

A Subscriber Special Service
THE NOVEMBER ELECTION



The Perchie Press

ON US
~~35 CENTS~~

Volume I, Number 13

Covering the World from Kelleys Island, Ohio ©

November 12, 1991

Haas Elected Mayor

Don Haas was elected to serve as Mayor of Kelleys Island for the four year period beginning January 1, 1992. Haas, who will turn 62 on December 19, has been coming to the Island for 21 years. He retired from Ohio Bell Telephone Company and is married and has a son, two daughters and five grandchildren. He lives on the Island year around and is also the Trustee representing the Island on the Hancock Wood Electric Cooperative Board of Trustees.

Haas is currently half-way through his second term on the Village Council. When he takes office as mayor, his seat on Council will become vacant.

The victory for Haas relied heavily on absentee ballots. His tally of votes cast on the Island was 58, which was only 35% of the Island vote and 18 short of the total received on the Island by Gary Finger. However, Haas captured almost half of all the absentee ballots, 50, as compared to Finger's 17. Traditionally, write-in candidates do not do well in the absentee voter category.

In the six candidate field for two Council seats, Chuck Herndon and Buddy Yoscovits came out on top. Herndon's victory margin was a comfortable 42 votes greater than Yoscovits who out polled third-place finisher Ken Neuffer.

Herndon, 44, was running for re-election to the Council. He served on the Council for four years from 1984-1988. He did not run for reelection 4 years ago, but was appointed to the Council when a vacancy occurred five months into the term. Chuck is married and has a daughter.

Yoscovits, 58, has served on the Village Council three previous times, most recently four years ago. He is single, but is one of the last remaining people still living on the Island that was born on the Island.

The School Board contest saw the two incumbents reelected for another term. Pat Haig and Jessie Martin were selected out the four candidate field by safe pluralities. Pat Haig is currently the president of the School Board.

The School Board race was clearly the most emotionally charged of the contests, with letters listing alleged shortcomings of the current school board and letters of rebuttal being mailed to voters. This topic continues to generate attention with a recently written letter from one of the students being added to the charge/countercharge debate. These issues will be explored further in the next regular edition.

Dave Phinney was reelected to the Bureau of Public Affairs by the largest percentage and plurality of any candidate in a contested race. Bea Matso, currently serving on the BPA as an appointed member, was elected to a new term.

The newly established position of Clerk-Treasurer had only one candidate seeking the position. Jean Kuyoth, currently acting Village Clerk, will take on the added responsibilities of Treasurer on April 1, 1992 when current Village Treasurer Pat Seeholzer's term expires.

The Mayoral Contest

Candidate	Votes on Island	Votes Absentee	Total	% of Total	% of Island	% of Absentee
Gary Finger	76	17	93	30%	37%	17%
Don Haas	58	50	108	35%	28%	49%
Rob McCullagh	16	4	20	6%	8%	4%
Ted Terry	1	0	1	0%	0%	0%
Chris Yako	56	31	87	28%	27%	30%
TOTAL	207	102	309	100%	100%	100%

The Council Contest

Candidate	Votes on Island	Votes Absentee	Total	% of Total	% of Island	% of Absentee
Roger Carroll	27	4	31	5%	7%	2%
Ila Dick	61	33	94	16%	16%	16%
Chuck Herndon	100	50	150	27%	26%	27%
Marcy Mielke	47	41	88	15%	12%	20%
Ken Neuffer	71	34	105	18%	18%	17%
Bud Yoscovits	80	36	116	20%	21%	18%
TOTAL	389	203	592	100%	100%	100%

The School Board Contest

Candidate	Votes on Island	Votes Absentee	Total	% of Total	% of Island	% of Absentee
Pam Betzenheimer	89	44	133	23%	23%	22%
Pat Haig	131	61	192	33%	34%	31%
Jessie Martin	109	59	168	29%	28%	30%
Nancy Stoup	60	34	94	16%	15%	17%
TOTAL	389	198	587	100%	100%	100%

The BPA Contest

Candidate	Votes on Island	Votes Absentee	Total	% of Total	% of Island	% of Absentee
Donna Farmer	86	51	137	26%	25%	28%
Bea Matso	120	51	171	32%	34%	28%
Dave Phinney	144	78	222	42%	41%	43%
TOTAL	350	180	530	100%	100%	100%

The Clerk No-Contest

Jean Kuyoth	264
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Council Raises Salaries at Special Meeting

This all began as a simple story on the simple issue of the Council voting for a simple pay increase for, effectively, all elected officials of the Village. Unfortunately, it has been rewritten several times as new information is obtained.

The nature of the meeting, the day of the meeting, and the time of the meeting were all odd in a way, but this is Kelleys Island. The opening set of facts is simple. The Village Council held a rare Sunday meeting, at 3:00 PM, on October 27, 1991 to vote on emergency passage of three separate ordinances which provided for the increases in salary. Three citizens showed up for the meeting. This either attests to the lack of community interest in the subject, or the way the meeting was called and advertised. The decision is left to the reader, but this is not to be interpreted as saying it was not a legal meeting.

Since the Ordinances were passed as emergency measures, they each required a 3/4 vote of Council members. Because Russ Matso was off the Island on vacation, the other five members had to be present, and had to vote in the affirmative for the issues to be passed. A meeting was originally scheduled for Thursday, October 24 but had to be cancelled when Jake Martin had to be hospitalized.

The three ordinances (as well as an unrelated one dealing with Issue II fund application) were all passed swiftly and unanimously, and without comment or discussion. Ordinance 571 established the salary of the Clerk-Treasurer at \$15,000 per year, while Ordinance 573 raised the reimbursement of the Mayor from \$1,200 per year to \$2,400. Ordinance 572 set the fees for Council members attending regular meeting at \$50 per meeting, up from the current fee of \$6 per month. An additional fee of \$25 per meeting was established for special meetings. The Council will hold approximately 15 regular meetings this year, and about that many special meetings. If this number of meetings per year continues and are compensated under the new schedule, fees paid to Council will be approximately \$8,700 next year, instead of about \$875 for the current year.

The lack of discussion of the details of the figures in the Ordinance prompted a question about when the topic was discussed. It would seem unlikely that the Village Solicitor would prepare the Ordinances without some direction from the Council. The answer to this question was that it was voted on at the October meeting.

A check of the tapes does indicate it was brought up at the October meeting. What follows is a transcript of that portion of the meeting. Prior to the following conversation there had been a lengthy and rambling discussion of handling medical emergencies on the Island. This discussion had degenerated into something of a cacophony of unrelated conversations when the Mayor gently struck the gavel and the conversation went on as follows:

“Mayor McCullagh: I’ll entertain a motion to approve Pay Ordinance Number 866...”

Martin: (barely audible) “What about the adjustment of the salaries?”

McCullagh: “I’ll entertain a motion to have the solicitor draw up a proper ordinance for the upcoming years salary level”

Martin “I’ll make the motion.”

That measure was passed swiftly, unanimously and, again, without discussion. Apparently many people in the audience did not

hear this motion and vote, for a highlighted portion of the October meeting minutes is posted along with the final ordinances

After the motions were passed at the September 27 special meeting, a question was directed at the Council asking why these resolutions had to be passed as emergencies. That question was answered with the contention that the raises had to be voted on before the election for them to be effective for anyone winning a position in the election. Further it was asserted that anybody holding office could not benefit from the raises until they started a new term. Further assurances were given by various Councilmen that the meeting had to be held so that subsequent office holders, not themselves, would have the benefit of increased pay, which in turn would result in better government.

The research to confirm those statements at first seemed to find corroboration for the fact that salaries can not be raised or diminished while an elective person holds office. Further information was found that salary changes for ensuing terms must be made before the election. This seemed to support those statements made at the meeting until a section of the Revised Code, namely 731.13, was found that said in Villages all salaries must be fixed “at a meeting held not later than five days prior to the last day fixed by law for filing as a candidate for such office.” That would seem to indicate that the pay increases were ineffective since they had not been enacted at least five days prior to the close of filing (August 22).

The Perchie Press sent a letter to the Village Solicitor asking about the effectiveness of the pay increase ordinances in light of the mentioned code section. His response was that the Ohio Supreme Court and Appeals Courts have held that the language of that section does not apply because of the “home rule” amendment to the Ohio Constitution. A decision in 1982 said that the home rule amendment to the Ohio Constitution gives a municipality the power to mandate by ordinance an increase in compensation paid to members of the Village Council during their terms. Thus the pay raises voted in the Ordinances are valid.

All of this raises some interesting questions. If the home rule amendment means the pay raises were effective because they do not have to not comply with provisions of Section 731.13, then the home rule amendment means the measures did not have to be passed as emergencies as claimed at the special meeting. And if the home rule amendment allows in-term raises that don’t have to be passed as emergencies, then these raises can be effective for all Councilmen immediately, instead of what was claimed at the special meeting.

Is it conceivable that the Mayor and Council members were only repeating what they had been told by the Solicitor, namely that the Ordinances had to be passed as emergencies and no sitting member could benefit? The Ordinances were drafted by the same Solicitor who informed the Perchie Press they can grant themselves in-term raises, so that explanation is pretty unlikely.

The 1982 decision that invalidated the prior statutes that prohibited the giving of in-term raises has some very interesting comments in it that will be covered in the November 22 continuation of this story.

Vacancy on Council, School Board

The election of Don Haas to the position of Mayor will cause a seat on Council to become vacant when he takes office, or sooner if he should resign. Vacancies on Council are filled by a vote of the remaining members of the Council. If the Council fails to act within 30 days, then the appointment can be made by the Mayor.

Ken Neuffer is trying to convince Councilmen that as the third highest vote getter in the election he should be appointed to the position.

A seat on the School Board also has been vacated by Jon Goodson, who has left the Island to work in Atlanta. Goodson's seat will expire in two years. The decision on who will be appointed to the vacancy will be made by a

majority vote of the remaining School Board members. As in the case of the Council race, there is sentiment by some that Pam Betzenheimer should be appointed to the vacancy because of her third place finish in the November election.

Tax Renewal Levy Passes

The 4 mill Island tax renewal levy which was on ballot won by a vote total of 188 to 110. The County ballot issue which was a replacement also won by a vote of 788 to 483.

The two candidates for the Erie County Board of Education listed on the ballot, Carole Kune and Janet Tuttle, received 97 and 101 Island votes respectively.

Registrations Denied

The six members of the Seeholzer's family who attempted to register to vote on the Island had their requests denied by the Erie County Board of Elections at a meeting on October 30.

They were apparently the only individuals attempting to register whose residency was questioned. Board Chairman Tom Steib said the Board of Elections has never challenged anyone; challenges have been filed by other registered voters. According to the six denied individuals, they were not informed who had pressed the challenge.

The Perchie Press, in a letter to the Board of Elections and the Erie County Prosecutor's office, has requested copies of all material relating to this challenge.

The Perchie Press

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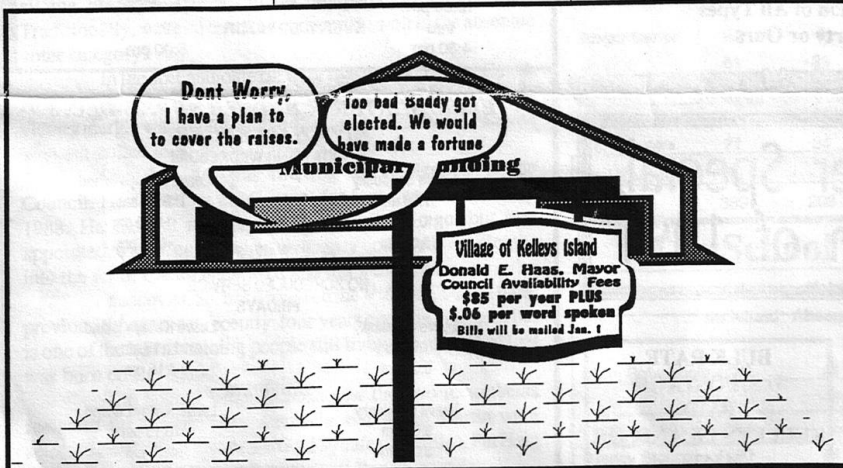


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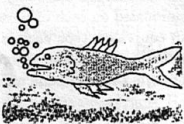
Voter Turnout Low in County, High on Island

The Sandusky Register carried a story in its November 7 edition under the headline "Election turnout low countywide." They went on to report the county wide turnout rate was 46.5 percent of the eligible voters. The City of Sandusky was below the average at 42.3 percent, Perkins Township had 53.1% of the voters cast their ballot, while the City of Huron elections brought out 51.3% of the eligible voters.

Conspicuously absent from the article was the Island voting percent of 83% (308 votes out of 370 registered voters). Of course in some people's opinion, the voting percentage was 179% (308 votes out of 172 census residents).



If You Care Enough To Vote, You Care Enough To Subscribe



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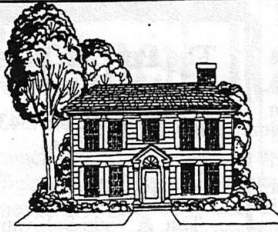
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Next Edition Scheduled for November 22, 1991

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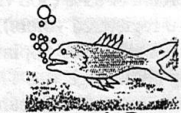
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The Election of 1991**



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MONDAY THROUGH THURSDAY

Leave Marblehead		Leave Kelleys Island	
7:30 am	1:30 pm	8:00 am	3:00 pm
8:30 am	3:30 pm	10:00 am	4:00 pm
10:30 am	4:30 pm	1:00 pm	

FRIDAY

Leave Marblehead		Leave Kelleys Island	
7:30am	10:30 am	8:00 am	10:00 am
8:30 am			

1:00 pm		1:00 pm	
thru	EVERY 1/2 HOUR	thru	
4:00 pm		4:00 pm	

SATURDAY

Leave Marblehead		Leave Kelleys Island	
7:30 am	1:30 am	8:00 am	1:00 pm
8:30 am	3:30 am	9:00 am	3:00 pm
9:30 am	4:30pm	10:00 am	4:00 pm
10:30 am			

SUNDAY

Leave Marblehead		Leave Kelleys Island	
9:30 am	10:30 am	9:00 am	10:00 am

12:00 pm		11:30 am	
thru	EVERY 1/2 HOUR	thru	
4:30 pm		5:00 pm	

Schedule Valid Oct. 28 thru Nov. 24, 1991

EARLY WINTER SCHEDULE NOV. 25-DEC. 8

M/V CHALLENGER

MONDAY AND WEDNESDAY

Leave Sandusky		Leave Kelleys Island	
7:00 am		8:15 am	
10:00 am		11:30 pm	
3:00 pm		4:15 pm	

TUESDAY AND THURSDAYS

NO SCHEDULED SERVICE

FRIDAYS

Leave Sandusky		Leave Kelleys Island	
10:00 am		11:15 am	
3:00 pm		4:15 pm	

SATURDAYS

Leave Sandusky		Leave Kelleys Island	
9:00 am		10:15 pm	
3:00 pm		4:15 pm	

SUNDAYS

Leave Sandusky		Leave Kelleys Island	
2:30 pm		4:15 pm	

VEHICLE RESERVATIONS WILL BE TAKEN FOR ALL SCHEDULED TRIPS

Weekday round trip auto special rate will be in effect for shoppers trips on Monday and Wednesdays. Reservations must be made through Sandusky office, 419-626-5557. Only seven vehicles can be accommodated on each of these trips, and of the seven vehicles, only one can be a van or equivalent type vehicle.

Vehicles must be on the dock at least 30 minutes prior to scheduled departure. There will be a \$10.90 charge for vehicles not honoring reservations unless the reservation can be resold.

SCHEDULE DEPENDS UPON WEATHER AND ICE CONDITIONS AND IS SUBJECT TO CHANGE WITHOUT NOTICE.

**WEDNESDAY, NOV. 27 EXTRA BOAT
LEAVING SANDUSKY AT 6:00 pm
LEAVING KELLEYS AT 7:15 pm**

