

**Minutes of the December 21, 2022 Meeting of
the Danville Election Commission**

1. Meeting called to order by Chairperson Barbara Bailey at 1:00pm. Present: Chair Barbara Bailey; Vice-Chair Thomas Mellen; Secretary David Ryan; Director Sandra Delhaye; and John Beardsley, the Commission's attorney.. Also present: Attorney Mark Christoph with Jacob Dazey; Mayor Williams; and Jacob Lane.

2. Objection of Mayor Williams to Petition of Jacob Lane: Barbara Bailey first addressed the Objection filed by Mayor Williams to the Petition filed by Jacob Lane which petition sought to place Jacob Lane on the ballot as a candidate for Mayor in the April 4, 2023 municipal election. Mr. Williams summarized his written objection, arguing that of the 231 signatures filed by Lane in support of his petition, 22 failed to meet the statutory requirements requiring the signators to be registered voters residing in the city of Danville; as a result, Williams argued the petition was 16 signatures short of the required 225 required by statute, and Lane's name should not be placed on the ballot. Lane indicated that he had retained attorney Matthew Custardo, who he said could not be present today due to a family emergency. Lane responded to Williams argument by submitting a draft of a complaint he indicated he intended to file in Vermilion County Circuit court; in said complaint, Lane argued Williams' objections to 4 of his signatures were technically deficient; Lane further argued that 1 of the signatures (Lilli Perez) actually belonged to a qualified registered voter (Erin Elizabeth Perez) who had merely signed using her nickname. Lane alleged, inter alia, violations of the Election Code and Open Meetings Act and violations of his right to due process by the Election Commission, all of which he argued should require the Commission to place his name on the ballot. Under questioning by Thomas Mellen about whether Lane's position was that he had a sufficient number of signatures, Lane indicated that he was not arguing that point but rather was arguing that the Commission failed to give him proper notice of its December 14 meeting and violated various statutes of the State of Illinois, and thus the Commission was required to place his name on the ballot regardless of the number of signatures submitted. Attorney Beardsley asked Lane whether Lane had any objection to the hearing of December 21; Lane indicated he had none. On motion of David Ryan, seconded by Thomas Mellen and passed 3-0, the Commission sustained the objection filed by Mayor Williams and found that the petition submitted by Jacob Lane lacked the statutorily required number of valid signatures of registered voters, and thus Lane's name would not be placed on the ballot as a candidate for Mayor in the upcoming municipal election.

3. Objection of Eve Ludwig to Petition of Jacob Dewey (Ward 5 Alderman): Attorney Mark Christoph addressed the written objection of Eve Ludwig to the Petition filed by his client Jacob Dewey by first conceding that all but three of her objections to written signatures contained in the petition were correct; he argued, however, that three signatures to which Ludwig objected (Thomas Farrell and Cari Farrell of 401 Lucas, and Linda Thomas of 1502 Harmon) were registered voters in the city who lived in ward 5 according to the ward map currently posted on the City's website. According to Dazey's attorney, with those three signatures being valid, Dazey had 1 more signature than required by statute. Christoph pointed out that when his client picked up his packet from the Election Commission office to run in Ward 5, he was not supplied with a map of the ward but rather a note indicating the ward

boundaries could be found on the Danville City website; further, Christoph pointed out the Commission's own website indicated the ward boundaries were "unavailable". Mayor Williams stated that the City Council voted on November 1, 2022 to change its ward boundaries (according to Ms Delhaye, after Dazey had picked up his packet from the Commission office); the City then posted the new boundaries on its website on the same day (November 1). Sandra Delhaye stated that the Election Commission, after being notified by the City of the new ward map sometime after November 1, 2022, had the issue of the effective date of the new ward map researched; upon learning that, according to statute, the ward map could not be changed for the upcoming election (the election process already having started before the city adopted the new map), the Commission thereafter notified the city that that the new ward map was voted on too late to take effect for the next municipal election, and the current (old) ward map would remain in effect for the April 4, 2023 municipal election. Mr. Christoph argued that because Mr. Dazey checked the city website after November 1 and relied in good faith on the new map posted by the City of Danville when obtaining his signatures, those three signatures should be counted as valid. Ms. Delhaye stated that the 3 signatures at issue will be in Dazy's ward (ward 5) when the new ward map takes effect (as shown on the only map posted by the City as of November 1), but those three signators now actually reside outside ward five (in ward 6) under the map currently in effect for the April 4, 2023 election. After further discussion, David Ryan indicated that he felt the Commission must follow the statute and determine the validity of the contested signatures based on the ward map actually in effect for the upcoming election; he moved to sustain the objection of Eve Ludwig to the signatures on Jacob Dazey's petition to be listed as a candidate for ward 5 alderman in the April 4, 2023 municipal election for want of the required number of valid signatures., and further moved Jacob Dazey's name not be placed on the ballot as a candidate for ward 5 alderman in the April 4, 2023 election. Thomas Mellen seconded the motion, which was passed 3-0.

4. Adjournment: On motion of David Ryan, seconded by Barbara Bailey, the meeting was adjourned at 2:33 p.m.


David Ryan, Secretary