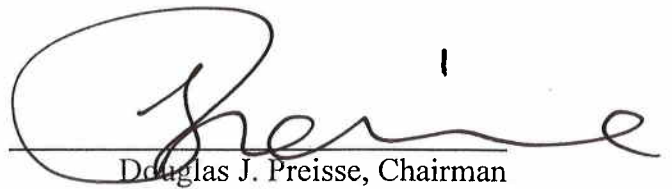


FRANKLIN COUNTY BOARD OF ELECTIONS
280 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 462-3100

MINUTES OF THE MEETING ON
9/6/11

APPROVED ON 10-3-11

BY:

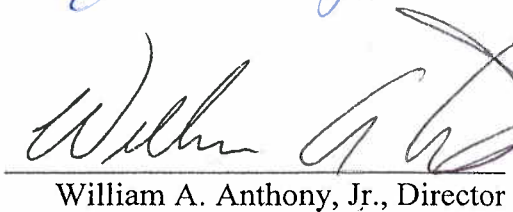

Douglas J. Preisse, Chairman


Michael F. Colley, Esq.


Kimberly E. Marinello


Zachary Manifold

ATTEST:


William A. Anthony, Jr., Director

1 APPEARANCES:

2 Franklin County Prosecuting Attorney
3 373 South High Street
4 Columbus, Ohio 43215
5 By Mr. Nick A. Soulas,

6 On behalf of the Board.

7 Mr. Jeffrey Mackey
8 Franklin County Board of Elections

9 Ms. Carla Patton
10 Franklin County Board of Elections

11 Ms. Karen Cotton
12 Franklin County Board of Elections

13

14 ALSO PRESENT,

15 Mr. Ben Piscitelli, Media Relations

16 Ms. Suzanne Brown, Executive Assistant

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

3 - - - - -

4 MR. ANTHONY: Good afternoon,
5 everyone. I would like to call the Franklin
6 County Board of Elections to order. And we'll
7 do a roll call.

8 Kim Marinello.

9 MS. MARINELLO: Here.

10 MR. ANTHONY: Zack Manifold.

11 MR. MANIFOLD: Here.

12 MR. ANTHONY: Doug Preisse.

13 CHAIRMAN PREISSE: Here.

14 MR. ANTHONY: And Michael Colley.

15 MR. COLLEY: Here.

16 MR. ANTHONY: Everyone is here and
17 accounted for.

18 - - - - -

19 MR. ANTHONY: The first order of
20 business then would be the approval of the
21 minutes of the August 1st board meeting.

22 MS. MARINELLO: Mr. Chairman, I move
23 the Board approve the minutes of the August
24 1st, 2011 board meeting.

1 MR. ANTHONY: Is there a second?

2 MR. COLLEY: Second.

3 MR. ANTHONY: All those in favor,
4 say aye.

5 BOARD MEMBERS: Aye.

6 MR. ANTHONY: The minutes have been
7 approved.

8 - - - - -

9 MR. ANTHONY: The second order of
10 business is, as you know, as we've talked in
11 the last several weeks or so, the Board is
12 looking at expanding over to 340-342 East Gay
13 Street to house our poll worker PEO
14 department. Nathan has been working very hard
15 on this, and I think we're about ready to go
16 with it.

17 Nathan, do you want to add anything?

18 MR. BURD: Yeah, just to follow up
19 on what you said, Bill.

20 We talked about this at our last
21 regular meeting and indicated that we would
22 sign the lease today. We had the lease
23 prepared. We have been slowly working to get
24 into the building, and appreciate Randy

1 Walker, who's here, the owner of the building;
2 it's been good to work with him the last few
3 months.

4 We're going to do some light
5 repairs, some painting, some floor fix-up, and
6 we've gotten most of the furniture we'll need
7 from the county surplus office, so we haven't
8 had to look too hard for that. But we're
9 ready to go on this.

10 You each have a copy of the lease.
11 It's the same as was looked at last month. We
12 want to thank Diane Leeds from the
13 prosecutor's office for helping us with that,
14 for giving it her approval.

15 If you do move forward with the
16 motion and approve it, I'd like to ask you
17 each to sign on page 8, which I'll pass
18 around. We'll have the chairman sign first,
19 then each of you sign underneath it. And
20 before we move on the agenda, we'd like to
21 have Randy sign as well, so he doesn't have to
22 wait till the end of our meeting. And Cindy
23 is going to notarize it for us.

24 So if you have any questions, we'll

1 be happy to entertain them. Otherwise, we are
2 happy to finally be able to do this today.

3 MR. MANIFOLD: Mr. Chairman, I move
4 that the Board approve and sign the lease of
5 additional office space at 340-342 East Gay
6 Street effective September 6th, 2011, and
7 under the terms specified on the lease
8 document between RWRES, LLC, and the Franklin
9 County Board of Elections.

10 MR. ANTHONY: All those in favor,
11 say aye.

12 BOARD MEMBERS: Aye.

13 MR. ANTHONY: All right. The lease
14 passes. And we're going to take a moment to
15 get this signed by everybody before we move on
16 to other business.

17 (Pause in proceedings.)

18 - - - - -

19 MR. ANTHONY: Okay. The next order
20 of business on the agenda is autumn holiday
21 hour reassignment. Because of the way early
22 voting falls, we have to kind of move around
23 some of the holidays that are coming up.

24 And so what we've normally done is,

1 we normally take Columbus Day and Veterans Day
2 and we move them to the day after -- day
3 before Thanksgiving and the day before
4 Christmas Eve. So that's what we're asking
5 for for this year.

6 MR. MANIFOLD: It's the day after
7 Thanksgiving.

8 MR. ANTHONY: The day after
9 Thanksgiving. Did I say the day before
10 Thanksgiving? I meant to say the day after
11 Thanksgiving.

12 MR. BURD: November 25th.

13 MR. ANTHONY: Yeah. Any questions
14 on that? Then we will entertain a motion.

15 MS. MARINELLO: Mr. Chairman, I move
16 that the Board of Elections be open during
17 normal business hours on Columbus Day, October
18 10, 2011, and Veterans Day, November 11, 2011,
19 and that the Board of Elections be closed in
20 observance of Columbus Day on November 25th,
21 2011, and closed in observance of Veterans Day
22 on December 23rd, 2011.

23 MR. ANTHONY: Is there a second?

24 MR. COLLEY: Second.

1 MR. ANTHONY: All those in favor,
2 say aye.

3 BOARD MEMBERS: Aye.

4 MR. ANTHONY: The motion carries.

5 - - - - -

6 MR. ANTHONY: The next order of
7 business would be Exhibit A on the agenda.
8 Jeff Mackey.

9 MR. MACKEY: On Exhibit A are three
10 candidates to be certified to the ballot.

11 Beryl Anderson was originally not
12 certified to the ballot at our previous
13 meeting. In examining her petition, we found
14 an additional signor of the petition that was
15 originally marked invalid that is a valid
16 signor of the petition, giving her 50 valid
17 signatures, so she should be certified to the
18 ballot.

19 Exhibit A also includes two write-in
20 candidates that came after our last meeting
21 whose declarations of intent to be write-in
22 candidates were sufficient and valid, and they
23 should be certified to the ballot.

24 CHAIRMAN PREISSE: Okay. I see

1 Beryl here. Welcome.

2 MS. ANDERSON: Thank you. Good to
3 be here.

4 CHAIRMAN PREISSE: You know
5 something about running elections. I said you
6 know a little something about running
7 elections.

8 MS. ANDERSON: I do, a little
9 something.

10 CHAIRMAN PREISSE: I don't have any
11 questions.

12 MS. MARINELLO: Mr. Chairman, I move
13 that the candidates appearing on Exhibit A be
14 certified for the November 8, 2011 general
15 election.

16 MR. ANTHONY: Is there a second?

17 MR. COLLEY: Second.

18 MR. ANTHONY: All those in favor,
19 say aye.

20 BOARD MEMBERS: Aye.

21 MR. ANTHONY: The motion carries.

22 Exhibit B.

23 MR. MACKEY: Exhibit B is a write-in
24 candidate that filed a declaration of intent

1 to be a write-in for Columbus Board of
2 Education. When he completed his intent to be
3 a write-in candidate, the address that he used
4 was not the address at which he is registered,
5 so we did not recommend that petition for
6 certification.

7 MR. ANTHONY: He is in the audience.
8 Mr. Ahmed, he is in the audience. Adan.

9 CHAIRMAN PREISSE: Do we want an
10 explanation from him?

11 Is it Mr. "A-dan" or "Aid-en"? How
12 do you say your name?

13 MR. ADAN: "A-dan." Last name is
14 Adan; first name is Ahmed.

15 CHAIRMAN PREISSE: Mr. Adan, would
16 you like a few moments to discuss this
17 situation?

18 MR. ADAN: Yes, sir.

19 CHAIRMAN PREISSE: You're welcome to
20 come up to the podium, and for the record,
21 please state your name so that we can have it
22 on the record.

23 MR. ADAN: My name is Ahmed Adan.
24 And I was in the process -- I'm renting,

1 actually, and I was in the process of moving
2 to a new apartment when the (inaudible).

3 CHAIRMAN PREISSE: I'm sorry, could
4 you say that again?

5 MR. ADAN: I am renting, actually,
6 and I moved from one apartment to a new
7 apartment, so I needed today to change my
8 address, which I need to take care of
9 everything now, and I'd like to ask the Board
10 to certify my candidacy.

11 CHAIRMAN PREISSE: Okay. And, Jeff,
12 can you describe again the chronology here and
13 our situation as it relates to --

14 MR. MACKEY: His declaration of
15 intent to be a write-in candidate was filed on
16 August the 22nd, and upon that declaration of
17 intent to be a write-in candidate, he had
18 listed his new address, 2460 Timber Trail
19 Drive, but at that point he had not updated
20 his registration address with us.

21 The actual declaration of intent to
22 be a write-in candidate says, "I, Ahmed Adan,
23 the undersigned, declare under penalty of
24 election falsification that my qualifying

1 voting residence address is," and he listed
2 the new address instead of the address that we
3 had on file.

4 CHAIRMAN PREISSE: The Timber
5 address. And Mr. Adan has since registered at
6 the new address but beyond the filing of the
7 declaration.

8 MR. MACKEY: After this.

9 CHAIRMAN PREISSE: I think that is a
10 problem.

11 MR. MANIFOLD: Is there any leeway?
12 He would have had to have turned in the new
13 registration at the same time, probably.

14 MR. BURD: Prior to the filing
15 deadline, with petitions we're not allowed to
16 take any sort of amended filing after the
17 deadline passes, and so that's why this is an
18 issue, because technically what was on the
19 form isn't correct and it's too late to now
20 refile.

21 MR. MANIFOLD: He would have had to
22 have done it the day that -- with it, right?

23 CHAIRMAN PREISSE: You can do it
24 with it, but you can't do it after.

1 MR. MANIFOLD: Okay.

2 MR. BURD: That's correct.

3 CHAIRMAN PREISSE: Okay. Well, we
4 regret that it does not appear we have any
5 leeway to ignore the statutes here. Although
6 we appreciate your presence and respect your
7 desire to serve, I think you're going to have
8 to come back and try again at a future
9 election.

10 MS. MARINELLO: Mr. Chairman, I move
11 that the Board of Elections deny certification
12 to Ahmed H. Adan as write-in candidate for the
13 Columbus City School District Board of
14 Education on the basis that he was not
15 registered to vote at the address provided on
16 the declaration of intent to be a write-in
17 candidate.

18 MR. ANTHONY: Is there a second?

19 MR. COLLEY: Second.

20 MR. ANTHONY: All those in favor,
21 say aye.

22 BOARD MEMBERS: Aye.

23 MR. ANTHONY: The motion carries.

24

- - - - -

1 MR. ANTHONY: The next item on the
2 agenda is candidates' appeals. So I don't
3 know if any are out in the audience. You may
4 want to go down the list and see if there are
5 any in the audience. Just go down the list
6 and see if they're here or not.

7 CHAIRMAN PREISSE: Do we want a
8 description of these, or do we just want to
9 ask the candidates -- or would-be candidates
10 if they're in the audience if they wish to
11 discuss their situation one by one?

12 MR. BURD: Well, we can have Jeff
13 describe why they were rejected, if you'd
14 like, or we could have the candidates give
15 their statement first.

16 CHAIRMAN PREISSE: I think we should
17 have that overview first.

18 MR. ANTHONY: Jeff. And we can just
19 go down the list as we have it here.

20 MR. MACKEY: Just run through them?

21 MR. ANTHONY: No, just take one at a
22 time.

23 CHAIRMAN PREISSE: Yeah, I think
24 you're right, one at a time.

1 MR. MACKEY: And you want to start
2 with Mr. Cox?

3 MR. ANTHONY: Start with Mr. Cox.

4 MR. MACKEY: All right. The issue
5 was, the circulator statement was not complete
6 on any of his part-petitions, so we did not
7 validate any of the signatures on those
8 part-petitions.

9 The applicable law is the fifth
10 bullet down there: "On each petition paper,
11 the circulator shall indicate the number of
12 signatures contained on it, and shall sign a
13 statement made under penalty of election
14 falsification that the circulator witnessed
15 the affixing of every signature."

16 He signed all the circulator
17 statements but did not indicate the number of
18 the signors of the petition.

19 CHAIRMAN PREISSE: All right. Is
20 Mr. Cox here?

21 MR. COX: I'd like to thank the
22 Board for hearing my appeal.

23 My name is Chris Cox, and I'm
24 running for Mayor of Grove City. And at the

1 time I was looking at that on there, and they
2 indicated that the circulator person, which is
3 me, I was the one that went around and signed
4 this stuff, and I did sign it down here where
5 it says signatures of circulator. That was
6 me. I put it down there.

7 I don't know what they're calling,
8 you know, a double signature or -- I don't
9 know what they're calling for. But they're
10 talking about how many people are on the
11 paper, and the paper clearly states that
12 there's 22 people on here, and every one of
13 mine have been filled out, 22. And if they
14 can't count, they shouldn't be here, plain and
15 simple.

16 I mean, the number's right there.
17 Why would they want me to put down the
18 signatures when they have to go across it
19 themselves and see who's a legal voter and
20 who's not a legal voter, and I figured they
21 was going to do the count on who was legal and
22 who was not.

23 But I don't know what they want a
24 double signature for. I haven't a clue.

1 Because I didn't really see that, and I pretty
2 much signed it over here with my name, and I
3 state that I was the one that went around. It
4 was pretty much around my neighborhood, so.
5 Everybody wanted me to run, and I'm just a
6 custodian.

7 CHAIRMAN PREISSE: Well, I think the
8 issue is that the law is pretty specific as to
9 how you have to fill out the petition, and you
10 didn't do it.

11 MR. COX: They're pretty much
12 wanting to know who was the circulator.
13 That's what this statement states. Who was
14 the circulator? And the statement says who's
15 the circulator, and it says over here where I
16 signed it that I was the circulator. So by
17 law, you know, you're asking the same thing
18 twice. I'm the circulator.

19 MS. MARINELLO: Well, it's also that
20 you witnessed all the signatures yourself.

21 MR. COX: Yeah. I'm stating down
22 here that I'm the circulator, so I'm stating
23 that all those people have signed that on the
24 one.

1 (Board discussion off the record.)

2 MR. MANIFOLD: I think the problem
3 is, under the Revised Code where it says
4 clearly that the circulator shall indicate the
5 number of signatures contained on it, that you
6 the circulator have to write how many you --

7 MR. COX: I'm the circulator, I
8 turned in 88, and they're all signed. I mean,
9 the count is right there on the side. I don't
10 know why they would want me to count it, too,
11 when it clearly goes in front of these people
12 and they count and see who's good, you know,
13 voters, whose not good voters, you know. If
14 they're not a good voter, the count is going
15 to be different every time.

16 So I can't make the judgment call
17 for you guys. I can only do what I can do,
18 and that's reflect the signatures and say I
19 was the signature person by my statement on
20 there. So I signed it, so I was the one that
21 did it.

22 CHAIRMAN PREISSE: I'm afraid that
23 my reading of the applicable statute here is
24 pretty clear. I regret to disagree with you

1 further that I think the petition is fairly
2 clear.

3 MR. COX: So everything requires two
4 signatures?

5 CHAIRMAN PREISSE: Well, you're
6 required to fill out the petition, as it
7 fairly clearly indicates you must do, to
8 effectively --

9 MR. COX: Well, that's a redundancy,
10 by having two things that are the same, you
11 know. I was the one that went through there
12 and signed it, and I signed my name to all
13 this, and it's been -- you guys want it
14 notarized, so it makes it clearly a document
15 that you guys wanted done, and I was the one
16 that said I was the one that did that, you
17 know, so I don't know what's going to make a
18 difference between me signing it there or
19 here.

20 MS. MARINELLO: Well, there's a lot
21 of forms where you have to print your name and
22 then sign it, you know, and this is printed
23 name of circulator.

24 MR. COX: It doesn't say print your

1 name.

2 MS. MARINELLO: Printed name of
3 circulator that -- I'm looking on this one,
4 printed name and then the signature down
5 here.

6 MR. COX: It doesn't say that.

7 MR. MANIFOLD: I think,
8 unfortunately, the precedent that we've --
9 we've had this happen many times and we've
10 always followed that you have to have the
11 number on that line of signatures. And
12 unfortunately, not doing it invalidates --

13 MR. COX: So you want people to sign
14 the signatures of the number of people on each
15 paper, and you want a double signature?
16 Because a lot of this stuff is redundant.

17 MR. ANTHONY: Well, it may be
18 redundant but it is state law. And state law,
19 on the back of that form -- because, you know,
20 you could be a candidate, you can have a
21 candidate and someone else could circulate it.
22 You just happen to be the candidate and you
23 circulated it.

24 And part of what this does, to help

1 folks, believe it or not, is that you are
2 supposed to witness every signature on there.
3 Whether it's good or bad, you can't make that
4 determination. That determination is made by
5 us.

6 MR. COX: That's right, that's what
7 you guys do.

8 MR. ANTHONY: Right, that's what we
9 do. But what you have to do is, by signing
10 the back of this form that you circulated, you
11 have to say who you were, because you
12 circulated it; you have to go through and say,
13 "I, Chris Cox, witnessed 18 people signing
14 this."

15 And it goes on further to say that
16 you then have to put whatever that number was,
17 I don't know, 18 or 19, you then have to put
18 that number here that you actually witnessed.
19 And then you have to sign it. And that's the
20 way it is across the state of Ohio. It's not
21 unique to Columbus, Ohio.

22 MR. COX: It's got to change. It's
23 got to change.

24 MR. ANTHONY: It's not going to

1 change, because it's a real clear process.

2 MR. COX: I just signed it down
3 here saying that I believed that those are all
4 good signatures.

5 MR. ANTHONY: We understand, Mr.
6 Cox.

7 CHAIRMAN PREISSE: It appears to me
8 that you did as you suggest.

9 MR. COX: Yes.

10 CHAIRMAN PREISSE: It also appears,
11 because each petition was not fully or
12 properly completely filled out, that you did
13 that with intent and consciously thinking you
14 were doing the right thing, but you were not,
15 in the eyes of the law.

16 MR. COX: I don't know, the law
17 states that a signature that's been -- by you
18 guys' standards -- you had it notarized.

19 CHAIRMAN PREISSE: Yes, but I
20 believe your notary was confirming that you
21 were signing in his presence and you were
22 saying that you did that, which is fine, but
23 you also must consider that you thereby
24 attested to an incomplete statement, because

1 that statement on the petition says this is
2 the number of signatures, and you didn't fill
3 that in either.

4 MR. COX: Well, I shouldn't have to.

5 CHAIRMAN PREISSE: I regret that I
6 think you're sort of deficient in two ways on
7 each of those petitions.

8 MR. COX: Are you guys saying that
9 you guys can't read the 22 down here, or these
10 numbers on the side?

11 MR. MANIFOLD: No, we're saying that
12 state law says if you don't fill out the thing
13 correctly, we can't accept it. There's
14 nothing that we can do.

15 MR. COX: Okay, I'll take it down to
16 the courthouse. I just -- this is wrong, you
17 know. It's simple. It's a redundancy.
18 There's two signatures.

19 MS. MARINELLO: You are not the only
20 one.

21 MR. COX: You guys want another
22 signature saying that I already stated that I
23 was the one that did all this stuff, but I
24 don't know what the count is. That's not that

1 important. That's why I'm like, you know --

2 CHAIRMAN PREISSE: We understand
3 your --

4 MR. COX: It's a minor thing; you
5 know what I'm saying? It's like saying you
6 didn't cross that T. You know what I'm
7 saying?

8 CHAIRMAN PREISSE: Yes.

9 MR. COX: That's pretty much what
10 you guys are saying. I'll run again. Thank
11 you.

12 CHAIRMAN PREISSE: We thank you for
13 being here and for your testimony.

14 MR. COX: Trying to show you guys
15 the way, you know. Can't do everything.
16 We'll see. We'll go downtown.

17 CHAIRMAN PREISSE: Okay. Thank you.

18 MR. COX: Thank you.

19 MR. ANTHONY: Do you want to take
20 each of these separately or do them all as
21 one?

22 MR. BURD: They're kind of grouped
23 by category, so the next person is also a
24 circulator statement issue, so I don't know if

1 that changes anything, but I've got them
2 grouped by problem.

3 CHAIRMAN PREISSE: Why don't we just
4 vote on them one by one.

5 MR. BURD: Well, you don't have to
6 actually vote.

7 CHAIRMAN PREISSE: Oh, that's right.

8 MR. ANTHONY: You only vote if
9 you've made a change.

10 CHAIRMAN PREISSE: Right.

11 MR. ANTHONY: Jeff, the next person
12 would be Amy "Kreen"?

13 MS. KOORN: It's Koorn, K-o-o-r-n.

14 MR. ANTHONY: Koorn? Please
15 forgive me for messing your name up.

16 MR. MACKEY: This is also a
17 circulator statement issue. In addition to
18 printing her name and the number of
19 signatures, she did not sign the circulator
20 statement on her petitions.

21 CHAIRMAN PREISSE: Okay.

22 MS. KOORN: Hi, it's Amy Koorn,
23 K-o-o-r-n.

24 To follow up on Mr. Cox, I would

1 agree that it is anything but clear, and I
2 would also note that the statute does not
3 define what a circulator is.

4 It is through conversations here
5 with staff at the Board of Elections, coupled
6 with my own personal experience of having
7 third-party circulators come to my door, that
8 I deliberately did not sign or fill in the
9 number of people who signed my petition
10 although I personally witnessed every single
11 one of them. There is absolutely no objection
12 or no allegation of fraud here.

13 I deliberately did not sign it. In
14 a case -- or in the instance of being overly
15 cautious, I did not think circulator was me,
16 the candidate. I am a candidate. I am not a
17 third-party circulator.

18 When I took out my petition here, I
19 had conversations with staff who supposedly
20 are party reps, that I was asked if I would
21 have a circulator. No. The impression that I
22 was left with -- no was my answer.

23 The impression that I was left with
24 was, that section did not apply to me. I'm

1 not here to place blame. I deliberately left
2 it blank. That was my understanding of what I
3 was supposed to do.

4 And I don't think that on a much
5 larger picture it is right to the electorate
6 to deprive them of an opportunity to vote for
7 a candidate based on an antiquated form that
8 serves no larger purpose.

9 There is no allegation of fraud.
10 I'm here to swear to you today I witnessed
11 every one of those, and I would seek the
12 Board's discretion to have me run and give the
13 voters of Westerville an opportunity to have a
14 race rather than three people sit by default.
15 Thank you.

16 CHAIRMAN PREISSE: Thank you, Amy.
17 And we've had previous conversations about
18 your situation, and as I have many times
19 commented from this seat, I am sympathetic and
20 indeed empathetic, having improperly filled
21 out a petition myself some years ago.

22 MS. KOORN: And I appreciate that,
23 but it is my right to be here, and it is my
24 right to make you feel one ounce of the

1 disappointment that I am going through and
2 along with a lot of the other voters. So I
3 understand what you did to the last petitioner
4 here, but I'm here to be heard.

5 CHAIRMAN PREISSE: And we knew you
6 were coming, and we welcome you now and in the
7 future.

8 MS. KOORN: Thank you.

9 CHAIRMAN PREISSE: Your expression
10 of your opinions on how the petition process
11 works and down here are well noted. However,
12 I don't think we have any more leeway in your
13 situation than we had in the previous one, as
14 long as the law is what it is and the petition
15 process is as it continues to be, so we very
16 much thank you for being here.

17 MS. KOORN: Thank you.

18 CHAIRMAN PREISSE: Unless there's
19 any questions. Okay.

20 MR. ANTHONY: Jeff? Thomas Alban.

21 MR. MACKAY: I don't believe Mr.
22 Alban is here. He'd indicated that he would
23 not be able to attend.

24 MR. BURD: When we notified the

1 folks by letter, we said if they weren't here
2 we weren't going to hear their appeal, so I
3 think it would be appropriate to go on to the
4 next person.

5 CHAIRMAN PREISSE: Okay.

6 MR. ANTHONY: Darryl Hammock. He's
7 here.

8 MR. MACKEY: He needed 25
9 signatures, submitted 26. We found three
10 invalid due to being not registered or not
11 registered at the address that they indicated
12 on the petition, leaving him short signatures.

13 CHAIRMAN PREISSE: And you are Mr.
14 Hammock?

15 MR. HAMMOCK: Yes.

16 CHAIRMAN PREISSE: Welcome.

17 MR. HAMMOCK: Thank you for hearing
18 my appeal. I had a few issues.

19 I went to check out the signatures.
20 First of all, I apologize, I did not know that
21 it moved from 75 to 90 days, so it was an
22 emergency, hurry up and get this petition
23 filled out. I didn't know that the time
24 period was shortened for getting your petition

1 in.

2 But I have one of the signatures
3 which I went back -- I was e-mailed the list
4 and I went back and I checked to make sure
5 that everybody was a registered voter. I
6 couldn't figure out who was not. And as I
7 went through, one of them, the address was
8 with a W on the election board as they were
9 registered, but they were actually an E, and
10 they wrote down the E for East, and from that,
11 their vote -- they did not count.

12 So at that address there's two
13 people, which is the 4713 Harbinger Circle.
14 If you look down -- if you guys have those
15 copies, the one that has the 16, it's the last
16 two, the 4713, both of them are circled East,
17 but in your system you have one as West and
18 one as East, but there is no 4713 West.

19 So one of them was disqualified
20 because on the form it has a W instead of an
21 E. Which I also talked with them later, and
22 they did not know that. Of course, usually
23 when you go into the poll to vote, as long as
24 it pretty much matches up, they usually let

1 them go, so they were never informed that
2 there was a discrepancy in their address.

3 And then if you need a -- I printed
4 off a copy of that off of your Website if you
5 need to see that, where they are both -- both
6 addresses.

7 CHAIRMAN PREISSE: Do you have two
8 more such --

9 MR. HAMMOCK: And then I just need
10 one more. I have another one that is -- the
11 number 91 on that same page. That one was
12 also -- that person is a registered voter in
13 the city of Whitehall, but they had submitted
14 an address change, and they said, well, they
15 told them as long as they had theirs in 30
16 days before, they would be able to be able to
17 vote.

18 As they signed mine, they weren't
19 sure which one should they put down, the one
20 that they had submitted or the one that they
21 used to be in. But either one, both of them
22 are in that city, which we read over the
23 petition that says that they have to be --
24 well, you guys know this very well.

1 They have to be voter in this
2 county, city, village or township, and they
3 are with both addresses. So they put down the
4 address that they would be voting from, not
5 knowing how the process worked, but they put
6 down the address that they would be voting
7 from.

8 So we just went by -- we weren't
9 sure how it worked, but we went by what you
10 had written here, so they put down -- but
11 either one, both addresses, which is 88
12 Woodclif, Whitehall, Ohio, 43213, both are in
13 the voting district for that school district.
14 That was the confusion. It didn't say what
15 you would be voting for or --

16 CHAIRMAN PREISSE: And this 946
17 address, I take it, was the -- I can't read
18 that person's name; is that another Hammock?

19 MR. HAMMOCK: Yes. Yes, that is.
20 That is my brother.

21 CHAIRMAN PREISSE: And that's the
22 address to which your brother was moving, or
23 was changing his address to it?

24 MR. HAMMOCK: He has, yes.

1 CHAIRMAN PREISSE: And I take it we
2 don't have that --

3 MR. MACKEY: We had not received
4 that update at that point.

5 CHAIRMAN PREISSE: Have we
6 subsequently? Put it that way. At the time
7 of the checking of the petition, we still had
8 this gentleman, his brother, registered
9 elsewhere?

10 MR. MACKEY: Yes.

11 CHAIRMAN PREISSE: Okay. Well, what
12 do you think, counselor?

13 MR. SOULAS: Unfortunately, as to
14 the last issue -- I haven't seen the
15 part-petitions; so as to the address change,
16 the statute requires that the voting address
17 shall be the address appearing in the
18 registration records of the Board of
19 Elections.

20 So if I understand the facts
21 correctly, what the individual put -- Mr.
22 Hammock's brother, I believe, what he put down
23 was the new address, but you look at the facts
24 at the date and time that the petition is

1 submitted, and it has to be the address that's
2 registered with the Board of Elections.

3 So that's why, I believe, that that
4 signature was disqualified and not counted,
5 and it was done appropriately the Board, by
6 the employees of the Board of Elections.

7 MR. MANIFOLD: As we scan these and
8 everything, is there any way we can find out
9 if it came in, if it is in our system and
10 when --

11 MR. BURD: When the change of a
12 address form came in?

13 MR. MANIFOLD: Yeah, when.

14 MR. BURD: If it's come in, we could
15 find out when.

16 MR. MANIFOLD: Because you're saying
17 it was submitted, right? Because it takes us
18 a couple weeks.

19 MR. HAMMOCK: He did his online. He
20 did it online. In fact, he did it a couple
21 times online, because you put it online, but
22 then he said, well, he hadn't mailed it in,
23 but we don't know, you know, where that was in
24 the process.

1 MR. MANIFOLD: I was just trying to
2 figure out if it was in our process, because
3 sometimes it could take a few weeks for us to
4 get something processed.

5 MR. BURD: At the time that it was
6 checked, it had not been updated.

7 MR. MANIFOLD: Okay.

8 MR. BURD: And it has to be signed,
9 so it has to be printed off the Website and
10 mailed in and signed.

11 MR. MANIFOLD: So you don't think
12 he's even -- did he ever send it in? Did you
13 find out if it was ever sent in?

14 MR. HAMMOCK: Well, I asked him and
15 he said, well, I have it here.

16 MR. MANIFOLD: Okay.

17 MR. HAMMOCK: But we didn't know,
18 since he did it online, does that change it or
19 what.

20 MR. MANIFOLD: Well, you can only
21 print online. You still have to be able to
22 print it off and then you still have to mail
23 it in.

24 MR. ANTHONY: You have to bring --

1 we need a wet copy, an actual signature, and
2 if he didn't do that till after he did your
3 petitions, then the petition, it can't count
4 because it has the wrong address on it.

5 MR. HAMMOCK: Okay, so it doesn't go
6 through until he has the whole process done,
7 the signed one and the --

8 MR. ANTHONY: Right.

9 CHAIRMAN PREISSE: You can't change
10 your address online. You can print off a
11 change of address form.

12 MR. HAMMOCK: Oh.

13 CHAIRMAN PREISSE: Fill it out, sign
14 it, and mail it in.

15 MR. HAMMOCK: Okay.

16 MR. ANTHONY: Because we need what
17 we call a wet signature. He actually has to
18 sign it and bring it in and give it to us. So
19 if he went online after he signed your
20 petition and then we mail him the application
21 and he signed it and brought it in weeks after
22 he signed your petition, then there's no way
23 that we could count it. Had he done all that
24 process before he signed it --

1 MR. HAMMOCK: Or if he had put down
2 his old address.

3 MR. ANTHONY: -- or if he had put
4 down his old address, we could have counted
5 it.

6 MR. HAMMOCK: Okay. So that's where
7 we were confused at, which address do we put
8 down.

9 MR. ANTHONY: And he should have
10 probably put down his old address, since he
11 hadn't sent the petition in -- I mean, the
12 change of address in.

13 MR. HAMMOCK: Because that's where
14 we were confused, is we tried to look at the
15 word of the paper here, whether we use the
16 voting address that he will have or use the
17 old address that he was currently at.

18 MR. ANTHONY: Yeah, you could do it
19 online but we still have to have a signature,
20 so that's probably where he kind of got really
21 confused.

22 MR. HAMMOCK: Yeah, well, see,
23 that's where we were confused, because it's
24 kind of a gray area, so that's what we were

1 trying to figure out.

2 MR. ANTHONY: All right.

3 CHAIRMAN PREISSE: Well, I wish you
4 fell three or four short so it wouldn't be so
5 close. Not really, but I think we've
6 discussed it through, unless there's any other
7 questions. We appreciate you being here, but
8 I think you're one valid signature short.
9 Thank you.

10 MR. HAMMOCK: Thank you.

11 MR. ANTHONY: Jeff, Ms. Amy Evans.
12 Is Ms. Evans here?

13 Is Ralph Horn here?

14 MR. HORN: Yes.

15 MR. ANTHONY: Could we go to Ralph
16 Horn then next.

17 MR. MACKEY: Mr. Horn, we'd talked
18 about his petition at the last meeting. The
19 date of the statement of candidacy was after
20 the date that all the signatures were
21 collected, indicating on its face that the
22 statement of candidacy was not completed prior
23 to circulating the petition.

24 CHAIRMAN PREISSE: Does Mr. Horn

1 wish to make comments?

2 MR. HORN: Yes. Good afternoon,
3 Chairman and Board Members. Good to see you
4 this evening.

5 CHAIRMAN PREISSE: Welcome.

6 MR. HORN: The discrepancy that
7 apparently appeared in mine, and I can see why
8 it was interpreted that way, in reality the
9 petitions were endorsed prior to going out,
10 and what I did, as I started very early on
11 this, number one, I'm wanting to get this done
12 early on because I have a lot to do this
13 summer, and so what I had done is, one copy of
14 the petition I had dated the date that I
15 started collecting the signatures, which was
16 January the 24th. The other two -- I actually
17 collected 54 signatures, which is over twice
18 the required amount.

19 The other two I did not date and
20 complete page 1, the top page, the statement
21 of candidacy part. It was endorsed but was
22 not dated.

23 Now, I don't know, maybe I was
24 misinformed or uninformed or whatever, but I

1 didn't think that the date that I actually
2 dated those, completed that top portion and
3 dated it was the 19th of April, 2011, and
4 submitted to the Board, I think it was on
5 April the 25th. And, you know, with the early
6 filing date and so forth, I had no idea that I
7 would ever have -- you know, this was really a
8 surprise to me.

9 So in good faith, what I have done
10 is gone back to the voters, which I submitted
11 a letter to Ms. Cotton last week, actually the
12 31st, August 31st, this statement:

13 As commissioner of the Southwest
14 Area Commission, I have served seven years
15 working with Franklin County Planning and
16 Development, City of Columbus, and Franklin
17 Township drafting the southwest area plan as
18 well as zoning standards and economic
19 development.

20 I have also served many years on
21 civic groups, block watches and neighborhood
22 improvements. I have been encouraged by many
23 residents of Franklin Township to seek this
24 office, as they have confidence in my

1 abilities to improve the area.

2 I apologize for the mistake in
3 dating my petitions incorrectly. However, I
4 am sure you will agree, having submitted over
5 twice the number of required signatures and
6 filing at an early date shows voter support
7 and determination by me to work promptly and
8 fairly with all concerned.

9 I have again gone to the voters and
10 collected an additional -- I say in my letter
11 14 letters; actually I have 15. I am
12 submitting these letters to you, as well.
13 They would verify any concerns that you may
14 have.

15 And those letters were taken from
16 the original petitions that I had gotten. I
17 went back to those people to verify that I
18 submitted a signed document to them. And I
19 have those letters supporting my letter.

20 I feel confident with the number of
21 signatures collected and effort put forth
22 that I would have no problem being certified,
23 and have already invested approximately \$1,000
24 in advertising in preparation for the change.

1 I trust the Board will consider the
2 wishes of the voters and certify me to the
3 ballot.

4 Now, I also have attached copies of
5 all the letters supporting the fact that
6 everything was signed when they received the
7 original. And this is addressed to the Board.

8 It says: Please be advised Mr. Horn
9 submitted a signed petition to me and asked
10 for my signature of support. Mr. Horn has
11 been an active member of the community. I am
12 pleased to support him. As a registered voter
13 and resident of Franklin Township, I
14 respectfully request that you certify him to
15 the November the 8th, 2011 general election.
16 I have signed this petition of support and
17 wish him to be on the ballot.

18 And substantiated by 15 Franklin
19 Township voters.

20 So, simply, I did not know that the
21 dating and so forth had to correspond with
22 everything. And I think that the Board can
23 firmly see that, again, I've wanted to play
24 fair and do all the things correctly.

1 And, you know, again I've taken a
2 look at the datings specific of when these can
3 be dated, and I didn't find anything in the
4 election rules to specify that.

5 So I think with all concerned there
6 and the circumstances, I would respectfully
7 request that you certify me to the ballot.
8 Thank you very much. Any questions that you
9 might have?

10 CHAIRMAN PREISSE: Do any board
11 members or staff have questions or comments
12 from counsel?

13 MR. MANIFOLD: I take you at your
14 word that everything was filled out, but the
15 date, you know, my biggest concern is that we
16 just don't have any leeway. The Revised Code
17 says the statement of candidacy portion of
18 each petition must be completely filled out
19 and signed by the candidates before being
20 circulated. And the "completely," I mean, it
21 says what it says. We can't -- I wish we had
22 more latitude.

23 MR. HORN: And I do understand that,
24 and what I might say there, sir, is one copy

1 was totally completed. You know, I had three
2 full pages of the petition, 54 signatures, and
3 one copy is totally -- I don't know why I did
4 that, but I did, and, you know, it's clearly
5 there that one was, and that was present when
6 the ballot was collected.

7 So, you know, to disqualify me for
8 not having it dated, you know, you might want
9 to -- you know, I would encourage you --

10 MR. MANIFOLD: And I think our staff
11 has -- is that correct? -- it's listed here,
12 16 valid signatures? Is that the one that was
13 correct?

14 MR. MACKEY: Correct.

15 MR. MANIFOLD: Unfortunately, what,
16 do you need 25?

17 CHAIRMAN PREISSE: Mm-hmm.

18 MR. HORN: So, you know, it's not as
19 if it wasn't. Honestly, I don't even know why
20 I dated everything on the prior one, but I
21 did, and it was with me, so that part of it is
22 totally correct, and that was in the presence
23 when all the balance of the signatures were
24 collected. So it wasn't as if it weren't with

1 me. All three were endorsed. And one of them
2 is totally completed.

3 CHAIRMAN PREISSE: Well, I wish you
4 had made copies of that one. That's what's
5 sometimes done.

6 MR. HORN: Right.

7 CHAIRMAN PREISSE: Is to get one
8 filled out fully and properly and have a
9 couple other eyes look at it, make sure it's
10 all correct, and then xerox it.

11 But I regret you didn't do that.
12 And it's pretty clear at the top of the
13 petition, the candidate must fill in, sign and
14 date the statement of candidacy before
15 petitions are circulated.

16 The statement of candidacy, if
17 that's deficient, then people are signing a
18 document that hasn't been fully completed,
19 which is the intent and the necessity of
20 filling the top part out so the second piece
21 can follow properly, and I regret you didn't
22 do that in two cases.

23 I will say that I agree you'll be a
24 great candidate, because you're a hard worker.

1 MR. HORN: I appreciate that.

2 CHAIRMAN PREISSE: But I fear your
3 candidacy may be pursued by a gentleman that
4 is going to be two years older than you are at
5 the moment.

6 MR. HORN: Yeah, I think so.

7 CHAIRMAN PREISSE: Any questions?
8 Thank you.

9 MR. HORN: Okay, so you just
10 disallow it then, Mr. Chairman?

11 CHAIRMAN PREISSE: Yes, I think -- I
12 don't hear a move for action.

13 MR. HORN: I would appreciate any
14 consideration on it. I mean, it clearly was
15 an oversight on my part, and which I do
16 apologize for.

17 CHAIRMAN PREISSE: Well, we
18 appreciate you being here, we appreciate your
19 obvious sincerity and your past service, as
20 you mentioned at the beginning, and encourage
21 you to try again.

22 MR. HORN: Thank you.

23 CHAIRMAN PREISSE: Yes, sir.

24 MR. MACKEY: Mr. Hovance was in a

1 little different boat. He used the online
2 petition module, which fills in the date for
3 you, but he did not sign his statement of
4 candidacy on any of his part-petitions.

5 CHAIRMAN PREISSE: Is Mr. Hovance
6 here? Welcome.

7 MR. HOVANCE: Thank you. And I do
8 appreciate you hearing my appeal. I guess I'm
9 going to try a different approach: Has an
10 appeal like this ever been granted where the
11 signature has been missing, and if so, can you
12 give me the reason?

13 (Laughter.)

14 MR. HOVANCE: Because I will say, it
15 was an oversight. The only thing I guess I
16 would argue would be that, I went around with
17 my wife and family and got every petition, so
18 I don't know what the intent -- I don't know
19 the law, but I don't know the intent of that
20 being signed, other than is that telling the
21 people that are signing that this is the
22 intent of the person running?

23 Example: If I were to give this at
24 other circulators, would those circulators --

1 I mean, is that the intent of signing that?
2 And I guess my contention would be, if that
3 was the intent, and every person that signed
4 it are friends of mine, I mean, you know,
5 they're all friends, neighbors, so I guess
6 that would be my argument, would be that they
7 knew about it, again as the legal reason.

8 The other thing I would argue is
9 that there's no harm or prejudice against
10 other candidates based off of this. I mean,
11 my name was on there. I signed it as either
12 the person that was the circulator and/or
13 signed myself as somebody that's eligible to
14 sign for to put me on the petition.

15 But that would be my reasons, again
16 short of any reason that I can put out there
17 that would make me eligible. But it was an
18 oversight.

19 CHAIRMAN PREISSE: Yes. That's
20 pretty much the same as the preceding
21 situation, that we don't doubt your sincerity
22 or the fact that your friends and neighbors
23 and you approached this with all the right and
24 good intentions and hope to serve someday.

1 MR. HOVANCE: Well, I do appreciate
2 that. But, I mean, just to answer maybe from
3 a legal perspective, would it be that that's
4 the intent, to let the people know that are
5 signing that this is the person running?

6 MR. SOULAS: To be honest, I'll be
7 blunt with you, I don't know the intent. The
8 statute, however, is clear that that's what
9 has to be filled out and the signature is
10 required to be there, and that's what the
11 Board operates under, is strict compliance
12 with the statute.

13 MR. HOVANCE: Okay.

14 MR. SOULAS: I wish I could answer
15 the question.

16 MR. MANIFOLD: I think it's so that,
17 essentially, with the petitions, at least the
18 candidate has signed that they want to be a
19 candidate. Because if you don't sign there
20 and if you don't circulate, there's really --
21 there would be no signature on it, if somebody
22 else circulated for you.

23 MR. HOVANCE: Right, and that makes
24 sense, but I signed as circulator and I signed

1 it on one of the pages as somebody that --

2 CHAIRMAN PREISSE: Did you sign your
3 own petition?

4 MR. HOVANCE: I did.

5 CHAIRMAN PREISSE: That's actually
6 something you can't do either.

7 MR. HOVANCE: Well, actually that
8 was signed, then my wife signed as circulator
9 on that, which she should have.

10 MR. ANTHONY: Was that a trick
11 question?

12 MR. HOVANCE: But that's good to
13 know. Did not know that, so.

14 CHAIRMAN PREISSE: Quit digging the
15 hole.

16 (Laughter.)

17 CHAIRMAN PREISSE: In sincerity,
18 again I had the same problem.

19 MR. HOVANCE: I understand. I do
20 appreciate it. And I will not see you at the
21 Statehouse.

22 CHAIRMAN PREISSE: Thank you.

23 MR. HOVANCE: Thank you.

24

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1 MR. ANTHONY: Okay. We have a
2 protest, candidacy of Joseph Gergley. Is that
3 you too, Jim?

4 MR. MACKEY: Do we have the
5 protestors here? Ms. Cataline Walsh? Or Mr.
6 Meizlish?

7 Neither of the protestors are here.
8 They did file their letters of protest, and
9 Mr. Gergley is here to state that what they're
10 holding is not correct.

11 CHAIRMAN PREISSE: Who's Mr.
12 Gergley?

13 Why is that gentleman raising his
14 hand?

15 MR. KLOEUCAR: I'm here on behalf
16 of Cataline Walsh.

17 MR. MACKEY: I don't know if you
18 need anybody to testify in addition to what
19 the actual protest letter stated?

20 CHAIRMAN PREISSE: We have that
21 here.

22 MR. MACKEY: You just need to hear
23 Mr. Gergley's testimony?

24 MS. BROWN: She did call and leave a

1 voice mail for me at 12:30 saying she could
2 not be here, and I forwarded the voice mail to
3 Karen, and Karen said she tried to call her
4 and could not reach her.

5 MS. COTTON: But she was asking
6 whether or not she could send a
7 representative; she has class this afternoon.
8 And she can send a representative.

9 CHAIRMAN PREISSE: And that's this
10 gentleman?

11 Okay. Give us a moment to review
12 this document, please.

13 And you're Mr. Gergley?

14 MR. GERGLEY: I am.

15 (Pause in proceedings.)

16 CHAIRMAN PREISSE: Okay. Let's hear
17 from the gentleman representing the
18 protestors.

19 Hi. Will you tell us who you are
20 for the record, and then feel free to --

21 MR. KLOEUCCHAR: My name is Joseph
22 Kloeuchar. It's K-l-o-e-u-c-h-a-r. I'm just
23 here representing Cataline. As you heard, she
24 has other commitments as far as school goes.

1 Basically, she was a high school colleague of
2 mine, so she asked me to come represent her.
3 So I appreciate your time.

4 Basically, in our opinion, this is
5 kind of a case of just right and wrong. Mr.
6 Gergley proposed that this address that he
7 claimed was his wasn't the case. There was a
8 statement by the owner of the property saying
9 that he's never lived there, so the question
10 is, you know, how can he say that he didn't
11 have time or forgot to change the addresses
12 when he never lived at that place to begin
13 with.

14 And just being a resident of Gahanna
15 and a voter resident and somebody that, you
16 know, would feel the implications of, say, a
17 city council member in this instance, in my
18 opinion and also studying political science in
19 school, I just feel like, you know, there are
20 certain things that, you know, guidelines and
21 rules we have to abide by, and in this
22 instance it seems like someone who's trying to
23 break the rules. And unfortunately, there are
24 consequences to that, and I feel like this

1 individual should be disqualified.

2 (Pause in proceedings.)

3 CHAIRMAN PREISSE: Anybody have any
4 questions for Mr. --

5 How do you say your name?

6 MR. KLOEUCHAR: "Kloe-va-shar."

7 CHAIRMAN PREISSE: That's Slovenian?

8 MR. KLOEUCHAR: It's the old
9 Yugoslavian. It's not -- I can't really claim
10 anything anymore.

11 CHAIRMAN PREISSE: You're a mix.

12 (Laughter.)

13 MS. MARINELLO: Aw.

14 MR. KLOEUCHAR: I know, I know. The
15 ancestry is gone.

16 CHAIRMAN PREISSE: Any questions
17 from staff?

18 Okay. We may call you back, so
19 don't leave, but thank you for your statement.

20 Mr. Gergley, would you like to
21 provide us with some comments?

22 MR. GERGLEY: First of all, I'd like
23 to say I've never met this guy or Cataline.
24 This is all a little annoying, having to do

1 this, but basically this is a political
2 maneuver.

3 He's not just representing Cataline.
4 He's representing another candidate who,
5 instead of coming to me or the person who
6 lived at their home, they went -- they found
7 out that we were in violation of condo
8 regulations and they went to the homeowner who
9 wasn't aware of my arrangement with the person
10 who had been living there for a long time.

11 You'll notice the homeowner hadn't
12 lived at that address in some time. I have
13 personal mail, I have junk mail, I have
14 business mail, and I have all of that.
15 Basically -- well, that was my old address.

16 CHAIRMAN PREISSE: What was your
17 old address?

18 MR. GERGLEY: The one that I had
19 filed under. Since then, I've moved. I
20 thought that was -- I think that's kind of the
21 issue, too, is that I moved. But I have
22 moved.

23 MS. MARINELLO: Saddlery was your
24 old one or your new one?

1 MR. GERGLEY: Saddlery was my old
2 one, but they were protesting that -- I don't
3 know if they know I got a new -- they found
4 out I was in violation of condo regulations.
5 There were no subleases allowed.

6 I didn't have a sublease. I had
7 just an arrangement with a friend of mine, a
8 good friend who I've known for a long time,
9 who's here. He's actually the son of the
10 person who signed the first document. The
11 homeowner hadn't talked to his son or I before
12 signing that statement. That's probably why
13 he's not here today protesting.

14 But basically, they found out we
15 were in violation of condo association rules
16 and they went to the homeowner and said, hey,
17 you can get in trouble; sign this. You'll
18 notice he didn't write the letter. It was
19 written for him, and he simply signed.

20 You know, this is politics right
21 here. I mean, this is everything that is
22 wrong with politics. Another candidate -- and
23 this candidate that has the problem with me,
24 we've gone back and forth on issues, you know,

1 city issues, never personally like this, but
2 basically it's them trying to silence me as a
3 candidate.

4 CHAIRMAN PREISSE: You have mail
5 you're suggesting that you received at the
6 time you say you were registered here and
7 filed using that address on your forms?

8 MR. GERGLEY: Yes. I have mail from
9 then. I have mail dating back a while. I
10 have --

11 CHAIRMAN PREISSE: Do you have it
12 here?

13 MR. GERGLEY: Yes. Actually, I have
14 my lease. Let's see.

15 I have more if you'd like it, but, I
16 mean, I never thought I would have to present
17 mail or anything. But actually you'll see
18 July 26th, August 23rd. And I have my new
19 lease, which is also in Ward 2, so there's no
20 complications there. I have some junk mail,
21 some more banking mail.

22 Also, I talked to someone from the
23 Board of Elections who said, you know, none of
24 my past mail has been sent back. Only after I

1 moved was it sent back to the Board of
2 Elections. And now, since then, I also have
3 -- you know, I had to sign a little thing when
4 you guys called me in here from my new
5 address, so they sent that to my new address.

6 Oh, I also have -- also have the
7 change of my address registration right here,
8 so you guys can see that. I actually changed
9 it a couple weeks ago, and it wasn't valid --
10 I don't know if it was validated or not, but
11 it was validated today. I did it at the
12 Gahanna Library. Apparently that takes a
13 while for you guys to get.

14 CHAIRMAN PREISSE: Then this
15 gentleman is the son of the property owner?

16 MR. GERGLEY: Yes.

17 CHAIRMAN PREISSE: Why don't you
18 tell us whether he lived there or not.

19 MR. MEIZLISH: Joey came to me back
20 in February --

21 CHAIRMAN PREISSE: Come up.

22 MR. ANTHONY: He needs to be sworn
23 in, too.

24

- - - - -

1 JEREMY MEIZLISH

2 being first duly sworn, testifies

3 and says as follows:

4 - - - - -

5 THE REPORTER: And your name for
6 the record?

7 MR. MEIZLISH: Jeremy Meizlish.

8 THE REPORTER: Spell your last name.

9 MR. MEIZLISH: M-e-i-z-l-i-s-h.

10 Okay. So you guys want me to
11 explain?

12 CHAIRMAN PREISSE: Yes.

13 MR. MEIZLISH: Basically, I've known
14 Joey since we lived in the same neighborhood
15 as kids. Gahanna, Black Gold. I guess that
16 doesn't matter. Twelve years old, I've known
17 him.

18 But he came to me in February, just
19 said, I need a place to stay in Gahanna. He
20 knew I stayed at my own place. He said, do
21 you have an extra room? I had an extra room.
22 It's me and my brother and my girlfriend. Me
23 and my girlfriend stay together. So we have
24 an extra room in the condo. And I said, you

1 know, it wasn't a big deal, sure.

2 He also offered me, you know, rent.

3 And I don't actually pay the rent, my dad
4 does, so I was like, you know, if someone is
5 going to offer me rent to stay there, that's a
6 great deal, especially in a recession, so.

7 MS. MARINELLO: It's not hitting you
8 too hard.

9 (Laughter.)

10 MR. MEIZLISH: So, yeah, it wasn't a
11 hard decision for me. I said okay. He said,
12 I'll be in and out; I won't bother you. I
13 mean, he was my friend, again, so not a big
14 deal.

15 And so that was it. And he stayed
16 there a handful of times. He was in and out.
17 I mean, I never expected him to maybe stay --
18 you know, he moved some stuff in and then he
19 moved out. But as far as I was concerned, he
20 was living there.

21 What happened, the story would be,
22 my sister found his mail. This actually
23 happened -- again, Joey Kloeuchar is my
24 sister's boyfriend. So he has another title

1 besides Ryan Jolly's intern and friend of the
2 other complaintee: my sister's boyfriend.

3 But my sister found mail. He found
4 out. He knows Ryan Jolly. Crazy coincidence.
5 Joey is going back and forth to Ryan Jolly.
6 Ryan Jolly thinks he, all of a sudden, I
7 think, has something or something on Joey,
8 and they go straight to my father, who
9 doesn't know I'm renting out a room because I
10 didn't -- I don't -- you know. I didn't know
11 we had to have a sublease under condominium
12 rules.

13 And so my dad goes, you know, I
14 could get in trouble. This was after he
15 signed it and everything. This was after he
16 was approached. He said, I've been
17 approached. You could get -- we could get in
18 trouble from the condo association and get
19 kicked out.

20 So basically, this is where we're at
21 now, is in violation of condo rules. But as
22 far as we were concerned, we didn't do
23 anything wrong.

24 I was talking with Joey Kloeuchar on

1 the phone. He says, well, you know, you've
2 got to follow the rules; you're not allowed to
3 do this. And I said, I -- to me, I was
4 following the rules. I let Joey stay at my
5 place. He paid me rent. I thought it was
6 totally fine. We were in violation of the
7 condo rules, I guess.

8 But basically, I feel bullied. I
9 think my dad should feel bullied. He signed
10 it to keep himself out of the condo trouble,
11 because we've had trouble with the condo
12 association. You guys are -- I don't know,
13 they could give you a run for your money; you
14 know how tough they are there. We've had a
15 couple violations with condo people.

16 But basically, that's where we're
17 at. And despite Joey, my dad said, you cannot
18 stay there; you've got to leave. He left,
19 got his own place. I think he's proven that
20 to you guys. And yet the complaint was still
21 filed, so that's where we're at.

22 My dad's complaint was filed as well
23 as this Gretchen girl, who I don't know
24 either, and my dad does not know her.

1 MR. GERGLEY: You'll notice Mr.
2 Meizlish, Brent, isn't here today probably
3 because he just signed that just to get
4 himself out of trouble. Gretchen, I mean,
5 she's not some concerned citizen. She's a
6 friend of another candidate who's trying to
7 silence me and get me out of the race.

8 MR. MANIFOLD: So what dates did
9 you live --

10 MR. GERGLEY: Well, from February to
11 August 24th. That's when I signed my new
12 lease, which is right here. Also in Gahanna
13 Ward 2. I was approved as a candidate.

14 The complaint was filed two days
15 later after -- I mean, these people, they've
16 never gone to me; they never came to me. I
17 have plenty of, you know, on my Website,
18 contact information. This all could have been
19 sorted out, but they purposely went to the
20 Board of Elections, --

21 CHAIRMAN PREISSE: Okay. I gotcha,
22 I gotcha.

23 MR. MEIZLISH: -- filed a complaint,
24 and then immediately --

1 CHAIRMAN PREISSE: All right.

2 MR. MEIZLISH: I'm sorry.

3 CHAIRMAN PREISSE: Any questions or
4 comments from the Board or staff or counsel?

5 MR. SOULAS: This is all very
6 interesting. I do have a question. When was
7 the petition filed?

8 MR. MEIZLISH: The petition was
9 filed the Thursday before the Wednesday
10 that --

11 MR. SOULAS: Do we know the date?

12 MR. ANTHONY: What date was it
13 filed?

14 MR. MACKEY: August 4th.

15 MR. SOULAS: August 4, 2011, the
16 petition was filed?

17 MR. MEIZLISH: Mm-hmm.

18 MR. SOULAS: And Mr. Meizlish was
19 living at Saddlery with you at that time?

20 MR. GERGLEY: Yes.

21 MR. KLOEUCHAR: Can I have a
22 rebuttal here?

23 CHAIRMAN PREISSE: You can make a
24 minute's worth of comments. Come on back up.

1 MR. KLOEUCAR: Just hearing what's
2 going on, it just seems like this is kind of
3 he-say/she-say type of things.

4 The important thing are the
5 documents that you have regarding what
6 actually happened. You know, I can go up to a
7 place and sign any address I want to get mail
8 to that address with my name on it, so that
9 doesn't really mean anything.

10 And the problem is, you know, Mr.
11 Gergley thinks there's this debate with this
12 other person running in this city council
13 election, but that, in my opinion, is neither
14 here nor there as well. This has to do with
15 falsifying an address and trying to find a
16 loophole and undermine the authority of the
17 Gahanna municipal Board of Elections.

18 (Multiple speakers.)

19 CHAIRMAN PREISSE: All right,
20 that's enough. Unless there's any other
21 questions or comments from the Board.

22 MR. SOULAS: I have no other
23 questions.

24 CHAIRMAN PREISSE: Thanks.

1 MR. MANIFOLD: What kind of
2 requirement is there on proving residency? I
3 mean, a bank statement, that's what we use for
4 voting, you can use a bank statement to vote.

5 MR. SOULAS: I presume that says 454
6 Saddlery?

7 MR. MANIFOLD: Yes.

8 MR. BURD: From our perspective,
9 that's where he lived and registered and
10 he voted from that address, so as a board we
11 didn't really have any reason to believe --

12 MR. MANIFOLD: He had voted from the
13 address?

14 MR. ANTHONY: That's fine. Don't
15 forget to give him his mail back.

16 CHAIRMAN PREISSE: Yeah, here's your
17 mail. And your lease. Hang on to this one.

18 MR. ANTHONY: That's it.

19 CHAIRMAN PREISSE: Okay.

20 MR. ANTHONY: If you uphold it, you
21 do nothing.

22 CHAIRMAN PREISSE: Thank you all
23 for coming and participating.

24 MR. GERGLEY: Thank you.

1 CHAIRMAN PREISSE: Fascinating. And
2 somewhat illuminating.

3 - - - - -

4 MR. ANTHONY: The next item is local
5 liquor option appeals. Which staff is
6 representing those? Carla? Carla Patton.

7 MS. PATTON: The first appeal that
8 was filed was for Columbus 61D, Macias Alegre,
9 Incorporated. They filed an appeal. They
10 were originally short on signatures. After
11 reviewing the petition, we did find that they
12 did have a sufficient number of signatures, so
13 we are asking that we certify that issue to
14 the ballot at this time.

15 MR. ANTHONY: Is there a motion?

16 MS. MARINELLO: Mr. Chairman, I move
17 that the Macias Alegre, Incorporated, Columbus
18 61D local option be certified to the November
19 8, 2011 general election ballot.

20 MR. ANTHONY: Is there a second?

21 MR. COLLEY: I'll second.

22 MR. ANTHONY: All those in favor,
23 say aye.

24 BOARD MEMBERS: Aye.

1 MR. ANTHONY: Opposed?

2 Next item?

3 MS. PATTON: The next local option
4 that filed an appeal was Canal Winchester D
5 for the Hidden Lakes Vineyard and Winery filed
6 by Mr. David Pfeifer. There was a vague
7 appeal that was filed. We, through
8 conversations, had identified two signatures
9 that I believe they were wanting to appeal.
10 You have been provided information regarding
11 those two.

12 As far as we know, Gayle Grimes, who
13 signed at 400 Winchester Pike, according to
14 the voter records, she's registered at 400
15 Winchester Cemetery Road. That is two
16 different roads. In the information, you'll
17 see there are records from the County Auditor
18 showing the property. The roads are labeled
19 as Winchester Pike, Winchester Cemetery Road,
20 and the address of 400 Winchester Cemetery
21 Road.

22 Along with that, you'll have the
23 Auditor's parcel information indicating that
24 it is indeed Winchester Cemetery Road.

1 signature here.

2 CHAIRMAN PREISSE: And these are the
3 Board --

4 MR. BURD: It says ILL, notes on the
5 side, that's how staff identifies what issues
6 they had with it, and so ILL would be
7 illegible. If you can't read one or the
8 other, you have no way of looking up to verify
9 if they're both --

10 MR. PFEIFER: It says if you can't
11 read both. It says if both are --

12 CHAIRMAN PREISSE: This document is
13 from what?

14 MR. PFEIFER: That's just a walking
15 list that you guys provided me. It shows his
16 name and address on there at that address.
17 And if you need more, I have more. We'll just
18 go one at a time.

19 CHAIRMAN PREISSE: Ever thought
20 about running for office?

21 MR. PFEIFER: I'm sorry?

22 CHAIRMAN PREISSE: Ever thought
23 about running for office? That's your family?

24 MR. PFEIFER: Yeah.

1 CHAIRMAN PREISSE: They're still out
2 there.

3 (Laughter.)

4 MR. MANIFOLD: Have you guys checked
5 this one? Has this been checked?

6 MR. ANTHONY: What number is it,
7 Zack?

8 MR. MANIFOLD: Because his signature
9 looks to match. It looks like 770 Bowen.

10 MR. ANTHONY: If you guys do it,
11 then that's the end of this.

12 CHAIRMAN PREISSE: Let's let Karen
13 take a look at it.

14 MR. MANIFOLD: The question would be
15 what's on file, I guess.

16 CHAIRMAN PREISSE: Well, yeah.
17 That's generated from the voter file, right?

18 MS. COTTON: They're saying that
19 this signature is this individual?

20 MR. PFEIFER: That's Thomas'
21 signature; that's correct.

22 MS. COTTON: And this is supposed to
23 be Thomas' signature here?

24 MR. PFEIFER: Correct. I

1 personally got both of those signatures.

2 CHAIRMAN PREISSE: And then 770 --

3 MS. COTTON: Bowen Road.

4 MR. PFEIFER: I caught him on the
5 lawn mower one day and he signed it.

6 CHAIRMAN PREISSE: Well, this thing,
7 we presume, is -- and we can go check it out,
8 but 777 Bowen Road.

9 MS. COTTON: I could see how someone
10 would mark that illegible, especially if they
11 couldn't read the Bowen part of it, assuming
12 that this wasn't all on Bowen Road.

13 MR. PFEIFER: Yeah, it's Bowen, so,
14 yeah, I put it down.

15 MR. MANIFOLD: It looks good enough
16 here.

17 CHAIRMAN PREISSE: It does appear to
18 be his same signature as that. Did you look
19 at it?

20 MS. COTTON: I see likenesses on
21 both those two signatures, yes.

22 MR. MANIFOLD: This is a list that
23 we provided, this back one?

24 MR. PFEIFER: Yes.

1 MR. MANIFOLD: Is this a walk list
2 that we --

3 MR. PFEIFER: That's correct. And
4 it's circled there.

5 MR. MANIFOLD: Looks good to me.

6 MR. ANTHONY: You only need one.

7 MR. MANIFOLD: You only need one?

8 MR. ANTHONY: That's all you need,
9 is one. Make the motion.

10 CHAIRMAN PREISSE: All right.

11 MS. COTTON: Within the request for
12 the appeal, he had identified the signatures
13 he was truly interested in addressing. We
14 could have researched it and done it exactly
15 like we did the prior.

16 MR. ANTHONY: I understand.

17 CHAIRMAN PREISSE: Okay.

18 MR. PFEIFER: Thank you.

19 MR. ANTHONY: Did you understand
20 what Ms. Cotton said?

21 MR. PFEIFER: I'm sorry?

22 MR. ANTHONY: Had you given us that
23 signature as the ones you're going to use, we
24 probably wouldn't --

1 MR. PFEIFER: I just thought just to
2 bring them here. I didn't know that she -- I
3 didn't know there was any other interaction
4 necessary.

5 MR. ANTHONY: Okay. Thank you.

6 CHAIRMAN PREISSE: Okay. Then does
7 someone wish to make a motion?

8 MR. MANIFOLD: Mr. Chairman, I move
9 that Hidden Lakes Vineyards and Winery, LLC,
10 Canal Winchester D option be certified to the
11 November 8, 2011 general election ballot.

12 MR. ANTHONY: Is there a second?

13 MS. MARINELLO: Second.

14 MR. ANTHONY: Was that right?

15 MS. PATTON: Can we clarify weekday
16 sales question only?

17 MR. ANTHONY: Okay. Please put
18 that on there, weekday sales only.

19 MR. MANIFOLD: We're adding, after
20 Canal Winchester D, --

21 MR. BURD: Weekday sales option.

22 MR. MANIFOLD: -- weekday sales
23 option only.

24 MR. BURD: Because they filed two

1 different --

2 MR. MANIFOLD: Okay.

3 MR. ANTHONY: Was there a second?

4 MS. MARINELLO: Second.

5 MR. ANTHONY: All those in favor,
6 say aye.

7 BOARD MEMBERS: Aye.

8 MR. ANTHONY: Opposed? All ayes.

9 All right. Is there another one?
10 You're on the ballot.

11 MR. PFEIFER: Thank you.

12 MR. ANTHONY: You're welcome.

13 - - - - -

14 MS. PATTON: I don't know if there's
15 any representation here or not for Columbus
16 Webb Bowl.

17 MR. ANTHONY: Anybody from Wayne
18 Webb's -- say that fast.

19 MS. PATTON: Wayne Webb's Columbus
20 Bowl.

21 MR. ANTHONY: Okay.

22 MS. PATTON: Real quick, there was
23 an appeal on that, a couple of the signatures,
24 stated in her letter. You'll see copies of

1 the petition. There's one, a Justin Bailey, I
2 believe it is, and first of all the name is
3 spelled wrong. It's printed, according to the
4 copy of the registration.

5 The other was a photo that we can't
6 seem to identify. We believe it's the
7 signature of Gregory Nixon, but it's not a
8 similar signature. And then there's also one
9 that we marked as not genuine for a Harry
10 Clark. We pulled through to those
11 invalidations of those signatures.

12 Also there was a matter of five
13 registration cards that were filled out for
14 the voters, and then the person signed and
15 since then has called in and said they never
16 wanted to register in the first place. They
17 have since -- four of the five have since
18 canceled their registrations and sent them
19 back.

20 We are anticipating they didn't want
21 to come back in yet, so four of those five
22 signatures we're not counting. The petition
23 was denied for insufficient signatures. They
24 were five short of what's required.

1 MR. ANTHONY: So keep it as it was.

2 MS. PATTON: So we recommend it
3 stays off the ballot.

4 MR. ANTHONY: Okay.

5 CHAIRMAN PREISSE: Is anyone here
6 from Wayne Webb's Columbus Bowl?

7 MR. BURD: They hadn't sent a
8 representative --

9 CHAIRMAN PREISSE: I beg your
10 pardon?

11 MR. BURD: They hadn't sent a
12 representative to have the appeal even heard,
13 and so they didn't, and so we would recommend
14 not doing anything.

15 MR. ANTHONY: That's all I had.
16 Motion to adjourn?

17 MS. MARINELLO: Move to adjourn.

18 CHAIRMAN PREISSE: I want to thank
19 everybody who participated today. We had a
20 lively meeting.

21 MR. MANIFOLD: I'll second.

22 MR. ANTHONY: It's been properly
23 moved and seconded to adjourn. So, thank you,
24 sir. We stand adjourned.

CERTIFICATE

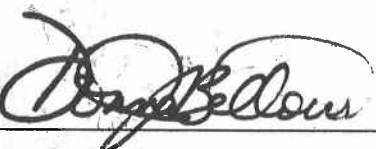
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The undersigned do hereby certify that the foregoing proceedings were digitally recorded, electronically transmitted, and transcribed via audible playback, and that the foregoing transcript of such proceedings is a full, true and correct transcript of the proceedings as so recorded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Columbus, Ohio, on this 26th day of September, 2011.



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