

Election Board Meeting, September 3, 2026, Council Chambers, 4th floor, St. Joseph County Building

All Election Board members present: Chair John Jurgonski-R, Jason Cichowicz-D; Kathy Maloney-R; Clerk Amy Rolfes-R.

- Candidate Filings Discussion:

R Chair, John Jurgonski, began by stating “right now nobody is on the ballot, nobody is off the ballot” and repeated that throughout the meeting. He said the Board was there to “discuss that issue,” and they had reviewed names for ballot preparation to ensure no clerical errors, candidate names in correct precinct, etc. He explained some candidates did not complete their declaration of candidacy properly and were removed from the ballot. This meeting is basically to hear directly from candidates. D’s represented by James Groves and Brad Boswell, attorney from Indianapolis. R-attorney is Eli Wax.

The process was laid out with D’s speaking first, then R’s, then the Board would discuss and decide. Don Westerhausen, D chair stated that D’s withheld until R’s spoke as they wanted to hear their arguments first. R attorney, Eli Wax, only stated the ballots were prepared with no issues.

Dan Caruso objected to his removal as a New Carlisle Town Council candidate; he did not find out about being off the ballot until 42 hours before the Democratic caucus was held. He said he was originally told by Don that he and Marcy (Kauffman) were on the ballot. Caruso filed as an ‘Independent’, didn’t know the procedures and did what he thought he was supposed to do.

Note: Don stated he contacted IN Election Division, Angela Nussbaum D-member, who advised the EB has 30 days from August 28 to put someone on the ballot. D Precinct Chairs caucused, per statute, and voted on August 26 to reinstall those candidates on the ballot. He refiled their candidacies the next day.

Groves said he was confused as to “why we are here” - he got a letter yesterday referring to clerical and other errors regarding the ballot. ‘This case is about “ballot access” and gave the example ‘if a D or R candidate was the only choice on the ballot, this option does not serve the voter. They (D’s) filed the candidates’ challenges on August 28, 2026. “Between then and now, they are off the ballot?” There are no mechanisms in state law for this situation?”

Boswell said the issue was settled by the IN General Assembly - “2nd round folks are still candidates.” ‘If one reads in total, they need to be on the ballot and need to have access to the courts’.

Groves – “It is time for objections to pass. Nominations were sent to you, and we are left with no alternatives.” He requested a reasonable way to resolve this.

Jurgonski referred to ‘standing’, saying he never had a legal candidate dismissed after July 5. (Ed. Note: He did not begin on the EB until February 2026.) Candidates can file a ‘declarative judgement’ to put their names on the ballot and judges will decide. He asked ‘no one be taken off or on the ballot at this time.’

Boswell alleged R’s were “conjuring this plan from the beginning. They did file; they are just not on the ballot. If there were legit reasons for action – not within the process – but have a procedural reason to file, this is statutory process.” Wax stated candidates did not file after August 28. ‘No questions, no new candidates, past the filing deadline, never filed to be candidates, no vacancy, too late to file.’

Groves noted the CAN5 gives the OK to the board regarding who is on the ballot; accepting a filing does not mean it is approved. Jurgonski said the Clerk’s office did not put this on the ballot and it

should be legally filed. It was not on there. It is not valid. Cichowicz and Wax went back and forth about someone online said they were “running for office”, whether or not they filed, and if so, where is the proof. Wax stated the person didn’t file, and that filing after 8/28 is only for a vacancy (Ed. Note: D-Precinct Chairs caucused August 26 to fill the vacant spots). Groves ended his time saying the filings were “qualified when the clerk accepted the filing, and the Chair can caucus to fill vacant seats.”

-Marcy Kaufman, candidate for New Carlisle Town Council objected to her removal saying she thought she did everything according to the rules, and that a CAN 31 was never mentioned to her.

Board discussion: Wax stated the legislature changes laws often; they are an administrative board to administer elections. Cichowicz agreed this was an administrative board; he asked if they “could rise above this” and administer the best way we can to resolve the issues. Caruso said there were only 2 candidates in New Carlisle, which limits voter choice.

Jurgonski stated there will be no candidates after the challenge. The 7/5/26 date is not the County’s date. He motioned to accept the 2026 ballot proof as revised. The Board voted 2-1 to accept the ballot proof as provided by the Clerk’s office.

- New Business: The public test of the voting machines is scheduled for Friday, September 25, at the Olive Street Warehouse. No time was given. All are welcome to help test the machines.
- Old Business: None

- Public Comment:

Mike McManus: Jurgonski said at the beginning of the meeting that right now "nobody is on the ballot, nobody is off the ballot" and repeated that throughout the meeting. He said the Board was there to "discuss that issue". It is too late for the open door law because they did not keep the candidates on the ballot." R-Attorney Smith stated they were 'just filling ballot vacancies,' and the statute allowed them to fill those 2 vacancies.' Mike strongly objected and stated they were a candidate when they filed, and the EB has "0" authority to kick them off the ballot. Mike read aloud to Jurgonski the Indiana Code section by which the Indiana General Assembly specifically defines "Candidate" as it is used in elections, and pointed out that Jurgonski's sole basis for voting to keep Democratic candidates off the ballot was his belief that sustaining the earlier challenges meant that the candidacies of those people were somehow voided, and that somehow they were not "candidates". Mike said that the Indiana Code Provision on the definition of Candidate clearly states that not to be the case, and that this Code section defines that our candidates are indeed candidates according to the Indiana Code. Mike told Jurgonski that his actions were against the Code and deprived the candidates and citizens of our rights to run for office and to vote for people of our choice. He stated he will be filing a court action.

*After the meeting Mike noted: We now know that was not true. Both he and Amy Rolfes had told Kim R. to NOT put our candidates on the ballot proof a couple of days before D’s and R’s met to go over the ballot proofs. They had already made up their minds well before yesterday's "vote" to accept the proofs, which by the way, was not even on the agenda.

Mike Kruk: He asked who made the decision to approve the ballot, and who did not get included in that decision? Cichowicz stated the candidates originally filed their candidacies on July 2. D-Attorney Boswell noted the R’s challenged, stated the hearing was over. Mike asked for a clarification of today’s vote, and said they voted to approve the ballot that did not include the names that were removed. He asked “who made that decision?” Jurgonski did not know – “nobody knows who made the decision.” Cichowicz asked Kim several questions regarding who instructed her to remove names from the ballot. Her answer

was John Jurgonski, Amy Rolfes, and the attorney. Mike confronted Jurgonski and strongly told him: "You lied to me!"

My comment: I came to this meeting thinking we were going to discuss travel board; mail-in absentee ballots and how that will work, especially how can someone bring in an absentee ballot for someone else. Instead was discussion on the 5 candidates Rolfes refused to put the 5 D candidates on the ballot. I blamed the Clerk for this mess! She did not supervise staff effectively and not teach them properly. She should have told clerks to tell candidates to check with an attorney about their paperwork when they asked if everything was in place. Instead, they told candidates 'it was good' and the candidate was confident they would be on the ballot. I said I had been a director and I know how supervision should be. And this was not proper supervision. I strongly stated I agreed with what Mike McManus said at the last EB meeting – that 'they are cheating to keep Democrats off the ballot.'

Note: There were other public comments, but I was so worked up, I did not take any more notes. This was the most contentious EB meeting I have attended in the past 11 years.

*As I walked out, Jackie Horvath (R party chair) was standing in the crowd. I looked her straight in the eye and told her I blamed HER for all this mess!