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BEFORE THE FRANKLIN COUNTY BOARD OF ELECTIONS

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In Re: :
 :
Special Meeting. :

- - -

PROCEEDINGS

before Chairman Douglas J. Preisse, Director Edward Leonard, Deputy Director David Payne, and Board Members Bradley K. Sinnott, Kimberly E. Marinello, and Michael Sexton, at the Franklin County Board of Elections, 1700 Morse Road, Columbus, Ohio, called at 9:11 a.m., on Tuesday, November 27, 2018.

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1 APPEARANCES:

2 FRANKLIN COUNTY PROSECUTOR'S OFFICE
3 By Timothy A. Lecklider, Esq.
4 Assistant Prosecuting Attorney
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6 Columbus, Ohio 43215
7 (614) 525-3520,

8 On behalf of the Board.

9

10

11 Also present:

12

13 Mel Fuhrmann, Voter Services Manager
14 Suzanne Brown, Executive Assistant to the
15 Board, Director, and Deputy Director
16 Gene Shell, Absentee Voting
17 Zach Manifold, Absentee Voting
18 Alicia Healy, Voter Services
19 Allison Murray
20 Craig Seibert, ES&S
21 Carla Patton, Elections Operations
22 Jeffrey Mackey, Petitions & Campaign Finance

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1 Tuesday Morning Session
2 November 27, 2018
3 9:11 a.m.

4 - - -

5 DEPUTY DIRECTOR PAYNE: We'll take
6 roll.

7 Kim Marinello.

8 MEMBER MARINELLO: Here.

9 DEPUTY DIRECTOR PAYNE: Mike Sexton.

10 MEMBER SEXTON: Here.

11 DEPUTY DIRECTOR PAYNE: Doug
12 Preisse.

13 (No response.)

14 DEPUTY DIRECTOR PAYNE: And Brad
15 Sinnott.

16 MEMBER SINNOTT: Here.

17 DEPUTY DIRECTOR PAYNE: We do have a
18 quorum.

19 The first item on the agenda is the
20 remaking the absentee ballots. And I believe, Gene
21 Shell and Zach Manifold, we have 49 ballots that
22 need to be remade.

23 Is that correct, Zach?

24 MR. MANIFOLD: And we've got one
25 more, so we're at 50 now, because we just finished
running the absentee ballots that came after

1 election day that were good. So we've got one
2 more. We've got 50. You guys want to see some of
3 these. As you can see, sometimes they come in body
4 bags from the Post Office where things get torn up;
5 but a lot of the ones that aren't like that, it's
6 missing the -- I'll let you guys hold them -- it's
7 missing the guide points at the bottom. And if
8 those guide marks are off, the scanner won't read
9 the ballots. So we just need to remake --

10 MEMBER SINNOTT: So you have 50 that
11 are dog-eared in some way but are clearly
12 countable?

13 MR. MANIFOLD: Yep.

14 DEPUTY DIRECTOR PAYNE: And the
15 reason we make these? It's bipartisan teams. So
16 that those can run through the machine and actually
17 be counted?

18 MR. MANIFOLD: Correct.

19 MEMBER SINNOTT: I move that the
20 Board authorize the staff to remake 50 absentee
21 paper ballots and that these remade ballots be
22 tabulated and included in the official canvass of
23 the results for the November 6th, 2018 general
24 election, with a report to be made to the Board
25 later today.

1 MEMBER MARINELLO: Second.

2 DEPUTY DIRECTOR PAYNE: All those in
3 favor of the motion signify by saying aye.

4 (Vote taken.)

5 DEPUTY DIRECTOR PAYNE: All opposed,
6 same sign.

7 (No response.)

8 DEPUTY DIRECTOR PAYNE: Motion
9 carries.

10 The next item is absentee ballots
11 for Board consideration, voter intent.

12 And we have 24 of those. Is that
13 correct?

14 MR. MANIFOLD: Correct.

15 DEPUTY DIRECTOR PAYNE: Okay. And
16 we'll need to go through those one by one?

17 MR. MANIFOLD: We will. It's a
18 different issue on each ballot.

19 DIRECTOR LEONARD: And I apologize
20 ahead of time.

21 Since the voter intent is going to
22 take some time, why don't we do the provisionals to
23 be counted.

24 MEMBER SINNOTT: Okay.

25 DIRECTOR LEONARD: And that way the

1 Board can -- And then we can address the remakes
2 and the provisionals to be rejected.

3 MEMBER SINNOTT: And it will also
4 allow Doug to get here.

5 DEPUTY DIRECTOR PAYNE: Okay. We'll
6 have Alicia and/or Mel.

7 MS. FUHRMANN: Good morning. My
8 name is Melissa Fuhrmann, representing voter
9 services this morning.

10 In the first part of the
11 presentation I'd like to present to the Board
12 Exhibit A, which you should have before you.

13 DEPUTY DIRECTOR PAYNE: Can I just
14 interrupt real quickly?

15 So voter services is going to start
16 by recommending 13,368 provisional ballots and a
17 rejection of 2,739 provisional ballots. And there
18 will need to be 81 examinations by the Board to
19 whether to accept or reject. So I'm sorry. I just
20 wanted to start out with that.

21 MS. FUHRMANN: I'm happy to go
22 through the categories of approval and rejection,
23 if the Board would like. Otherwise, my main
24 purpose at this point is just to ask for approval
25 of the Board of the 13,368 ballots so that those in

1 my division may start opening those and extracting
2 them.

3 DIRECTOR LEONARD: All the
4 provisionals are reviewed by a bipartisan team of
5 employees who make the determination as to --
6 initial determination as to whether or not it
7 should be recommended for approval, that it meets
8 all the statutory requirements for a provisional
9 ballot to be approved, or whether it should be
10 recommended for rejection based on one of the
11 categories set forth in Exhibit A.

12 MEMBER MARINELLO: I move the Board
13 approve the counting of the 13,368 provisional
14 ballots and that all provisionals ballots deemed
15 valid will be counted and included in the official
16 canvass results for the November 6, 2018, general
17 election.

18 MEMBER SINNOTT: Second.

19 DEPUTY DIRECTOR PAYNE: All those in
20 favor of the motion signify by saying aye.

21 (Vote taken.)

22 DEPUTY DIRECTOR PAYNE: All opposed,
23 same sign.

24 (No response.)

25 DEPUTY DIRECTOR PAYNE: Motion

1 carries.

2 The next would be the 2,739 for
3 rejection?

4 MS. FUHRMANN: That's correct.

5 Thank you for your approval of the
6 13,368.

7 As you can see, under the rejected
8 section, there's numerous reasons for rejecting
9 provisional ballots and you can see the breakdown
10 for the reasons for rejection. I'm happy to go
11 through those reasons line by line if the Board
12 would wish.

13 MEMBER MARINELLO: Yeah.

14 MEMBER MICHAEL SEXTON: If you'd
15 like.

16 MS. FUHRMANN: Okay. The first
17 category is ADA rejected. These were for invalid
18 address, 69. Invalid address simply means the
19 address that was given on the envelope by the
20 provisional voter was not found to be a legitimate
21 address in our system or perhaps there was no
22 address given at all. We had 69 to that effect.

23 Not registered is by far the most
24 common reason for rejecting a provisional. Not
25 registered means not only are they not registered

1 here in Franklin County, we were not able to find
2 them as registered anywhere in the state of Ohio.

3 Number four, no signature. The
4 provisional voter simply forgot to sign the
5 provisional ballot.

6 Number five --

7 MEMBER SEXTON: So this is an
8 instance where these 16 where there was no
9 signature at all?

10 MS. FUHRMANN: Correct.

11 MEMBER SEXTON: Totally missing?

12 MS. FUHRMANN: That's correct.

13 Number five, date of birth missing
14 or incorrect. The 44 that you see here were
15 instances where the voter simply forgot to fill in
16 the date of birth line with anything at all.

17 (Chairman Preisse entered meeting.)

18 MEMBER SEXTON: So, once again, it
19 says date of birth missing or incorrect. So this
20 means it's totally missing?

21 MS. FUHRMANN: For those, yes. For
22 those 44. And we have some incorrect birthdays
23 that we'll be presenting to the Board later this
24 morning.

25 DIRECTOR LEONARD: Amongst the Board

1 review, the 81 at the bottom of the chart for Board
2 review, that's where you'll be reviewing those
3 where the individual put something that purported
4 to be a birth date.

5 MEMBER MARINELLO: So these are
6 blank?

7 DIRECTOR LEONARD: So these are
8 simply all blank.

9 MS. FUHRMANN: Voted absentee.
10 There's a reconciliation process that takes place
11 between the absentee division and the voter
12 services division. Zach Manifold prints out a
13 comprehensive list which has the name and
14 identifying information for everyone, all voters
15 who submitted absentee ballots by mail. And we
16 take that list and we reconcile it after the ten
17 days have passed for all absentee ballots to come
18 in through the mail. And obviously, if the voter
19 voted absentee, we cannot count their provisional
20 ballot as well. And we had -- let's see -- 41
21 instances where that happened. So we had to
22 invalidate the provisional because they already
23 submitted an absentee.

24 Signature mismatch, again, as
25 Director Leonard alluded, all of our provisional

1 ballots are evaluated in bipartisan teams per the
2 directive of the Secretary of State. These 161
3 signature mismatches were signatures that both
4 parties agreed were so -- such an egregious
5 mismatch that we were not able to count that
6 provisional.

7 MEMBER SEXTON: When you say
8 egregious mismatch, would you give some examples?

9 MS. FUHRMANN: So just to give a
10 little bit of detail on this process, we -- every
11 piece of documentation that a voter has ever signed
12 is scanned into our database. And our staff is
13 trained to look at all that documentation and all
14 those signatures that we have on file and to
15 compare those signatures to the signature that's at
16 the bottom of the provisional envelope.

17 If the bipartisan team that's
18 evaluating cannot agree, then they see Alicia Healy
19 and myself and we try to come to a determination.
20 If we can't come to a determination, then we filter
21 that envelope up through Director Leonard and
22 Assistant Director David Payne. And at the end of
23 the day a decision is made as to whether or not the
24 signature is even in the same ballpark. So we use
25 our combined experience. At the end of the day, no

1 less than six sets of eyes will have reviewed these
2 signatures.

3 DIRECTOR LEONARD: I can speak
4 from -- and the deputy director and I both have
5 been in that process where you're looking at every
6 document we have on file, looking for do they form
7 a certain first letter of the name the same way, do
8 they -- looking for the similarities to try and
9 find some similarity that will allow you to count
10 that signature as valid.

11 As you all have experienced with
12 your petition checking process, that our staff is
13 always looking for -- trying to find that
14 similarity so that they can count the signature.
15 And the same holds true with this provisional
16 process.

17 MEMBER SEXTON: So were all 161 of
18 these reviewed by three bipartisan teams? Is that
19 what you're saying?

20 MS. FUHRMANN: Not all 161, but I
21 would say probably at least half of the 161 were
22 reviewed by three bipartisan teams. So it is very
23 much a filtering process.

24 MEMBER SINNOTT: And on the other
25 half they weren't even close?

1 MS. FUHRMANN: That would be a
2 pretty accurate statement.

3 MEMBER SINNOTT: Okay.

4 MS. FUHRMANN: And in fact, we have
5 a handful today for Board review where a consensus
6 could not be reached.

7 Are there any other questions about
8 signature mismatch?

9 No printed name. This just simply
10 means that the voter forgot to print their name at
11 the top of the envelope. Ballot missing from the
12 envelope is an oddity that sometimes happens on
13 election day where the provisional ballot is filled
14 out but for some reason the provisional ballot
15 itself never quite made its way into the
16 provisional envelope. We had three instances of
17 that happening.

18 DIRECTOR LEONARD: And in those
19 instances where we had -- like, there was a loose
20 ballot in the bag and you could marry it up with
21 the empty envelope, but in these situations there
22 wasn't even a stray ballot in the bag along with
23 envelopes that were full and one envelope empty.
24 So there wasn't even that ability to do that. It
25 was simply an envelope with no ballot.

1 MS. FUHRMANN: No ID. This
2 indicates that the provisional voter provided no
3 form of identification, either in the form of the
4 last four digits of their Social or in the form of
5 their driver's license number. Those -- those are
6 the two more common forms of identifications that
7 are given on the front of a provisional ballot;
8 however, there are also other acceptable forms of
9 identification. In 240 cases there was no ID given
10 at all.

11 And, then, finally, the last
12 category is wrong location, wrong precinct, where
13 the voter simply showed up at the wrong -- what we
14 call a wrong-church-wrong-pew situation. And upon
15 being advised of the fact they were in the wrong
16 church and the wrong pew, the voter refused to go
17 to their correct polling location and insisted upon
18 voting where they were. And that vote -- that
19 situation calls for a rejection to the tune of 932.

20 MEMBER MARINELLO: Can any part of
21 the ballot get counted or is it totally rejected if
22 they're in the wrong --

23 MS. FUHRMANN: In the case of
24 wrong-church-wrong-pew?

25 MEMBER MARINELLO: Yeah.

1 MS. FUHRMANN: The whole ballot is
2 rejected. Again, this is operating on the
3 assumption that the PEO advised the voter of the
4 fact that they were in the wrong church and the
5 wrong pew and the voter insisted upon voting where
6 they were.

7 MEMBER MARINELLO: I thought that
8 was a situation, Ed, were you said the ballot is
9 made --

10 DIRECTOR LEONARD: The voter is
11 informed by the -- by the requirements of the
12 statute and the directive they are provided with
13 the 12D form that lays out for them what happens
14 with the ballot, and the last portion of that is
15 the voter is informed that all or part of their
16 ballot may be rejected. And that's -- and we're
17 required to notify them of that.

18 I know we've had observers who have
19 said, no, we should be telling the voter that none
20 of their ballot counts, and that's not what the
21 statute sets forth and it's not what the directive
22 requires. The directive requires them to inform
23 the voter that some or all of their ballot may be
24 rejected, and that's what the voter is informed of.

25 MS. FUHRMANN: This situation is not

1 to be confused with a possible remake of a ballot,
2 in which case the voter shows up in the correct
3 polling location and for whatever reason,
4 presumably poll worker error, the voter is issued
5 the wrong ballot style, in which case the ballot
6 has to be remade. And that is in the approved
7 category, possible remakes in Exhibit A. Two
8 different situations.

9 MEMBER MARINELLO: Oh, okay.
10 Thanks.

11 MS. FUHRMANN: Are there any other
12 questions about any of these categories that I can
13 answer for you?

14 RICHARD TOPPER: Can I have a
15 question from the floor? Is that appropriate?

16 CHAIRMAN PREISSE: Sure. Let's hear
17 it.

18 RICHARD TOPPER: My name is Richard
19 Topper.

20 On the last category with the wrong
21 location, in the 12D form as indicated by Board
22 Member Marinello there's a voter is advised that
23 part of their ballot or all of their ballot would
24 be rejected. Is -- Were there any among the 13,217
25 provisional ballots that were accepted where part

1 of the voter's ballot in the wrong location were
2 accepted or were they entirely, all of those
3 rejected in full? Make sense?

4 MS. FUHRMANN: So your question is,
5 was there any situation in a wrong-church-wrong-pew
6 where part of the ballot was accepted and part of
7 it was rejected?

8 RICHARD TOPPER: Yes, that's
9 correct.

10 MS. FUHRMANN: Is that your
11 question?

12 RICHARD TOPPER: That's correct,
13 Melissa.

14 MS. FUHRMANN: No.

15 RICHARD TOPPER: All right. Thank
16 you.

17 MS. FUHRMANN: You're welcome.

18 MEMBER SEXTON: Mr. Chairman, I move
19 the Board reject the counting of the 2,739
20 provisional ballots as identified by category in
21 Exhibit A and all those provisional ballots
22 rejected will not be counted or included in the
23 official canvass results for the November 6, 2018
24 general election.

25 CHAIRMAN PREISSE: Second.

1 DEPUTY DIRECTOR PAYNE: All those in
2 favor of the motion signify by saying aye.

3 (Vote taken.)

4 DEPUTY DIRECTOR PAYNE: All opposed,
5 same sign.

6 (No response.)

7 DEPUTY DIRECTOR PAYNE: Motion
8 carries.

9 MEMBER SINNOTT: And I move the
10 Board authorize the staff to extract the approved
11 provisional ballots.

12 DEPUTY DIRECTOR PAYNE: Is there a
13 second?

14 MEMBER MARINELLO: Second.

15 DEPUTY DIRECTOR PAYNE: All those in
16 favor of the motion signify by saying aye.

17 (Vote taken.)

18 DEPUTY DIRECTOR PAYNE: All opposed,
19 same sign.

20 (No response.)

21 DEPUTY DIRECTOR PAYNE: Motion
22 carries.

23 So, Alicia, will you notify your
24 folks they can start opening the ballots.

25 Fantastic.

1 Now we have 81 provisional ballots
2 for consideration. Do we want to go absentee
3 first? Let's go absentee first.

4 DIRECTOR LEONARD: The voter intent.

5 DEPUTY DIRECTOR PAYNE: 24 absentee
6 ballots for voter intent.

7 MR. MANIFOLD: Good morning, again.

8 These are all ballots where we have
9 a voter intent question on the absentee ballot.
10 We've labeled them 1 through 24 and we've also put
11 little arrows to which race we're talking about on
12 each ballot so you guys will -- hopefully it will
13 speed it up and allow for you guys to see what
14 we're looking at.

15 The first one is --

16 DEPUTY DIRECTOR PAYNE: Allison
17 Murray, by the way, will be keeping track of -- She
18 has 1 through 24 and will acknowledge what the
19 Board is saying.

20 MR. MANIFOLD: The first one is just
21 the voter wrote us a message on it and so our
22 readers will not read that ballot. So we need to
23 remake that ballot as a blank ballot.

24 MEMBER SINNOTT: Okay. Well,
25 there's no attempt at voting here. So what you do

1 in response is you recreate a blank ballot and run
2 it through the machine?

3 MR. MANIFOLD: Yeah, basically.
4 Yep.

5 CHAIRMAN PREISSE: That sounds
6 appropriate in this case.

7 MR. MANIFOLD: Today do we want to
8 do a motion on each one or -- I think we usually
9 do.

10 MEMBER SINNOTT: Yeah. That would
11 be a good idea. Why don't we -- Give that to me,
12 Gene, and we'll mark it so we can --

13 MR. SHELL: It is marked as number
14 one.

15 MEMBER SINNOTT: Then I move the
16 remaking of ballot number one as an empty ballot.

17 CHAIRMAN PREISSE: Second.

18 DEPUTY DIRECTOR PAYNE: All those in
19 favor of the motion signify by saying aye.

20 (Vote taken.)

21 DEPUTY DIRECTOR PAYNE: All opposed,
22 same sign.

23 (No response.)

24 DEPUTY DIRECTOR PAYNE: Motion
25 carries.

1 Ballot number two?

2 MR. MANIFOLD: All right. Ballot
3 two I have down as we're looking at the county
4 commissioner's race and the county auditor.

5 MEMBER SINNOTT: Who applied the red
6 flags that we see.

7 MR. SHELL: We did.

8 MEMBER SINNOTT: So this is
9 simply --

10 MR. SHELL: Just to get your eyes to
11 that spot on the ballot.

12 Doug, take a shot at it?

13 CHAIRMAN PREISSE: Brad?

14 MEMBER SINNOTT: The question on
15 ballot two would be the voter's intent as to the
16 county commissioner and county auditor's races. It
17 looks to me as though the voter has come close to
18 the Mingo and Reynolds circles.

19 So I would move that number two be
20 understood as a vote for Mingo in the auditor's
21 race and Reynolds in the commissioner's race.

22 CHAIRMAN PREISSE: Second.

23 DEPUTY DIRECTOR PAYNE: All those in
24 favor of the motion signify by saying aye.

25 (Vote taken.)

1 DEPUTY DIRECTOR PAYNE: All opposed,
2 same sign.

3 (No response.)

4 DEPUTY DIRECTOR PAYNE: Motion
5 carries.

6 Ballot three.

7 MR. MANIFOLD: So ballot three came
8 out as a blank ballot out of our scanner, and then
9 when we looked at it they made markings that really
10 we're kind of up in the air about what to do with
11 the entire ballot. So they've got markings off to
12 the right on all of the races. So we're looking
13 for some direction on what to do with that.

14 MR. SHELL: I guess the one thing
15 they consistently did was to the right.

16 CHAIRMAN PREISSE: There's an
17 inconsistency amidst the inconsistencies. And
18 sometimes there's a consistent --

19 MEMBER SEXTON: No markings are even
20 close to the circles.

21 MR. MANIFOLD: Currently it would
22 read as a blank ballot. The machine read it as a
23 blank.

24 CHAIRMAN PREISSE: I move that
25 ballot three be reconstituted as a blank ballot.

1 MEMBER SEXTON: Second.

2 DEPUTY DIRECTOR PAYNE: All those in
3 favor of the motion signify by saying aye.

4 (Vote taken.)

5 DEPUTY DIRECTOR PAYNE: All opposed,
6 same sign.

7 (No response.)

8 DEPUTY DIRECTOR PAYNE: Motion
9 carries.

10 Ballot number four.

11 MR. MANIFOLD: Ballot number four,
12 we're looking at representative to Congress, 15th
13 District.

14 MEMBER SINNOTT: And the red flag
15 being something you've added, Zach?

16 MR. MANIFOLD: Sorry?

17 MEMBER SINNOTT: The red flag is
18 something you've added. Right?

19 MR. MANIFOLD: Yeah. Yeah. Just so
20 it would make it easier for you guys to see it.

21 MEMBER SINNOTT: The only question
22 is the member of Congress. Right?

23 MR. MANIFOLD: Yeah.

24 CHAIRMAN PREISSE: I move that
25 ballot four be noted that it's not possible to

1 tell -- to a determine voter intent in Congress in
2 the 15th.

3 MEMBER MARINELLO: Second.

4 DEPUTY DIRECTOR PAYNE: All those in
5 favor of the motion signify by saying aye.

6 (Vote taken.)

7 DEPUTY DIRECTOR PAYNE: All opposed,
8 same sign.

9 (No response.)

10 DEPUTY DIRECTOR PAYNE: Motion
11 carries.

12 Ballot number five.

13 MR. MANIFOLD: Ballot number five
14 we're looking at the Attorney General race, the
15 Secretary of State race, and the Auditor of State.

16 MEMBER SINNOTT: These red flags are
17 yours?

18 MR. MANIFOLD: Uh-huh.

19 MEMBER SINNOTT: Is that yes?

20 MR. SHELL: Yes.

21 MR. MANIFOLD: Yes.

22 MEMBER MARINELLO: I would move that
23 ballot number five be counted as a vote for
24 Attorney General David Yost, Auditor of State Zack
25 Space, and Secretary of State Kathleen Clyde.

1 CHAIRMAN PREISSE: Second.

2 DEPUTY DIRECTOR PAYNE: All those in
3 favor of the motion signify by saying aye.

4 (Vote taken.)

5 DEPUTY DIRECTOR PAYNE: All opposed,
6 same sign.

7 (No response.)

8 DEPUTY DIRECTOR PAYNE: Motion
9 carries.

10 Ballot number six.

11 MR. MANIFOLD: Ballot six, we have
12 it marked for the first Supreme Court race on that
13 ballot. We've added a flag.

14 MEMBER SINNOTT: I move that ballot
15 number six be counted as a vote for Craig Baldwin
16 for the Supreme Court, full term commencing
17 1-1-2019.

18 MEMBER MARINELLO: Second.

19 DEPUTY DIRECTOR PAYNE: All those in
20 favor of the motion signify by saying aye.

21 (Vote taken.)

22 DEPUTY DIRECTOR PAYNE: All opposed,
23 same sign.

24 (No response.)

25 DEPUTY DIRECTOR PAYNE: Motion

1 carries.

2 Ballot number seven.

3 MR. MANIFOLD: All right. Ballot
4 seven, we have two races marked, the Secretary of
5 State and Common Pleas number one.

6 MEMBER SINNOTT: Your flags?

7 MR. MANIFOLD: Uh-huh, our flags.

8 MR. SINNOTT: Make a motion.

9 MEMBER SEXTON: I would move that we
10 count the vote for Secretary of State for Kathleen
11 Clyde and in the race for judge of the Court of
12 Common Pleas there be a no vote.

13 CHAIRMAN PREISSE: Second.

14 DEPUTY DIRECTOR PAYNE: All those in
15 favor of the motion signify by saying aye.

16 (Vote taken.)

17 DEPUTY DIRECTOR PAYNE: All opposed,
18 same sign.

19 (No response.)

20 DEPUTY DIRECTOR PAYNE: Motion
21 carries.

22 Ballot eight.

23 MR. MANIFOLD: All right. Ballot
24 number eight, we're looking at the Attorney
25 General's race. There should be a flag.

1 MEMBER SINNOTT: Well, I think I
2 know how he or she intended to vote.

3 CHAIRMAN PREISSE: I move that
4 ballot eight be considered a vote for Steve
5 Dettelbach in the race for Attorney General.

6 MEMBER SINNOTT: Second.

7 DEPUTY DIRECTOR PAYNE: All those in
8 favor of the motion signify by saying aye.

9 (Vote taken.)

10 DEPUTY DIRECTOR PAYNE: All opposed,
11 same sign.

12 (No response.)

13 DEPUTY DIRECTOR PAYNE: The motion
14 carries.

15 Ballot number nine.

16 MR. MANIFOLD: Ballot number nine,
17 we're looking at the State Senate 15th District and
18 Common Pleas number one, and there should be two
19 flags.

20 CHAIRMAN PREISSE: And I would move
21 that on ballot number nine we cannot decipher voter
22 intent in the races for the state senator 15th
23 District or judge of Common Pleas commencing
24 1-3-19.

25 Anybody support that motion?

1 Actually, it's not breaking the bubble. It's
2 actually breaking the bubble here.

3 I'll withdraw my motion.

4 MEMBER SEXTON: I would move that we
5 cast a vote for Hearcel Craig for state senator
6 15th District and no vote cast for judge of the
7 Court of Common Pleas between Bill Creedon and
8 Jaiza Page.

9 CHAIRMAN PREISSE: There's a motion.
10 Is there a second?

11 MEMBER MARINELLO: Second.

12 DEPUTY DIRECTOR PAYNE: All those in
13 favor of the motion signify by saying aye.

14 (Vote taken.)

15 DEPUTY DIRECTOR PAYNE: All opposed,
16 same sign.

17 (No response.)

18 DEPUTY DIRECTOR PAYNE: The motion
19 carries.

20 Ballot number ten.

21 MR. MANIFOLD: Ballot number ten
22 we're looking at the U.S. Senate race and the
23 Supreme Court number one.

24 MEMBER SINNOTT: Your flags?

25 MR. MANIFOLD: Yes.

1 MR. SHELL: Uh-huh. Yes.

2 MEMBER MARINELLO: I move that
3 ballot number ten be a vote cast for Sherrod Brown
4 in the U.S. Senator race and for Craig Baldwin for
5 justice of the Supreme Court.

6 CHAIRMAN PREISSE: Second.

7 DEPUTY DIRECTOR PAYNE: All those in
8 favor of the motion signify by saying aye.

9 (Vote taken.)

10 DEPUTY DIRECTOR PAYNE: All opposed,
11 same sign.

12 (No response.)

13 DEPUTY DIRECTOR PAYNE: Motion
14 carries.

15 Ballot number 11.

16 MR. MANIFOLD: Ballot number 11,
17 we're looking at the Supreme Court number one race
18 and we should have a flag on that.

19 MEMBER SEXTON: I would move that we
20 cast --

21 Is that number nine?

22 MR. SHELL: 11.

23 MEMBER SEXTON: -- number 11 for
24 Michael Donnelly for the justice of the Supreme
25 Court.

1 CHAIRMAN PREISSE: Second.

2 DEPUTY DIRECTOR PAYNE: All those in
3 favor of the motion signify by saying aye.

4 (Vote taken.)

5 DEPUTY DIRECTOR PAYNE: All opposed,
6 same sign.

7 (No response.)

8 DEPUTY DIRECTOR PAYNE: Motion
9 carries.

10 Ballot number 12.

11 MR. MANIFOLD: On ballot number 12,
12 we have it marked for all the judge races on the
13 front and back. I think they changed -- they were
14 inconsistent and they changed how they were marking
15 from the first sets of races to once they got to
16 the judge races they started marking everything
17 differently.

18 MR. SHELL: Yes.

19 MR. MANIFOLD: So I guess the
20 question is to count -- whether or not to count the
21 judicial part.

22 MEMBER SINNOTT: And you would see
23 this issue as to all the judicial raises?

24 MR. MANIFOLD: I think it's all of
25 them. They switched back on the issues.

1 MR. SHELL: They went back to voting
2 with the bubble colored in on the issues.

3 MEMBER MARINELLO: Yeah. Looks like
4 they took their pen and --

5 CHAIRMAN PREISSE: There's two
6 methods of filling out bubbles, the block method
7 and line method. I don't see any inconsistency in
8 the second methodology.

9 I would move that we -- on ballot
10 number 12 that we count the votes as marked with
11 the line within the bubble for the judicial races.

12 MEMBER MARINELLO: Second.

13 DEPUTY DIRECTOR PAYNE: All those in
14 favor of the motion signify by saying aye.

15 (Vote taken.)

16 DEPUTY DIRECTOR PAYNE: All opposed,
17 same sign.

18 (No response.)

19 DEPUTY DIRECTOR PAYNE: Motion
20 carries.

21 Ballot number 13.

22 MR. MANIFOLD: Ballot number 13, we
23 have it marked down for the back of the ballot for
24 the Southwestern City School levy.

25 MEMBER SINNOTT: Is that your flag?

1 MR. MANIFOLD: Yes.

2 MEMBER SEXTON: It appears that the
3 voter made markings for both for and against the
4 issue.

5 MR. MANIFOLD: So it's an over-vote.

6 MEMBER SEXTON: And with that I
7 would make a motion that we not count the vote for
8 the Southwestern School District.

9 CHAIRMAN PREISSE: Second.

10 MR. MANIFOLD: We probably want to
11 count it as an over-vote. We do count over-votes.

12 CHAIRMAN PREISSE: So you count for
13 and against?

14 MR. MANIFOLD: Yeah. So we would
15 just count as an over-vote in the race if it's
16 marked for both.

17 MEMBER SINNOTT: Really? That's the
18 convention, Zach, where somebody votes for both A
19 and B you will include in the official canvass a
20 vote for both A and B?

21 MR. MANIFOLD: We'll include that
22 there was an over-vote in that race.

23 MEMBER MARINELLO: A different
24 category?

25 CHAIRMAN PREISSE: So it's not added

1 to either tally?

2 MR. MANIFOLD: Correct.

3 MR. SHELL: Yeah.

4 DEPUTY DIRECTOR PAYNE: There was a
5 motion and a second.

6 All those in favor signify by saying
7 aye.

8 (Vote taken.)

9 DEPUTY DIRECTOR PAYNE: All opposed,
10 same sign.

11 (No response.)

12 DEPUTY DIRECTOR PAYNE: Motion
13 carries.

14 Ballot 14.

15 MR. MANIFOLD: County commission
16 race, and you should have a flag on it.

17 MEMBER SEXTON: I would move that we
18 count ballot number 14 in the race for county
19 commissioner for Marilyn Brown.

20 MEMBER MARINELLO: Second.

21 DEPUTY DIRECTOR PAYNE: All those in
22 favor of the motion signify by saying aye.

23 (Vote taken.)

24 DEPUTY DIRECTOR PAYNE: All opposed,
25 same sign.

1 (No response.)

2 DEPUTY DIRECTOR PAYNE: Motion
3 carries.

4 Ballot 15.

5 MR. MANIFOLD: Ballot 15, the
6 congressional race in the 15th District. There
7 should be a flag.

8 CHAIRMAN PREISSE: I move that on
9 ballot 15 the voter's intent was to vote for Steve
10 Stivers in the 15th Congressional District.

11 MEMBER SINNOTT: Second.

12 DEPUTY DIRECTOR PAYNE: All those in
13 favor of the motion signify by saying aye.

14 (Vote taken.)

15 DEPUTY DIRECTOR PAYNE: All opposed,
16 same sign.

17 (No response.)

18 DEPUTY DIRECTOR PAYNE: Motion
19 carries.

20 Ballot 16.

21 MR. MANIFOLD: Ballot 16, we're
22 looking at the Attorney General's race. It should
23 have a flag.

24 CHAIRMAN PREISSE: On ballot 16 I
25 move that the voter's intent was to vote for Dave

1 Yost for Attorney General.

2 MEMBER SEXTON: Second.

3 DEPUTY DIRECTOR PAYNE: All those in
4 favor of the motion signify by saying aye.

5 (Vote taken.)

6 DEPUTY DIRECTOR PAYNE: All opposed,
7 same sign.

8 (No response.)

9 DEPUTY DIRECTOR PAYNE: Motion
10 carries.

11 Ballot 17.

12 MR. MANIFOLD: On ballot 17 we're
13 looking at issue 35A on the back, and there should
14 be a flag.

15 MR. PREISSE: I move that on ballot
16 17 we cannot interpret voter intent in the number
17 35A local liquor option.

18 MEMBER SINNOTT: Second.

19 DEPUTY DIRECTOR PAYNE: All those in
20 favor of the motion signify by saying aye.

21 (Vote taken.)

22 DEPUTY DIRECTOR PAYNE: All opposed,
23 same sign.

24 (No response.)

25 DEPUTY DIRECTOR PAYNE: Motion

1 carries.

2 Ballot 18.

3 MR. MANIFOLD: Ballot 18, it looks
4 like it's the similar -- this one does look similar
5 to the other one. It says all judge races, but
6 they've changed their markings again.

7 MEMBER SINNOTT: No. It seems to
8 happen in all the judicial races that the voter put
9 an X in every available bubble.

10 MR. MANIFOLD: On every -- so it
11 would be over-voting.

12 CHAIRMAN PREISSE: Almost all the
13 names or perhaps all the names.

14 MEMBER MARINELLO: I move that
15 ballot 18 is impossible to tell the intent of the
16 voter and it not be counted on the judicial races.

17 CHAIRMAN PREISSE: Second.

18 DEPUTY DIRECTOR PAYNE: It's been
19 properly moved and seconded.

20 All those in favor of the motion
21 signify by saying aye.

22 (Vote taken.)

23 DEPUTY DIRECTOR PAYNE: All opposed,
24 same sign.

25 (No response.)

1 DEPUTY DIRECTOR PAYNE: Motion
2 carries.

3 Ballot 19.

4 MR. MANIFOLD: On ballot 19 we're
5 looking at the county commissioner's race, and
6 there should be a flag.

7 MEMBER MARINELLO: On ballot 19 I
8 move that the vote for county commissioner be
9 designated as Marilyn Brown.

10 MEMBER SEXTON: Second.

11 DEPUTY DIRECTOR PAYNE: All those in
12 favor of the motion signify by saying aye.

13 (Vote taken.)

14 DEPUTY DIRECTOR PAYNE: All opposed,
15 same sign.

16 (No response.)

17 DEPUTY DIRECTOR PAYNE: Motion
18 carries.

19 Ballot 20.

20 MR. MANIFOLD: Ballot 20, we're
21 looking at the -- it looks like it's domestic
22 relations race number four. There should be a
23 flag.

24 CHAIRMAN PREISSE: Ballot 20, I move
25 that the voter's intent was to vote for Amy Koorn

1 in the domestic relations race.

2 MEMBER MARINELLO: Second.

3 DEPUTY DIRECTOR PAYNE: All those in
4 favor of the motion signify by saying aye.

5 (Vote taken.)

6 DEPUTY DIRECTOR PAYNE: All opposed,
7 same sign.

8 (No response.)

9 DEPUTY DIRECTOR PAYNE: Motion
10 carries.

11 Ballot 21.

12 MR. MANIFOLD: Ballot 21, we are
13 looking on what to do -- there are four races where
14 the voter put smaller dots than the -- they filled
15 in the bubble on all of them and then they put like
16 a smaller dot in four races. And we're kind of
17 looking for direction on what to do with those four
18 races.

19 MEMBER SINNOTT: Zach, Gene, you
20 want to take a look at this one.

21 MR. MANIFOLD: I think they're all
22 on the front.

23 MEMBER SINNOTT: I'm only picking it
24 up as two.

25 MR. SHELL: This one, this one, this

1 one, and that one.

2 CHAIRMAN PREISSE: So the one case
3 the voter --

4 MR. SHELL: -- over-voted. It's
5 how -- The scanner kicked it out as an over-voted
6 ballot based on the dots. And the dots, they
7 didn't know what they were. It said, Human, you
8 need to look at this, it's indeterminate to me, I
9 see something but I'm not sure what it is.

10 MEMBER SINNOTT: So you're bringing
11 this to us on the treasurer of state, county
12 auditor, justice commencing 1-1-19, and court of
13 appeals judge commencing 2-10-19?

14 MR. MANIFOLD: Correct.

15 CHAIRMAN PREISSE: There's no
16 question of voter intent except perhaps in the
17 Supreme Court race.

18 MEMBER SEXTON: I would move that on
19 ballot number 21 that we cast the vote for Rob
20 Richardson for Treasurer of State, Michael
21 Stinziano for Auditor, County Auditor, for Betsy
22 Luper Schuster, judge of the Court of Appeals, 10th
23 District, and not cast a vote for justice of the
24 Supreme Court in the Michael Donnelly and Craig
25 Baldwin.

1 CHAIRMAN PREISSE: Second.

2 DEPUTY DIRECTOR PAYNE: All those in
3 favor of the motion signify by saying aye.

4 (Vote taken.)

5 DEPUTY DIRECTOR PAYNE: All opposed,
6 same sign.

7 (No response.)

8 DEPUTY DIRECTOR PAYNE: Motion
9 carries.

10 Ballot 22.

11 MR. MANIFOLD: Ballot 22, we are
12 looking at Issue number 39 on the back, and there
13 should be a flag.

14 MEMBER MARINELLO: I would move that
15 on ballot number 22 with regard to the Issue 39,
16 proposed ordinance electric aggregation, City of
17 Worthington, that no vote be cast on it.

18 CHAIRMAN PREISSE: Second.

19 DEPUTY DIRECTOR PAYNE: All those in
20 favor of the motion signify by saying aye.

21 (Vote taken.)

22 DEPUTY DIRECTOR PAYNE: All opposed,
23 same sign.

24 (No response.)

25 DEPUTY DIRECTOR PAYNE: Motion

1 carries.

2 Ballot 23.

3 MR. MANIFOLD: Ballot 23 is Issue 33
4 on the back, and it should have a flag.

5 MEMBER SEXTON: I would move on
6 Issue 33 -- on ballot number 23 on Issue number 33,
7 the proposed charter amendment, City of Hilliard,
8 that no vote has been cast.

9 CHAIRMAN PREISSE: Second.

10 DEPUTY DIRECTOR PAYNE: All those in
11 favor of the motion signify by saying aye.

12 (Vote taken.)

13 DEPUTY DIRECTOR PAYNE: All opposed,
14 same sign.

15 (No response.)

16 DEPUTY DIRECTOR PAYNE: Motion
17 carries.

18 Ballot 24.

19 MR. MANIFOLD: And the final one,
20 ballot 24, you're looking at Governor's race. I
21 don't think it's flagged, but we're looking at the
22 Governor's race. They've filled in two bubbles and
23 they've put a check mark on one of them.

24 MEMBER SEXTON: I would move on
25 ballot number 24 that no vote be cast in the race

1 for Governor and Lieutenant Governor.

2 CHAIRMAN PREISSE: Second.

3 DEPUTY DIRECTOR PAYNE: All those in
4 favor of the motion signify by saying aye.

5 (Vote taken.)

6 DEPUTY DIRECTOR PAYNE: All opposed,
7 same sign.

8 (No response.)

9 DEPUTY DIRECTOR PAYNE: Motion
10 carries.

11 MR. MANIFOLD: All right. That's
12 everything. I just want to say what a great job
13 Gene Shell does back in our paper ballot and
14 absentee room. We couldn't do it without him.

15 MEMBER MARINELLO: Thanks, Gene.
16 Thank you, Zach.

17 MR. SHELL: It is my pleasure to
18 work for this great county.

19 DEPUTY DIRECTOR PAYNE: The next
20 item on the agenda are the 81 provisional ballots.

21 DIRECTOR LEONARD: I think we did it
22 ballot by ballot.

23 DEPUTY DIRECTOR PAYNE: 81
24 provisional ballots for consideration by the Board.

25 MS. FUHRMANN: Good morning.

1 DEPUTY DIRECTOR PAYNE: And again,
2 Allison will be keeping track of the 81.

3 MS. FUHRMANN: Good morning.
4 Melissa Fuhrmann again, this morning for voter
5 services.

6 The members of the Board should have
7 an outline that says provisionals for Board review,
8 11-27-18. This is essentially a road map that's
9 going to take you through the 81 provisionals for
10 consideration this morning.

11 DEPUTY DIRECTOR PAYNE: Is it fair
12 to say ballots 13 through 81 should go rather
13 quickly?

14 MS. FUHRMANN: Yes. Right. Which
15 is why I was going to start with more difficult
16 situations under Roman numeral one, --

17 DEPUTY DIRECTOR PAYNE: Perfect.

18 MS. FUHRMANN: -- irregularities
19 with ballots and envelopes.

20 The first situation we have is a
21 ballot outside the envelope which Alicia Healy is
22 going to present to the Board for review. And
23 again, we're simply seeking guidance on how to
24 proceed and whether to approve this provisional or
25 not.

1 CHAIRMAN PREISSE: So tell us how
2 that material came before us.

3 MS. FUHRMANN: So this provisional
4 came to us on election night. All the provisionals
5 come to us on election night in green bags from the
6 poll --

7 CHAIRMAN PREISSE: So this material
8 was deposited at a polling location?

9 MS. FUHRMANN: Yes, to a poll
10 worker. A poll worker then placed it in the green
11 bag and that's how it arrived to us on election
12 night.

13 MEMBER SINNOTT: Was there anything
14 that attached the envelope to the ballot?

15 MS. FUHRMANN: Uhm --

16 MEMBER SINNOTT: There's now a paper
17 clip.

18 MS. FUHRMANN: That is correct.

19 I can't confirm or deny if that's
20 how it arrived to us on election night. However, I
21 can tell you that that ballot and that envelope
22 were paired together in such a way that we had
23 reason to believe that they went together.

24 MEMBER SINNOTT: What was --

25 MS. FUHRMANN: They were on top of

1 each other as you see now.

2 MEMBER SINNOTT: And within the
3 green bag would this have been the only loose
4 envelope and only loose ballot?

5 MS. FUHRMANN: Correct.

6 So we made a reasonable inference
7 that they should be paired together.

8 DIRECTOR LEONARD: And the
9 provisional ballot affirmation is complete in all
10 other respects?

11 MS. FUHRMANN: Yes.

12 MEMBER MARINELLO: I would move that
13 provisional ballot number one be counted.

14 MEMBER SINNOTT: Second.

15 DEPUTY DIRECTOR PAYNE: All those in
16 favor of the motion signify by saying aye.

17 (Vote taken.)

18 DEPUTY DIRECTOR PAYNE: All opposed,
19 same sign.

20 (No response.)

21 DEPUTY DIRECTOR PAYNE: Motion
22 carries to accept ballot one.

23 MS. FUHRMANN: Thank you.

24 The second ballot or series of
25 ballots, I should say, for Board review are ballots

1 two, three, and four which I've titled the
2 Hatter-Crowley (phonetic) situation. Stay with me
3 and I'll try to explain this as best I can.

4 What you have here are three
5 envelopes before you. Two of them have ballots
6 inside and one does not.

7 MEMBER SINNOTT: Hold on just a
8 moment, Mel. I'm going to put this in front of
9 Michael so the four of us can look at this
10 together.

11 MS. FUHRMANN: That's probably a
12 good idea.

13 So what you have before you is you
14 have three envelopes. Two of them say Cowley
15 (phonetic) and one of them says Hatter (phonetic).
16 The Hatter envelope has no ballot inside, which of
17 course leaves us with two Cowley envelopes. The
18 Cowley envelope that is marked 12D at the top
19 belongs to provisional voter Cowley. The one
20 without the 12D is actually Hatter's ballot. There
21 is no relationship between these two parties.
22 There was confusion that took place at the
23 provisional table that was not discovered until one
24 of those voters had left the precinct, and this is
25 how the PEO chose to resolve the situation.

1 CHAIRMAN PREISSE: How?

2 MEMBER MARINELLO: There's two
3 envelopes for Shannon Cowley.

4 MS. FUHRMANN: Yes. And one of the
5 ballots in one of those envelopes belongs to
6 Hadden -- or Hatter.

7 CHAIRMAN PREISSE: How do we know
8 that?

9 MS. FUHRMANN: Because of the notes
10 that were -- the notes that are before you that
11 were in the blue PEO notebook.

12 MEMBER MARINELLO: Do you think that
13 Shannon filled out the envelope for Hatter?

14 MS. FUHRMANN: No. We don't have
15 evidence of any relationship between these parties
16 or that they assisted each other in any way.
17 There's fairly detailed notes there before you
18 where the PEO explains as best they can what
19 happened that day.

20 MEMBER MARINELLO: Doesn't that look
21 like the same writing between the three of them?

22 MEMBER SINNOTT: There's a ballot in
23 each envelope, Mel. Correct?

24 MS. FUHRMANN: No. One of the
25 ballots -- The Hatter envelope has no ballot

1 inside, but the two Cowley envelopes do.

2 CHAIRMAN PREISSE: So you're saying
3 that Hatter voted and somehow Hatter's ballot was
4 in one of the Cowley envelopes?

5 MS. FUHRMANN: Yes.

6 CHAIRMAN PREISSE: And the second
7 Cowley envelope we presume is the valid Cowley
8 vote?

9 MS. FUHRMANN: Yes.

10 CHAIRMAN PREISSE: Are we able to
11 remove from these three the one legitimate Shannon
12 Cowley envelope and -- the ballot and then consider
13 the other situation?

14 MS. FUHRMANN: However you would
15 like to proceed.

16 MEMBER SINNOTT: Let's pause for a
17 moment.

18 Do we have any statutory instruction
19 on this situation?

20 MS. FUHRMANN: Absolutely not that I
21 am aware of.

22 MEMBER SINNOTT: Has the Secretary
23 issued a directive on it?

24 MS. FUHRMANN: No, sir, not that I'm
25 aware of.

1 MEMBER SINNOTT: Does anyone from
2 the Board staff have an observation to make on
3 either one of those subjects?

4 DIRECTOR LEONARD: Again, it seems
5 that the -- the explanation given by the poll
6 worker --

7 CHAIRMAN PREISSE: I've been trying
8 to read that. I'm not sure I'm going to be able to
9 do it. Several provisional people waiting at this
10 table completing provisional ballot. Hatter used
11 provisional ballot. Something Cowley see above.
12 Cowley caught problem, but after Hatter had voted
13 and left.

14 So it sounds like Hatter voted,
15 stuck it in a Cowley envelope somehow. Gave Cowley
16 a new ballot and marked it 12D, I think, too so you
17 can tell. Ballot affirmation, et cetera, has --
18 for Hatter is empty. So Hatter voted, stuck it
19 in -- somehow in the Cowley ballot, not the Hatter
20 envelope, which is why it's empty.

21 MS. FUHRMANN: Right.

22 CHAIRMAN PREISSE: And then the PEO,
23 when they caught this and Hatter had departed, said
24 you need to do a new envelope because your other
25 envelope has been used by Hatter. Okay.

1 MEMBER SINNOTT: And -- and no
2 statute or directive?

3 DIRECTOR LEONARD: Not aware of any.

4 MEMBER MARINELLO: Seems like we
5 could count the one Cowley.

6 CHAIRMAN PREISSE: Well, if you
7 count --

8 MEMBER MARINELLO: The 12D or --

9 CHAIRMAN PREISSE: Well, we know
10 from the PEO that Cowley used the 12D envelope. We
11 know from these notes.

12 MEMBER SINNOTT: Are both Hatter and
13 Cowley using the same ballot? When I say using the
14 same ballot, I mean --

15 CHAIRMAN PREISSE: That ballot
16 style?

17 MEMBER SINNOTT: Yeah. Are both
18 those voters --

19 MS. FUHRMANN: That should be
20 indicated at the bottom of the envelope.

21 CHAIRMAN PREISSE: Where is the
22 ballot style? They are, Brad.

23 MEMBER SINNOTT: And everything
24 about both voters checks out?

25 MS. FUHRMANN: In terms of whether

1 the --

2 MEMBER SINNOTT: They are otherwise
3 properly registered?

4 MS. FUHRMANN: Yes.

5 MEMBER SINNOTT: They have completed
6 an envelope properly?

7 MS. FUHRMANN: That's correct.

8 DEPUTY DIRECTOR PAYNE: Are those
9 ballots -- envelopes marked two, three, and four?

10 CHAIRMAN PREISSE: They are.

11 DEPUTY DIRECTOR PAYNE: Okay. That
12 might help with the motion and us keeping track of
13 what we're doing.

14 CHAIRMAN PREISSE: Again, I'm going
15 to venture a motion that we count provisional
16 ballot marked two, which is additionally noted by
17 the PEO on election day 12D. I think that's a
18 sufficient motion on that.

19 MEMBER MARINELLO: I second that.

20 DEPUTY DIRECTOR PAYNE: All those in
21 favor of the motion signify by saying aye.

22 (Vote taken.)

23 DEPUTY DIRECTOR PAYNE: All opposed,
24 same sign.

25 (No response.)

1 DEPUTY DIRECTOR PAYNE: Motion
2 carries.

3 MS. FUHRMANN: So the motion is to
4 count ballot number two?

5 CHAIRMAN PREISSE: Yes.

6 MS. FUHRMANN: What would you like
7 to do regarding the rest?

8 MEMBER SEXTON: There's a ballot in
9 number four and no ballot in number three. Is that
10 correct?

11 MS. FUHRMANN: Yeah. The Hatter
12 envelope has no ballot inside.

13 CHAIRMAN PREISSE: And, again, I'm
14 quoting from the PEO's election day notation.
15 Hatter used provisional ballot Cowley's, see above.
16 Cowley caught the problem but after Hatter had --
17 See above.

18 MEMBER MARINELLO: So Hatter's
19 ballot is in there. It was witnessed by the PEO.

20 Are we allowed to count that with
21 someone else's envelope and name?

22 MEMBER SINNOTT: I'm hearing that we
23 have no instruction to the contrary. Mel?

24 MS. FUHRMANN: I'm sorry?

25 MEMBER SINNOTT: You're aware of no

1 statute or directive that speaks to this situation?

2 MS. FUHRMANN: No, sir, I'm not.

3 MEMBER SINNOTT: And I don't think
4 anybody else on staff is either.

5 It seems to me the truth is that
6 there were two voters eligible to vote who showed
7 up and they were both directed towards provisional
8 ballots and there was an error made in placing one
9 of the ballots in the wrong envelope. I would
10 count both of them.

11 MEMBER MARINELLO: You already
12 counted one. One is empty. So we're counting the
13 other one.

14 MEMBER SINNOTT: I will move the
15 counting of the ballot inside the envelope marked
16 four.

17 CHAIRMAN PREISSE: Second.

18 DEPUTY DIRECTOR PAYNE: All those in
19 favor of the motion signify by saying aye.

20 (Vote taken.)

21 DEPUTY DIRECTOR PAYNE: All opposed,
22 same sign.

23 (No response.)

24 DEPUTY DIRECTOR PAYNE: Motion
25 carries.

1 I think we're dealing with --
2 CHAIRMAN PREISSE: The Schram
3 situation.

4 DEPUTY DIRECTOR PAYNE: Well, do we
5 need to address ballot three -- or envelope number
6 three? So it's -- just to be --

7 MEMBER SINNOTT: I think it's just
8 an empty envelope.

9 MS. FUHRMANN: We do have a category
10 for that -- for envelopes that contain no ballots.

11 MEMBER SINNOTT: Well, that's where
12 that one would go.

13 MS. FUHRMANN: We could categorize
14 it that way.

15 DIRECTOR LEONARD: And just so
16 Hatter gets credit for having voted --

17 DEPUTY DIRECTOR PAYNE: I mean, I
18 think we need to accept the envelope, realizing
19 that that's -- I mean, am I incorrect that we
20 accept the envelope even knowing it's not -- when
21 we tally it, when we open it there's going to be
22 nothing in it, but we're accepting the envelope? I
23 don't know. Or I'll defer on this. I think
24 our count is going to be off if we --

25 DIRECTOR LEONARD: Counsel made the

1 point and I think it is beneficial to have it on
2 the record that the affirmation in ballot -- the
3 Hatter ballot be accepted.

4 MEMBER SINNOTT: I move that the
5 affirmation of the Hatter ballot be accepted.

6 MEMBER MARINELLO: Second.

7 DEPUTY DIRECTOR PAYNE: All in favor
8 of the motion signify by saying aye.

9 (Vote taken.)

10 DEPUTY DIRECTOR PAYNE: All opposed,
11 same sign.

12 (No response.)

13 DEPUTY DIRECTOR PAYNE: Motion
14 carries.

15 Allison, I think that was ballot
16 three.

17 MS. FUHRMANN: Thank you.

18 If there's no more on the
19 Hatter-Cowley situation I'd like to move on with
20 the Schram situation, ballots number five and six.
21 This is a much easier situation. Two envelopes.
22 The second ballot was meant to cure the defect in
23 the first which is the ID requirement.

24 MEMBER SINNOTT: How do we know
25 that?

1 MS. FUHRMANN: Because there is no
2 ID on one of the ballots, on one of the envelopes.
3 I can only surmise what happened here was that the
4 provisional voter did not know the last four of her
5 Social or her driver's license, left and came back,
6 and then cured with the second envelope where she
7 did provide her driver's license and/or her Social
8 Security number.

9 CHAIRMAN PREISSE: But there's no
10 ballot in the second envelope?

11 MS. FUHRMANN: There is a ballot in
12 one but not the other.

13 CHAIRMAN PREISSE: There's no ballot
14 in the so-called cured envelope. Is that true?

15 MS. FUHRMANN: Correct.

16 MEMBER MARINELLO: Everything else
17 checks out?

18 MS. FUHRMANN: Yes. Yes.

19 MEMBER SINNOTT: There's a post-it
20 note that's on the envelope. That's something that
21 the staff added here?

22 MS. FUHRMANN: Yes.

23 CHAIRMAN PREISSE: A second
24 provisional envelope from the same voter has all ID
25 information and no ballot, 11-12-18.

1 DIRECTOR LEONARD: Correct me if I'm
2 wrong, but if a voter were to come here to the
3 office to cure their affirmation they would
4 essentially fill out what amounts to a copy of that
5 affirmation?

6 MS. FUHRMANN: That's right.

7 DIRECTOR LEONARD: To put in their
8 information. So instead of having done it during
9 the seven days after the election they did it at
10 the poll.

11 MS. FUHRMANN: That's right. This
12 voter chose to do it on election day.

13 CHAIRMAN PREISSE: I move we count
14 provisional ballot marked --

15 I move that we count the ballot in
16 the provisional envelope marked number five and
17 that we acknowledge receipt of the affirmation and
18 empty envelope marked number six.

19 MEMBER SEXTON: Second.

20 DEPUTY DIRECTOR PAYNE: All those in
21 favor of the motion signify by saying aye.

22 (Vote taken.)

23 DEPUTY DIRECTOR PAYNE: All opposed,
24 same sign.

25 (No response.)

1 DEPUTY DIRECTOR PAYNE: Motion
2 carries.

3 MS. FUHRMANN: Thank you.

4 I'm now ready to move on to number
5 seven under number two, unusual situations. We
6 have here with provisional number seven a voter who
7 has chosen to sign their signature with a smiley
8 face.

9 CHAIRMAN PREISSE: Is the smiley
10 face that voter's signature on record?

11 MS. FUHRMANN: Yes, it is.

12 MEMBER SINNOTT: You're kidding me.

13 DIRECTOR LEONARD: That's why --
14 that would have been easy if that wasn't matched,
15 but it is the signature on --

16 CHAIRMAN PREISSE: I mean, it can be
17 a legal mark. Right?

18 MS. FUHRMANN: Yes.

19 Alicia Healy rightfully noted that
20 we currently have that registration in a pending
21 status for clarification on their signature, but
22 that is the signature that they submitted to the
23 Board as their legal signature.

24 CHAIRMAN PREISSE: Well, I want to
25 say this is a first in my experience; but I suppose

1 it's a legal mark if that's what's on file.

2 MEMBER SINNOTT: What's the
3 statutory language on that, on a legal mark?

4 MEMBER MARINELLO: Just it has to be
5 consistent. Right?

6 MS. FUHRMANN: I looked to the
7 directive in Chapter 6 and in Chapter 8, and I
8 could find no instruction as to signature language
9 other than we've accepted an X as a legal marking.

10 CHAIRMAN PREISSE: We have.

11 And elaborate again what it means
12 that this person's material is in -- What do you
13 call it, pending?

14 MS. FUHRMANN: So when there's some
15 question about a voter's registration, let's say
16 maybe they left part of the registration blank or
17 there's some discrepancy with the voter's
18 registration, we put it into what we call pending
19 status, at which point we send a letter to the
20 voter asking them to clarify whatever part of their
21 registration is in question.

22 CHAIRMAN PREISSE: And in this case
23 it is the signature?

24 MS. FUHRMANN: Yes.

25 MEMBER SINNOTT: I think we're

1 missing something here. I think there is something
2 about cursive signature.

3 MEMBER MARINELLO: That's on a
4 petition, I think.

5 MEMBER SINNOTT: Well, then, that
6 would be interesting if it were restricted only to
7 a petition.

8 DIRECTOR LEONARD: Do we want to
9 hold -- Let's give counsel an opportunity and go on
10 to the next one.

11 MEMBER SINNOTT: Either staff or
12 assistant prosecutor, if you could enlighten us
13 further on that. I think there may be more in the
14 statute.

15 MS. FUHRMANN: I think the legal
16 definition of signature would be instructive in
17 this situation.

18 MEMBER SINNOTT: I think we may get
19 something even more specific than that out of the
20 statute, but let's see. Let's move on.

21 MS. FUHRMANN: All right. Thank
22 you.

23 Number eight, this provisional voter
24 has added an extra zero to their address. In our
25 system 5710 is a valid address and comes up as

1 legit; however, 57100 is not.

2 MEMBER SINNOTT: Mel, there's no
3 statute or directive that requires an exact correct
4 address?

5 MS. FUHRMANN: That's -- I'm happy
6 to read that part of the --

7 MEMBER SINNOTT: That would be --

8 MS. FUHRMANN: -- directive into
9 the --

10 MEMBER SINNOTT: Have you read it in
11 preparation for today?

12 MS. FUHRMANN: Yes, I have.

13 MEMBER SINNOTT: And there's no such
14 instruction that we can accept an address that's a
15 digit off?

16 MS. FUHRMANN: The directive says,
17 As long as the Board can still identify a voter,
18 technical mistakes in providing one's address are
19 not valid reasons to reject a ballot.

20 MEMBER MARINELLO: I move that
21 ballot number eight be counted as submitted.

22 CHAIRMAN PREISSE: Second.

23 DEPUTY DIRECTOR PAYNE: All those in
24 favor signify by saying aye.

25 (Vote taken.)

1 DEPUTY DIRECTOR PAYNE: All opposed,
2 same sign.

3 (No response.)

4 DEPUTY DIRECTOR PAYNE: Motion
5 carries.

6 Ballot envelope number nine.

7 MS. FUHRMANN: Thank you.

8 This is a first in a series of
9 signature mismatch issues. The first one, number
10 nine, is Wesley Ball.

11 MEMBER SINNOTT: These are difficult
12 to keep straight. So we're being given samples of
13 I think three different signatures. Right?

14 MS. FUHRMANN: That we have on
15 record, yes.

16 MEMBER SINNOTT: All right. The one
17 that reads State of Ohio Voter Query at the top,
18 where does that come from?

19 MS. FUHRMANN: Secretary of State's
20 office. That's a signature they have on file.

21 DIRECTOR LEONARD: And in this
22 instance that would be a signature that because
23 it's a cross county -- or a county to county is
24 that whatever county is the county of origin that
25 that is clipped from a document that they have on

1 file in that county.

2 MEMBER SINNOTT: And then the second
3 document, which is a photocopy --

4 MS. HEALY: This is a photocopy,
5 yes.

6 CHAIRMAN PREISSE: This is the same?

7 MS. HEALY: Yes. This is county to
8 county.

9 CHAIRMAN PREISSE: This is a
10 photocopy of this?

11 MS. HEALY: Yes.

12 MEMBER SEXTON: So we're just
13 comparing these two?

14 MS. HEALY: Yes.

15 MEMBER SINNOTT: So we have only two
16 signature samples to compare?

17 MS. FUHRMANN: That's right.

18 MEMBER SINNOTT: The one that
19 appears on the provisional envelope and the one
20 that was transferred to us from the county original
21 registration?

22 MS. FUHRMANN: Yes.

23 CHAIRMAN PREISSE: This is almost
24 certainly inaccurate, presuming this is only -- But
25 maybe I'm wrong.

1 MEMBER SINNOTT: It's consistent
2 with the same date of birth.

3 MEMBER MARINELLO: I move that on
4 ballot number nine the signature is good and should
5 be counted.

6 CHAIRMAN PREISSE: Second.

7 DEPUTY DIRECTOR PAYNE: All those in
8 favor of the motion signify by saying aye.

9 (Vote taken.)

10 DEPUTY DIRECTOR PAYNE: All opposed,
11 same sign.

12 (No response.)

13 DEPUTY DIRECTOR PAYNE: Motion
14 carries.

15 Envelope number ten.

16 MS. FUHRMANN: Number ten is
17 provisional voter Courtney Legg (phonetic).
18 Another signature mismatch issue.

19 MEMBER SINNOTT: We have only two
20 signatures to compare. Correct?

21 MS. HEALY: Yes.

22 MEMBER SINNOTT: It looks like this
23 is another one that came from the Secretary of
24 State, registration --

25 MS. FUHRMANN: Yes. If it says

1 voter query at the top, yes.

2 CHAIRMAN PREISSE: Everything about
3 this is in order. It's just the question of the
4 signature?

5 MS. FUHRMANN: Yes.

6 CHAIRMAN PREISSE: I move that
7 ballot -- provisional ballot envelope number ten be
8 counted.

9 MEMBER SEXTON: Second.

10 DEPUTY DIRECTOR PAYNE: All those in
11 favor of the motion signify by saying aye.

12 (Vote taken.)

13 DEPUTY DIRECTOR PAYNE: All opposed,
14 same sign.

15 (No response.)

16 DEPUTY DIRECTOR PAYNE: Motion
17 carries.

18 Envelope number 11.

19 MS. FUHRMANN: Number 11 is a
20 provisional voter Free Finney-Durham (phonetic).
21 Part of what makes this provisional voter's
22 signature evaluation a little tricky is the fact
23 that she also has had a name change. Her
24 registration shows her I believe as Joanie
25 (phonetic), and at some point she's undergone a

1 name change. And that makes an evaluation of her
2 signature a bit more complicated.

3 MEMBER SINNOTT: We were handed four
4 different signature samples. Correct?

5 MS. HEALY: Yes.

6 MEMBER SINNOTT: How do we know
7 there was a name change?

8 MS. FUHRMANN: It was indicated on
9 the poll pad as the reason -- one of the reasons
10 why this voter voted provisionally.

11 CHAIRMAN PREISSE: Let's walk
12 through these documents.

13 MEMBER SINNOTT: Yeah. There's --

14 CHAIRMAN PREISSE: Is this a request
15 for an absentee ballot, this document?

16 MS. HEALY: Yes.

17 MEMBER SINNOTT: A request for an
18 absentee ballot from 2012. That's what that is.
19 Correct?

20 MS. HEALY: Correct.

21 MEMBER SINNOTT: Okay.

22 CHAIRMAN PREISSE: For a Joanie
23 Durham.

24 MEMBER SINNOTT: And then there
25 is -- is this an original registration from

1 February of 2008?

2 MS. HEALY: Yes.

3 MEMBER SINNOTT: That's the original
4 registration?

5 MS. HEALY: Yes.

6 CHAIRMAN PREISSE: For Joanie
7 Durham.

8 MEMBER SINNOTT: And then on
9 November 6th of '16 there's a signature that
10 appears on a request for an absentee ballot in the
11 November '16 election. Right?

12 MS. HEALY: Right.

13 MEMBER SINNOTT: And all those
14 relate to a Joanie Durham?

15 MS. HEALY: Yes.

16 MEMBER SINNOTT: What's the address
17 on '16?

18 MEMBER SEXTON: 1144 looks like
19 Upland.

20 CHAIRMAN PREISSE: Same address
21 in --

22 MEMBER SINNOTT: But then someone
23 shows up in November of '18 and wants to vote under
24 the name of Free Finney, dash, Durham?

25 MS. FUHRMANN: Yes.

1 MEMBER SINNOTT: And then there's a
2 notation taken by the poll worker that this voter
3 reported that she had had a name change.

4 MS. FUHRMANN: That's right. The
5 two most common reasons that a voter would vote
6 provisionally is that they've moved and that they
7 have not updated their registration with the Board
8 within the allotted time frame. And then
9 the second most common reasons is that the voter's
10 had a name change that they have not updated with
11 the Board either. And that was the case with this
12 voter.

13 MEMBER SINNOTT: The person who
14 showed up at November '18 election knew the last
15 four digits of the Social Security number for
16 Miss Durham?

17 MS. FUHRMANN: Yes.

18 CHAIRMAN PREISSE: This tag here,
19 what's the genesis of this sticker?

20 MS. HEALY: Originally they couldn't
21 find her, so she was considered not registered. So
22 that meant it wouldn't have counted. But we had a
23 separate look at it and found her, but then they
24 fully changed and we wanted to get a new -- whether
25 to accept it or not.

1 MS. FUHRMANN: We have a number of
2 quality control issues in place where every
3 provisional was looked at two and three times in
4 bipartisan teams.

5 CHAIRMAN PREISSE: And we have a
6 last name change, but we also have a first name
7 change?

8 MS. FUHRMANN: Yes.

9 MEMBER SINNOTT: And a change of
10 address?

11 MS. FUHRMANN: Yes.

12 MEMBER MARINELLO: How do you match
13 it up? With the driver's license or the Social
14 or --

15 MS. FUHRMANN: Yes.

16 CHAIRMAN PREISSE: But I'm asking --
17 we have -- the -- it seems to me the first time we
18 have evidence of the last and first name change is
19 the voter's writing on this envelope.

20 MS. FUHRMANN: Yes.

21 CHAIRMAN PREISSE: So where was this
22 generated? What data was this tag generated from?

23 MS. HEALY: The first bipartisan
24 team when we went through this, they could not
25 locate the voter. So whenever we have a

1 registration or a person that's not registered, we
2 put it in another pile for another bipartisan team
3 to go through. That second team found this person.

4 CHAIRMAN PREISSE: By finding Durham
5 in the records?

6 MS. HEALY: Yes.

7 CHAIRMAN PREISSE: Okay. And
8 then -- so this is a temporary generated tag. It's
9 not -- We created that because of the voter's
10 writing on this ballot?

11 MS. HEALY: Correct.

12 MS. FUHRMANN: Yes.

13 MEMBER SINNOTT: Is there any
14 statute or directive that speaks to the situation?

15 MS. FUHRMANN: As far as
16 identification, there's only some instruction on
17 what kind of sources that we're allowed to use to
18 confirm that a voter is who they say they are.

19 In this instance, I think that the
20 voter's date of birth and their identification
21 matched and that's how we were able to locate her.
22 But other than that, I'm not aware of any other
23 statutory guidance or directive guidance.

24 MEMBER SINNOTT: And a voter can
25 change their name and change her address by casting

1 a provisional ballot upon showing of proper ID?

2 MS. FUHRMANN: Yes.

3 And the provisional ballot
4 essentially serves as a registration in that sense.

5 MEMBER SEXTON: Same signatures and
6 same last name are about the only consistencies.

7 MEMBER SINNOTT: Whoever did show up
8 in November of '18 knew the last four digits of the
9 Social.

10 CHAIRMAN PREISSE: Assuming we may
11 face a similar situation with this voter in the
12 future, what's our practical approach to -- to
13 consolidate?

14 MEMBER SINNOTT: I think we count
15 this and going forward we will know her by the new
16 name and the new address.

17 MS. FUHRMANN: Yes. Because this
18 provisional ballot essentially serves as her new
19 registration as well.

20 CHAIRMAN PREISSE: Okay.

21 MEMBER SINNOTT: I move that we
22 count what has been marked envelope number 11.

23 CHAIRMAN PREISSE: Second.

24 DEPUTY DIRECTOR PAYNE: All those in
25 favor of the motion signify by saying aye.

1 (Vote taken.)

2 DEPUTY DIRECTOR PAYNE: All opposed,
3 same sign.

4 (No response.)

5 DEPUTY DIRECTOR PAYNE: Motion
6 carries.

7 Envelope 12.

8 MS. FUHRMANN: The next voter is
9 provisional voter Alice Stacey (phonetic). What
10 makes this situation a little unusual is the fact
11 that Miss Stacey has what looks like two middle
12 names. Sometimes she uses one, sometimes she uses
13 both. So we've provided documentation showing a
14 wide variety of situations.

15 CHAIRMAN PREISSE: What's this
16 document, Alicia?

17 MS. HEALY: That's a confirmation
18 notice that --

19 MEMBER SINNOTT: Well, how many
20 signature samples are you going to be giving us?

21 MS. HEALY: I think a couple will
22 do. We'll just give you a couple of those. This
23 one kind of shows that she has used this middle.

24 CHAIRMAN PREISSE: But what is this
25 document?

1 MS. HEALY: That's a confirmation
2 notice.

3 CHAIRMAN PREISSE: That we sent to
4 her or --

5 MS. HEALY: That we mailed to her
6 and she mailed back.

7 CHAIRMAN PREISSE: So this is her
8 writing, Alice Louise Ethel Stacey, and she's using
9 two middle names?

10 MS. HEALY: Yes.

11 MEMBER SINNOTT: And that's one from
12 July of 2011?

13 MS. HEALY: Yes.

14 MEMBER SINNOTT: And then is the one
15 from 10-15-03 her original registration?

16 MS. HEALY: This is not a
17 confirmation. We actually don't have a
18 registration on file for her. We have this here
19 and the -- Oh, yeah. So the signature matches
20 what's here, but yet she just used this as the
21 middle as opposed to what she signed with. So
22 instead of it being an L, she put an E.

23 CHAIRMAN PREISSE: I move that we
24 count the provisional ballot within the envelope
25 marked 12.

1 MEMBER SINNOTT: Second.

2 DEPUTY DIRECTOR PAYNE: All those in
3 favor of the motion signify by saying aye.

4 (Vote taken.)

5 DEPUTY DIRECTOR PAYNE: All opposed,
6 same sign.

7 (No response.)

8 DEPUTY DIRECTOR PAYNE: Motion
9 carries.

10 Now we're on to --

11 MEMBER SINNOTT: No. Let go back to
12 the smiley face.

13 DIRECTOR LEONARD: Yes. Thank you.

14 I did ask Suzanne to get a copy of
15 the applicable statutory provision that our counsel
16 was able to find for us, which is 3501.011, which
17 addresses legal mark of registered elector.

18 So, Mr. Lecklider, if you wanted to
19 just address what you thought was the pertinent
20 sections of this provision that seem to control or
21 influence the Board's consideration on this.

22 MR. LECKLIDER: Sure.

23 I think all the subsections are
24 applicable, A, B, and C. If you get to the very
25 end of A where it references the signer's

1 signature, it means that person has written in
2 cursive style a legal mark written in that person's
3 own hand. Then in B you see where it states signed
4 signature means that person's other legal mark that
5 the person uses during the course of that person's
6 regular business and legal affairs and is written
7 in the person's own hand. And then, finally, C,
8 which I think is key in this particular instance,
9 where it states the legal mark of registered
10 elector shall be considered to be the mark of that
11 elector as it appears on the elector's voter
12 registration record.

13 CHAIRMAN PREISSE: And that's what
14 we have on -- we have a smiley face on her voter
15 registration card?

16 MS. FUHRMANN: Yes.

17 MEMBER MARINELLO: Was it the same
18 smiley face?

19 MS. FUHRMANN: Yes.

20 MEMBER SINNOTT: So in A we are told
21 that the signature is supposed to be a written
22 cursive-style legal mark. And then in B we're told
23 that people who do not use a cursive-style legal
24 mark during the course of their regular business
25 and legal affairs then the signature is that

1 person's regular legal mark, query how the Board of
2 Elections is going to know that. And then C, we're
3 told for any purpose described in provision A of
4 this section which takes us back to the cursive
5 legal signature, the legal mark of the registered
6 elector shall be considered to be the mark of that
7 elector as it appears on the elector's voter
8 registration record, which takes us full cycle and
9 we're back to a smiley face.

10 MEMBER MARINELLO: Voter fraud isn't
11 happening here, that's for sure.

12 CHAIRMAN PREISSE: I think you need
13 to set the precedent here so you're part of the
14 history.

15 MEMBER SINNOTT: I move we count
16 envelope seven.

17 CHAIRMAN PREISSE: Second.

18 DEPUTY DIRECTOR PAYNE: All those in
19 favor signify by saying aye.

20 (Vote taken.)

21 DEPUTY DIRECTOR PAYNE: All opposed,
22 same sign.

23 (No response.)

24 DEPUTY DIRECTOR PAYNE: Motion
25 carries.

1 MS. FUHRMANN: Thank you.

2 That takes us to the last part of
3 our presentation. The last section of provisionals
4 can broadly be categorized as date of birth issues.
5 There are a couple of parts of the directive that
6 are instructive on this issue that I would like to
7 read into the record.

8 The directive states under chapter
9 eight, the official canvass: As long as the Board
10 can still identify the voter, technical mistakes in
11 providing one's date of birth such as accidental
12 transposition of month and year numerals,
13 mistakenly writing the current date, or inverting
14 digits are not valid reasons to reject a ballot.

15 There's another part I'd like to
16 read, as well, also from chapter eight of the
17 official canvass chapter. When a provisional
18 ballot is otherwise valid and the sole deficiency
19 is that a voter has provided something that
20 purports to be a date of birth that does not match
21 the voter's date of birth in the voter file the
22 Board must count the ballot.

23 CHAIRMAN PREISSE: Read that again,
24 please.

25 MS. FUHRMANN: Both sections?

1 CHAIRMAN PREISSE: No. The piece on
2 date of birth.

3 MS. FUHRMANN: When a provisional
4 ballot is otherwise valid and the sole deficiency
5 is that a voter has provided something that
6 purports to be a date of birth that does not match
7 the voter's date of birth in the voter file, the
8 Board must count the ballot.

9 As explained in Revised Code
10 3505.183(B), If the space provided for the voter to
11 write the voter's date of birth is blank, the
12 ballot cannot be counted. In any instance of
13 deficiency, the Board must carefully review its
14 voter registration records to determine if an error
15 on the part of the Board of Elections is the cause
16 of the deficiency before rejecting the ballot.

17 So what we have done, in the
18 interest of judicial economy, is we have grouped
19 these together for you. We can approach this one
20 of two ways, however the Board wishes to proceed.
21 You can either vote to accept or reject these, you
22 know, as a block, or I can take them one category
23 at a time and you can vote to accept or reject that
24 way; but we have them all here for your review this
25 morning.

1 DIRECTOR LEONARD: But as relayed in
2 the directive, in each of these instances, 13
3 through 81, ballots 13 through 81, there is
4 something that appears in the date of birth line
5 that purports to be a date of birth. And per the
6 directive, if it purports to be a date of birth the
7 Board must count the ballot.

8 DEPUTY DIRECTOR PAYNE: And in all
9 other instances the envelope is sufficient?

10 DIRECTOR LEONARD: Correct. It is
11 the sole deficiency. As is stated in the
12 directive, if the date of birth is the sole
13 deficiency and it purports to be a date, then the
14 Board shall count the ballot.

15 MEMBER SINNOTT: Well, I don't see
16 where we're exercising any discretion.

17 CHAIRMAN PREISSE: Well, I don't
18 either because of the word must. Although, I think
19 it's interesting that if you were reading -- I
20 don't know if you're reading from the statute or
21 the directive.

22 MS. FUHRMANN: Directive.

23 CHAIRMAN PREISSE: If it's
24 inaccurate information, we just count it. If
25 there's no information, we must not count it.

1 MS. FUHRMANN: That's correct.

2 DEPUTY DIRECTOR PAYNE: And we are
3 required to bring these date of birth issues before
4 the Board.

5 DIRECTOR LEONARD: Yeah, the way the
6 directive is written.

7 DEPUTY DIRECTOR PAYNE: That's not
8 something we can determine as a staff.

9 DIRECTOR LEONARD: Correct. It
10 states that the Board shall -- by vote of majority
11 the Board has to vote on these instances.

12 MS. FUHRMANN: The directive
13 reads -- and this is under the date of birth
14 provision -- if three board members agree that the
15 provisional ballot is in all other respects valid
16 and sufficient, i.e., cast by an otherwise
17 qualified elector who provided name, address,
18 signature, and a valid form of ID, the ballot shall
19 be counted.

20 CHAIRMAN PREISSE: And those
21 requirements have been met by a review of our
22 bipartisan staff?

23 MS. FUHRMANN: Yes.

24 MEMBER SINNOTT: In all 68
25 instances?

1 MS. FUHRMANN: Yes. The date of
2 birth issue is the sole deficiency in each of the
3 68.

4 MEMBER SINNOTT: Well, I know of no
5 reason that by single motion and vote we wouldn't
6 consider --

7 DIRECTOR LEONARD: On that count I
8 had 69 that we would --

9 MEMBER SINNOTT: 13 through 81.

10 DIRECTOR LEONARD: 15, 5, 23, 24,
11 and two totals 69 ballots.

12 MEMBER SINNOTT: Because 13 and 81
13 are inclusive.

14 CHAIRMAN PREISSE: Yeah, I guess so.

15 MEMBER SINNOTT: Okay.

16 DIRECTOR LEONARD: Inclusive.

17 MEMBER SINNOTT: Okay. Well, I move
18 that we count envelopes 13 through 81.

19 CHAIRMAN PREISSE: Second.

20 DEPUTY DIRECTOR PAYNE: All those in
21 favor of the motion signify by saying aye.

22 (Vote taken.)

23 DEPUTY DIRECTOR PAYNE: All opposed,
24 same sign.

25 (No response.)

1 DEPUTY DIRECTOR PAYNE: Motion
2 carries.

3 We've actually done the 81
4 provisional ballots for consideration motion by
5 motion. What we're looking for now is authority to
6 extract the additional provisional ballots. And by
7 my count, Allison, I had 80 accepted and one
8 rejected.

9 MS. MURRAY: One was never
10 officially -- It was acknowledged receipt of the
11 empty affirmation, but for my count none were
12 officially rejected. But I guess --

13 CHAIRMAN PREISSE: How do you reject
14 a ballot that doesn't exist?

15 MS. FUHRMANN: Allison, are you
16 talking about the ballot outside of the envelope?

17 MS. MURRAY: I am not. I was
18 talking about envelope six. And the three -- the
19 one empty ballot for two, three, and four, those
20 were all accepted.

21 MS. FUHRMANN: Okay. My notes
22 indicate that ballot two and four would be counted
23 as approved.

24 MEMBER SINNOTT: And envelope
25 three, --

1 MS. FUHRMANN: Would be --

2 MEMBER SINNOTT: -- the empty
3 ballot, would simply be acknowledged?

4 DIRECTOR LEONARD: Uh-huh.

5 MS. FUHRMANN: Yes.

6 DIRECTOR LEONARD: So through the
7 course of these 81 envelopes we have 79 ballots and
8 two empty envelopes?

9 MS. FUHRMANN: Yes.

10 DIRECTOR LEONARD: Okay. 79 ballots
11 and two affirmations.

12 MEMBER MARINELLO: I move the Board
13 authorize the staff to extract the additional 79
14 approved provisional ballots and two affirmations.

15 CHAIRMAN PREISSE: Second.

16 DEPUTY DIRECTOR PAYNE: All those in
17 favor of the motion signify by saying aye.

18 (Vote taken.)

19 DEPUTY DIRECTOR PAYNE: All opposed,
20 same sign.

21 (No response.)

22 DEPUTY DIRECTOR PAYNE: Motion
23 carries.

24 MEMBER SINNOTT: I move that the
25 Board authorize the staff to remake provisional

1 ballots and these remade ballots shall be tabulated
2 and included in the official canvass of the results
3 for the November 6, 2018 general election with a
4 report to be made to the Board later today.

5 DEPUTY DIRECTOR PAYNE: Is there a
6 second?

7 MEMBER MARINELLO: Second.

8 DEPUTY DIRECTOR PAYNE: All those in
9 favor of the motion signify by saying aye.

10 (Vote taken.)

11 DEPUTY DIRECTOR PAYNE: All opposed,
12 same sign.

13 (No response.)

14 DEPUTY DIRECTOR PAYNE: Motion
15 carries.

16 We have three voter challenges. Do
17 we want to get to those right away or does anybody
18 need a break?

19 CHAIRMAN PREISSE: I was going to
20 suggest a three-minute pause.

21 MS. FUHRMANN: If I may, before we
22 adjourn, just briefly, I need to thank everybody at
23 the Board that helped with this provisional
24 process. We had over 16,000 ballots for review,
25 which we reviewed and processed over about a 12-day

1 period. And it took a village to make that happen.
2 So I just need to acknowledge everyone for their
3 help in that regard. Thank you.

4 MEMBER SINNOTT: Thank you.

5 CHAIRMAN PREISSE: Very nice. Thank
6 you.

7 (Recess taken at approximately
8 11:54 a.m.)

9 (Resumed proceedings at
10 approximately 12:05 p.m.)

11 DEPUTY DIRECTOR PAYNE: We're ready
12 to go. The next item on the agenda is we have
13 three voter challenges. Alicia Healy.

14 MS. HEALY: You should have a copy
15 of the challenge of right to vote and correction of
16 registration list that was filed by Erich Bittner.
17 He is a qualified elector of Franklin County and he
18 lives at the address of 1593 Clifton Avenue,
19 Columbus. He is challenging Christin A. Elkins and
20 Cortney Stone. I'm not sure if you want to do this
21 together, but based on the form he put both names
22 on that list. He is challenging them -- the two of
23 them at the address 1593 Clifton Avenue. You
24 should have a copy of a voter registration for
25 Erich Bittner. He moved to this residency, it was

1 September 15, 2017. And then we have where
2 Christin Elkins moved there 9-6-18. Which she says
3 that she moved there 9-6-18, but it is stated that
4 she does not live at that address. As well as
5 Cortney Stone, who the last registration we
6 received from her was 8-28 of '14.

7 CHAIRMAN PREISSE: All right. So
8 which one are we -- are you -- are you referencing
9 all three challenges, Alicia?

10 MS. HEALY: Two. So the first one
11 with Erich Bittner. He has Christin Elkins as well
12 as Cortney Stone.

13 CHAIRMAN PREISSE: I got you here.
14 Okay.

15 And we have the Bittner registration
16 for the Clifton address on file?

17 MS. HEALY: Yes.

18 CHAIRMAN PREISSE: But we also have
19 the Stone and Elkins registrations at the same
20 address?

21 MS. HEALY: Correct.

22 MEMBER SINNOTT: The Stone
23 registration goes back to '14, but the Elkins
24 registration is just a couple of months old.

25 CHAIRMAN PREISSE: Yeah.

1 And notices were sent to Stone and
2 Elkins --

3 MS. HEALY: Correct.

4 CHAIRMAN PREISSE: -- to the Clifton
5 address. There's something fishy going on here,
6 but I don't know what it is.

7 MEMBER SINNOTT: Uh-huh.

8 MEMBER SEXTON: Do you know if
9 Christin Elkins voted in the last election?

10 MS. HEALY: So neither voters have
11 voted.

12 MEMBER SINNOTT: Neither Elkins nor
13 Stone?

14 MS. HEALY: Correct.

15 MEMBER SEXTON: Christin Elkins,
16 it's been pointed out, 9-6-18, very recent.

17 MEMBER SINNOTT: Well, I move that
18 the Board approve the challenge of right to vote
19 filed by Erich Bittner, 1593 Clifton Avenue,
20 Columbus, Ohio, against Cortney Stone of the same
21 address and order that Cortney Stone's registration
22 be removed from the Franklin County Board of
23 Elections voter file.

24 DEPUTY DIRECTOR PAYNE: Is there a
25 second?

1 CHAIRMAN PREISSE: Second.

2 DEPUTY DIRECTOR PAYNE: All those in
3 favor of the motion signify by saying aye.

4 (Vote taken.)

5 DEPUTY DIRECTOR PAYNE: All opposed,
6 same sign.

7 (No response.)

8 DEPUTY DIRECTOR PAYNE: Motion
9 carries.

10 MEMBER MARINELLO: I move that the
11 Board approve the challenge of the right to vote by
12 Erich Bittner, 1593 Clifton Avenue, Columbus, Ohio,
13 against Christin A. Elkins of the same address and
14 order that Christin A. Elkins' registration be
15 removed from the Franklin County Board of Elections
16 voter file.

17 CHAIRMAN PREISSE: Second.

18 DEPUTY DIRECTOR PAYNE: All those in
19 favor of the motion signify by saying aye.

20 (Vote taken.)

21 DEPUTY DIRECTOR PAYNE: All opposed,
22 same sign.

23 (No response.)

24 DEPUTY DIRECTOR PAYNE: Motion
25 carries.

1 And there's one more voter
2 challenge?

3 MS. HEALY: Yes.

4 We have a voter challenge from
5 Rovella Watson. She is also a qualified elector of
6 Franklin County, and her address is 1400 East Gates
7 Street, Columbus, and she is challenging David T.
8 Woody, Jr., who she states has never lived at this
9 address, she does not know him, and she would
10 request that all mailings to him be ceased. We do
11 have a registration that was dated 8-8-18 of this
12 year and we did receive an acknowledgment notice
13 that was returned from this address as well as --

14 CHAIRMAN PREISSE: What is that?

15 MS. HEALY: Yes. It was returned.
16 This was --

17 MEMBER SEXTON: So the
18 acknowledgment request was returned, and this David
19 Woody registered 8-8-18?

20 MS. HEALY yes.

21 MEMBER MARINELLO: It was returned
22 to sender, not returned by the -- David Woods. It
23 was not -- He doesn't live there, in other words?

24 MS. HEALY: Yes.

25 MEMBER SEXTON: Do we have any other

1 information on David Woody being registered in
2 Franklin County prior to 8-18?

3 MS. HEALY: We do not. That was the
4 first registration that we received from him.

5 CHAIRMAN PREISSE: Huh.

6 Do we know how long Rovella Watson
7 lived at 1400 East Gates was registered?

8 MS. HEALY: I have where -- she has
9 been there since --

10 DIRECTOR LEONARD: Now, I think,
11 keep in mind, do note that on the challenge form it
12 says the return of mail sent by election officials
13 as undeliverable, unable to forward, and so forth
14 alone is insufficient to grant the challenge. But
15 you do have the affidavit from the voter saying
16 that they don't live there. So --

17 MS. HEALY: I did see a registration
18 from her on an absentee ballot back in 2008. So
19 she's been there.

20 She's lived there a long time.

21 MS. HEALY: Quite a long time, yes.

22 MEMBER SEXTON: Mr. Chairman, I
23 would move the Board approve the challenge of the
24 right to vote filed by Rovella A. Watson, 1400 East
25 Gates, Columbus, Ohio, against David T. Woody, Jr.

1 of the same address and order that David T. Woody,
2 Jr.'s registration be removed from the Franklin
3 County Board of Elections file.

4 CHAIRMAN PREISSE: Second.

5 DEPUTY DIRECTOR PAYNE: All those in
6 favor of the motion signify by saying aye.

7 (Vote taken.)

8 DEPUTY DIRECTOR PAYNE: All opposed,
9 same sign.

10 (No response.)

11 DEPUTY DIRECTOR PAYNE: Motion
12 carries.

13 The next item on the agenda is the
14 purchase of the new voting machines. I believe the
15 Director has a brief presentation.

16 DIRECTOR LEONARD: I'll keep it
17 brief. As the Board knows, we've been going
18 through the evaluation process of voting machines
19 now for well over a year. We started in March of
20 '17 pulling the staff together, management together
21 to go over what we would identify as the criteria.

22 You do have in front of you, the
23 Board members have a color PowerPoint presentation.
24 But we established the criteria. We did an ethics
25 training with our staff to make sure that we

1 were -- you know, everybody was well versed on what
2 they could and couldn't do as it related to the
3 acquisition of the voting machines.

4 We did open houses with -- we went
5 around the state to attend open houses. We visited
6 Hamilton County, Cuyahoga County, essentially large
7 counties like our own. We had individual on-site
8 demonstrations from all five of the eligible
9 vendors in the state of Ohio. We did -- we brought
10 some of the what we term stakeholders, so the
11 senior groups, the League of Women Voters, some of
12 the disability advocacy groups, and we brought them
13 to the election official conference so that they
14 could -- we could show them the five different
15 systems that were available in Ohio.

16 We -- After that, we narrowed it
17 down to two finalists. We did mock elections where
18 we invited the public. We did surveys as a result
19 of those. We did online videos that we got
20 feedback from the public that are online videos.
21 We made reference calls to the -- a couple of the
22 references from the vendors, large counties that
23 had a similar system in place. We asked each of
24 the vendors to provide us with a solution
25 essentially laid out, all of the circumstances of

1 our county, its size, number of voting locations.
2 We did a really very thorough outline of how we
3 operate and the size of our county and asked the
4 two finalists to provide us with their proposals.
5 They did. We evaluated those. We brought them in
6 for additional demonstrations. We negotiated with
7 the vendors.

8 And ultimately we came to the -- The
9 next page our recommendation is that we should go
10 with ES&S, a hybrid voting system from ES&S. What
11 we'd recommend is that in 2019 the initial purchase
12 would be using all the state money that we've been
13 allocated, which is \$10,340,000 plus that we've
14 been allocated. We would use that entire amount.

15 What it would do is purchase 550
16 precinct scanners which are the large, you know,
17 bulk scanners. And we'll have the equipment
18 available next door for the Board to look at. And
19 then what it also allows us to purchase is 2,578
20 touch screen voting machines. Some of them will be
21 in the kiosk method which we'll use in our early
22 vote center. We'll also use the kiosk method as
23 the method for a disabled voter for ADA compliance
24 because it will allow us to lower and adjust it
25 accordingly.

1 This \$10.34 million in state funding
2 will allow us to purchase that equipment, all the
3 software, installation, delivery, and the storage
4 cases for some of these machines. The contract
5 would also allow us an option to buy more machines
6 next year. And we would have -- we have a
7 commitment from the county for additional funding
8 for carts, voting booths, additional poll pads,
9 because those are items that are not authorized to
10 be purchased with the \$10 million that the state is
11 providing. So there's additional equipment we'll
12 need and the county is authorizing money for that.

13 What the county has also agreed to
14 provide is in 2020 we would get additional machines
15 before the primary, and that would be 698
16 additional touch screen voting machines, bringing
17 the total to 3,276 touch screen voting machines.
18 And the county would commit to an additional
19 \$2 million from our charge-backs to cover that.

20 And so really, in the end, we end up
21 buying a new voting system for -- the equipment for
22 the new voting system, the actual voting equipment
23 will be less than the amount we spent 12 years ago
24 to buy the equipment that we have now. Back in
25 2006 and 2009 we bought the total complement of

1 machines that we have now, and that was
2 14.3 million. We will be buying all of this voting
3 equipment that we have right now -- or that we will
4 be getting and that will be \$12.3 million.

5 CHAIRMAN PREISSE: How many machines
6 do we deploy now?

7 DIRECTOR LEONARD: We deploy 4,400,
8 but we have 4,735. So --

9 CHAIRMAN PREISSE: Does that explain
10 the difference?

11 DIRECTOR LEONARD: Right. Some of
12 that difference is we're buying fewer machines.
13 But we actually got a lower unit price for the new
14 voting machines that we're getting than we did the
15 last time. The old machines cost us \$3,050 apiece.
16 The new machines will cost us -- with the storage
17 bag will cost us 2,864 apiece. So we're actually
18 getting a per unit price. We're doing better.

19 So if you go to the next page it
20 kind of gives you a sense of why we're doing it,
21 why we think the ES&S hybrid system works for us.
22 First, it gives voters the option of method they
23 prefer. So if a voter wants to vote on paper, they
24 can vote a paper optical scan ballot. If they want
25 to vote on a machine, they have the ability to vote

1 on a machine.

2 We had a great concern about the
3 risk of long lines if we went paper only, but
4 having the ability that voters could choose to vote
5 on machine or choose to vote on paper that that
6 reduces the risk of long lines we would have if we
7 had a paper-only system.

8 The ES&S hybrid system was preferred
9 by the groups that we took around at the election
10 official conference, the disability advocacy
11 groups, some of the senior -- representatives from
12 the senior groups, and the League of Women Voter
13 representatives.

14 When we had it here for the mock
15 election, the public, our staff, our trainers, our
16 poll workers, they all preferred the ES&S system.
17 I think it also allows us to better manage our
18 ballot style combinations by having the touch
19 screen, the large number of touch screen machines.
20 Because, again, we have a significant number of
21 ballot style combinations and doing it all paper
22 would be tremendously difficult. But having the
23 hybrid equipment will allow us to balance that more
24 effectively.

25 It also allows us to capitalize on

1 the high-speed scanners that we've already invested
2 in. In 2016 we bought five high-speed ES&S
3 scanners for a cost of \$477,000. Going with ES&S
4 will allow us to capitalize on that investment
5 we've already made. And the hybrid will allow
6 future flexibility for us in terms of not having
7 such a large capital investment but still able to
8 manage the number of voters coming out as well as
9 giving people the option.

10 So the next page just talks about
11 some of the success we had in this process. We
12 negotiated a lower unit price on the precinct
13 scanners and the touch screens. We have an initial
14 proposal from ES&S and then we've had two -- and
15 we've essentially worked through it, figured out
16 where we thought we -- they could sharpen their
17 pencils. We went back a second time, went back a
18 third time, and over the course we've actually
19 secured lower unit pricing on the scanners as well
20 as the touch screen voting machines. If you see
21 the second bullet point on page four, we actually
22 negotiated a hundred percent discount on the
23 non-state funded items. The bar code scanners --

24 MEMBER SINNOTT: Explain the
25 100 percent discount. It sounds like free.

1 DIRECTOR LEONARD: That would be
2 free.

3 Under the state contract the vendors
4 are precluded from giving discounts on the things
5 that are funded by the state. The state contracts
6 are going to have what they refer to as a
7 favorite -- most favored nation cost. So if you
8 offer that price to one county, you got to offer
9 that price to everybody, which in a way it defeats
10 the market purpose.

11 We can talk about the fact that I go
12 to the car dealership and I buy one car, I'm going
13 to get a price; but if I buy 200 cars, I'm going to
14 get a hell of a price. We don't get that.

15 But what ES&S is doing is on the
16 items that aren't covered by state money, we are
17 permitted to negotiate discounts. And so that's
18 what they've done. Because they can't give us
19 discounts on the bulk of the election hardware,
20 they're giving us discounts on some of this
21 additional equipment that the state deems to be not
22 eligible for state funding.

23 And the bar code scanners are
24 something that we really want to have because that
25 will speed the process on the machine. When a

1 machine judge now has to input information on the
2 touch screen for our current machines, with the
3 future system they'll just be able to scan a bar
4 code on the authority to vote slip and the person's
5 ballot pops up on the screen. So you avoid fat
6 finger mistakes of typing in the wrong code or the
7 wrong ballot style, and it will speed up that
8 ballot process.

9 And also the ADA cards that will --
10 when a voter -- when a disabled voter casts their
11 ballot their ballot will go into a card bin so that
12 they can maintain the secrecy of their ballot even
13 if they may have dexterity limitations and they
14 wouldn't be able to carry their ballot over to a
15 scanner. They would just hit cast my vote and it
16 would go into the card bin.

17 MEMBER SINNOTT: So each purchaser
18 of ES&S equipment in Ohio is going to be paying the
19 same price?

20 DIRECTOR LEONARD: Right.

21 MEMBER SINNOTT: How do we know that
22 Ohio purchasers are getting the real price for the
23 ES&S equipment that is the fair market price for
24 this equipment?

25 DIRECTOR LEONARD: I think what

1 we're getting is what they're offering for the
2 State of Ohio. So I don't know that -- they told
3 us that the pricing they're giving us is similar to
4 what they're doing for the State of Georgia and I'm
5 trying to think if there's another state --

6 MEMBER SINNOTT: We have an ES&S
7 representative here.

8 DIRECTOR LEONARD: Craig, if you'll
9 introduce yourself for the court reporter and just
10 if you want to answer --

11 MR. SEIBERT: You bet. I'm Craig
12 Seibert. I'm regional sales manager for Election
13 Systems & Software out of Omaha.

14 So as far as the price, when we
15 submitted our state pricing to the State of Ohio we
16 just actually heard back. I don't think it's been
17 let to the counties as of yet.

18 DIRECTOR LEONARD: No.

19 MR. SEIBERT: We just heard back
20 Friday after Thanksgiving the our state price for
21 Ohio was approved. So it was awarded. So I'm not
22 sure when it will be let to the counties.

23 Part of the most favored nation
24 pricing, how we determined it when we read the --
25 what the Secretary of State's office and Department

1 of Administrative Services put out for bid was we
2 had to give our lowest price that we've given
3 anywhere in the country for the last 12 months.

4 MEMBER SINNOTT: So we're getting
5 the lowest price that ES&S has offered anywhere in
6 the country in the last year?

7 MR. SEIBERT: Correct.

8 DIRECTOR PREISSE: Thank you for
9 that.

10 DIRECTOR LEONARD: And then we
11 negotiated that we'll -- that price will be good
12 for us -- the state term contract is good for
13 36 months.

14 MR. SEIBERT: Yeah. I was going to
15 say. Yeah. 24.

16 DIRECTOR LEONARD: Or 24 months.
17 But that we'd be able to buy additional machines.
18 And that's what will allow us to buy the additional
19 machines, order them at the end of 2019 and have
20 them arrive in early 2020 so that they'll be ready
21 to be deployed for the presidential primary.

22 And so we'll -- and we'll have that
23 same discount on the bar code scanners and the card
24 bins. That same discount will apply for the new
25 machines we buy as well.

1 We negotiated time and materials for
2 the maintenance of these machines in future years.
3 We'll still have to pay for firmware and software
4 licenses; but the maintenance, that will end up
5 saving us between 400 and \$500,000 a year based on
6 some of the -- our current maintenance contracts.
7 Instead, the time and materials will be that if
8 something breaks we'll have a representative from
9 ES&S come and fix it or we'll ship it to them; but
10 we're not paying this kind of product insurance so
11 that if something breaks we'll just -- if it breaks
12 we fix it, if it needs to be repaired we'll either
13 ship it to them or have somebody come here to do
14 the routine maintenance.

15 And quite honestly, the -- when you
16 look at the shift in pricing over the course of the
17 negotiations plus the discount that we receive for
18 the items, as you called it, that are free, a
19 hundred percent discount, that equals over
20 \$3 million in total up-front savings in the new
21 system, the price reductions that we've seen over
22 time as well as the discounts.

23 If you go to the final page of the
24 presentation, it just kind of goes through the next
25 steps. Late November Franklin County announces the

1 vendor selection, which is what we're doing today.
2 And then early December -- and actually it's
3 already occurred. We coordinated -- With
4 anticipation of this meeting we coordinated with
5 Stretch. Jo Campbell, our project manager,
6 coordinated with him to have some of the equipment
7 shipped to us. So we've already got some equipment
8 on site that we can start -- as we start preparing
9 for public education, PEO training. Because we're
10 going to have to start looking at how our training
11 manuals change. We'll start looking at the
12 logistics planning. We'll have the equipment
13 already in place.

14 And then the -- as you go through
15 the balance of that last PowerPoint sheet, is we'll
16 complete the contracting process during the month
17 of December and we'll start the bidding of the
18 ancillary equipment, the carts, the voting booths.
19 Because those will be over \$50,000 in value, we'll
20 have to competitively bid those.

21 CHAIRMAN PREISSE: The voting
22 booths?

23 DIRECTOR LEONARD: Well, given the
24 quantity we're buying. We have to buy five to six
25 to seven hundred voting booths. And if you're

1 talking about -- Well, those are the four. So if
2 you're buying individual booths, the cost of the
3 number of booths we would need is going to exceed
4 50,000. So we'll have to competitively bid that.

5 And then we anticipate we'll have
6 initial shipment of the equipment in mid to late
7 January so that we'll be ready to deploy them for
8 the May primary.

9 MEMBER SINNOTT: With the new voting
10 equipment, Ed, will we have any expense additional
11 to what we have been accustomed to paying for
12 transportation of the voting devices; that is,
13 their deployment in the field on election day?

14 DIRECTOR LEONARD: At this point we
15 haven't determined that; but, again, that's
16 something we'll have to work out as we get further
17 along it the process. Because in terms of the
18 number of carts that would need to be deployed,
19 it's still trying to formulate exactly how that's
20 going to look. But that's what we'll be doing over
21 the course of the year. But I don't anticipate
22 that the commissioners -- if there is a change that
23 the commission will --

24 DEPUTY DIRECTOR PAYNE: Even though
25 there's fewer machines you still have the same

1 number of locations that they have to deliver the
2 machines to. So whoever is delivering our machines
3 and returning our machines are taking them to 355
4 locations, which they always have.

5 MEMBER SINNOTT: It sounds as though
6 we shouldn't expect the transportation expense to
7 go down but we shouldn't expect it to go up?

8 DEPUTY DIRECTOR PAYNE: I think
9 that's correct.

10 CHAIRMAN PREISSE: So we're
11 anticipating the delivery and utilization of 2,578
12 of the touch screens for the May primary.

13 DIRECTOR LEONARD: And then by the
14 presidential primary of 2020 we will have 3,276
15 machines in place plus the ability to cast a ballot
16 on paper as well.

17 MEMBER SEXTON: So that's an
18 additional 698?

19 DIRECTOR LEONARD: Additional 698
20 touch screen voting machines, right.

21 CHAIRMAN PREISSE: So the 2,578 will
22 be in the full complement of locations and the
23 anticipation is that's sufficient to manage for an
24 off-year primary and then the supplemental machines
25 or the additional machines will be --

1 DIRECTOR LEONARD: Will be in place
2 for the presidential primary and presidential
3 election, which will have much higher voting.

4 MEMBER SEXTON: I assume these are
5 all the same unit cost?

6 DIRECTOR LEONARD: And they're all
7 the same unit cost, right.

8 MEMBER SINNOTT: Well, I'm convinced
9 that we're getting a good business deal as to the
10 things that matter to the public.

11 Do you expect that the new machines
12 will be more or less accurate than the machines
13 we're using now?

14 DIRECTOR LEONARD: They will be very
15 accurate.

16 MR. SEIBERT: Yes.

17 MEMBER SINNOTT: Will they be more
18 or less secure than the machines we're using now?

19 MR. SEIBERT: All the machines have
20 to go through a federal testing at the EAC level.
21 So Ohio requires not only EAC certification but
22 also BVME board, voting machine examiners here at
23 the State of Ohio via the Secretary of State's
24 office. So we have to get over the hurdle of
25 federal certification there and then bring

1 everything in for the BVME to be looked at as well.

2 Obviously there's an extensive mark
3 test that you have to meet at the federal level. I
4 think it's a million marks without an error. So
5 they basically hand mark a million pieces of paper
6 and we have to scan everything and make sure that
7 it's spot on so that all the equipment that you're
8 getting today meets that requirement.

9 MEMBER SINNOTT: It sounds more like
10 accuracy than security, though. Will the new
11 equipment be more or less secure?

12 MR. SEIBERT: It is more secure as
13 well than the current. The security standards from
14 2006 when you purchased your previous equipment to
15 what the current equipment is at is really night
16 and day as far as security goes as well.

17 MEMBER SINNOTT: And David, -- you
18 can all weigh in on this -- the new equipment be
19 more or less easy for the voter to use?

20 DEPUTY DIRECTOR PAYNE: I think it
21 will be much easier. And the great thing about the
22 hybrid approach is those people that want to use
23 electronic voting can do that, the people that want
24 to use paper can do that. So we've heard from both
25 sides. A lot of people are promoting paper now.

1 It gives them that option. And the people that
2 like to use the same kind of technology, although
3 it's improved, can use that. And this is recently
4 -- the hybrid approach has just recently been
5 approved by the Ohio Secretary of State. They
6 liked the approach we were taking.

7 DIRECTOR LEONARD: Right.

8 And the Attorney General just
9 released an opinion that says this is completely an
10 appropriate way to utilize this hybrid system.

11 MEMBER SINNOTT: So in terms of ease
12 of use, the voter using the new equipment will find
13 the voting process more convenient, more
14 understandable?

15 DIRECTOR LEONARD: Right.

16 Plus they'll be able to get that
17 paper -- Because right now, our system, you have
18 the touch screen and you have that paper tape along
19 the side to verify. Most voters don't look at
20 that. Many voters will cast their ballot on the
21 screen and may not necessarily look at that paper
22 tape. But now they'll get that ballot, printed
23 ballot back to them that they can review it and
24 then place it in the -- into the precinct scanner.

25 MEMBER SINNOTT: So the new

1 equipment is more voter friendly than the equipment
2 that we're using now. Is that --

3 DIRECTOR LEONARD: Exactly. And for
4 our disabled voters it is exceptional. I mean,
5 right now, our current system, the audio ballot for
6 a blind voter is very slow and I've heard some of
7 our voters complaining that it takes a long time to
8 get through an audio ballot. With the new system
9 they'll be able to adjust it, the speed of the
10 audio, because they can hear at a faster pace than
11 we can. Also if you have somebody even with just a
12 nominal visual impairment they can adjust font
13 size, which they can't do with the current
14 equipment. Again, any voter that -- you know,
15 they're not completely disabled but it's helpful
16 for them to adjust the font. They would be able to
17 do that.

18 MEMBER SINNOTT: So voters will know
19 going forward that the equipment that we're buying
20 now is more voter friendly, more user friendly than
21 the equipment that they have been using?

22 DIRECTOR LEONARD: Right.

23 And that will be part of our
24 education process for the public is to not only
25 educate people as to how to use it and why it's an

1 easier system to use, but there will also be a
2 component of that education that talks about why
3 it's more secure so that people can have confidence
4 in the system.

5 MEMBER SINNOTT: Well, I don't need
6 to be educated anew on how to vote in order to use
7 the voting equipment that we're buying now, do I?

8 DIRECTOR LEONARD: No. I mean, it's
9 from a changed management perspective. You want
10 to -- It's for people to feel comfortable with the
11 new system. They're walking into a new system and
12 you'd want voters to know -- again, some of that is
13 being out in the community, to take the machines
14 out in the community like we did when we bought the
15 iVotronics. You get them out to every location so
16 people can be exposed to them before they walk into
17 the voting booth. Because, again, we just want to
18 make sure as many people as possible know about the
19 new system and have confidence in the new system.

20 So I do want to point out one thing.
21 This whole process that you went through just a
22 little bit earlier about voter intent on
23 provisional ballots, in the new system that will
24 change radically. You can have laptops in front of
25 you with the digital image of the ballot so that

1 you don't have to pass ballots amongst yourselves
2 to figure out, well, what did this look like. You
3 can all be looking at it at the same time and you
4 make a decision as to should -- was the voter's
5 intent to vote for candidate A. You determine that
6 and you can make that change in the software. So
7 it will record how it was scanned and how the Board
8 decided to determine that voter's intent. And so
9 there's not all this remaking of ballots that we do
10 now. So it will simplify your process and simplify
11 this -- it will simplify this certification
12 process.

13 CHAIRMAN PREISSE: I like what we're
14 hearing and also the very good due diligence with
15 the exposure and the input from senior groups, LWV,
16 which is the League of Women Voters, public staff
17 trainers, poll workers, and even conducting some
18 mock elections.

19 And then, Mr. Stretch, -- I think
20 that's your electoral name --

21 MR. SEIBERT: Yeah.

22 CHAIRMAN PREISSE: -- we're pleased
23 to hear it's more secure, easier options, more
24 flexible. But also when the voters go in they're
25 not going to be shocked by a new system. They're

1 still going to see a touch screen. They're going
2 to find it familiar --

3 MR. SEIBERT: Very familiar.

4 CHAIRMAN PREISSE: -- and not a
5 great deviation from the technology they're used
6 to.

7 MR. SEIBERT: Correct.

8 MEMBER SEXTON: What is the life
9 expectancy of these machines?

10 MR. CRAIG: The EAC, the federal
11 level, mandates that any equipment we bring to them
12 now has at least a 15-year life to it.

13 MEMBER SEXTON: 15 years?

14 MR. CRAIG: Yeah.

15 So your current system is going on
16 12, I think, right now.

17 DIRECTOR LEONARD: Right.

18 MR. CRAIG: And obviously, you guys
19 take good care of your stuff as well. So it's how
20 well the warehouse guys take care of it. But yeah,
21 we don't see any issue getting 15 years or further.

22 MEMBER MARINELLO: I know this is a
23 lot of work.

24 DIRECTOR LEONARD: I do have to
25 commend. Every division of this office was

1 involved in the process, the staff from the outset,
2 giving us feedback and participating in the
3 demonstrations, asking really tough questions, kind
4 of putting these systems through their paces and
5 giving us feedback as to why one vendor should move
6 forward and another system shouldn't.

7 So, again, they did a tremendous job
8 getting around to the different counties, getting
9 around to the different demonstrations that took
10 place outside of our offices and then the ones that
11 took place here. Again, they did a tremendous job
12 of doing their work to help us make the selection.

13 DEPUTY DIRECTOR PAYNE: And I think
14 Jo Campbell deserves a round of applause. She's a
15 bulldog. I'm not sure if Stretch appreciates her,
16 but she would tell us keep going back, they can do
17 better on their price. And we're like, wow, okay,
18 yeah, we will. So she saved the county and the
19 state a lot of money. So thank you, Jo.

20 MEMBER MARINELLO: All right.

21 CHAIRMAN PREISSE: Nice.

22 DEPUTY DIRECTOR PAYNE: And for any
23 of the Board members that want to see the machines,
24 they are set up in the Liberty Room right next to
25 us and Strech will be here for the remainder of the

1 day or any of the audience members that want to see
2 new machines.

3 MEMBER SINNOTT: These are machines
4 we sampled before?

5 DEPUTY DIRECTOR PAYNE: They are
6 machines you sampled before, yes.

7 MEMBER SEXTON: Well, with that, I
8 would move that the Board authorize the Director
9 and the Deputy Director to work with the Franklin
10 County Commissioners and Franklin County Prosecutor
11 to complete the terms of agreements between the
12 Franklin County Commissioners and the Secretary of
13 State to facilitate the acquisition of an Election
14 Systems & Software, ES&S, hybrid voting system for
15 Franklin County. Funding for the purchase of the
16 hybrid voting system from ES&S will utilize
17 \$10,342,779.93 allocated for Franklin County
18 pursuant to Senate Bill 135 and additional funds
19 not to exceed \$2 million to be allocated by the
20 Franklin County Board of Commissioners for
21 additional equipment in 2020.

22 CHAIRMAN PREISSE: Second.

23 DEPUTY DIRECTOR PAYNE: All those in
24 favor of the motion signify by saying aye.

25 (Vote taken.)

1 DEPUTY DIRECTOR PAYNE: All opposed,
2 same sign.

3 (No response.)

4 DEPUTY DIRECTOR PAYNE: Motion
5 carries.

6 I think there's one cleanup item.

7 DIRECTOR LEONARD: Yes.

8 Are we prepared to address the ADA
9 provisional ballots?

10 MS. FUHRMANN: Yes.

11 Mel Fuhrmann, for voter services one
12 last time.

13 So there was a technical error that
14 we became aware of just this morning, and as such I
15 need to make an amendment to Exhibit A, which is
16 the November 2018 general provisional report.

17 So the amendment is that the ADA
18 rejected. There were four of those. Those should
19 have actually been included in the ADA approved at
20 the top. It should be 34 and not 30.

21 DIRECTOR LEONARD: What was
22 explained to me is that those four hadn't been
23 coded and -- but they were otherwise -- the
24 application was otherwise valid and therefore
25 should have been in the category of accepted.

1 DEPUTY DIRECTOR PAYNE: So the
2 approved number goes up by four and the rejected
3 number goes down by four?

4 MS. FUHRMANN: Yes.

5 DEPUTY DIRECTOR PAYNE: Total number
6 of ballots 16,188 remains the same?

7 MS. FUHRMANN: Yes.

8 MEMBER SINNOTT: Do you need a
9 motion, then, that adjusts the numbers?

10 DIRECTOR LEONARD: I think so. That
11 would be the best way to -- And I think in this
12 instance you can do it -- do it as one resolution.

13 MEMBER SINNOTT: I move that the
14 Board approve the counting of 13,372 provisional
15 ballots and that all provisional ballots deemed
16 valid will be counted and included in the official
17 canvass results for the November 6, 2018, general
18 election and that the Board reject the counting of
19 2,735 provisional ballots as identified by category
20 in Exhibit A and that all provisional ballots
21 rejected will not be counted or included in the
22 official canvass results for the November 6, 2018,
23 general election.

24 MEMBER SEXTON: Second.

25 DEPUTY DIRECTOR PAYNE: All those in

1 favor of the motion signify by saying aye.

2 (Vote taken.)

3 DEPUTY DIRECTOR PAYNE: All opposed,
4 same sign.

5 (No response.)

6 DEPUTY DIRECTOR PAYNE: Motion
7 carries.

8 MS. FUHRMANN: Thank you.

9 DEPUTY DIRECTOR PAYNE: I spoke to
10 the folks that are opening the provisional ballots.
11 They believe that they will be completed with the
12 opening of the envelopes by about 1 o'clock. It
13 will take another hour and something for absentee
14 to run those ballots. So I would think somewhere
15 around 2, 2:30. 2:30 is probably closer. But I
16 can -- what we can do is call you and let you know
17 how close or how far we are from that 2:30 mark.

18 MEMBER SINNOTT: Why don't we say no
19 earlier than 2:30 but on call.

20 MEMBER SEXTON: Be back here at
21 2:30.

22 CHAIRMAN PREISSE: Sounds like
23 they're going to call us and see if we're close to
24 2:30.

25 DIRECTOR LEONARD: One thing that

1 Carla just brought to my attention is that Vinton
2 County will not be certifying until 3. That's part
3 of the 15th Congressional District. Which then we
4 would be declaring the results for the 15th, just
5 like we declared for the 12th because we're the
6 most populous county.

7 MS. PATTON: I'll go ahead and call
8 the director down there and see if we can get
9 numbers just ahead of time so that we could
10 probably declare the winner shortly after 3, giving
11 them their chance to certify the results prior to
12 us releasing them.

13 DEPUTY DIRECTOR PAYNE: That's one
14 of the reasons why you'll hear that other counties
15 certify before this. We have to wait really till
16 the last day so that we can get all the counties in
17 the congressional district. I don't know why
18 Vinton County would have to wait to count up the 12
19 ballots they had or whatever, but -- Probably
20 unnecessary for my friends in Vinton County, but --

21 MS. BROWN: Because they were closed
22 last week.

23 CHAIRMAN PREISSE: So we're going to
24 be in recess until 2:30 subject to you calling the
25 four of us and making sure that that's the target.

1 (Recess taken at approximately
2 11:46 a.m.)

3 (Board returned from recess at
4 approximately 4:02 p.m.)

5 DEPUTY DIRECTOR PAYNE: All right.
6 It appears we are back from recess. I'm going to
7 ask Zach Manifold to give a record. We do have --
8 It's voter intent.

9 MR. MANIFOLD: We have a provisional
10 to look at. You want the report first. So the 600
11 code, which is the possible remakes, that's the
12 right-church-wrong-pew. So we open the envelope
13 and pull out the ballot. You know, and so you
14 don't know depending if they wrote on the envelope,
15 if somebody got the right ballot. Out of 348, 600
16 code remakes out of the 348, 199 had to be remade.
17 So that is 149 that did not need to be remade and
18 the people got the correct ballots.

19 And then on to the next issue. We
20 have one ballot that our bipartisan team couldn't
21 figure out what to do with. I'm going to bring
22 you -- As you can see, we use a highlighter to
23 correct the things. They started to highlight, and
24 then in the judge races the marks got inconsistent
25 and they weren't sure how to read that ballot.

1 MEMBER SINNOTT: Where does the
2 green highlighting come from?

3 MR. MANIFOLD: Bipartisan staff.
4 They put a slash. The machines won't read a slash,
5 you have to fill in more. We started to correct
6 that ballot.

7 CHAIRMAN PREISSE: You're saying the
8 judicial races is throwing the team?

9 MR. MANIFOLD: That far right
10 column. It kind of -- As you start seeing they are
11 making lines.

12 MEMBER SINNOTT: Well, that's what
13 they did elsewhere on the ballot too.

14 MR. MANIFOLD: Correct. But we hit
15 both bubbles.

16 MEMBER SINNOTT: Where they hit both
17 bubbles the staff was able to exclude votes in
18 those offices?

19 MR. MANIFOLD: Correct.

20 MEMBER SINNOTT: Okay. And there
21 are single bubbles we're counting?

22 MR. MANIFOLD: That's what we're
23 asking. I think we lean towards if both bubbles
24 are. We were looking for direction.

25 MEMBER SINNOTT: What has been a

1 single bubble in a race, you decided to count that?

2 MR. MANIFOLD: Yes.

3 We were debating on if you guys want
4 to make it Exhibit 24 or make it Exhibit 1 because
5 it's provisional.

6 DEPUTY DIRECTOR PAYNE: Carla is in
7 the process of tabulating. We are taking that when
8 the Board decides what to do with the ballot and
9 Carla will hand enter the results.

10 Correct?

11 MR. MANIFOLD: Yes. She can
12 manually add it.

13 MEMBER SINNOTT: You want input on
14 the judicial?

15 MR. MANIFOLD: Correct the ones
16 marked with the green.

17 MEMBER SEXTON: Several of these go
18 through both circles?

19 MR. MANIFOLD: Uh-huh.

20 MEMBER SINNOTT: Call is 125?

21 MR. MANIFOLD: Correct.

22 MEMBER SINNOTT: 125, I think that's
23 a vote for Phipps.

24 Then as to the judicial races shown
25 on ballot number 125, I move there be a vote

1 counted for Karen Phipps relative to the Common
2 Pleas seat commencing January 24, 2019, but that no
3 other vote in the judicial races be counted.

4 MEMBER MARINELLO: Second.

5 DEPUTY DIRECTOR PAYNE: All those in
6 favor of the motion signify by saying aye.

7 (Vote taken.)

8 DEPUTY DIRECTOR PAYNE: All opposed,
9 same sign.

10 (No response.)

11 DEPUTY DIRECTOR PAYNE: Motion
12 carries.

13 MR. MANIFOLD: Thank you. We'll
14 have Carla hand enter that and be back with a
15 report. In the meantime we're trying to get ahold
16 of Vinton County.

17 MR. MANIFOLD: Yeah. I heard we're
18 still waiting on Vinton County.

19 (Brief recess taken.)

20 DEPUTY DIRECTOR PAYNE: I'm going to
21 ask Carla to gives a report on the election.

22 MS. PATTON: Good afternoon.

23 So I handed you -- the first report
24 that I handed you, in the upper left-hand corner
25 that's marked Franklin County only. Those are the

1 results of all the ballots cast in Franklin County
2 that we have deemed to be valid with bipartisan
3 teams canvassing all the votes. You are presented
4 in that report the ballots cast in Franklin County
5 and we ask you to certify the results as they
6 appear on the report.

7 MEMBER SINNOTT: Is it -- Carla,
8 that's the one that --

9 MS. PATTON: Labeled as Franklin
10 County only on the upper left-hand corner of the
11 report.

12 MEMBER SINNOTT: Got it. Okay.

13 MS. PATTON: We had a 55.72 percent
14 turnout. Once the ballots were canvassed and
15 counted, out of 876,797 voters, 491,311 voters cast
16 ballots. With the certified results on election
17 night we had one race in a recount phase. That
18 race, which is the 3rd Senate District on the first
19 page, right-hand column, second race in the bottom,
20 that is no longer in the recount, automatic
21 recount.

22 MEMBER SINNOTT: What is the recount
23 margin on that?

24 MS. PATTON: Recount margin had to
25 be 661 votes or more to stay out of recount, and

1 the difference is 705 votes. The other race in
2 question was outside of recount on election night;
3 however, we were on close watch. It was the judge
4 in the Court of Common Pleas, full term commencing
5 1-7-2019, with Carl Aveni and Dan Hawkins that also
6 has stayed out of the automatic recount.

7 MEMBER SINNOTT: What was the
8 recount margin?

9 MS. PATTON: 1,825 or higher, and
10 the difference was 1,861.

11 DIRECTOR LEONARD: So one on recount
12 watch was with the Gahanna tax issue?

13 MS. PATTON: Gahanna tax issue. It
14 also fell outside of the recount phase. I got the
15 number back there.

16 MEMBER SEXTON: Number 29, Issue 29?

17 MS. PATTON: Yes, Issue 29, which is
18 in the bottom of page six.

19 MS. PATTON: 89 votes or higher, and
20 the difference was 145 votes. No other races fell
21 within a recount range.

22 MEMBER SINNOTT: So we have no
23 recounts?

24 MS. PATTON: No recounts.

25 CHAIRMAN PREISSE: Describe the

1 procedure as relates to Vinton County.

2 MS. PATTON: We actually have their
3 votes as well, so we'll get that after we certify
4 our county results. We can get to declaring the
5 winner in the most populous races. They came in at
6 the last minute.

7 MEMBER SINNOTT: Everyone ready?

8 I move that the Board certify and
9 declare as final the official canvass of the votes
10 cast in the November 6, 2018, general election as
11 submitted by staff.

12 MEMBER SEXTON: Second.

13 DEPUTY DIRECTOR PAYNE: All those in
14 favor of the motion signify by saying aye.

15 (Vote taken.)

16 DEPUTY DIRECTOR PAYNE: All opposed,
17 same sign.

18 (No response.)

19 DEPUTY DIRECTOR PAYNE: Motion
20 carries.

21 You want to discuss the --

22 MS. PATTON: The second report
23 handed to you, in the upper left-hand corner is
24 identified as Franklin County most populous. This
25 includes the additional 18 counties that are

1 responsible to report results to us for races that
2 overlap into their counties. Those races include
3 the 12th Congressional, 15th Congressional, Dublin
4 City School District issue, and Southwestern City
5 School District issue. We have received all the
6 votes from those counties and we ask you declare
7 the winner for those races and issues.

8 DEPUTY DIRECTOR PAYNE: How would a
9 motion read there, Carla? What are we looking to
10 have the Board to?

11 MS. PATTON: Declare the winners.

12 DIRECTOR LEONARD: So it wouldn't be
13 certified, it would simply be the Board declares
14 the winners?

15 MS. PATTON: Correct. Because the
16 other counties certified the results we've entered
17 in the system. So, therefore, since they certified
18 we can declare the winner for overlapping races.

19 MEMBER SINNOTT: We are not
20 certifying, but declaring the winners.

21 And do you have a list of the
22 overlapping races that you can provide to us?

23 MS. PATTON: I don't have one with
24 me, but I can get one for you.

25 CHAIRMAN PREISSE: Is that the four

1 races?

2 MS. PATTON: The Congressional
3 races, Dublin City School bond and tax levies, and
4 Southwestern City School levy. Dublin City Schools
5 is a bond issue and tax levies combined.

6 MEMBER SINNOTT: Related only to the
7 school?

8 MS. PATTON: Only to schools, yes.
9 And then Southwestern City Schools
10 is a bond issue.

11 DIRECTOR LEONARD: As reflected in
12 the Franklin County most populous?

13 MS. PATTON: Yes.

14 MEMBER SINNOTT: I'll give this a
15 shot.

16 I move that the Board declare as
17 final the official canvass of the votes cast at the
18 November 6th, 2018, general election, Franklin
19 County most populous report as submitted by staff,
20 including the results of the 12th Congressional
21 District, 15th Congressional District, Dublin City
22 Schools issues, and Southwestern City Schools
23 issues.

24 CHAIRMAN PREISSE: Is that
25 sufficient?

1 MS. PATTON: Yes.

2 MEMBER SEXTON: Second.

3 DEPUTY DIRECTOR PAYNE: All those in
4 favor of the motion signify by saying aye.

5 (Vote taken.)

6 DEPUTY DIRECTOR PAYNE: All opposed,
7 same sign.

8 (No response.)

9 DEPUTY DIRECTOR PAYNE: Motion
10 carries.

11 The final job today of the Board is
12 to do a post-election audit. The Board is required
13 to pick a county office, a county race to audit and
14 we will need to pick five percent. We're prepared
15 to do that, but the first item would be to select a
16 countywide race to audit.

17 MEMBER SINNOTT: County top of
18 ticket is a single county commissioner. Shall we
19 do that?

20 MEMBER SEXTON: That's fine.

21 MEMBER SINNOTT: I move we select
22 the county commissioner race for audit.

23 MEMBER SEXTON: Second.

24 DEPUTY DIRECTOR PAYNE: All those in
25 favor of the motion signify by saying aye.

1 (Vote taken.)

2 DEPUTY DIRECTOR PAYNE: All opposed,
3 same sign.

4 (No response.)

5 DEPUTY DIRECTOR PAYNE: Motion
6 carries.

7 Explain the audit, Jeff?

8 MR. MACKEY: To do the audit we'll
9 do a hand count of five percent of the votes cast
10 in the county. To achieve that, we are going to
11 select by voting location enough voting locations
12 to account for five percent of the votes cast in
13 the county. We have our magic dice here. It's
14 around the room and in front of you there how to
15 read a four-sided die. If you're not familiar,
16 four-sided die occupy the hundreds place.

17 MEMBER MARINELLO: So roll all at
18 the same time, but read green, red, and blue?

19 MR. MACKEY: Correct. That will
20 correspond to a voting location spreadsheet which
21 tallies up what votes were cast there. We'll do
22 this 10 or 15 times.

23 MEMBER MARINELLO: 4, 6, 3.

24 MR. MACKEY: Okay.

25 MEMBER MARINELLO: 4, 2, 9.

1 Right?
2 CHAIRMAN PREISSE: Yeah, that's
3 right.
4 MEMBER MARINELLO: 3, 3, 0.
5 1, 2, 9.
6 3, 4, 1.
7 3, 8, 0.
8 4, 9, 5.
9 3, 8, 0.
10 2, 9, 5.
11 4, 9, 9.
12 4, 9 -- No. 4, 4, 6.
13 1, 3, 2.
14 1, 7, 4.
15 1, 6, 9.
16 1, 9, 2.
17 4, 5, 6. Or nine?
18 DIRECTOR LEONARD: A six.
19 MEMBER MARINELLO: 4, 5, 7.
20 4, 3, 5.
21 3, 9, 3.
22 1, 6, 3.
23 3, 7, 5.
24 2, 1, 8.
25 MR. MACKEY: That should be it.

1 That's good. Thank you.

2 MEMBER SINNOTT: Well done, Kim.

3 MEMBER MARINELLO: Pressure.

4 DEPUTY DIRECTOR PAYNE: Anything
5 else to come before the Board as far as you know,
6 Jeff?

7 I think that covers it for today.
8 We can move to adjourn.

9 MEMBER MARINELLO: Decide on the
10 next meeting?

11 DIRECTOR LEONARD: We have a normal
12 meeting on the 3rd and we can reschedule the
13 Board -- we do have our -- want to finalize the
14 employee manual, employee handbook --

15 DEPUTY DIRECTOR PAYNE: Right.

16 DIRECTOR LEONARD: -- so we can have
17 it effective for January of next year.

18 Do we have -- Did we figure out the
19 other two voter challenges and --

20 DEPUTY DIRECTOR PAYNE: Neither
21 registered. And we won't have to do the voter
22 challenges or they haven't and we will have to do
23 them.

24 DIRECTOR LEONARD: And a memorandum
25 of understanding to discuss.

1 MEMBER SINNOTT: Doesn't sound as
2 though we're bound to do something the 3rd of
3 December, though. Is that correct?

4 DEPUTY DIRECTOR PAYNE: Correct.

5 DIRECTOR LEONARD: We haven't gotten
6 anything final from the Secretary of State's
7 office, so there might be something as part of this
8 machine acquisition that the Board has to
9 officially approve. But right now my understanding
10 is it's mostly between the county commissioners and
11 SOS and county commissioners and the -- there
12 shouldn't be any reason for that.

13 MEMBER SEXTON: Any dates we have to
14 meet by or --

15 DEPUTY DIRECTOR PAYNE: Not since we
16 don't have a recount or anything.

17 DIRECTOR LEONARD: Right. The only
18 thing is the county approves the budget on the
19 19th, so as to the memorandum of understanding.

20 MEMBER SINNOTT: I think this end of
21 the table is okay for the 10th. Is that for you?

22 MEMBER SEXTON: Fine with me in the
23 afternoon.

24 DIRECTOR LEONARD: One week later.

25 MEMBER SINNOTT: 3 o'clock. Okay.

1 MEMBER MARINELLO: Same time, 3.

2 DIRECTOR LEONARD: 3 o'clock.

3 MEMBER SINNOTT: Yeah.

4 DIRECTOR LEONARD: Suzanne will
5 arrange to publish a notice of the rescheduling of
6 a regular board meeting. All right.

7 DEPUTY DIRECTOR PAYNE: A motion to
8 adjourn.

9 MEMBER SINNOTT: I move to adjourn.

10 MEMBER MARINELLO: Second.

11 DEPUTY DIRECTOR PAYNE: All those in
12 favor of the motion signify by saying aye.

13 (Vote taken.)

14 DEPUTY DIRECTOR PAYNE: All opposed,
15 same sign.

16 (No response.)

17 DEPUTY DIRECTOR PAYNE: Motion
18 carries.

19 We are adjourned.

20 - - -

21 Thereupon, the proceedings were
22 recessed at approximately 4:45 p.m.

23 - - -

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C E R T I F I C A T E

- - -

THE STATE OF OHIO:

SS:

COUNTY OF FRANKLIN:

I, Carla D. Castle, a Professional Reporter and Notary Public in and for the State of Ohio, do hereby certify that the foregoing is a true, correct, and complete written transcript of the proceedings in this matter;

That the foregoing was taken by me stenographically and transcribed by me with computer-aided transcription;

That the foregoing occurred at the aforementioned time and place;

That I am not an attorney for or relative of any of the parties and have no interest whatsoever in the event of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal of office at Columbus, Ohio, this 10th day of December, 2018.

/s/Carla D. Castle
Notary Public, State of Ohio

My Commission Expires: September 29, 2021.

- - -

NOVEMBER 2018 GENERAL PROVISIONAL REPORT

EXHIBIT A

NAME	CODE	TOTAL
APPROVED	001	12,916
POSSIBLE REMAKES	600	348
APRI		74
ADA		34

APPROVED 13,372

REJECTED

INVALID ADDRESS	006	69
NOT REGISTERED	200	1227
NO SIGNATURE	300	16
DOB MISSING/INCORRECT	400	44
VOTED ABSENTEE	450	41
SIGNATURE MISMATCH	500	161
NO PRINTED NAME	510	2
BALLOT MISSING FROM ENVELOPE	550	3
NO ID	520	240
WRONG LOCATION/PRECINCT	650	932

REJECT 2,735

BOARD REVIEW 81

TOTAL 16,188