

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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BOARD OF ELECTIONS

REGULAR BOARD MEETING

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WEDNESDAY
JULY 2, 2014

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The Regular Meeting of the District of Columbia Board of Elections convened at 441 4th Street, NW, Washington, D.C., at 10:34 a.m., Deborah Nichols, Chairperson presiding.

BEFORE:

DEBORAH NICHOLS, Chairperson

STEPHEN DANZANSKY, Member

CLIFFORD TATUM, Executive Director

KENNETH MCGHIE, General Counsel

WILLIAM SANFORD, Office of Campaign

Finance

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

(10:34 a.m.)

CHAIR NICHOLS: Good morning, welcome. I hereby call to order the July 14, 2000, July 2nd, 2014 regular meeting of the Board of Elections. It is Wednesday July 2nd, 2014 and the time is 10:36 a.m.

We are meeting in Room 280, North of One Judiciary Square. I am Deborah Nichols, Chairman of the Board of Elections.

Members present with me this morning, the member present with me this morning is Mr. Steven Danzansky.

MEMBER DANZANSKY: Morning.

CHAIR NICHOLS: Also present on the dais is our Executive Director, Mr. Clifford Tatum, our General Counsel, Mr. Kenneth McGhie. And substituting for our director of Campaign Finance, who is under the weather, is Mr. William Sanford.

At this time I will move the adoption of the agenda for this morning. And

1 without objection that agenda is adopted.

2 Without objection the minutes of
3 our meeting of June 4th, 2014 are adopted with
4 minor technical edits, unless there are some
5 questions or comments Mr. Danzansky wishes to
6 raise? Hearing none.

7 Are there any Board matters which
8 members which to raise in this public meeting?
9 Hearing none we will move onto the Executive
10 Directors Report. We will now hear that
11 report from our Executive Director Mr. Tatum.

12 MR. TATUM: Thank you, Madam
13 Chair. On the report today I have the updates
14 on the July 15 election. The early voting in-
15 person absentees started here in the 250 North
16 on Monday. That period will run between
17 Monday through next Saturday July the 12th.

18 We have an early voting site,
19 Malcolm X Elementary School down at the, in
20 Ward 8 that will be opened on Saturday. This
21 coming Saturday.

22 We've mailed out two notices to

1 the voters in Ward 8 advising that there is a
2 special election. First mailer went out on
3 June the 15th, the second mailer went out on
4 June the 27th. And we anticipate those
5 mailers were mailed to actually every
6 registered voter within Ward 8 itself.

7 The voter registration deadline
8 for registering for this election was June
9 30th. And we are processing all applications
10 that may have come into our officer to get
11 into the system before the election day
12 itself.

13 We have scheduled for voting,
14 absentee voting at the jail on July 9th.
15 There is a number of Ward 8 residents who are
16 currently incarcerated at DOC, CTF.

17 We are going through our packing
18 supply list and we have two physical
19 inspections of the supplies for each of the
20 polling places and we will have a third final
21 inspection of those two items that still need
22 to go into the bins.

1 So we will have that inspection
2 after those two items are included. So we
3 should not have any issues with the supplies
4 for this contest.

5 And I think I mentioned the last
6 meeting we had yard signs placed into Ward 8
7 on the thoroughfares indicating there's a July
8 15 election. Had signs on the back of Metro
9 buses that are dispatched out at the Ward 8
10 garage indicating that there's an absentee
11 election.

12 And we have signs on the platforms
13 at the Metro Centers at Anacostia, Congress
14 Heights and at the entrances of Southern
15 Avenue and Naylor. And then we will have
16 radio ads that will start this week on WHUR,
17 Radio One.

18 That includes, concludes my
19 updates for the July 15 election and general
20 matters. The deadline for the initiatives
21 that you'd want to submit to our office for
22 consideration for the November ballot July the

1 7th, which would be Monday. And that will
2 start the application process once we get
3 those petitions, that petition is filed in our
4 office.

5 ANC candidates will begin picking
6 up on --

7 COURT REPORTER: Sir, can you keep
8 your voice up?

9 MR. TATUM: Yes. ANC candidates
10 will begin picking up their petitions on
11 Monday July 7th as well.

12 CHAIR NICHOLS: Hold on a second.
13 Can you hear? Are you sure? Okay.

14 MR. TATUM: Madam Chair, that's
15 all I offer.

16 CHAIR NICHOLS: Thanks, Mr. Tatum.
17 We will now move to the report of our General
18 Counsel, Mr. Kenneth McGhie.

19 MR. MCGHIE: Okay, the first thing
20 I have on my agenda is final rulemaking to
21 amend the three DCMR Chapters 10, 11 and 14
22 through 17.

1 These regulations would establish
2 a maximum number of signatures that the Board
3 of Elections will consider on ballot measures
4 and nominate petitions, and providing that the
5 Board will accept only the number of petitions
6 she said they had the maximum number of
7 signatures allowed and will return the
8 petition she's contending signatures in excess
9 of that number.

10 The proposed regulations were
11 published in the DC Register on May 9th. The
12 30 day comment period has expired. The Board
13 only received one comment, that was from the
14 DC Cannabis Campaign Commission, Campaign.

15 And I would urge the Board to,
16 even in light of the concerns raised by that
17 party, adopt the rules as a final rulemaking
18 today.

19 CHAIR NICHOLS: I will entertain a
20 motion to that effect.

21 MEMBER DANZANSKY: Yes, Madam
22 Chair. I move that we adopt the rules that

1 were published in the DC Register on May 9,
2 2014 relating the number of petition sheets,
3 maximum number of signatures.

4 CHAIR NICHOLS: Motion is before
5 us, all in favor?

6 (Chorus of Ayes)

7 CHAIR NICHOLS: All opposed?
8 Hearing none the motion carries. Mr. McGhie?

9 MR. MCGHIE: Okay, the second
10 thing on my agenda is the petitions for
11 enforcement. Mr. McGann and Mr. Sanford,
12 petition for enforcement are to enforce the
13 fines that will, for a levy by the Office of
14 Campaign Finance for, against the following
15 three individuals.

16 Frank Sewell for Mayor Committee
17 and Dawn Cromer, Treasurer, and ANC
18 Commissioner Tim Clark. ANCs single member
19 district, 5E03.

20 CHAIR NICHOLS: Come forward to
21 Mr. McGann. Identify yourself for the record.

22 MR. MCGANN: Good morning, Rudolph

1 McGann, staff attorney with the Board of
2 Elections.

3 CHAIR NICHOLS: All right, for the
4 record could you please summarize for us each
5 of the matters before us for, just for, either
6 you or Mr. Sanford.

7 MR. SANFORD: I'll summarize --

8 CHAIR NICHOLS: Good.

9 MR. SANFORD: Mr. Frank Sewell is
10 petitioning, imposing the fine of \$1,700 and
11 it's for Sewell. And it's a campaign, Sewell
12 for Mayor 2014, for failure to file a complete
13 statement of organization and failure to
14 timely file a statement of candidacy and
15 failure to display proper campaign literature
16 in violation of the District of Columbia
17 Official Code Sections 1-1163.071 and Section
18 1-1160.12(a) and finally Section 1-1163.15(a).

19 Mr. Sewell was informed of a pre-
20 hearing conference as well as the hearing
21 today by mail and by telephone. Mr. Sewell
22 responded by telephone saying he wanted

1 nothing to do with this preceding and that he
2 wanted to be left alone.

3 CHAIR NICHOLS: All right, you
4 want to do these individually?

5 MR. SANFORD: Let's --

6 CHAIR NICHOLS: We have, you want
7 to do them individually, Mr. Danzansky or you
8 want to move them as a group?

9 MEMBER DANZANSKY: Why don't we
10 move on and just do them both.

11 CHAIR NICHOLS: As a group?

12 MEMBER DANZANSKY: Yes.

13 CHAIR NICHOLS: Okay.

14 MEMBER DANZANSKY: I think --

15 CHAIR NICHOLS: All right, proceed
16 mister --

17 MR. SANFORD: Madam Chair?

18 CHAIR NICHOLS: Yes.

19 MR. SANFORD: I think counsel for
20 Ms. Cromer is present.

21 MEMBER DANZANSKY: Oh, okay, so
22 let's move, I apply we move for enforcement of

1 the one --

2 CHAIR NICHOLS: Okay, for Mr.
3 Sewell.

4 MEMBER DANZANSKY: -- against,
5 yes, it's a DCOCF versus Frank Sewell for
6 Mayor.

7 CHAIR NICHOLS: All right.

8 MEMBER DANZANSKY: I move we
9 enforce that fine.

10 CHAIR NICHOLS: The motion is
11 before us to enforce the petition of, for an
12 order of enforcement and post a fine of \$1,700
13 against Mr. Frank Sewell for, well against
14 Frank Sewell for Mayor 2014. All in favor?

15 (Chorus of ayes)

16 CHAIR NICHOLS: All opposed? Ayes
17 have it. Mr. McGann?

18 MR. MCGANN: Yes, I believe Mr.
19 Wood, counsel for Ms. Dawn Cromer is present.

20 MS. WOOD: I am.

21 CHAIR NICHOLS: Come forward and
22 identify yourself for the record.

1 MS. WOOD: Thank you. Sheryl Wood
2 on behalf of Dawn Cromer, treasure of Kwame
3 for Chair, Principle Campaign Committee.

4 MR. MCGANN: This matter is a
5 petition for enforcement filed in the Office
6 of Campaign Finances imposing a fine of
7 \$45,000 for receipt of excessive
8 contributions, failure to report expenditures,
9 failure to negotiate expenditures through
10 respondent's committee bank account, improper
11 use of cash disbursements, failure to provide
12 reports and/or statements, allow expenditures
13 by a non-committee official and failure to
14 maintain records, which is in violation of
15 Campaign Finance Act, DC Code Sections 1-
16 1163.071, 1-1163.074, 1-1163.08(a), 1-
17 1163.08(d), 1-1163.09(c)(8), 1-1163.09(c)(9).

18 CHAIR NICHOLS: All right. This
19 is not a hearing, but do you have anything to
20 offer for the record?

21 MS. WOOD: I would, certainly, and
22 thank you, Madam Chair, and members of the

1 dais. Certainly Ms. Cromer has been
2 cooperative throughout, and Mr. Sanford knows
3 that, he was our hearing officer for the show
4 cause hearing before the Office of Campaign
5 Finance and so she was asked to come today.
6 She did not want to ignore it, she wanted, but
7 she was unable to come herself so I'm here
8 representing her and I have throughout the
9 process.

10 And she, the \$45,000 was ordered.
11 She chose not to ask for reconsideration or
12 review of that fine.

13 At the same time the campaign
14 accounts have all been closed, the committee
15 is now closed. There are no funds left.

16 And quite frankly there really, an
17 enforcement action, although, is something you
18 could pursue, there really isn't anything to
19 collect. And so we just come just making that
20 clear to the Board that there are no funds
21 remaining, there is no mechanisms for this
22 fund to be paid by the committee on Ms.

1 Cromer.

2 And although she wishes that were
3 different and expressed that certainly to the
4 Office of Campaign Finance, there simply isn't
5 anything she can do.

6 But she wanted to certainly
7 appear, me appear on her behalf and not ignore
8 what was sent. She did not see the pre-
9 hearing conference email, but she did see this
10 one and took action.

11 CHAIR NICHOLS: Thank you so much
12 for appearing on her behalf. As you know this
13 is a process that must run its full course.
14 And this fine and petition for enforcement
15 will remain on the public record until it is
16 collected or not, it will remain on the public
17 record.

18 Thank you so much for coming this
19 morning, do appreciate your acknowledging the,
20 and Ms. Cromer acknowledging the importance of
21 this preceding. Thank you.

22 MS. WOOD: Thank you.

1 CHAIR NICHOLS: All right.

2 MS. WOOD: Thank you, Madam Chair.

3 CHAIR NICHOLS: So I will
4 entertain a motion to, or a petition for
5 enforcement order to collect this, impose this
6 fine of \$45,000 against the Kwame for Chair
7 Campaign, improper --

8 MEMBER DANZANSKY: So moved, Madam
9 Chair.

10 CHAIR NICHOLS: All right, the
11 motion is before us, all in favor?

12 (Chorus of ayes)

13 CHAIR NICHOLS: All opposed? Ayes
14 have it. Thank you --

15 MS. WOOD: Thank you.

16 CHAIR NICHOLS: All right, Mr.
17 McGann?

18 MR. MCGANN: Yes, ma'am. The
19 final petition for enforcement is against the
20 campaign of Commissioner Tim Clark, ANC/SMD in
21 the District 5E03.

22 This is a fine of \$150 imposed

1 against Commissioner Tim Clark for failure to
2 file a timely summary financial statement of
3 candidate for the Office of Member Advisory
4 Neighborhood on or before February 11th, 2013.

5 CHAIR NICHOLS: All right, so the
6 motion, I'll retain a motion to order a
7 petition for enforcement order against mister,
8 Commissioner Tim Clark to enforce the
9 selection of the fine of \$150.

10 MEMBER DANZANSKY: So moved, Madam
11 Chair.

12 CHAIR NICHOLS: All in favor?
13 (Chorus of ayes)

14 CHAIR NICHOLS: All opposed? Ayes
15 have it. Are there any other matters Mr.
16 McGann?

17 MR. MCGANN: At this time, no,
18 Madam Chair.

19 CHAIR NICHOLS: All right.

20 MR. MCGANN: Thank you.

21 CHAIR NICHOLS: Thank you. Thank
22 you, Mr. Sanford. All right, Mr. McGhie?

1 MR. MCGHIE: Okay, the last thing
2 on my agenda is litigation status update. The
3 first matter is Libertarian Party versus the
4 Board of Elections II.

5 As the Board is aware of, and as I
6 have reported on numerous occasions, this is
7 a, was originally a case involving a challenge
8 to the constitutionality of the Board's, I
9 mean the Districts circulators.

10 The Libertarian Party had
11 challenged the constitutionality of having,
12 requiring circulators to be registered to
13 qualified electives. The Government has now
14 changed the law on that and the only reason
15 why this is still being reported is for,
16 because litigation, because attorney fees are
17 still pending.

18 So with the Board's permission I
19 would like to take this matter off of our
20 agenda from now on. There's no need for me to
21 keep reporting on a case that just pending.

22 CHAIR NICHOLS: This --

1 MEMBER DANZANSKY: Okay.

2 CHAIR NICHOLS: This litigation
3 though has gone forward as a final, so this
4 should resolve that matter. That's why this
5 was left, well not left outstanding, but was
6 holding up the conclusion of the litigation.

7 I have no problems with, do you
8 want a motion or something on the record or
9 what?

10 MR. MCGHIE: No that just --

11 MEMBER DANZANSKY: No --

12 MR. MCGHIE: No.

13 MEMBER DANZANSKY: -- seems to me
14 it's been resolved.

15 CHAIR NICHOLS: Yes, unless it
16 becomes an issue then I have no problem
17 removing it. But at the time that it is
18 finally concluded I would like a report --

19 MR. MCGHIE: Yes.

20 CHAIR NICHOLS: -- from your
21 office on that for the public record.

22 MR. MCGHIE: Okay. The next

1 matter is Zukerberg versus the DC Board of
2 Elections.

3 As the Board is aware of that case
4 as well, that was a challenge to the counsels,
5 the legislation that would have delayed the
6 election for the Attorney General until 2018.
7 Mr. Zukerberg challenged that legislation and
8 the court of appeals agreed with Mr. Zukerberg
9 and issued the order on June 1st, on June 4th
10 directing that the District and the Board
11 conduct an election for an Attorney General in
12 2014, unless it would not be practically
13 possible for the Board of Elections to do so.

14 In the interim though the DC
15 Counsel introduced legislation, it passed
16 legislation on the second reading of the
17 Fiscal Year 2015 Budget Support Act of 2014 in
18 Subsection Q. And Subsection Q would direct
19 the Board to conduct an election for the
20 Attorney General to coincide with the November
21 4th general election and to conduct that
22 election as it would a special election in the

1 District of Columbia.

2 So based on the counsels passing
3 the legislation, the Office of the Attorney
4 General went to court on the 27th and
5 attempted to file a motion to dismiss the
6 matter as moot.

7 The Plaintiff however did not want
8 to have the matter dismissed as moot and, but
9 instead wanted the court to give an order to
10 the Board and to the District directing them
11 that, directing them to have the matter placed
12 on the election for November 4th. And as a
13 special election.

14 So it was really a question of
15 apples and oranges. And the Attorney General
16 with a motion to dismiss and the Plaintiff
17 wanting no instead, an order.

18 I don't know the rationale behind
19 them wanting an order, other than possibility
20 that maybe they could seek legal fees if they
21 have an order directing them to place the
22 matter on the November election as opposed to

1 it being dismissed as moot.

2 So in either case what the court
3 did is they directed the parties to file a
4 response to the Attorney Generals motion to
5 dismiss as moot and she will be taking that
6 under advisement and rendering a decision on
7 whether to dismiss it as moot or give an order
8 directing that the Board conduct the election
9 on November 4th.

10 And that would be my report on the
11 Zukerberg matter.

12 CHAIR NICHOLS: That's
13 interesting.

14 MR. MCGHIE: And the last matter
15 is McMillan versus the DC Board of Election
16 and Ethics. That is a case where someone is
17 complaining about the Board not allowing or
18 recognizing their name, The Rent is Too Damn
19 High.

20 That is being, well the Office of
21 the General Counsel will be filing a motion to
22 dismiss on that for a lack of standing. The

1 person does not reside in the District of
2 Columbia, they are not a registered qualified
3 elector and they wouldn't have any standing to
4 bring an action against us for not recognizing
5 that name.

6 CHAIR NICHOLS: But this is not a
7 political party? I mean, a registered
8 political party either in the District of
9 Columbia. That was the name of a slate --

10 MR. MCGHIE: Slate.

11 CHAIR NICHOLS: -- on the primary
12 election ballot of individuals running for the
13 DC Democratic State Committee Offices. Right?

14 MR. MCGHIE: Which would be the
15 more reason why this person would not have any
16 standing to --

17 CHAIR NICHOLS: Yes.

18 MR. MCGHIE: -- object to raise
19 any questions as to whether or not it would be
20 permissible or not for the Board to recognize
21 that name.

22 CHAIR NICHOLS: So, interesting.

1 MR. MCGHIE: So that conclude my
2 litigation status update. Again, we will be
3 filing a motion to dismiss for a lack of
4 standing. And that would conclude my report.

5 CHAIR NICHOLS: All right. Mr.
6 Danzansky, do you have any questions?

7 MEMBER DANZANSKY: No. I'm glad
8 for the update on the Zuckerberg case.

9 CHAIR NICHOLS: Yes, that was
10 moot.

11 MEMBER DANZANSKY: That happened
12 on the 27th, did it?

13 MR. MCGHIE: Yes.

14 MEMBER DANZANSKY: That hearing?

15 CHAIR NICHOLS: Yes, what day what
16 that? Friday?

17 MR. MCGHIE: Friday.

18 CHAIR NICHOLS: All right, we'll
19 move to the Director of Campaign Finances
20 Report. Mr. William Sanford's going to
21 provide that report this morning.

22 MR. SANFORD: Thank you. Good

1 morning, Madam Chairman, and distinguished
2 Board Mr. Danzansky. I'm William Sanford
3 sitting in for Cecily Collier Montgomery, the
4 executive director of the Office of Campaign
5 Finance.

6 During the month of June, June
7 10th was the court filing date for principle
8 campaign committees and political actions
9 committees that were registered with the
10 Office of Campaign Finance for the November
11 2014 election cycle.

12 A total of 119 PCCs and PACs were
13 required to file. The office received 102
14 filers on, that were filed timely and three
15 filers filed their reports late, 14 filers
16 failed to file by the required filing date.

17 During that month the Office of
18 Campaign Finance is public information, the
19 record management division referred 17
20 referrals to the Office of General Counsel for
21 failure to timely file. Also during that
22 month 11 new candidates registered for the

1 2014 election cycle.

2 And they include the following
3 individuals. Kishan Putta, Kishan for DC At-
4 large City Council.

5 Eric Jones, Eric Jones 2014 At-
6 large City Council.

7 Carol Schwartz, Carol Schwartz for
8 Mayor Committee.

9 Ernest Johnson, Committee to Elect
10 Ernest Johnson Ward-1 City Council.

11 Gregory Thomas, At-large City
12 Council.

13 E. Gail Anderson Holness, Holness
14 for DC Ward-1 School Board.

15 Michael Green, Michael Green
16 Mayoral Committee.

17 Courtney Snowden, Friends of
18 Courtney R. Snowden At-large City Council.

19 Michael D. Brown, Michael D. Brown
20 for City Council At-large 2014.

21 Christian Carter, Carter At-large
22 2014.

1 And Calvin H. Gurley, Gurley for
2 Council 2014, the At-large City Council
3 position.

4 Additionally, during the month of
5 June the Office of Campaign Finance conducted
6 an entrance conference on the 11th of June and
7 14 participates attended that conference.
8 During that month the Office of the General
9 Counsel received 17 referrals from the public
10 information and records management division
11 and they include the following.

12 New Dawn, Anthony Muhammad
13 Treasury.

14 Carson-Smith for DNC, Winifred
15 Carson-Smith, Treasurer.

16 Beverley Wheeler for Ward 1,
17 Beverley Wheeler, Treasurer.

18 Martin Sterbal for U.S. Senate,
19 Martin Sterbal, Treasurer.

20 Valentine At-large, Justin
21 Flemings, Treasurer.

22 Anderson for DC, Acqunetta

1 Anderson, Treasurer.

2 Ross 2014, William Brown,

3 Treasurer.

4 Ward One Democrats Slate

5 Committee, Lynn French, Treasurer.

6 Sewell for Mayor 2014, Otis

7 Sution, Treasurer.

8 Jones 2014 Exploratory Committee,

9 Eric Jones, Treasurer.

10 Ward 3 Democratic State, Robert

11 Brandon, Treasurer.

12 And Ward 4 Democrats, Kimberly

13 Tignor, Treasurer.

14 Youth Action Pac, Gabrielle Moise,

15 Treasurer.

16 Metropolitan Washington PAC,

17 Margaret Jefferr, Treasurer.

18 BB&T, Ed Simpson Treasurer.

19 Credit Union PAC of Washington,

20 DC, Ruth White, Treasurer.

21 DC Political Action Candidate

22 Election, Estelle Richardson, Treasurer.

1 The reports analysis and audit
2 division conducted 138 desk reviews during the
3 month of June and made two referrals to the
4 Office of the General Counsel.

5 The RAAD division also carried a
6 total of five ongoing audit and they include,
7 Gray for Mayor and three periodic random audit
8 which include, Bowser for Mayor, Tommy Wells
9 for Mayor, Evans for Mayor and Orange for
10 Mayor. Statement of Findings in the Orange
11 for Mayor audit was issued on June 11th, 2014.

12 And audits issued during the month
13 included an audit for the Council member
14 Bowser CSF report issued on June 6th. Vincent
15 Orange Sr. CSF report issued on June 20th and
16 Ward 8 CSF report issued on June 20th.

17 During the month of June the
18 Office of General Counsel received a total of
19 19 referrals. Seventeen of the referrals were
20 from the public information record management
21 division, two were from the RAAD division.

22 And the office conducted five

1 hearings and issues five auditors that include
2 the following. Two orders for failure to
3 timely file in which no fines were imposed.
4 Two orders for failure to timely file in which
5 \$4,000 in fines were imposed. And one order
6 regarding a motion for reconsideration in
7 which a fine of \$500 was affirmed.

8 The fines were imposed against the
9 following individuals or committees.

10 Patterson for Ward 8, \$2,000. Villereal
11 Johnson Democratic State Committee, \$2,000.
12 Christian Carter for Mayor, motion for
13 reconsideration denied and a fine of \$500 was
14 affirmed.

15 During that month there was a
16 total of \$52,550 in fines. They included new
17 fines that were imposed against Friends of
18 Calvin Gurley, for \$350. The Committee to
19 elect Ron Moten for \$1,450. Nestor for Mayor,
20 \$1,150 and another Nestor for Mayor fine for
21 \$1,650.

22 The Office of the General Counsel

1 referred four petitions for enforcement to the
2 Board of Elections General Counsel. And
3 during that month we carried a total of five
4 opened investigations from prior months and no
5 new investigations were opened.

6 No show cause proceedings were
7 conducted during the month of June and no
8 requests from interpretive opinions were
9 submitted to the office in the month of June.
10 And that should conclude my report.

11 CHAIR NICHOLS: Thank you. So the
12 remaining, I see on this list the outstanding
13 fines. We've got the referrals for
14 enforcement for Sewell, Duncan, I mean Clark
15 and Kwame for Chair. So we should see the
16 ones for Nestor for Mayor, Gurley, Moten
17 coming soon?

18 MR. SANFORD: Yes.

19 CHAIR NICHOLS: As far as you
20 know?

21 MR. SANFORD: Those petitions were
22 actually filed on the, four of the petitions

1 were filed at the end of the month. Petitions
2 for committee to elect Ron Molten was filed,
3 Friends of Calvin Gurley was filed and Nestor,
4 two Nestor for Mayors were filed. They were
5 all filed on the 26th of June.

6 CHAIR NICHOLS: Okay, I see.

7 MEMBER DANZANSKY: 26th.

8 CHAIR NICHOLS: Okay, so it will
9 be a little, and the third Nestor for Mayor,
10 that is, when was that filed, do you know?

11 MR. SANFORD: That was filed
12 previously and it's still pending before the
13 Office of General Counsel.

14 CHAIR NICHOLS: But we don't know
15 the previous settlement? When? Come forward,
16 Mr. McGann. I just wanted to get, you know,
17 the calendar together so we can move these
18 forward.

19 MR. MCGANN: Rudolph McGann, staff
20 attorney for the Board. And yes, previous
21 filing with the three that were raised today,
22 there was a third filing or petition against

1 Nestor for Mayor. And --

2 CHAIR NICHOLS: For the \$1,100?

3 MR. MCGANN: And the treasurer
4 came in for a pre-hearing conference --

5 CHAIR NICHOLS: Okay.

6 MR. MCGANN: -- on that matter and
7 facilitated a settlement.

8 CHAIR NICHOLS: Okay.

9 MR. MCGANN: I don't know if that
10 settlement is still in place as of this time.
11 As far as I know that settlement is still in
12 place.

13 CHAIR NICHOLS: Okay.

14 MR. MCGANN: The previous matter,
15 which would have been the third, two have
16 since, subsequent to that, have come into the
17 Office --

18 CHAIR NICHOLS: I see.

19 MR. MCGANN: -- and we're in the
20 process of scheduling pre-hearing conferences.

21 CHAIR NICHOLS: What was Nestor,
22 the first Nestor for Mayor settlement, and

1 this maybe a question you can't answer off the
2 top of your head, but I'm trying to figure out
3 why we have it under outstanding fines. Was
4 the \$1,100 a settlement?

5 MR. MCGANN: I can't say off hand,
6 but what's going on is is that I believe the
7 treasurer, there's a disconnect between the
8 treasurer and the actual candidate or slash
9 campaign, that he wasn't aware of some filings
10 that were still outstanding and that's where
11 the penalties are coming from.

12 CHAIR NICHOLS: Okay, well I want
13 a --

14 MR. MCGANN: I believe.

15 CHAIR NICHOLS: I want report on
16 where we are with Nestor for Mayor, the first
17 Nestor for Mayor, you know, in terms of a
18 settlement. Because it's appearing here as an
19 outstanding fine and if that's not correct
20 then we want to clarify that. And if it is
21 then we --

22 MR. MCGANN: These are new fines.

1 These are --

2 CHAIR NICHOLS: Well --

3 MR. MCGANN: -- new petitions for
4 enforcement that came in. The one I'm
5 referring to --

6 CHAIR NICHOLS: Is something else.

7 MR. MCGANN: -- is another --

8 CHAIR NICHOLS: Well then I'll go
9 back to my question, where was this one filed?
10 And we've said previously. So previously
11 doesn't help me a lot, so I need to know when
12 this was filed because I'm trying to put on
13 the calendar when, some expectation of when
14 these cases will come through to the Board if
15 they are not settled for petition for
16 enforcement.

17 So if some, Mr. Sanford, between
18 you and Mr. McGann, would you please --

19 MR. SANFORD: Well let me leave
20 that with --

21 CHAIR NICHOLS: -- clarify this
22 for me.

1 MR. SANFORD: I think that was
2 transmitted to the Office of General Counsel
3 on the 28th of February with the other matters
4 that were heard today.

5 MR. MCGANN: Right, and we held a
6 pre-hearing conference on that one and then
7 everyone was in agreement --

8 CHAIR NICHOLS: Just clarify that
9 for me --

10 MR. MCGANN: Sure.

11 CHAIR NICHOLS: -- in a memo as to
12 the resolution of Nestor for Mayor and this
13 \$1,100. That would be helpful.

14 MR. MCGANN: Okay.

15 CHAIR NICHOLS: So that we can
16 clarify this report on whether this is
17 settled, it's an outstanding fine. Because if
18 it's an outstanding fine then it is
19 potentially to come before, even if you settle
20 it, he didn't pay it --

21 MR. MCGANN: Right.

22 CHAIR NICHOLS: -- then it still

1 becomes an outstanding fine. So if you could
2 just get to that, that would be very helpful.
3 Thank you, Mr. McGann, thank you, Mr. Sanford.

4 We'll move on now to public
5 matters. Are there any members of the public
6 who wish to raise matters with us?

7 Come forward Mr. Turner. Thank
8 you, Mr. Turner.

9 MR. TURNER: Robert Turner
10 executive director of DC Republican Party.
11 Madam Chairwoman, on behalf of Chairman Ron
12 Philips, the DC Republican Party wish to
13 transfer to you the name of person nominated
14 by the DC Republican Committee, the governing
15 body of the DCGOP, to serve as the official
16 republican candidate for the November General
17 Election.

18 Per our party put on record and as
19 previously noted and agreed upon on by the
20 Board of Elections by way or a March 14th,
21 2014 letter signed by Mr. Rudolph McGann, the
22 DCGOP is within its right to appoint the

1 candidate for the general election of any
2 office in the event that no republican
3 candidate wins the primary election of that
4 year.

5 At our most recent membership
6 meeting on June 26, 2014 the DCGOP voted to
7 nominate Kris Hammond, a long-time republican
8 resident of Ward 5, as our nominee for counsel
9 chairman. It is my understanding that Mr.
10 Hammond is currently in the process of filing
11 all relevant documents with BOE, and the
12 Office of Campaign Finance.

13 We appreciate the Board's
14 assistance with this nomination and as we
15 consider other nominees for office, we are
16 mindful of the Board's September 8th deadline.
17 Thank you.

18 CHAIR NICHOLS: Are there any
19 questions for Mr. Turner?

20 MR. TURNER: And I'll provide an
21 electronic copy of that as well.

22 CHAIR NICHOLS: All right, thank

1 you. Two to Mr. Tatum and Mr. McGhie as well.

2 All right. Thank you. All right.

3 MR. SINDRAM: I'm just in time.

4 You're happy to see me.

5 CHAIR NICHOLS: There being no

6 other matters before us --

7 MR. SINDRAM: I want to speak,
8 Madam Chair, Michael Sindram, I'm here, in the
9 public comments. Thank you.

10 Morning, Board, Michael Sindram,
11 disable veteran, served our Country more than
12 most. I'm coming before this honorable
13 tribunal, again, with the same issue, again,
14 about the fall panoply hearing.

15 I have in hand a letter that's
16 signed by John M. Thompson, Ph.D. Executive
17 Director Office on Aging. Letter reads as
18 follows and is dated May 14, 2014.

19 Dear, Mr. Sindram, it is a
20 pleasure speaking with you at the Mayors
21 Budget Town Hall Meeting at Turkey Ticket
22 Recreational Center. I wanted to followup

1 with you a conversation we had regarding DC
2 Office on Aging's involvement with assisting
3 seniors with the National Digital Television
4 Conversion.

5 In 2009 DC Office on Aging
6 partnered with National Association of States
7 United for Aging and Disabilities launched,
8 Keeping Seniors Connected campaign. This
9 campaign was designed to help seniors 60 years
10 of age and older in the District of Columbia
11 prepare for the National Digital Television
12 Conversion that took place on June 12th, 2009.

13 Through this initiative DCOA,
14 Office of Aging, work with volunteers to
15 educate seniors on the conversion and assisted
16 them with getting digital boxes installed in
17 their homes. If I can assist you with any
18 other matters please contact my office, 202-
19 724-5622. John M. Thompson, again, Executive
20 Director of office, DC Office on Aging.

21 The reason I bring this to your
22 attention, Madam Chair and Board members, is

1 that as you're aware of Mr. McGhie, because
2 this precedes the current compliment, I had a
3 one-panel hearing with Mr. Lawry regarding the
4 issue of the grant that was given to Digital
5 Dynamo, Denise Roves, and then arbitrarily and
6 capriciously rescinded without anything in
7 writing.

8 The scuttlebutt was that the DC
9 Office of Aging duplicated what Mr. Roves
10 provided, which is not true. Because this
11 letter clearly points out, the operative word
12 is assist, right? Number one.

13 And Number 2, 60 and above. So
14 for disabled veterans beneath 60 or anybody
15 else, wouldn't count.

16 Moreover Ms. Roves provided the
17 actual components. Not the coupons, not the
18 mirror assistance, but the actual antenna and
19 television because I know she swapped out my
20 dinosaur, which was very helpful, but I still
21 have need for assistance is why I'm bring this
22 back to the forefront.

1 So I want to renewal my request
2 for that full complement hearing, Togo West,
3 that I'm entitled to it because I timely filed
4 and perfected the request. But because of
5 Harry Thompson's debacle, something's criminal
6 going on here and Mr. Togo resigned and now we
7 have what we have.

8 So I'd like to have an expedited
9 hearing, an advance on calendar to earliest
10 participle date. I'm going to pass up the
11 letter by Mr. Thompson. And also the
12 attachment that he had as well.

13 And I want to conclude, that grant
14 was given by ANC Advisor Neighborhood
15 Commission 4A, out of control. The chair has
16 entered into some improvident working with
17 some kind of contractor and he sits on
18 nonprofit's and votes on the Board to have
19 grants granted those respective nonprofit
20 which is clearly conflict of interest. Not
21 good.

22 I will mention his name if you all

1 so choose, we could talk more offline or have
2 a formal complaint filed up. But again, I'd
3 like to have this matter expedited.

4 Mr. Danzansky, we need an elephant
5 in the room. I mean it's nonexistent. And
6 moreover without an office, how can anyone,
7 anything, any political party thrive, survive.
8 They can't.

9 So help me help you help us.
10 Competition is good. Any questions, I'd be
11 delighted to fill them at this time. I didn't
12 mean to bore you, Madam Chair, but you know,
13 it's sweltering hot, I struggled to come down
14 here, at least heath my few moments of shame,
15 I mean of fame. You know, tender moments upon
16 you, okay.

17 So again, if you have any
18 questions I'd be delighted, smile, you're much
19 pretty when you smile. I'd be delighted to
20 fill them at this time.

21 CHAIR NICHOLS: I have no
22 questions. Are there any other matters to

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Regular Board Meeting

Before: DC BOE

Date: 07-02-14

Place: Washington, DC

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

Neal R Gross

Court Reporter

NEAL R. GROSS

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