right?

11          A.       What do you mean?

12          Q.       The city, this top part.

13          A.       Yes. We -- there's no -- we couldn't find  
14 anything specifically in the handbook we were given.

15          Q.       Okay.

16          A.       I think we were given from the Board of  
17 Elections. There's nothing in there specifically. I  
18 believe the city auditor said it didn't matter, so we  
19 left it blank as it was.

20          Q.       Okay. I'll have you look at my Exhibit 1-A.  
21 Did you file this what I call the pre-circulation  
22 petition with the city auditor?

23          A.       Exhibit A? No, I did not.

24          Q.       Okay. Do you know who did?

25          A.       I believe that was Danielle.

1 Q. Okay.

2 A. And one of our other assistants.

3 Q. Indicated that that was filed on April 14th.

4 Do you know whether that's correct?

5 A. Sounds right, yes.

6 MR. STEINHELPER: I have no further  
7 questions.

8 MS. CLARK: I have one question. Catherine  
9 Clark. A span, can you tell me the span of days  
10 when you started circulating the petitions and when  
11 you finished circulating the petitions?

12 THE WITNESS: I think it was March we  
13 started -- we got the idea, started drafting it and  
14 reaching out to people to understand. We didn't  
15 really -- we weren't experts on petitions, so we  
16 were reaching out to everybody to understand the  
17 process, and I think that went all the way up to  
18 the first or second week of July.

19 MS. CLARK: I'm asking when did you  
20 circulate, not when you started drafting it. When  
21 did you start circulating the petition and when did  
22 you end circulating the petition?

23 THE WITNESS: It was late April I think when  
24 we actually started actually trying to gather --

25 MS. CLARK: And when did that circulation

1 end?

2 THE WITNESS: July -- I think it was like the  
3 second week of July. We ran -- we would go door to  
4 door after work individually one of us here or  
5 there. There was no like group effort. We just --  
6 sometimes we would have a group effort to get  
7 people or some just one or two of us after work  
8 walking the street.

9 MS. CLARK: My question is, did circulating  
10 end prior to July 22nd and 23rd?

11 THE WITNESS: We stopped trying to get  
12 signatures before July 22nd, yes.

13 MS. CLARK: Before July 22nd?

14 THE WITNESS: Yes.

15 MS. CLARK: Thank you.

16 CHAIRMAN FULTON: An additional question.  
17 Rob Fulton, member of the Board of Elections. You  
18 filed -- or Exhibit A was filed with the city  
19 auditor on April 14th.

20 THE WITNESS: Uh-huh.

21 CHAIRMAN FULTON: Is that correct?

22 THE WITNESS: Yeah.

23 CHAIRMAN FULTON: The petition that Victoria  
24 Maddox put her comments on was also signed by a  
25 number of petitioners on April 14th.

1 THE WITNESS: Okay.

2 CHAIRMAN FULTON: You began circulating the  
3 petitions the day that it was filed with the city  
4 auditor?

5 THE WITNESS: If I have it correct -- I  
6 didn't turn this in, but I believe it was turned in  
7 like really early in the morning, like 8:00 or 9:00  
8 a.m. and then we didn't actually seek until 5:00 or  
9 5:30 in the afternoon in front of the courthouse.

10 CHAIRMAN FULTON: Thank you very much. No  
11 further questions.

12 MR. FANSLER: Okay. Further questions of  
13 this witness?

14 MR. BROWN: Yeah, one more. Maybe a few  
15 more.

16 REDIRECT EXAMINATION

17 BY MR. BROWN:

18 Q. Look at Exhibit 1-A or A-1. Can you read the  
19 first sentence of the petition language?

20 A. The classification of drag artist and shows  
21 as adult cabaret performance.

22 Q. Does that strike you as being a title? Did  
23 you intend for that to be the title?

24 A. That is the title. That's how we thought it  
25 would be. That would be the title, yeah.

1 MR. BROWN: No more questions.

2 MR. FANSLER: Mr. Steinhelfer, additional  
3 questions?

4 MR. STEINHELPER: Just one.

5 RECROSS-EXAMINATION

6 BY MR. STEINHELPER:

7 Q. You personally filed the completed  
8 signatures -- or petitions, I'm sorry -- with the city  
9 auditor?

10 A. Correct.

11 Q. And you did so on July 24th?

12 A. Yeah, I believe it was July 24th at 8:00  
13 a.m., something like that.

14 Q. I'm sorry, I said one but it's going to be  
15 three. I'll have you look at my 1-C.

16 MR. BROWN: What you did you say?

17 BY MR. STEINHELPER:

18 Q. My 1-C. Was that attached to each and every  
19 one of the part petitions filed with the Bellefontaine  
20 City Auditor on July 24th of this year?

21 A. Yes.

22 Q. And are you the person who took the staples  
23 out and stapled this text to the signature pages?

24 A. There was no staples used.

25 Q. How were they affixed?

1           A.       We paper clipped each sheet individually and  
2 then in stacks. So we -- each ordinance had a paperclip  
3 around it, then we took this and paper clipped it to  
4 that, and we actually took the proposal and paper clipped  
5 it to that. Hundreds of pages.

6           Q.       When you say "we", who removed the  
7 paperclips, put this text on, and then paper clipped it  
8 back together? Who did that?

9           A.       We didn't remove it. I would assume it would  
10 be the city auditor.

11          Q.       No, no, no, no. You testify earlier that no  
12 one signed 1-C, correct? Nobody signed a petition  
13 containing this language proposal to amend city of the  
14 Bellefontaine codified ordinance Chapter 1177 adult  
15 entertainment 1177.02 definition by adding the following  
16 text. You testified that nobody signed a petition  
17 containing that language, correct?

18          A.       The adding of this header, no.

19          Q.       Okay. How did that come to be affixed to the  
20 signature page? Do you understand what I mean by  
21 signature pages?

22          A.       Yes.

23          Q.       I can show you.

24          A.       Sure.

25          Q.       How did this come to be affixed to it?

1     Stapled?

2           A.     With a paper clip.

3           Q.     Okay.  And who did that?

4           A.     Me and my three other people that we --

5           Q.     Who were the three other people?

6           A.     Actually, I think it was just Danielle.

7           Q.     You and your wife did that.

8           A.     Yep.

9           Q.     On what date did you do that?

10          A.     It was the 22nd or 23rd.  Right before we  
11 handed it in.

12          Q.     You drafted it the 22nd and turned it in the  
13 24th.  It was sometime in that range, correct?

14          A.     Yes, correct.

15          Q.     So that would have required removing the text  
16 that the voters signed and affixing what is our 1-C to  
17 the signature pages; is that correct?

18          A.     We just -- I think -- I believe this is a  
19 separate sheet.

20          Q.     Yeah.  That's what I'm saying.

21          A.     Yes.  We just -- we basically -- because the  
22 top part we had, we filled that out and we just added the  
23 new sheet.

24                   MR. STEINHELPER:  Okay.  Thank you.  That's  
25 all.

1 MR. FANSLER: Further questions of this  
2 witness?

3 MR. BROWN: Yeah.

4 FURTHER DIRECT EXAMINATION

5 BY MR. BROWN:

6 Q. The action you just described in your  
7 cross-examination, were you doing that on somebody's  
8 advice?

9 A. Yes.

10 Q. Whose advice?

11 A. Information we got from the Board of  
12 Elections.

13 Q. Anybody in particular?

14 A. I wasn't there but I know she talked to Adam.

15 Q. Brannon?

16 A. Adam Brannon.

17 MR. BROWN: No more questions.

18 MR. FANSLER: All right. This witness is  
19 excused. Next witness.

20 MR. BROWN: Devin Palmer.

21 DEVIN PALMER,

22 Having been first duly sworn, as hereinafter  
23 certified, testifies as follows:

24 DIRECT EXAMINATION

25 BY MR. BROWN:

1 Q. Tell us your name.

2 A. Devin Palmer.

3 Q. How do you spell that?

4 A. D-E-V-I-N, P-A-L-M-E-R.

5 Q. Are you one of the petitioners in this case?

6 A. Yes, sir.

7 Q. And were you involved in the early process of  
8 preparing the petition for circulation?

9 A. That's correct.

10 Q. Okay. What was your role?

11 A. My initial role was getting people on board  
12 with this initiative, and then --

13 MS. CLARK: Can I ask that you speak up a  
14 little bit, please?

15 THE WITNESS: Sure. My initial role was  
16 gathering people to get on board with this  
17 initiative, and after coming to the determination  
18 that we would need to as citizens make our voices  
19 heard, we opted to propose an initiative petition  
20 or proposed ordinance amending Chapter 1177.02(e),  
21 in which point I was one of the six circulators of  
22 said petition.

23 BY MR. BROWN:

24 Q. And were you part of the process when the  
25 petition was handed in to the city auditor?

1           A.       Skate handed that in but we had meetings  
2 often, the six of us, discussing our progress made, if we  
3 needed more signatures, and, you know, when we should  
4 turn it in.

5           Q.       Did you meet with the Board of Elections for  
6 advice through the process of going through this  
7 initiative petition?

8           A.       I did on one occasion. That was one of  
9 several occasions members of our group had made multiple  
10 contacts not just to the city auditor but to the Board of  
11 Elections to ensure our compliance. The last meeting  
12 that Danielle had -- well, meeting -- we stopped in and  
13 talk to people at the Board of Elections. It usually was  
14 Adam, Mr. Brannon. The last time that we stopped in, I  
15 attended, I came with Danielle, and Mr. Brannon was  
16 there. This was --

17          Q.       Was that the July?

18          A.       This was July -- yes. This was July 20th or  
19 21st on or about. About 1:05 p.m., Danielle and I came  
20 to Mr. Brannon. We asked a very specific question. That  
21 question was how do we attached the codified ordinances,  
22 Chapter 1177.02 E to our petition. Very specific  
23 question. We explained that the Secretary of State  
24 handbook was rather ambiguous on this point. Certainly  
25 everybody that signed the petition knew that that was the

1 whole purpose of this petition as a full copy and text of  
2 Chapter 1177.02 Section E was filed with the auditor on  
3 the same date the petition language was handed in.

4 Mr. Brentlinger could affirm to that. That language was  
5 at all times circulated with the proposed petition  
6 language and then so, therefore, at this meeting -- well,  
7 rather impromptu meeting, I guess, with Mr. Brannon, we  
8 asked how might we attach this to the proposed petition  
9 language. He said you can just -- you can just write it  
10 at the top.

11 MR. STEINHELPER: Objection. Hearsay and  
12 relevancy. Their entire case is based on hearsay  
13 that is really not relevant even if determined to  
14 be true. It's entirely irrelevant to the case.

15 MR. BROWN: It's not hearsay.

16 MR. FANSLER: First of all --

17 MR. BROWN: I need to respond to the  
18 objection on the record.

19 MR. FANSLER: Wait a minute. We are not  
20 bound by the court rules of evidence. We are not  
21 excluding hearsay. We will -- we understand the  
22 inherent inaccuracies that are with hearsay. We'll  
23 take that into consideration. In the interest of  
24 full disclosure, we're going to let in everything  
25 that's not offensive to be let in, including that

1 statement. We recognize that it may be hearsay.

2 MR. BROWN: All right. Just a statement for  
3 the record, if you don't mind. In an  
4 administrative hearing you are allowed to admit  
5 hearsay and consider it in terms of its credibility  
6 rather than admissibility, but I do need to reserve  
7 my response to the objection on the record as there  
8 is an objection for the record.

9 MR. FANSLER: I understand that.

10 MR. BROWN: The witness who spoke the words  
11 is here and available for testimony and  
12 cross-examination; therefore, categorically it is  
13 not hearsay. All right.

14 BY MR. BROWN:

15 Q. Go ahead and pick up where you left off.

16 A. May I continue? So, Danielle, she had the  
17 actual petition sheet which looks like Mr. Steinhelfer's  
18 1-B in which she wrote with her pen at the top like this  
19 (indicating), and Adam motioned, that's fine. And so it  
20 was our interpretation of this conversation that the  
21 header be added at the direction of the authority, which  
22 we took to be Mr. Brannon, of the Board of Elections.  
23 Further, I don't think it's hearsay because there is a  
24 camera -- there's a camera at the south side of the room,  
25 and during that time there was voting. There was active

1 voting for the August 1st election. I do hope that  
2 camera was rolling and I hope it has audio because I feel  
3 it would be wise to pull that feed.

4 Q. Okay. And what did Mr. Brannon tell you in  
5 that visit?

6 A. Basically it was pretty short with it. He  
7 may have said something to the effect of the displayed  
8 format on the ballot, how voters would see it, the  
9 displayed format on the ballot and therefore we thought  
10 the advice was sound as certainly everybody knew  
11 throughout the circulation and from the beginning of this  
12 what the actual text and title of the language was, so we  
13 took his advisement as sound, and we added the header to  
14 the top.

15 MR. BROWN: Okay. No more questions.

16 THE COURT: Mr. Steinhelfer, questions?

17 MR. STEINHELPER: No.

18 MR. FANSLER: This witness is concluded.

19 Thank you. Mr. Brown, additional witnesses?

20 MR. BROWN: Yes, sir.

21 MR. FANSLER: Again, we're off the record.

22 These comments are not part of the record. Counsel  
23 are conferring.

24 MR. BROWN: Board, I call Danielle  
25 Stefaniszyn. We'll spell her name.

1 DANIELLE STEFANISZYN,

2 Having been first duly sworn, as hereinafter  
3 certified, testifies as follows:

4 DIRECT EXAMINATION

5 BY MR. BROWN:

6 Q. State your name, please.

7 A. Sure. Danielle Stefaniszyn. Spelled  
8 D-A-N-I-E-L-L-E, S-T-E-F-A-N-I-S-Z-Y-N.

9 Q. Catch it? Are you one of the petitioners in  
10 this case?

11 A. I am.

12 Q. And were you involved in the original  
13 origination process of this petition in question here  
14 today?

15 A. I was.

16 Q. Okay. What was your role in the beginning?

17 A. As part of the circulators of this initiative  
18 petition to get it on the November ballot.

19 Q. I'm sorry, what was that?

20 A. To be one of the circulators of this petition  
21 to get it on the November ballot.

22 Q. Were you involved in the original drafting or  
23 creation of the paper petitions themselves?

24 A. I was.

25 Q. What was your role in terms of that?

1           A.       To oversee, to ensure by, you know, asking  
2 any questions that need to be. I would draft questions  
3 or have questions, seek guidance from the Board of  
4 Elections, come in and have multiple conversations, and  
5 just to relay that information to what we were doing in  
6 the process of doing this petition.

7           Q.       Okay. And were you involved in the ending  
8 process of actually turning the petitions in to the city  
9 auditor?

10          A.       I was.

11          Q.       What was your role?

12          A.       My role was to put everything together in the  
13 appropriate manner so that we could file it with the city  
14 auditor in the time before it needed to be handed or  
15 submitted in to the Board of Elections.

16          Q.       Were you only person in that role or were  
17 there other people doing that with you?

18          A.       My husband was also involved in that role and  
19 then a few others of the committee, but really everything  
20 was at our -- within our -- I guess our hands at that  
21 time, yes.

22          Q.       Is your husband the Skate that testified  
23 previously?

24          A.       Yes, he is.

25          Q.       And were you a party to the July 21st -- the

1 testimony is either July 20th or July 21st meeting at the  
2 Board of Elections?

3 A. I was, yes.

4 Q. Okay. Did you listen to the testimony of  
5 Devin Palmer before you came up?

6 A. I did, yes.

7 Q. Is there any inaccuracy or anything you think  
8 should be corrected or changed?

9 A. No.

10 Q. Can you tell me your recollection of that  
11 meeting?

12 A. Sure. So Devin and I came in to the Board of  
13 Elections because we were getting ready to finalize  
14 before we were getting ready to submit to the city  
15 auditor, and we wanted to just clear up any clarification  
16 of any questions that we had. So, we came in together.  
17 And had the paper in front of us and, again, asked Adam  
18 for his time as he had been helping us through this whole  
19 process -- or giving us guidance and assisting us through  
20 this -- and specifically asked him, you know, how do we  
21 attach Chapter 1177 to this? And under his direction and  
22 guidance he said, you know, you could add the proposal to  
23 amend, and so I wrote that and I said, Like this? And he  
24 goes, That should be fine. And so, we -- I did that  
25 under his direction and then we went about our way.

1 Q. Just a second.

2 CHAIRMAN FULTON: May I ask a question?

3 MR. BROWN: I'm in the middle of mine.

4 CHAIRMAN FULTON: I'm sorry, I thought you  
5 were finished.

6 MR. BROWN: I just need a moment to review my  
7 notes. Okay. I'm done. Thank you.

8 CHAIRMAN FULTON: Thank you. All right.  
9 Question for you, please. You said you felt the  
10 need to add that language and asked Adam for advice  
11 how to do that.

12 THE WITNESS: No. We were going in to just  
13 seek guidance to see if there was anything  
14 additional that we needed in order to file the  
15 paperwork. As Devin had stated, the Secretary of  
16 State handbook is very vague in terms of explicitly  
17 defining how to submit items, so under the guidance  
18 of the Board of Elections, who we had been working  
19 with, we wanted to finalize any additional  
20 questions that we may have in order to -- prior to  
21 submitting the final copies to the city auditor.

22 CHAIRMAN FULTON: Okay. I guess my question  
23 is, did Mr. Brannon tell you to add this language?

24 THE WITNESS: He recommended we add that  
25 language under --

1           CHAIRMAN FULTON: Let me finish the question,  
2           please.

3           THE WITNESS: I'm sorry.

4           CHAIRMAN FULTON: Did Mr. Brannon tell you to  
5           add this language or did you ask him for advice on  
6           how to add this language?

7           THE WITNESS: We asked how do we attach  
8           Chapter 1177 to the ballot, and he -- he advised us  
9           that we needed to add to amend or propose what we  
10          were trying to do and to add that at the top in the  
11          box.

12          CHAIRMAN FULTON: Thank you very much.

13          THE WITNESS: Yes.

14          MR. FANSLER: I think the court reporter  
15          might have already made this notation, but just for  
16          the record, Robert Fulton asked the last two  
17          questions. So just for clarification to the  
18          record, those two recent questions were asked by  
19          board member Robert Fulton. Mr. Steinhelfer, you  
20          have additional questions?

21          MR. STEINHELPER: Yes.

22                           CROSS-EXAMINATION

23   BY MR. STEINHELPER:

24           Q.       Ma'am, I'm going to direct your attention to  
25           my 1-C. Are you there?

1 A. Yes.

2 Q. Okay. No one signed this, correct?

3 A. What do you mean?

4 Q. No one signed this petition language; is that  
5 correct?

6 A. This is a cover page.

7 Q. Did anyone sign a petition containing this  
8 language?

9 A. Well, it's a cover page, so there wouldn't be  
10 any signatures on the back of it.

11 Q. Listen to the question, please. Did anyone  
12 sign a petition -- did any voter sign a petition  
13 containing this exact language?

14 A. The classification of drag artist, that title  
15 and text was included.

16 Q. No, no, no. Proposal to amend city of the  
17 Bellefontaine codified ordinance Chapter 1177 adult  
18 entertainment 1177.02 definition by adding the following  
19 text. Do you see that?

20 A. I do.

21 Q. Did I read it correctly?

22 A. You did.

23 Q. The question is, did anyone -- any voter sign  
24 a petition containing that language, yes or no?

25 A. That header was added --

1 Q. Yes or no.

2 MR. BROWN: The witness can answer how she  
3 wants.

4 MR. FANSLER: She can answer the question.

5 MR. BROWN: Doesn't work that way.

6 THE WITNESS: The title -- the header that  
7 was added at the direction of the Board of  
8 Elections was added upon final completion of the  
9 cover page that was submitted to the city auditor.

10 BY MR. STEINHELPER:

11 Q. Did any voter sign a petition containing the  
12 language that I just read?

13 A. The actual cover page --

14 Q. I'm going to ask it until you answer the  
15 question.

16 A. I am answering your question. You're not  
17 accepting the answer, that is why you keep pushing.

18 MR. FANSLER: I don't think there is any  
19 question what the question is or what her answer is  
20 and I don't think there is any question the  
21 disconnect there. We understand what was just  
22 said. We get your point, Mr. Steinhelfer.

23 MR. STEINHELPER: Okay.

24 BY MR. STEINHELPER:

25 Q. You were involved in the preparation of this

1 language that I just read?

2 A. Yes.

3 Q. And that happened between July 22nd  
4 July 24th; is that correct?

5 A. Correct.

6 Q. In Logan County, Ohio?

7 A. Yes.

8 Q. And you did it intentionally?

9 A. Under the guidance of the Board of Elections.

10 Q. Okay. It wasn't an accident?

11 A. Under the guidance of the Board of Elections,  
12 no.

13 Q. No.

14 MR. STEINHELPER: Nothing further.

15 MR. BROWN: No questions.

16 MR. FANSLER: Thank you for appearing.

17 THE WITNESS: Thank you.

18 MR. FANSLER: Next witness.

19 MR. BROWN: No more witnesses, no more  
20 questions.

21 MR. FANSLER: All right. Mr. Steinhelfer, do  
22 you wish to introduce any exhibits?

23 MR. STEINHELPER: Yes. We would introduce  
24 all of our exhibits.

25 THE COURT: Mr. Steinhelfer, I don't think

1           there's been any testimony on anything except -- go  
2           ahead.

3           MR. STEINHELPER: Well, if I may?

4           MR. FANSLER: Go ahead.

5           MR. STEINHELPER: Exhibits 3 through 10 are  
6           statutes and citations that are provided as  
7           courtesy copies for your consideration. Whether  
8           you consider them to be actual evidence or not is  
9           up to you to deal with properly, and so --

10          MR. FANSLER: Okay.

11          MR. BROWN: As long as --

12          MR. FANSLER: I think there's only been  
13          testimony about Exhibit 1, Exhibit 1-A, Exhibit  
14          1-B, and Exhibit 1-C.

15          MR. STEINHELPER: 1-G.

16          MR. BROWN: As long as he testifies they're  
17          true and accurate, I will proceed and stipulate  
18          that they're self-authenticating.

19          MR. FANSLER: Exhibit 1, Exhibit 1-A, Exhibit  
20          1-B, Exhibit 1-C, and Exhibit 1-D have all had  
21          testimony. Mr. Steinhelfer, you introduce more?

22          MR. STEINHELPER: 1-G.

23          MR. FANSLER: 1-G. I would agree with that.  
24          Anything else?

25          MR. STEINHELPER: 2. The court reporter has

1           it.

2           MR. FANSLER:   Sure.   Exhibit 2.   So the  
3           packet we received 1, 1-A, 1-B, 1-C, 1-D, 1-G and  
4           then Exhibit 2.   Mr. Brown, with those cautionary  
5           remarks, you have no objection to those.

6           MR. BROWN:   No objection.  
7           (Protestors' Exhibits 1, 1-A, 1-B, 1-C, 1-D, 1-G and 2  
8                           admitted.)

9           MR. FANSLER:   So those will be admitted as an  
10          exhibit.   The others will be thankfully accepted as  
11          reference but not exhibits in the classic sense.  
12          All right.   I don't believe you had any exhibits  
13          you introduced, Mr. Brown; is that correct?

14          MR. BROWN:   That's correct.

15          MR. FANSLER:   Mr. Steinhelfer, you wish to  
16          make a closing statement?

17          MS. CLARK:   Before we make any closing  
18          statements, I would just like to see if we could  
19          ask Adam Brannon one more question.   Do we call him  
20          as a witness?

21          MR. FANSLER:   Sure.   For the record, Kathryn  
22          Clark is speaking and made that request and is now  
23          going to ask questions of Mr. Brannon.   Mr. Brannon  
24          you're still under oath.

25          THE WITNESS:   (Nods head).

1 ADAM BRANNON,

2 Having been previously duly sworn, testifies  
3 as follows:

4 EXAMINATION

5 BY MS. CLARK:

6 Q. Thank you. We heard the testimony of the  
7 petitioners that circulated the petitions and that  
8 they -- some of them came to you in July to ask the  
9 opinion of either you or Ms. Horton regarding the  
10 petitions. Can you explain what exactly you told them  
11 that day?

12 A. Well, like I said, my memory of exact  
13 conversation, I don't -- I don't have the full  
14 recollection. I remember we -- as Ms. Palmer noted, we  
15 were doing absentee voting at that time. We pulled them  
16 to the side of our front counter and I stood there and  
17 spoke with them. I remember there being -- you know, we  
18 were talking about this initiative, the issue of -- I did  
19 not remember them not -- I didn't remember that this 1-C  
20 was not what they had. I didn't remember them having 1-A  
21 as what they brought to me at that point. So, I -- to be  
22 honest with you, I can't recall more than that to say  
23 that. I know we were talking about the petition. I know  
24 we -- we spoke about, you know, what's the final steps  
25 for submission. I remember talking about it needs to go

1 to the city auditor; it doesn't come to us because it has  
2 to go there to start that. But as far as what exactly  
3 adding any information, how to attach it, I don't recall  
4 that. I do not.

5 Q. As your -- as your position as deputy  
6 director or director, do you ever tell petitioners what  
7 is flawed, may be flawed on a petition or what may be  
8 correct on a petition?

9 A. Unless it is specifically asked, like for  
10 instance with -- you know, if they had come to me with  
11 the two the city auditor of the city of Bellefontaine, if  
12 that had been blank and they had asked about that, but to  
13 just do a general review, that's not -- that's not been  
14 our policy. That's not what we've done.

15 MS. CLARK: Thank you. I have no further  
16 questions.

17 MR. FANSLER: In light of that, questions  
18 from Mr. Brown, Mr. Steinhelfer?

19 MR. STEINHELPER: No.

20 MR. BROWN: (Shakes head).

21 MR. FANSLER: Thank you, Mr. Brannon. I  
22 believe you've closed -- you've rested.

23 MR. BROWN: Yes.

24 MR. FANSLER: Okay. So we are ready for  
25 whatever closing statements you wish to make.

1 Mr. Steinhelfer, you are first.

2 MR. STEINHELPER: Are you sure I'm first?

3 MR. FANSLER: Yes.

4 MR. STEINHELPER: Okay. All right. This  
5 really isn't rocket science. The law requires that  
6 a -- before circulating a petition they file a  
7 certified copy with the city auditor. You've heard  
8 testimony here today, the direct testimony of my  
9 witnesses was straightforward: Yes, no, I don't  
10 remember. They were not evasive. Did not try to  
11 dodge anybody's questions regardless of who was  
12 asking it. After that's filed with the city  
13 auditor, it can't be changed.

14 And you heard the testimony of Barbra Gant  
15 that she made a public records request. That is  
16 our 1-C. We have that -- I'm sorry, our 1-A. This  
17 is what she received in response and that is  
18 included in the files of the Board of Elections, I  
19 believe. This is the petition that some people  
20 signed. You've heard the testimony of Skate  
21 Buchanan that some of the petitions didn't even  
22 contain the name of the municipality when they were  
23 signed, and we don't know how many of those or  
24 whether it would meet the requisite number of  
25 signatories even if you invalidated part petitions,

1 but we have the direct testimony and admission that  
2 some of those did not even put the voters on notice  
3 as to the municipality. And now they say, well,  
4 everyone knew what this was about or perhaps people  
5 that signed this would have signed 1-C anyway.  
6 Well, none of that makes any difference because  
7 they didn't. No one signed 1-C. That is what they  
8 submitted to the city auditor for placement on the  
9 ballot, and it is substantively different than that  
10 which they filed pre-circulation. That's fatal to  
11 their case for the reasons we set forth in the  
12 protest, and there are two cases on point that are  
13 included as Exhibit 8 and 9.

14 MR. BROWN: I do want to object because those  
15 were not briefed and so I had no opportunity to  
16 prepare a response --

17 MR. STEINHELPER: It's the law and he's going  
18 to ask you to ignore the law, which doesn't  
19 surprise me, but it's the law.

20 MR. BROWN: I just want to state that for the  
21 record. They can sustain or -- these were not  
22 briefed cases.

23 MR. STEINHELPER: Well, one of them was. One  
24 of them was explicitly referred to and that's the  
25 *Esch* case. Then this number nine was just you

1       Shepardize it, you know, they followed the *Esch*  
2       case, so they quoted it.

3           MR. FANSLER: Let me respond to that. At the  
4       close of a case, any person at any time is allowed  
5       to cite to any authority. It seems advantageous to  
6       put your best foot forward in your very first  
7       pitch, use all the authority that you have, but  
8       you're never prohibited from pointing out to a  
9       judge or to a court this is the controlling law  
10      even if you made no previous reference. So we will  
11      consider anything that directs us toward what  
12      either of you think is controlling law.

13          MR. BROWN: My objection is more for the  
14      record and it is --

15          MR. FANSLER: Absolutely. We note your  
16      objection. Mr. Steinhelfer, you may continue with  
17      your closing remarks.

18          MR. STEINHELPER: Thank you. In the *Esch*  
19      case, our Supreme Court decided that because a --  
20      there was not a complete title and text of a  
21      proposed initiative, under the statute that applies  
22      in this case to non-chartered municipalities, that  
23      was a fatal error prohibiting that measure from  
24      being placed on the ballot. Our state Supreme  
25      Court followed that precedent ten years later in

1       *State ex rel Becker versus City of East Lake.*

2               Now, I want to explain to you why all of this  
3       testimony about Ms. Brannon is entirely irrelevant,  
4       and this has to do with this last case we cite here  
5       in number ten in *State ex rel Schmitt versus*  
6       *Bridgeport*. What happened there -- and this deals  
7       with a village rather than a city, but it's the  
8       very same statute -- the village official  
9       misdirected this guy left and right, pretty much  
10      preventing him from filing it with the village  
11      clerk -- in a village you have to file it with the  
12      village clerk. If it's a city like here, you have  
13      to file it with the city auditor. And the Supreme  
14      Court nonetheless decided that that didn't matter,  
15      it could not be placed on the ballot.

16             If you look at paragraph 19, they say Schmitt  
17      had an obligation to file the petition with the  
18      proper official and he has not established that he  
19      has satisfied that obligation. And that involved  
20      elected official really intentionally misdirecting  
21      that guy left and right. We can see that in the  
22      Supreme Court's opinion. There's been no evidence  
23      here today that Mr. Brannon has intentionally  
24      misdirected people. I think that the testimony --  
25      and you can judge it for yourself -- of the

1 petitioners was, with the exception of  
2 Mr. Buchanan, rather evasive and lacked  
3 credibility. But if the petition that was filed  
4 pre-circulation is not the same as what they filed  
5 for placement on the ballot, then their case fails  
6 and you can't place it on the ballot.

7 We found out something even worse happened in  
8 that they didn't even fill out the part notifying  
9 the voters as to the municipality, and that they --  
10 and that no one -- no voter at all -- signed the  
11 petition that they seek to place on the ballot here  
12 today. You know, on July 4th of 1776 a lot of wise  
13 men from 13 colonies assembled to sign a document  
14 that if it failed would be their death warrant and  
15 if it succeeded would give birth to the greatest  
16 nation this world has ever seen. It was suggested  
17 on that day at that convention that a motto be  
18 adopt for that nation: E Pluribus Unum; out of  
19 many, one. And that remains the official motto of  
20 this great nation today.

21 You know, when our founding fathers drafted  
22 the Bill of Rights over a decade later, they got it  
23 right. So when we're faced with trying times and  
24 tough questions, I always like to look to our  
25 Constitution for guidance. We live in a society as

1 Americans where we don't regulate what people can  
2 say, where they can worship, or even how they can  
3 dress. We're freedom loving people, and I say  
4 eight people -- because even though that eagle has  
5 two wings, a left one and a right one, I still  
6 believe in that motto: E pluribus unum; out of  
7 many, one. The petitioners have violated the law.  
8 Their noncompliance is egregious as demonstrated by  
9 the evidence here today. The board has clearly a  
10 duty under the precedent cited by us to sustain  
11 this protest and not place this measure on the  
12 November ballot. Thank you.

13 MR. FANSLER: Thank you, Mr. Steinhelfer for  
14 your closing remarks. Mr. Brown.

15 MR. BROWN: Thank you. So this is a very  
16 simple issue. I agree with that. But there is a  
17 distinction between petition process and ballot  
18 prep process. The law only forbids you from  
19 amending a petition, but the ballot there are  
20 amendments that happen between that petition and  
21 the ballot. We all know that. So, in placing the  
22 proper title according to the code, 3505.06(E), it  
23 is the Board of Elections' responsibility to place  
24 the title on the ballot, which is an amendment to  
25 the language that's on the petition. In this case,

1 the petitioners placed the title on the ballot  
2 specifically at the direction of the Board of  
3 Elections, and thus it's consistent with the  
4 requirement that the Board of Elections has under  
5 3505.06(E). The Board of Elections didn't amend  
6 that title. The Board of Elections did not amend  
7 that title. They used that title and that title  
8 was put on there at the direction of the Board of  
9 Elections.

10 Further, I would take note that the actual  
11 original petition language had a title. There's no  
12 rule that says the title has to be set apart, that  
13 it has to be in bold, or anything like that. The  
14 first sentence of the petition language is clearly  
15 a title. So it's circulated with the title. It  
16 was submitted with a title. The Board of Elections  
17 directed that a title be added consistent with  
18 their duties under the code, which is a separate  
19 category, ballot preparation category.

20 Okay. Now, the *Esch* case, which is the one  
21 that counsel cited, in that case there was no title  
22 at all. So the case just simply is inapplicable.  
23 We don't have a situation here where there was no  
24 title at all. There was a title on the submitted  
25 petition. Board of Elections added a title under

1           its responsibilities.

2           Of course, he appeals to the Constitution. I  
3           have a whole section in my brief about the  
4           Constitution and the sacred right to do the  
5           initiative, and that's the Ohio Constitution. So,  
6           great men in 1803 as well put together an Ohio  
7           Constitution based on the Northwest Ordinance,  
8           which was amended in 1914 by some great men, like  
9           Teddy Roosevelt was part of that process. And so  
10          your Constitutional duty here is to err on the side  
11          of the petitioners exercising their Constitutional  
12          rights. Thank you.

13          MR. FANSLER: All right. Thank you. So, we  
14          are going to do further consideration. Our  
15          decision will be announced in a public meeting. We  
16          actually had a meeting that started before this at  
17          8:30 this morning to consider other business in the  
18          Board of Elections. We have additional work to do.  
19          We are going to -- drawing a blank. Not adjourn.  
20          Recess. We're going to recess this meeting. We're  
21          going to reconvene our Board of Elections meeting.  
22          You know the amount of space we have back here and  
23          out front. It is possible that after that meeting  
24          we will be in a position to issue a decision. If  
25          not, by the end of that time we will announce the

1 time that we will announce our decision in a public  
2 meeting.

3 You're all welcome to wait somewhere, but not  
4 here, which is where our meeting is going to be.  
5 But, listen, thank you all. This was a show of  
6 civility, a show of maturity, a show of public  
7 spiritedness. Thank you. The issues are heated.  
8 The sides are contested. You've shown great  
9 responsibility and civility today. Thank you very  
10 much. So that will conclude this portion of the  
11 meeting. We are in recess. Counsel, thank you  
12 both for the presentations made. Witnesses, thank  
13 you for your appearance. And public, thank you.

14 -----

15 (Meeting adjourned at 10:57 a.m. and resumed at 11:34  
16 a.m.)

17 MR. FANSLER: I would like to make a motion  
18 that we authorize a transcript. Almost certainly  
19 we ought to have it. I think we need to take  
20 action before we can have that done. So I would  
21 like to make that motion.

22 CHAIRMAN FULTON: It's been moved --

23 MS. HORTON: Can you say that again?

24 MR. FANSLER: That we have a transcript made  
25 of the proceedings and have a paper copy.

1 MS. CLARK: And I second that motion.

2 CHAIRMAN FULTON: Moved and seconded that a  
3 transcript be created of the hearing. All in  
4 favor, say aye.

5 (All say aye.)

6 CHAIRMAN FULTON: Opposed? So ordered. Is  
7 anyone ready to vote or shall we wait until another  
8 date, come back together?

9 MS. CLARK: I think that I -- just me -- I  
10 think that I've heard enough information that I can  
11 vote today.

12 CHAIRMAN FULTON: Okay. Are you ready to  
13 vote? Are you putting a motion on the floor?

14 MS. CLARK: I am putting a motion on the  
15 floor to vote yay or nay on the motion to the  
16 protest.

17 CHAIRMAN FULTON: The motion needs to be to  
18 approve --

19 MS. CLARK: I move to sustain the protest.

20 CHAIRMAN FULTON: Is there a second? I'll  
21 second the motion. All in favor, say aye.

22 MS. CLARK: Aye.

23 CHAIRMAN FULTON: Now, wait a minute. Are we  
24 voting on -- further discussion?

25 MR. FANSLER: I would like to have further

1 discussion. I continue to say that after review of  
2 the cited cases by both sides and review of the  
3 Supreme Court and a lack of clear direction -- one  
4 thing that appeared clear to me is that people knew  
5 what they were voting on and that it would be  
6 almost impossible to think that a single person  
7 signed that petition that didn't clearly know what  
8 they were voting -- or signing a petition on. And,  
9 again, what the Supreme Court cases told -- they  
10 did not attach a Supreme Court case that says the  
11 reference to the specific section does not have to  
12 be attached. I would rather err on the side of  
13 letting the voters decide.

14 MS. CLARK: And I am -- I understand that the  
15 Supreme Court has not given us guidance both ways,  
16 but I still maintain that from what testimony  
17 evidence that I saw and heard that I don't know  
18 that the -- that the voters that signed the  
19 petitions actually knew what they were signing --

20 MR. LENTZ: Victoria Maddox --

21 MS. CLARK: -- because the title wasn't on --  
22 the title was not on -- we heard the testimony that  
23 the title was not on each and every petition. In  
24 fact, he said it was not on any of the petitions  
25 that were circulated, so that's my -- that's why

1 I'm saying that I'm not certain they did know what  
2 they were signing.

3 MR. FANSLER: The only thing I would add to  
4 what I said previously was that I think we are  
5 statutorily required to take the attitude that  
6 every petition is valid and every signature is  
7 valid until proven otherwise. And I think, again,  
8 what Ranae just said is a key point. For Victoria  
9 Maddox to have signed what she said and then to  
10 have elaborated to say that is what I thought about  
11 the whole thing, even the opponent knew exactly  
12 what it was about. So certainly I think the  
13 proponents -- and I don't know how many -- that's  
14 all.

15 CHAIRMAN FULTON: But we have -- if I may  
16 bring up a point. We have on a number of occasions  
17 disallowed petitions because they were not filled  
18 out in the entirety or incorrectly. We have  
19 invalidated petitions. And we have seen that, at  
20 least in the one instance and from the testimony of  
21 the witnesses we were told that the information at  
22 the top of the page was filled out afterwards.

23 MR. FANSLER: Let me tell you a really weird  
24 thing that doesn't happen in most of the things we  
25 do. Almost everything is turned in to us, okay?

1       What was turned in to us has no apparent flaws.  
2       What we received from the auditor on the face of  
3       things is perfectly fine. The question is, do we  
4       look behind what was presented to the auditor. The  
5       first step of this is for them to present something  
6       to the auditor, and we have an auditor's  
7       certification, here it is, it's within the realm of  
8       what statutorily may be decided by an initiative  
9       petition and everything is done okay. So we have  
10      the auditor saying that the stuff going to him is  
11      done okay, here you go.

12               What came to us is facially valid, and we're  
13      being asked do we want to second guess the  
14      auditor's process. We're clearly allowed to do  
15      that because at least one of the cases says we  
16      don't have to but we're allowed to. So for all  
17      those reasons, what was presented to us has no  
18      flaws. The flaws happened in whether the  
19      presentation to Fred had an error.

20               CHAIRMAN FULTON: Okay. So petitions in this  
21      instance to change city ordinances goes to the  
22      auditor.

23               MR. FANSLER: Yes.

24               CHAIRMAN FULTON: For a candidate who is  
25      running, they come here.

1 MS. LENZ: Correct.

2 CHAIRMAN FULTON: That's what we look at.

3 MR. FANSLER: Correct.

4 CHAIRMAN FULTON: Is our process only to  
5 approve what the auditor has already approved, or  
6 do we not also have the responsibility to look at  
7 whether what the petitioners signed on a change to  
8 the city ordinance is also correct? Is that the  
9 auditor's responsibility?

10 MR. LENTZ: We have not done that before.

11 CHAIRMAN FULTON: I wish to goodness we had  
12 the auditor here.

13 MR. FANSLER: It's my opinion the Supreme  
14 Court has spoken that we have the right to do that;  
15 not the obligation to do that.

16 MS. CLARK: Should we before we make any  
17 decision confer with Fred Brentlinger?

18 MR. FANSLER: I think he -- well, I don't  
19 care, but we're going to hear from Fred I didn't  
20 get into that. I don't know that. I didn't get  
21 into that. They presented this petition and the  
22 petition that's presented to him was okay too.  
23 It's --

24 MS. LENZ: We have not ever examined -- I'm  
25 sorry. We have not ever examined a petition that

1 is here before, like a local option. We've never  
2 went back and said who -- who was signing this, who  
3 was watching this being signed, who -- we've never  
4 done that.

5 CHAIRMAN FULTON: We have had local option  
6 issues on things like alcohol and things like that.  
7 Is that not a change to the city code? Is that  
8 different?

9 MR. FANSLER: We never got to this point. We  
10 only said is the petition itself valid as presented  
11 to us.

12 MR. LENTZ: As presented to us.

13 MS. CLARK: I guess --

14 MS. PARCELS: I did have a point.

15 MR. LENTZ: I'm sorry.

16 MS. PARCELS: The city auditor's  
17 obligation -- there's a body of case law that says  
18 it's ministerial in nature.

19 MS. LENZ: That's what I thought.

20 MS. PARCELS: That once he gets it he either  
21 has to transmit it and --

22 MR. LENTZ: And clear it.

23 MS. PARCELS: As a clearing house. The Board  
24 of Elections' responsibility is sufficiency and  
25 validity.

1 MS. CLARK: So he doesn't have -- it's not  
2 his responsibility to say whether it's flawed or  
3 not.

4 CHAIRMAN FULTON: Okay.

5 MS. CLARK: That's correct.

6 CHAIRMAN FULTON: Let me be clear on this  
7 process. What was originally sent to the auditor  
8 was Exhibit A, correct? And that wasn't attached  
9 to any of the petitions that were signed.

10 MS. LENZ: There was no petition signed at A,  
11 right?

12 MR. BRANNON: A is what is submitted to Fred.

13 MS. PARCELS: To be circulated.

14 MS. LENZ: To begin with.

15 MR. FANSLER: And that was what was  
16 circulated.

17 CHAIRMAN FULTON: A header page for the  
18 petitioners to sign.

19 MS. LENZ: Nothing had been done yet.

20 CHAIRMAN FULTON: All right. So then when it  
21 is presented to the Board of Elections by the  
22 auditor's office, we get 1-C.

23 MS. PARCELS: And that's what was sent to him  
24 before it came here.

25 MS. LENZ: Right.

1           CHAIRMAN FULTON: So is it our responsibility  
2           or is it the auditor's responsibility to say to  
3           petitioners, what you submitted to me in Exhibit A  
4           what you submitted to me in Exhibit C with all of  
5           your signatures is not the same?

6           MR. FANSLER: I don't think A has to match  
7           anything because it's not a petition. I don't  
8           think A had to match anything.

9           MS. LENZ: That is correct.

10          MS. CLARK: It is not a final petition.

11          MS. PARCELS: Yes.

12          MS. CLARK: The problem is what was  
13          circulated, if people knew what they were signing  
14          when it was circulated.

15          MR. LENTZ: We never question that presented  
16          here.

17          MS. CLARK: We have to now because there has  
18          been a protest to it.

19          MS. PARCELS: But the Board of Elections is  
20          not responsible for pre-certifying anything.

21          MS. LENZ: Right.

22          MS. CLARK: But to me because there's been a  
23          protest, we have to look at that because that's --  
24          that's the issue. I don't know.

25          MR. BRANNON: The State Constitutional stuff

1 is if what's circulated in a petition does not  
2 match when it is filed at the State AG's office,  
3 that's not -- they can't count those, it's my  
4 understanding. What is circulated as petition has  
5 to match what's on file with the AG's office.

6 MS. CLARK: So is that the same for the city  
7 auditor's office? That's the question.

8 CHAIRMAN FULTON: Does that not apply to laws  
9 throughout the sate?

10 MS. PARCELS: There's a principle called in  
11 pari materia, which means when you've got all these  
12 statutes, some affect cities, some affect townships  
13 some affect villages, some affect the statewide  
14 Constitutional amendments that when you're looking  
15 at election law, you read that body of election law  
16 together and try to harmonize it.

17 MS. LENZ: Uh-huh.

18 MS. CLARK: So in your opinion what's the  
19 harmony in it?

20 MS. PARCELS: I cannot give you an opinion on  
21 the record because I need to keep attorney/client  
22 privilege.

23 MS. CLARK: I'm just --

24 CHAIRMAN FULTON: Are you ready to vote?

25 MS. PARCELS: I can say, I can help in your

1           voting but I can't tell you how to vote.

2           MR. FANSLER: The motion is to sustain the  
3           objection.

4           CHAIRMAN FULTON: The motion is to sustain  
5           the objection, and the word sustain, clearly  
6           identify what the word --

7           MS. HORTON: The protest. Sustain the  
8           protest.

9           CHAIRMAN FULTON: To sustain means to approve  
10          the protest. I just want to clarify what that word  
11          sustain means. That was my understanding.

12          MS. PARCELS: That's what you're in the  
13          business of with trying to clarify things for  
14          voters.

15          MR. FANSLER: And the requirement -- I'm not  
16          saying this as any suggestion, is it possible for  
17          the body of the group to vote without the chair  
18          voting, which would break the tie? But, of course,  
19          you don't lose your voting rights just because  
20          you're chair.

21          CHAIRMAN FULTON: What do you mean by that?  
22          How do you vote?

23          MR. FANSLER: Typically a chair doesn't vote  
24          but they're certainly allowed to and they're always  
25          allowed to break a tie. But my point is, I would

1 say in the ten years I've been on the board, most  
2 votes have been three to nothing or two to one  
3 without the chair voting at all. But I'm only  
4 saying --

5 MS. CLARK: Do we have -- do we have a motion  
6 to sustain?

7 MR. FANSLER: Rob seconded it.

8 CHAIRMAN FULTON: Perhaps the chair is not  
9 supposed to.

10 MS. PARCELS: In terms of Robert's rule --  
11 you're a member. You're allowed to participate.

12 CHAIRMAN FULTON: Yeah, I understand about  
13 breaking a tie. But I also think in a matter  
14 of such importance the chair certainly has the  
15 right to vote.

16 MR. FANSLER: I do too.

17 CHAIRMAN FULTON: Are we ready to proceed?

18 MR. FANSLER: I think we're ready.

19 CHAIRMAN FULTON: The motion is on the floor  
20 to sustain the protest. All in favor, say aye.

21 MS. CLARK: Aye.

22 CHAIRMAN FULTON: Aye. Those's opposed, say  
23 no.

24 MR. FANSLER: No.

25 MS. LENZ: No.

1           CHAIRMAN FULTON: The motion is not passed.  
2           We have a tie vote. So where do we go from here?

3           MR. FANSLER: Just for the record, I'll make  
4           a motion to overrule the protest.

5           CHAIRMAN FULTON: I'm sorry. Is there a  
6           second to that motion?

7           MS. LENZ: I'll second.

8           CHAIRMAN FULTON: Move is seconded to  
9           overrule the protest. Discussion? What would that  
10          mean, Steve? Tell me what you mean? I presume  
11          that is a legal term, so I need the definition.

12          MS. CLARK: That means no, we would not -- we  
13          would not.

14          MR. FANSLER: I can't imagine the vote's  
15          going to change in the last two minutes.

16          MS. CLARK: Sustain means yes, overrule means  
17          no.

18          MR. FANSLER: The first one failed so I'm  
19          presenting the alternative.

20          MS. LENZ: That's all.

21          CHAIRMAN FULTON: A further discussion?  
22          Motion on the floor to overrule the protest. Those  
23          in favor, say aye.

24          MR. FANSLER: Aye.

25          MS. LENZ: Aye.

1           CHAIRMAN FULTON: Those opposed, say no.

2           MS. CLARK: No.

3           CHAIRMAN FULTON: No.

4           MS. LENZ: Now, do you as the prosecutor and  
5 our legal advisor proceed to the Secretary of State  
6 or is that our obligation to write that letter and  
7 ask for the Secretary of State to break the tie?

8           MS. PARCELS: You had two tie votes, one to  
9 sustain; the other to overrule. It would be the  
10 Board of Elections' obligation to contact the  
11 Secretary of State to break the tie in either of  
12 those votes, which would have the same practical  
13 effect because one is to sustain; one is to  
14 overrule.

15          MR. BRANNON: Okay.

16          CHAIRMAN FULTON: How does that happen? By  
17 the -- our director?

18          MS. HORTON: We will make a call up to the  
19 litigation office of the Secretary of State.

20          MR. FANSLER: You've got to put it in  
21 writing.

22          MS. LENZ: Put it in writing.

23          MS. HORTON: I know. But we will submit  
24 that --

25          MS. CLARK: Do we need to have a meeting to

1 see what was submitted to the Secretary of State?

2 MS. HORTON: We will write up a letter  
3 because we will not sign that letter. It probably  
4 will be the four of you that will need to sign that  
5 letter. We will draw up -- we'll draw up a letter  
6 today. Do you guys want to come in first thing  
7 tomorrow morning to review the letter? What  
8 would you like to do?

9 MS. LENZ: I can't come tomorrow.

10 MS. HORTON: Because we'll need to get.

11 MR. FANSLER: The director or chairperson can  
12 submit the matter.

13 MS. HORTON: So that's up to you guys. If  
14 you want us to draft the letter, we'll draft it.  
15 If you want Rob to draft the letter since you said  
16 chairman there.

17 MS. LENZ: Chairman can sign for the --

18 MS. HORTON: If he wants to sign it, Adam and  
19 I will do up a letter.

20 MR. FANSLER: We are looking at 3501.11.  
21 It's very short. This is exactly what it says so  
22 you all have it your mind as to signature here. In  
23 all cases of a tie vote or a disagreement in the  
24 board, if no decision can be arrived at, the  
25 director or chairperson shall submit the matter in

1 controversy no later than 14 days after the tie  
2 vote or disagreement to the Secretary of State who  
3 shall summarily decide the question and the  
4 Secretary of State's decision shall be final.

5 MR. LENTZ: When do we send in?

6 MR. BRANNON: The 22nd.

7 MS. HORTON: We've got to hop.

8 CHAIRMAN FULTON: They need to know that?

9 MS. HORTON: The Secretary of State?

10 MS. LENTZ: They know that.

11 MS. HORTON: I hope they know what they have  
12 to do.

13 MR. FANSLER: If you don't count today, the  
14 14 days --

15 THE COURT REPORTER: I'm sorry, is this off?

16 CHAIRMAN FULTON: So the hearing is done.

17 MR. LENTZ: Are you here?

18 THE COURT REPORTER: I think so.

19 MR. LENTZ: Hearing is over with.

20 MR. BRANNON: And they did not -- or, you  
21 know, they voted a tie to sustain and/or overrule  
22 it. It came to a tie. That would be included in  
23 that transcript, but now that that would finalize  
24 that.

25 CHAIRMAN FULTON: So ready for a motion to

1 adjourn the meeting?

2 MR. FANSLER: I motion to adjourn the  
3 meeting.

4 MS. CLARK: I second.

5 CHAIRMAN FULTON: Move and second to adjourn  
6 the meeting. All in favor, say aye.

7 (All members say aye.)

8 CHAIRMAN FULTON: Opposed? So ordered.

9 -----

10 (Meeting adjourned at 11:55 a.m.)  
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C-E-R-T-I-F-I-C-A-T-E

- - - - -

I, Belinda M. Wolford, do hereby certify  
that the foregoing transcript is a true and correct  
transcript of the September 7, 2023 proceedings in this  
matter, taken by me and transcribed from my stenographic  
notes to the best of my ability.

\_\_\_\_\_  
Belinda M. Wolford  
Registered Professional Reporter  
Notary Public, State of Ohio  
My commission expires: 4/12/26

*State ex rel. Blair Hildreth et al. v. LaRose et al.*

## **“Exhibit 13”**

Position Statement of Kathryn Clark & Robert Fulton  
Sept. 11, 2023

**STATEMENT OF LOGAN COUNTY BOARD CHAIRMAN, ROBERT FULTON, AND  
BOARD MEMBER, KATHRYN C. CLARK, EACH OF WHOM VOTED TO SUSTAIN  
THE PROTEST**

This statement is being submitted by the undersigned, namely, the Chairman of the Logan County Board of Elections, Robert Fulton, and board member Kathryn Clark.

**Findings of Fact**

On April 14, 2023, six petitioners filed proposed language for a municipal initiative petition with Bellefontaine City Auditor, Fred Brentlinger, to approve or reject an ordinance, the text of said ordinance to read as follows: The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult Oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interests, shall not permit the attendance of a minor.

Adult Cabaret Performance shall not be held on public property, or any location viewable by a minor.

All of the petition forms were circulated prior to July 23, 2022. Thereafter, some, but not all, of the six petitioners took the petition forms to the Bellefontaine City Auditor's office on July 24, 2023, and, on July 24, 2023, attached the title and full text of the proposed ordinance to the petitions.

The city auditor then certified the petition, that contained 799 signature lines, to the Logan County Board of Elections, hereafter referred to as Board, on August 4, 2023. At the regular meeting of the Board on August 21, 2023, the Board found that 500 of the 799 signatures were valid, and, with a vote of 2 to 1, certified the initiative petition to appear on the November 7, 2023 ballot.

Thereafter, on August 25, 2023 a protest against the initiative petition was submitted, alleging that the petition papers that were circulated in parts, did not match the petition papers that were submitted to the Bellefontaine City Auditor on July 24, 2023. None of the petition papers that were circulated contained the "full and correct copy of the title and text of the proposed Ordinance"; however, the petition papers that were submitted to the Bellefontaine City Auditor for certification did contain the full and correct title and text of the proposed Ordinance. The petition papers that were circulated did not match the petition papers that were submitted to the Bellefontaine City Auditor for certification.

As a result of the aforementioned protest being submitted, a hearing was held on September 7, 2023, before the Logan County Board of Elections. After the hearing concluded, the Board conferred with its legal counsel in executive session. When the board came out of executive session and resumed the meeting, the undersigned board member, Kathryn Clark, moved to sustain the protest. Board Chairman Robert Fulton seconded the motion. Discussion was held and a vote was taken. Board Chairman Robert Fulton and board member Kathryn Clark, voted in favor of the motion to sustain the protest. Board members S. Ranae Lentz and Steven Fansler voted against the motion, resulting in a 2-2 tie. Board member Steven Fansler then moved to overrule the protest.

Board member S. Ranae Lentz seconded the motion. Additional discussion was held, and a vote was taken. Board members S. Ranae Lentz and Steven Fansler voted in favor of the motion. Board member Kathryn Clark and board chairman Robert Fulton voted against the motion, again resulting in a 2-2 tie.

### Statement of Issue

Whether the submitted protest should be overruled or sustained?

### Argument

At the hearing held September 7, 2023, petitioner Skate Buchanan was questioned as to whether *each and every* petition paper that was circulated by the petitioners contained the full title and text of the proposed Ordinance. He testified *no, none* of the petition papers that were circulated contained the full title and text of the proposed Ordinance. Each and every one of the petition papers lacked the title of the proposed ordinance. Additionally, Mr. Buchanan also testified that some of the petition papers which were circulated were incomplete, in that, required information was not inserted in the lines provided at the very top of the petition papers, such as the city, village, township; the county official to whom the petition papers were to be submitted; the name of the city, etc. This required information was inserted on July 24, 2023, *after* all the petition papers had been circulated.

O.R.C. Section 731.31 states, in part, that, “Any initiative or referendum may be presented in separate parts, but each part of any initiative petition shall contain a full and correct copy of the title and text of the proposed ordinance or other measure sought to be referred.” Petitioners Skate Buchanan, Devin Palmer and Danielle Stefaniszyn all testified that the title and full text of the proposed ordinance was not included on the petition papers that were circulated. Only after all the petition papers were circulated did the petitioners place the full title and text on the petition papers.

The title and full text that was placed on the petition papers *after* they were circulated, states the following:

“Proposal to amend City of Bellefontaine Codified Ordinance 1177 Adult Entertainment – 1177.02 Definition by adding the following text (sic)

The classification of a drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interest, shall not permit the attendance of a minor. Adult Cabaret Performances shall not be held on public property, or any location viewable by a minor.”

One petitioner admitted under oath that some, if not all, of the petition papers that were circulated were incomplete, due to the top portion of the form being left blank. Additionally, the title was omitted on *each and every one* of the circulated petitions; therefore, the voters were not adequately informed as to what they were signing.

The court in *E. Liverpool Citizens Against Traffic Cameras v. City of E. Liverpool*, 2019-Ohio-4080, 2019 Ohio App. LEXIS, 4204, supports this argument. It found that the reason for the full


and correct copy of the title and text requirement is to “[E]nsure that the issue is fairly and substantially presented to the electors and to avoid misleading electors”.

Additionally, the court in *State ex rel. Esch v. Lake County Bd. Of Elections*, 61 Ohio St. 3d. 595, held that, “More so than text, the title immediately alerts signers to the nature of the proposed legislation. As this notice helps the signers from being misled, we follow *Burech* and hold that the instant petition must contain a title for the proposed ordinance as required by R.C. 731.31.” *Id* at 597.

### Conclusion

It is clear from the testimony and evidence presented at the hearing held September 7, 2023, that all of the petition papers were circulated without the title and full text of the proposed ordinance. Additionally, some, of the lines on the top of the petition papers was left blank. O.R.C. Section 731.31 requires that any initiative petition **shall** contain a full and correct title and text of the proposed ordinance. Without the full and correct title and text of a proposed ordinance, signers of an initiative petition would be fully informed as to what they are signing. Signers of a petition should never be misled. Case law supports this argument. For these reasons, chairman of the Board, Robert Fulton, and board member, Kathryn Clark, voted to sustain the protest.

Signed by:



Robert Fulton, Chairman of the Board

9/11/23

Date



Kathryn C. Clark, Board Member

09/11/23

Date

*State ex rel. Blair Hildreth et al. v. LaRose et al.*

## **“Exhibit 14”**

Position Statement of Steven Fansler & Ranae Lentz  
Sept. 12, 2023

September 12, 2023

TO: Frank LaRose, Ohio Secretary of State  
22 N. Fourth Street  
Columbus, OH 43215

FROM: Logan County, Ohio Republican Board of Elections members, Steven R. Fansler and Susan Renae Lentz

RE: Protest of Bellefontaine Ordinance Initiative Petition file stamped August 25, 2023, at 3:36 pm before the Logan County Board of Elections

The Board of Elections of Logan County, Ohio approved petitions and ballot language at the regularly scheduled Board of Elections meeting on August 21, 2023, which began at 4:40 pm. Included among the petitions presented was an initiative petition filed by a committee of private citizens seeking to amend or add to Bellefontaine Codified Ordinance 1177.02. No other action which was taken at that board meeting is relevant to this discussion. Enclosed please find the rationale, reasoning, and basis for the vote on the protest, which was cast by the two republican board members.

For starters, the Board of Elections of each county is instructed and obligated by R.C. 3501.11(K)(1) to review, examine, and certify the sufficiency and validity of petitions and to examine each initiative petition to determine whether the petition falls within the scope of authority to enact via initiative and whether the petition satisfies the statutory prerequisites to place the issue on the ballot. At our regularly scheduled Board of Elections meeting on August 21, 2023, this board reviewed the initiative petition in question and determined that the petition falls within the scope of authority to enact via initiative and that the petition satisfies the statutory prerequisites to place the issue on the ballot.

Thereafter, a protest was filed of our determination and was signed by a local attorney who represented five protestors. Steven R. Fansler and Susan Renae Lentz voted following a hearing to uphold our August 21, 2023, determination that the petition was valid and should be placed on the ballot.

We received a Certification of Initiative Petition from the Bellefontaine City Auditor. That certification is attached as Exhibit A. Along with the Certification of Initiative Petition we received 27 petitions and the accompanying signatures and after checking all signatures, a sufficient number of signatures was approved with a huge surplus of the required signatures. It is our opinion that the Bellefontaine City Auditor therefore certified to us that the initiative petition was properly allowable. It is therefore our opinion that the certification received from Bellefontaine City Auditor advised us that the petition satisfied the statutory prerequisites to place the issue on the ballot and that it fell within the scope of authority to enact via initiative. In other words, what we received from the Bellefontaine City Auditor was in all regards proper and appropriate. Furthermore, what we forwarded along to the Secretary of State for placement on the ballot was perfectly appropriate and valid.

The protest asked us to determine that actions taken before the petitions were submitted to the Bellefontaine City Auditor were insufficient.

We have never looked behind the actions in procuring signatures on a petition before this action. If a petition is filed with us in presentable form and acceptable form, we follow what we believe to be the legal requirement that we grant such petitions and such signatures to be presumed valid. *See* R.C. 731.31 (“The petitions and signatures upon such petitions shall be prima facie presumed to be in all respects sufficient.”)

The Bellefontaine City Auditor received the petitions, held the petitions for public inspection for the appropriate amount of time, determined that the petition was within the scope of law for petition and determined that all was appropriate before sending it to us.

The protest raises the point that on at least one pre-petition filing with the auditor, there was no title. The body of the text however, appeared to have been the same at all points. We believe the Ohio Supreme Court has told us that there is no requirement that the petition include the existing statutes that will be amended, nor is there a requirement that the petition include the title which will ultimately be placed on the ballot. *See Giroux v. Comm. Representing the Petitioners*, 2023-Ohio-2786. Furthermore, had they submitted it to us without any title at all, it appears the R.C. 3505.06(D) would have required the Board of Elections to print a brief title descriptive of the question. As a result, whatever direction we get from the Ohio Revised Code and the Ohio Supreme Court, seems to not require that the text include either a title or a reference to the code section being modified. That would seem to be the basis of the protest.

In fact, however, after we gave a hearing, testimony which was unrebutted disclosed that every time a petition was presented for signatures, a copy of the Bellefontaine City Ordinances was presented to the signatories for review if they wished to see the exact language of what was being modified and furthermore that the committee participated in creating the title which ultimately headed the text in question.

It does not appear that any voters, from any of the testimony given at the hearing, had any question about what they were signing, the text of the proposed change, nor the city ordinance which was proposed to be modified.

In fact, one of the protestors took the stand and specifically testified that she knew exactly what they were doing and saying which is what caused her to commit what we believe to be an election crime whereby she actually signed the petition with something other than her own name, putting an address other than her own address, and listing a city or township other than hers. She testified at the hearing that she knew exactly what they were doing, and she opposed it, which is what led her to put a remark rather than her signature.

We believe that every signatory knew what they were signing, we believe that the text above their signatures was the same as text submitted to us, and the only difference was that a title was added later, which seems to be not only allowable, but perhaps statutorily required. The fact that petitions were circulated without a specific reference to the Bellefontaine Code

Ordinance to be changed on the petition also does not seem to be violative based upon the Ohio Supreme Court's clear directive.

Both Steven R. Fansler and Susan Renae Lentz, who voted in favor of upholding our original decision continue to have the same opinion and vote and we would urge the Secretary of State's office to approve this initiative petition and place the proposed language on the November 7 ballot.

Respectfully submitted,

Steven R. Fansler

Susan Renae Lentz

*State ex rel. Blair Hildreth et al. v. LaRose et al.*

## **“Exhibit 15”**

Tie Vote Letter  
Sept. 19, 2023



**Via Electronic Mail**

September 19, 2023

Kandie Horton, Director  
Adam Brannon, Deputy Director  
Logan County Board of Elections  
225 S Main St.  
Bellefontaine, OH 43311

Re: Tie Votes Regarding a Protest on an Initiative Petition

Dear Director Horton and Deputy Director Brannon,

I have been asked to resolve two tie votes taken by the Logan County Board of Elections (the "Board") on September 7, 2023. At an official meeting of the Board on that date, members considered a protest filed against the certification of an initiative petition to the November 7, 2023 ballot. The Board voted first to sustain the protest and remove the petition from the November ballot and tied 2-2. The Board then voted to overrule the protest and allow the petition to remain on the November ballot and again tied 2-2. These tie votes were submitted to the Secretary of State on September 12, 2023.

**I. BACKGROUND**

On April 14, 2023, petitioners seeking a change to the Codified Ordinances of the City of Bellefontaine (the "Ordinances") filed proposed language for a municipal petition with the City Auditor of the City of Bellefontaine, Ohio (the "City Auditor"). The petition proposed a change to the Ordinances that would classify drag shows as "Adult Cabaret Performances" and prohibit all Adult Cabaret Performances from being performed on public property or in any location viewable by a minor. It would also prohibit the attendance of minors at all Adult Cabaret Performances.

On April 14, 2023, prior to circulation of the petition for signature, the petitioners filed Secretary of State Form 6-I with the City Auditor. That form reads as follows:

**To the City Auditor of the City of Bellefontaine, Ohio:**

We, the undersigned, electors of the City of Bellefontaine, Ohio, respectfully propose to the electors of such city, village or township for their approval or rejection at the general election to be held on the 7<sup>th</sup> day of November, 2023 the following Ordinance:

The following is a full and correct copy of the title and text of the proposed Ordinance:

The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interest, shall not permit the attendance of a minor.

Adult Cabaret Performances shall not be held on public property, or any location viewable by a minor.

The petitioners circulated the petition for signature between April 14 and July 24, 2023. When the part-petitions were circulated, the petitioners also made available a copy of the chapter of the zoning ordinances that would be changed should the proposed ordinance pass. This allowed any voter considering whether to sign the petition to review the actual changes that the petition would make in the context of the city's zoning ordinance scheme.

The circulated part-petitions read as follows:

The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interest, shall not permit the attendance of a minor.

Adult Cabaret Performances shall not be held on public property, or any location viewable by a minor.

As shown above, the initiative petition that was circulated for signature is identical to the one that was submitted to the City Auditor prior to circulation on April 14, 2023. However, on July 24, 2023, the final petition was submitted to the City Auditor for certification. The submission contained 27 part-petitions with 796 signatures. Along with the final part-petitions, petitioners also included a cover sheet on Secretary of State Form 6-I. Form 6-I is only required to be filed with the City Auditor prior to circulation of the petition and is **not** required to be filed with the final part-petitions,<sup>1</sup> but the petitioners included it with their final submission anyway. The copy of the petition that was submitted to the City Auditor on Form 6-I on July 24, 2023, reads as follows:

**Proposal to amend City of Bellefontaine Codified Ordinance Chapter  
1177 Adult Entertainment – 1177.02 Definition**

**by adding the following text:**

**The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interest, shall not permit the attendance of a minor. Adult Cabaret Performances shall not be held on public property, or any location viewable by a minor.**

As is evident above, the final version of the petition that was submitted to the City Auditor on July 24, 2023 is **not** the exact same as the version of the petition that was submitted on April 14, 2023, nor is it the same as the version of the petition that was circulated to the voters of Bellefontaine for signature. Namely, the final version contained the following headers, which did not appear on either the April 14 submission or the circulated part-petitions:

**Proposal to amend City of Bellefontaine Codified Ordinance Chapter  
1177 Adult Entertainment – 1177.02 Definition**

**by adding the following text:**

However, it is undisputed that the text of the proposed ordinance remained the same between the April 14 submission, the circulated part-petitions, and the final version submitted on July 24, 2023. It was never amended or changed.

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<sup>1</sup> R.C. 731.32 - 33.

On August 4, 2023, the City Auditor certified the petition with 799 signatures to the Board. Board staff then verified that 500 of the 799 submitted signatures were valid. As only 357 signatures are needed for an initiative petition to qualify for the ballot in Bellefontaine, on August 21, 2023, the Board voted 2-1 to certify the petition to the November 7, 2023 ballot. On August 25, 2023, a protest against the certification of the initiative petition was submitted to the Board. The protesters alleged that the petition did not include a full and correct copy of the title and text of the proposed ordinance. The protesters further alleged that the petition forms submitted to the City Auditor on July 24, 2023 were not identical to the forms filed on April 14, 2023.

The Board held a protest hearing on September 7, 2023. After submission of evidence and testimony, Board Member Kathryn Clark moved to sustain the protest and remove the initiative petition from the November 7, 2023 ballot. Chairman Robert Fulton seconded the motion. The resulting vote on the motion ended in a 2-2 tie, with Member Clark and Chairman Fulton voting for the motion and Members Steven Fansler and Ranae Lentz voting against the motion. Subsequently, Board Member Fansler made a motion to overrule the protest and keep the initiative petition on the November 7, 2023 ballot. The resulting vote on this motion also ended in a 2-2 tie, with Board Members Fansler and Lentz voting for the motion and Board Member Clark and Chairman Robert Fulton voting against the motion.

In accordance with Ohio Revised Code 3501.11(X) and [Chapter 2 of the Ohio Election Official Manual](#), the Board certified both tie votes to my Office on September 12, 2023. Along with this certification, the Board also provided a copy of the protest, the petitioners' response to the protest, a copy of the transcript from the September 7 protest hearing, and the Board members' position statements and the accompanying supporting evidence to my Office.

## **II. Analysis of the Issue**

In examining this matter, I have reviewed the protest filed against the initiative petition, the petitioners' response to the protest, the position statements both for and against the protest, the transcript of the protest hearing, and a letter from the Board summarizing the protest hearing and the resulting tie votes. The protestors and petitioners raised several arguments for and against certification of the petition; however, the only relevant issue is whether the circulated part-petitions contained the full and complete title of the proposed ordinance.

The law requires all part-petitions circulated for signature to contain a full and correct copy of the title and text of the proposed ordinance.<sup>2</sup> In this case, neither side disputes that the circulated part-petitions contained a full and correct copy of the text of the proposed ordinance. The only question is whether the circulated part-petitions contained a full and correct copy of the **title** of the proposed ordinance.

A full and correct title is required because the title gives voters notice of the proposed change in the ordinances so they know what they are signing.<sup>3</sup> Titles also help prevent signers from being misled about what they are signing.<sup>4</sup> Therefore, to qualify for the ballot, part-petitions circulated for signature must contain a title for the proposed ordinance.<sup>5</sup>

Upon review of the submitted materials, I find that the part-petitions that were circulated for signature in this matter **did** contain the full and correct copy of the title of the proposed ordinance, specifically: "The classification of drag artist(s) and drag shows as Adult Cabaret Performance." The headers added to Form 6-I, filed on July 24, 2023, are not the title of the proposed ordinance; rather, they are headings that explain what the proposed ordinance would do should it pass.<sup>6</sup>

### **III. Conclusion and Vote Cast on the Tie Votes**

Accordingly, based upon the evidence provided to my Office, it is my view that the initiative petition and the part-petitions presented to voters were compliant with the law. **As such, I am breaking the tie votes by voting "nay" on Member Clark's motion to sustain the protest and by voting "yea" on Member Fansler's motion to overrule the protest. The proposed ordinance will therefore be placed on the November 7, 2023 ballot.**

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<sup>2</sup> R.C. 731.31.

<sup>33</sup> *State ex rel. Esch v. Lake County Bd. of Elections*, 61 Ohio St. 3d 595, 597, citing *Chevalier v. Brown*, 17 Ohio St.3d 61, 63, 17 OBR 64, 66, 477 N.E.2d 623, 625 (1985); *State, ex rel. Evergreen, Co., v. Bd. of Elections*, 48 Ohio St.2d 29, 31, 2 O.O.3d 126, 127, 356 N.E.2d 716, 717 (1976); *State, ex rel. Janasik, v. Sarosy*, 12 Ohio St.2d 5, 41 O.O.2d 3, 230 N.E.2d 346 (1967) ("More so than the text, the title immediately alerts signers to the nature of proposed legislation.").

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> See *State ex rel. Hazel v. Cuyahoga County Bd. of Elections*, 80 Ohio St. 3d 165, 167 (1997) ("Contrary to the board's argument, the proposed ordinance contains a title which is designated as "Penal Facilities Acquisition/Construction/Regulation.").

If you have any questions regarding this decision, please contact Paul Disantis, Chief Legal Counsel at the Secretary of State's Office, at [pdisantis@ohiosos.gov](mailto:pdisantis@ohiosos.gov), or Shanda Behrens, Chief Elections Counsel at the Secretary of State's Office, at [sbehrens@ohiosos.gov](mailto:sbehrens@ohiosos.gov).

Yours in service,



Frank LaRose  
Ohio Secretary of State

cc: Rob Fulton, Chairman of the Union County Board of Elections  
Ranae Lentz, Board Member  
Steve Fansler, Board Member  
Kathryn Clark, Board Member