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PARK BOARD HAS BALLOT ISSUE REJECTED

ELECTION '99

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NEWS 01D

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Dispatch County Offices Reporter

Not only did a new park district not get a \$250 fee on the Nov. 2 ballot yesterday, board members also were told they've already enacted it.

To raise money for parks, the recently formed New Albany Plain Local Park District wants to collect the fee from everyone who buys or builds a home in the village of New Albany, Plain Township and the New Albany-Plain school district, said **Keith M. Karr**, chairman of the district.

The Franklin County Board of Elections said the park district didn't follow proper procedures to get the issue on the ballot. The district approved a resolution to adopt the fee and sent it by fax to the Board of Elections, hoping it would land on the ballot.

Among other things, Assistant County Prosecutor Doug Browell said, the district didn't tell the elections board it wanted the fee on the ballot.

Karr said yesterday the intent was clear and staff members told board officials their paperwork was in order.

"It is not millage, but we made it effective on all resident property owners and by resolution it made the most sense to do it the most-democratic way and let the voters decide."

Browell, legal counsel for the elections board, said Ohio law is not clear whether such a fee has to be voted on. He said the park district already passed it, by its resolution.

By putting the issue on the ballot, Karr said, the district's board also hoped to have the fee collected by the county auditor's office, which monitors deed transfers. But Browell said there is nothing in the law to allow the auditor to do that.

He said he didn't know how such a fee would be collected.

The elections board earlier had rejected the fee as a ballot issue. By unanimous vote yesterday, it denied Karr's protest of that decision.

Karr said afterward that he will let the park district officers decide whether to appeal. They could go to either Common Pleas Court or the Ohio Supreme Court.

In other business yesterday, the elections board agreed to put a candidate on the ballot whose petition had been rejected Aug. 18, refused to remove another candidate and refused to reinstate a third:

* John Nesser, a candidate for Lockbourne City Council, won his appeal of a ruling that he was living at a different address from the one where he is registered.

Nesser put 11 Plum St. on his petition but is registered to vote at 121 Commerce St. The board accepted his explanation that his corner property has two street addresses. He lives in a converted barn on the Plum Street side of the property.

Because he had been in Canada for a month, he did not know sooner that the board was questioning his petition.

* Christine Vaughn, a candidate for Lockbourne clerk-treasurer, survived a challenge that she does not live at 115 Commerce St. in the village.

Jane McJunkin, who is running against Vaughn, and others questioned her residency.

Vaughn presented documentation and said there has been confusion because she owns two properties on the same street and allows her seven children to live there, including a daughter who has the same first and middle name as she does.

* Shirley Stokes-Kilgore, who wanted to run for Upper Arlington City Council, asked the board to take a second look at all candidate petitions after hers was rejected for lack of valid signatures. She did not deny that some of her supporters had moved without re-registering to vote at their new addresses.

Deputy Elections Director Ed Leonard said only Stokes-Kilgore did not have the required number of signatures. The board voted to deny her request.

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