

1 APPEARANCES:

2 Office of the Franklin County
3 Prosecuting Attorney
4 373 South High Street
5 Columbus, Ohio 43215
6 By Mr. Patrick J. Piccininni
7 and
8 Mr. Nick Soulas,
9 Assistant Prosecuting Attorneys,
10
11 On behalf of the Board.

12 ALSO PRESENT:

13
14 Ms. Katherine Thomsen,
15 Office of Secretary of State
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2 P R O C E E D I N G S

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4 CHAIRMAN PREISSE: I will call
5 this special meeting of the Franklin
6 County Board of Elections to order.

7 MR. WHITE: Roll call.

8 Mr. Colley?

9 MR. COLLEY: Here.

10 MR. WHITE: Ms. Marinello?

11 MS. MARINELLO: Here.

12 MR. WHITE: Mr. Chairman?

13 CHAIRMAN PREISSE: Here.

14 MR. WHITE: Mr. Anthony?

15 MR. ANTHONY: Here.

16 MR. WHITE: All present.

17 CHAIRMAN PREISSE: Where are the
18 ballots?

19 Let's ask the professional staff
20 what the entire agenda consists of so we
21 can begin.

22 MR. DAMSCHRODER: The agenda for
23 today consists primarily of reviewing
24 optical scan ballots that were kicked out

1 of the optical scan tabulators because of
2 some issue. Those issues consist of some
3 kind of error with the ballot that makes
4 it unable to be read.

5 For instance this ballot here,
6 somebody spilled something on; and because
7 the timing marks are smudged, the machine
8 can't read this ballot. However, it is
9 very clear what the voter's intent was on
10 this ballot.

11 Under Secretary of State
12 directive 2007-31 instead of staff
13 reviewing this and remaking the ballot,
14 the Board actually has to review this
15 ballot and vote on each ballot to decide
16 how it should be remade. There will also
17 be some that the machine viewed as an over
18 vote, which in some cases it is an issue
19 where in this case the voter clearly
20 filled in an oval but made some kind of
21 foreign mark in another portion of the
22 ballot or in the bubble.

23 And there's also certain things
24 like this where the voter appears to have

1 changed their mind and gave us an
2 indication they want to vote against the
3 levy as opposed to for the levy.

4 MR. WHITE: As Matt mentioned,
5 in the past what we would do in the past,
6 we would have a D on I agree on this with
7 Matt and I having the final say, the
8 Director and Deputy Director.

9 And they would put a piece of
10 white tape over this and run it back over
11 the machine. With a new director you four
12 have to vote on each ballot for us to
13 remake these so we can count them.

14 MR. DAMSCHRODER: Correct.

15 CHAIRMAN PREISSE: Any
16 questions?

17 MR. ANTHONY: Mr. Chairman?

18 MR. WHITE: Yes, Mr. Anthony.

19 MR. ANTHONY: Do we need a
20 motion to get started?

21 MR. WHITE: Well, you have
22 already opened the meeting. The meeting
23 was just for the purpose of reviewing the
24 ballots.

1 CHAIRMAN PREISSE: We need a
2 motion on each ballot.

3 You will review the ballot to
4 determine the voter's intent. At which
5 point then the motion would be I move to
6 accept ballot number 001.

7 MR. WHITE: We have a different
8 number for each one stamped on the back of
9 it.

10 CHAIRMAN PREISSE: Got you.

11 MR. DAMSCHRODER: When we read
12 the numbers, we will be slow for the court
13 reporter because numbers are more
14 difficult.

15 MR. WHITE: Ready to start?

16 Any other questions, Mr.
17 Chairman?

18 CHAIRMAN PREISSE: What comments
19 do you two, if any, wish to make on this
20 directive as it may relate to changing how
21 you did it at the staff level before?

22 MR. WHITE: Well, if our friends
23 from the Secretary of State's Office
24 brought dinner, lunch, and maybe breakfast

1 would be the only comment I have. We
2 might be here for a while if there are
3 disagreement on the voter's intent.

4 MR. DAMSCHRODER: I would think
5 the way it's worked for a number of years,
6 whether it's optical scanner, going back
7 even before that with punch cards, where
8 these issues were resolved at a staff
9 level were sufficient. This is,
10 obviously, a very acceptable way to do it,
11 but I think the old way of doing it was
12 more efficient.

13 MR. WHITE: I will just make one
14 comment. It was much more efficient the
15 other way, but I don't think there is any
16 harm in you four board members other than
17 the time it's going to take to do this,
18 for you four to actually be officially the
19 ones that make the vote.

20 It's great for the Director,
21 Deputy Director and employees, because it
22 takes that responsibility away from us and
23 puts it on your shoulders. There is no
24 harm with that other than it's going

1 to take some time to do it this way.

2 CHAIRMAN PREISSE: All right.

3 Let's get started.

4 MR. WHITE: We will start with

5 this one here. The first ballot is

6 000263. As Matt mentioned, this ballot

7 basically had some fluid dumped on it.

8 I'm not sure what the fluids are, so you

9 might want to be careful in handling it.

10 I think the voter's mark is

11 pretty much clear what the intention of

12 the voter was on that.

13 MR. DAMSCHRODER: Pass it

14 around. Once available then a motion can

15 be made.

16 MR. ANTHONY: I would like to

17 make the motion that ballot number 000263

18 be accepted as voting against the levy.

19 MR. PICCININNI: In this

20 particular case this ballot needs to be

21 remade in accordance with the voter's

22 intent.

23 CHAIRMAN PREISSE: Remaking the

24 ballot.

1 MR. WHITE: We will remake the
2 ballot.

3 CHAIRMAN PREISSE: You will
4 create a new one.

5 MR. PICCININNI: And the ballot
6 will be noted that it's a remade ballot
7 per vote of the Board.

8 MR. DAMSCHRODER: The remade
9 ballot will have the same number as the
10 discarded ballot.

11 MR. PICCININNI: And be marked
12 RB1.

13 CHAIRMAN PREISSE: You are
14 taking that ballot, counsel, and putting
15 it in the stack.

16 MR. DAMSCHRODER: Todd is going
17 to take them and put them in a good stack,
18 and they're going to mark what's going to
19 be counted.

20 CHAIRMAN PREISSE: For
21 efficiency's sake could we note the ballot
22 unique number once so you don't have to
23 repeat it in the motion? As long as it's
24 in the record, it will save our time if we

1 don't have to say it twice.

2 MR. WHITE: This next ballot
3 number -- do we need to vote on that?

4 MR. PICCININNI: Yes, you need
5 to vote on that.

6 MR. WHITE: We need a second.

7 MS. MARINELLO: Second.

8 MR. WHITE: All in favor?

9 (Unanimous aye)

10 MR. WHITE: The vote is carried.

11 The next ballot is number is
12 000266. This ballot here indicates there
13 are two votes cast in the levy for MRDD.
14 It appears that the voter put an extra 1
15 to cross it out.

16 MR. DAMSCHRODER: The Staff
17 would recommend that that be remade as a
18 vote against the levy.

19 MR. ANTHONY: Mr. Chair, I would
20 like to make a motion that the ballot be
21 remade against the levy.

22 CHAIRMAN PREISSE: Second.

23 MR. WHITE: All in favor, say
24 aye.

1 (Unanimous aye)

2 MR. WHITE: Any nays?

3 (No audible response)

4 MR. WHITE: The motion carries.

5 MR. DAMSCHRODER: Ballot number
6 000264, the voter made a stray mark in the
7 oval for the tax levy, so the Staff
8 recommendation will be that it be remade
9 as against the levy.

10 MR. ANTHONY: Mr. Chair, I would
11 like to make a motion that this ballot
12 be remade to show it was against the levy.

13 CHAIRMAN PREISSE: Is there a
14 second?

15 MS. MARINELLO: Second.

16 MR. WHITE: All in favor?

17 (Unanimous aye)

18 MR. WHITE: So carried.

19 MR. DAMSCHRODER: The next
20 ballot is 000264. It's clearly a vote for
21 the tax levy, but portions of the timing
22 marks are torn off, so the ballot needs to
23 be remade in order to be read.

24 MR. ANTHONY: Mr. Chair, I would

