

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

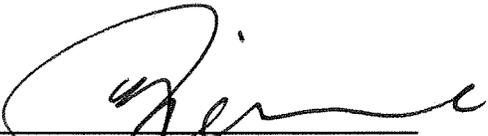
MINUTES OF THE MEETING ON

8/27/09

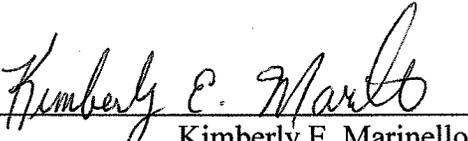
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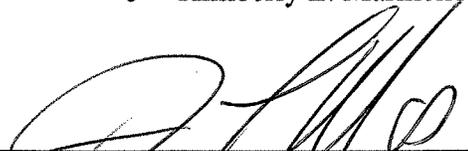
9/25/09

BY:

  
\_\_\_\_\_  
Douglas J. Preisse, Chairman

  
\_\_\_\_\_  
Michael F. Colley, Esq

  
\_\_\_\_\_  
Kimberly E. Marinello

  
\_\_\_\_\_  
William A. Anthony Jr.  
JOSEPH L. MAS, ESQ

ATTEST:

\_\_\_\_\_  
Michael Stinziano, Director



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1 APPEARANCES:  
 2 Franklin County Prosecuting Attorney  
 3 373 South High Street  
 4 13th Floor  
 5 Columbus, Ohio 43215  
 6 By Mr. Patrick J. Piccininni,  
 7 Assistant Prosecuting Attorney,  
 8  
 9 On behalf of the Board.  
 10  
 11 ALSO PRESENT:  
 12 Ms. Karen Cotton  
 13 Mr. Brett Harbage  
 14 Mr. Brian Shinn  
 15 Mr. Pat Wolfe  
 16  
 17  
 18  
 19  
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 21  
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 23  
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1 -----  
 2 PROCEEDINGS  
 3 -----  
 4 MR. STINZIANO: We will begin the  
 5 August 27th, 2009 special meeting of the  
 6 Franklin County Board of Elections. Roll  
 7 call.  
 8 Mr. Colley.  
 9 MR. COLLEY: Here.  
 10 MR. STINZIANO: Chairman Preisse.  
 11 CHAIRMAN PREISSE: Here.  
 12 MR. STINZIANO: Mr. Mas.  
 13 MR. MAS: Here.  
 14 MR. STINZIANO: Ms. Marinello.  
 15 MS. MARINELLO: Here.  
 16 MR. STINZIANO: The first item on  
 17 the agenda is the certification of the August  
 18 4th, 2009 Special Election. I have Karen  
 19 Cotton here to present the official canvass  
 20 results.  
 21 MS. COTTON: Board staff did the  
 22 official canvass of results for the August 4th  
 23 Special Election, and the report is in your  
 24 folder for you. Both of the issues' results,

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1 one was winning, one was losing, South-Western  
 2 was losing, but none of the margins were  
 3 within one half of one percent, so we do not  
 4 have to have recounts for either of those  
 5 races.  
 6 I also have prepared signature pages  
 7 for you which the Director will pass down for  
 8 you to sign.  
 9 CHAIRMAN PREISSE: I don't have any  
 10 questions. Does anybody else?  
 11 MS. MARINELLO: No, Mr. Chairman. I  
 12 move the results of the Tuesday, August 4th,  
 13 2009 Special Election held for the City of  
 14 Columbus and South-Western City Schools be  
 15 certified as reported.  
 16 MR. COLLEY: Second.  
 17 MR. STINZIANO: All in favor?  
 18 MEMBERS: Aye.  
 19 MR. STINZIANO: No opposed.  
 20 We'll move to the next issue, which  
 21 is certification of candidates for November  
 22 3rd, 2009. There's a variety of exhibits  
 23 based on the staff's review of the filings,  
 24 and again Ms. Cotton will present those

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1 findings and staff recommendation.  
 2 MS. COTTON: The petitions filings  
 3 for this particular cycle in the four-year  
 4 election cycle is the most active of any  
 5 election we had out there, because every  
 6 municipality that has a mayor or a council or  
 7 trustees in the township and school districts  
 8 have something on the ballot, some type of an  
 9 office on the ballot, so we processed almost  
 10 300 part-petitions to get to this report  
 11 today, 1,500 sheets of paper and 17,000  
 12 signatures, so that's why we've divided it up  
 13 into the various exhibits.  
 14 Exhibit A is a listing of candidates  
 15 who filed for office for the General Election.  
 16 They timely filed their petitions, their  
 17 petitions were filled out properly, and they  
 18 had the valid number of required signatures to  
 19 qualify them for valid access.  
 20 So the board staff is recommending  
 21 that you certify all of the candidates that  
 22 are on Exhibit A to the ballot for November  
 23 3rd, 2009.  
 24 MR. MAS: Mr. Chairman, I move that

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1 the candidates listed on Exhibit A be  
 2 certified to the November 3rd, 2009 General  
 3 Election ballot.  
 4 MR. COLLEY: Second the motion.  
 5 MR. STINZIANO: All in favor?  
 6 MEMBERS: Aye.  
 7 MR. STINZIANO: Seeing no opposed,  
 8 we will move to Exhibit B.  
 9 As I'll remind the Board, the  
 10 Prosecutor's office has opined that all  
 11 motions should be made in the positive, so  
 12 even on recommendations from the staff for the  
 13 nine certifications to the ballot, we will  
 14 need positive motions, affirmative motions,  
 15 and then we'll take the Board vote.  
 16 MS. COTTON: The second exhibit you  
 17 have before you today is Exhibit B. These are  
 18 petitions where during the staff's examination  
 19 we found that there were problems with the  
 20 petitions because there were omissions,  
 21 inaccurate information, not enough valid  
 22 signatures.  
 23 I've broken these down as to the  
 24 categories, so you have their headings here at

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1 the top, and all of the petitions that fall  
 2 into that particular category are listed  
 3 there, and then we have a second category.  
 4 So do you need any further  
 5 explanation on Exhibit B before you take any  
 6 action?  
 7 CHAIRMAN PREISSE: What was your  
 8 reference to the second category? Restate  
 9 that.  
 10 MS. COTTON: The first category,  
 11 circulator's statements of the following  
 12 part-petitions were left blank, had omissions  
 13 or were invalid. Said deficiencies caused  
 14 whole part-petitions to be invalid. Begins  
 15 with Larry Heiser, goes all the way down  
 16 through the New Albany-Plain Local School  
 17 District, Joanne Williams. Those were all of  
 18 the same category.  
 19 And the next category, the candidacy  
 20 from Melissa J. Albright for Grove Ward 3  
 21 council. The specific problem there is that  
 22 the charter of City of Grove City requires a  
 23 sponsoring committee of five to be listed on  
 24 each part-petition, and the candidate only had

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1 that five-member sponsoring committee listed  
 2 on one of her two part-petitions. So that  
 3 petition would be an invalid petition.  
 4 The third category there is, the  
 5 following petitions were not valid because  
 6 candidate is not a qualified elector. These  
 7 individuals were either not registered at the  
 8 address they provided or we could not find  
 9 them registered at all. There were three  
 10 individuals there.  
 11 We had a gentleman who did not sign  
 12 -- or did not date his statement of candidacy.  
 13 That was for candidate in Minerva Park,  
 14 candidate David M. May.  
 15 Then the following part-petitions  
 16 were insufficient valid signatures in order to  
 17 qualify for the ballot. There's a threshold  
 18 of valid signatures that you need. In the  
 19 case of Doug Smith in Worthington, he needed  
 20 50, we could only find 49, and those were  
 21 listed there. There were seven candidates  
 22 under that category.  
 23 We had several candidates who did  
 24 not sign their statement of candidacy, and

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1 then we had the candidates where the  
 2 signatures that they obtained in their  
 3 petition predated the date that they declared  
 4 themselves to be a candidate.  
 5 So everything on Exhibit B staff  
 6 considers to be fatal errors, and we are not  
 7 recommending the Board to certify these  
 8 candidates to the ballot.  
 9 MS. MARINELLO: I have a question,  
 10 Karen. So even if, like the statement of  
 11 candidacy, it's stamped on it with a date and  
 12 time, if they turn it in or not?  
 13 MS. COTTON: We do time-stamp it,  
 14 but they have to declare themselves to be a  
 15 candidate before they gather signatures.  
 16 MS. MARINELLO: So just because he  
 17 didn't put the date, that's a fatal flaw on  
 18 that, even though it's stamped?  
 19 MS. COTTON: It's a  
 20 fill-in-the-blanks type of form. Yes.  
 21 MS. MARINELLO: I don't know why  
 22 they don't read this better. Okay.  
 23 MR. STINZIANO: And these  
 24 individuals will have the opportunity to

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1 appeal and come before the Board if they would  
 2 like to do so.  
 3 MS. MARINELLO: In that case, I move  
 4 that the candidates listed on Exhibit B be  
 5 certified to the November 3rd General Election  
 6 ballot.  
 7 MR. COLLEY: Second the motion.  
 8 MR. STINZIANO: All in favor?  
 9 MEMBERS: No.  
 10 MR. STINZIANO: The motion does not  
 11 pass.  
 12 We'll move to Exhibit C. Karen will  
 13 present Exhibit C.  
 14 MS. COTTON: Exhibit C is again from  
 15 Grove City. Mr. Rutherford circulated the  
 16 petition to run for city council in the City  
 17 of Grove City. Nowhere on his part-petition  
 18 did he specify that he was running for Ward 3;  
 19 however, he is a resident of Ward 3. City of  
 20 Grove City has an at-large seat up at this  
 21 time, a Ward 1 seat and a Ward 3. He would be  
 22 eligible to run for both the at-large seat and  
 23 the Ward 3 seat.  
 24 He did submit enough signatures to

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1 run for the at-large seat as well as the  
 2 Ward 3. He needed 50 signatures to run for  
 3 the at-large seat, and we were able to  
 4 validate 60 signatures. It is unclear --  
 5 would be unclear for the voters if they were  
 6 looking solely on the face of the petition to  
 7 determine what office he was seeking.  
 8 MR. STINZIANO: So because it was  
 9 unclear, it's the staff's recommendation that  
 10 the Board certify him to the at-large seat and  
 11 not for the Ward 3 seat.  
 12 MR. DAMSCHRODER: We did that in  
 13 2007, I think it was in Gahanna -- or it was  
 14 actually an incumbent ward council  
 15 representative. I think it was Grove City.  
 16 But in either case, the incumbent failed to  
 17 indicate on his petition that it was really  
 18 ward-specific as opposed to the at-large, and  
 19 the Board, because he had met the other  
 20 thresholds for at-large, same petition form,  
 21 the Board certified the individual to the  
 22 at-large contest.  
 23 MR. MAS: And, Mr. Chairman, I guess  
 24 I have a question, this being my first year on

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1 the Board: Is the candidate then consulted as  
 2 to doing this, or do we just do it?  
 3 MS. COTTON: We haven't consulted  
 4 the candidate as yet, no.  
 5 MR. DAMSCHRODER: The candidate then  
 6 has the opportunity to either appeal the  
 7 Board's decision to the Board, or beyond, if  
 8 necessary, and also has the choice to withdraw  
 9 from the at-large contest, if that's the  
 10 individual's choice, determination.  
 11 CHAIRMAN PREISSE: Did you have a  
 12 comment on that?  
 13 MR. PICCININNI: No. I mean, the  
 14 other option is to say, we can't figure out  
 15 which one he is, he's off. I mean, that's the  
 16 other option, because he didn't specify.  
 17 MS. MARINELLO: Pretty nice of us,  
 18 actually.  
 19 MR. PICCININNI: Yeah, it would  
 20 depend on where is this person going to appear  
 21 on the ballot, is he going to appear on  
 22 Ward 3, is he going to appear citywide, and  
 23 that's why you need to designate which one  
 24 you're running for.

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1 MR. MAS: In that case, Mr.  
 2 Chairman, I move that Mr. Richard C.  
 3 Rutherford be certified to the November 3rd,  
 4 2009 General Election ballot for Grove City  
 5 Member of Council At Large.  
 6 MR. COLLEY: Mr. Chairman, I second  
 7 that motion.  
 8 MR. STINZIANO: All in favor?  
 9 MEMBERS: Aye.  
 10 MR. STINZIANO: We will move to  
 11 Exhibit D. Again, candidate petitions with a  
 12 potentially discretionary error or omission.  
 13 But in the past, the Board has given different  
 14 discretion, and so we've asked that each  
 15 individual petition be removed through Karen  
 16 to you all to make a determination.  
 17 MS. COTTON: We have five candidates  
 18 in this category and the nominating portion of  
 19 the petition. The top section of the  
 20 petitions were properly filled out, indicating  
 21 the candidate's name, what office they were  
 22 seeking; they declared themselves to be a  
 23 candidate on the given date and signed it.  
 24 However, the section of the petition

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1 right above the signature lines asking the  
 2 people to support them in their candidacy was  
 3 left blank in all these cases.  
 4 MR. DAMSCHRODER: In the past, the  
 5 Board has certified candidates in this  
 6 situation to the ballot, because the standard  
 7 that the Board used was that the signers of  
 8 the petition were not misled because the  
 9 candidate's name and the office they're  
 10 seeking appears very prominently at the top of  
 11 each part-petition. It's just not in the fine  
 12 print that appears immediately before the,  
 13 where the signers affix their names.  
 14 I don't know to the extent that the  
 15 Prosecuting Attorney may have input on that,  
 16 but --  
 17 MR. PICCININNI: Nobody's been  
 18 nominated. The paragraph is pretty clear: We  
 19 nominate this person. We nominate a blank  
 20 line, at this point.  
 21 MR. MAS: Can you give us your  
 22 conclusion, please?  
 23 MR. PICCININNI: It's going to be a  
 24 Board call. I mean, if the Board is inclined

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1 to do ballot access --  
 2 CHAIRMAN PREISSE: We have precedent  
 3 in this very case, in this very same  
 4 situation, a couple of years ago. Excuse me  
 5 for interrupting.  
 6 MR. MAS: And what was the --  
 7 MR. DAMSCHRODER: We certified the  
 8 individuals to the ballot. And the standard  
 9 that the Board used was because there did not  
 10 appear to be a fatal error, such as failure to  
 11 sign the circulator's statement, that in  
 12 deference to ballot access and because the  
 13 name of the candidate and the office the  
 14 candidate was seeking did prominently appear  
 15 on the part-petition before the space where  
 16 signers would affix their signatures, that in  
 17 favor of ballot access, they would move  
 18 forward and put the people on the ballot.  
 19 But the Board has the discretion, I  
 20 think, to either follow that precedent or  
 21 chart a new course.  
 22 MR. MAS: And the recommendation  
 23 from yourself?  
 24 MR. DAMSCHRODER: The staff

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1 recommendation would be that it's in the  
 2 Board's discretion. Our recommendation would  
 3 be to put the individuals on the ballot.  
 4 MR. PICCININNI: To allow them to go  
 5 on the ballot.  
 6 MR. DAMSCHRODER: Yes, sir.  
 7 MR. MAS: To vote in the  
 8 affirmative, is what you are recommending?  
 9 MR. DAMSCHRODER: Yes, sir.  
 10 MR. STINZIANO: Are there any  
 11 motions? I concur with the staff's  
 12 recommendation. That is my conclusion.  
 13 MS. COTTON: And because the  
 14 precedent was set before that we allowed them  
 15 on there --  
 16 MR. STINZIANO: I agree with the  
 17 interpretation that all the information is  
 18 there. I don't think a person signing the  
 19 petition would be unclear. I don't think it's  
 20 as blatantly stated, if it was in the  
 21 circulator's statement at the top, as Patrick  
 22 has pointed out. But all the information is  
 23 contained in the face of the document, if you  
 24 look at the four corners.

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1 MS. MARINELLO: I agree.  
 2 Mr. Chairman, I move that Mr. Eric  
 3 Feen be certified to the November 3rd, 2009  
 4 General Election ballot for the Village of  
 5 Lockbourne Grove City Member of Council At  
 6 Large.  
 7 MR. COLLEY: Second the motion.  
 8 MR. STINZIANO: All in favor?  
 9 MEMBERS: Aye.  
 10 MR. STINZIANO: Then the next  
 11 individual is Mr. James Tiller.  
 12 MR. MAS: Mr. Chairman, I move that  
 13 Mr. James Tiller be certified to the November  
 14 3rd, 2009 General Election ballot for the  
 15 Village of Obetz Member of Council.  
 16 MR. COLLEY: Second.  
 17 MR. STINZIANO: All in favor?  
 18 MEMBERS: Aye.  
 19 MR. STINZIANO: The next individual  
 20 is Mr. Robert Kemper.  
 21 MS. MARINELLO: Mr. Chairman, I move  
 22 that Mr. Robert A. Kemper, Sr., be certified  
 23 to the November 3rd, 2009 General Election  
 24 ballot for the Village of Urbancrest Member of

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1 Council.  
 2 MR. COLLEY: Second.  
 3 MR. STINZIANO: All in favor?  
 4 MEMBERS: Aye.  
 5 MR. STINZIANO: Next is Mr. Edward  
 6 Bishoff.  
 7 MR. MAS: And, Mr. Chairman, I move  
 8 that Mr. Edward A. Bishoff be certified to the  
 9 November 3rd, 2009 General Election ballot for  
 10 Educational Service Center of Central Ohio,  
 11 Delaware/Union Subdistrict.  
 12 MR. COLLEY: Second.  
 13 MR. STINZIANO: All in favor?  
 14 MEMBERS: Aye.  
 15 MR. STINZIANO: The last individual  
 16 that's part of Exhibit D is Mr. David Hedrick.  
 17 MS. MARINELLO: Mr. Chairman, I move  
 18 that Mr. David W. Hedrick be certified to the  
 19 November 3rd, 2009 General Election ballot for  
 20 Reynoldsburg City School District Board of  
 21 Education.  
 22 MR. COLLEY: Second.  
 23 MR. STINZIANO: All in favor?  
 24 MEMBERS: Aye.

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1 MR. STINZIANO: We have certified  
 2 all the candidates for the fall ballot.  
 3 Next we have certifications of  
 4 issues and local liquor option petitions.  
 5 MS. COTTON: Did you want to address  
 6 name changes now or wait?  
 7 MR. DAMSCHRODER: Let's do it at the  
 8 end.  
 9 MR. STINZIANO: We'll wait.  
 10 MR. DAMSCHRODER: The first issue is  
 11 the Children's Services proposed tax levy.  
 12 The issue was timely certified to the Board of  
 13 Elections by the commissioners. And I know  
 14 there's some abstention that needs to be made  
 15 by one of the Board members. So it is the  
 16 staff's recommendation that we certify this  
 17 issue to the General Election ballot.  
 18 MR. MAS: Very good. And, Mr.  
 19 Chairman, that is correct; once this motion is  
 20 made and seconded, I would have to abstain, as  
 21 I am vice chair of Franklin County Children's  
 22 Services.  
 23 MR. STINZIANO: Take a roll call  
 24 vote.

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1 CHAIRMAN PREISSE: Yes, to the  
 2 motions made by Ms. Marinello.  
 3 MS. MARINELLO: I will make that  
 4 motion, Mr. Chairman. I move that the  
 5 proposed Children's Services levy question be  
 6 certified to the November 3rd, 2009 General  
 7 Election ballot.  
 8 CHAIRMAN PREISSE: Second?  
 9 MR. COLLEY: Second.  
 10 MR. STINZIANO: We'll take a roll  
 11 call vote.  
 12 Mr. Colley.  
 13 MR. COLLEY: Yes.  
 14 MR. STINZIANO: Chairman Preisse.  
 15 CHAIRMAN PREISSE: Yes.  
 16 MR. STINZIANO: Mr. Mas.  
 17 MR. MAS: Abstain.  
 18 MR. STINZIANO: Ms. Marinello.  
 19 MS. MARINELLO: Yes.  
 20 MR. STINZIANO: We'll move on to  
 21 Exhibit E, which is the issue resolutions that  
 22 the Board deems to be valid and sufficient. I  
 23 don't think Ms. Cotton needs to present  
 24 anything. You have the list in front of you,

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<p>1 if there are any questions.  2 There are no questions. Is there a  3 motion?  4 MR. MAS: Mr. Chairman, I move that  5 the issues listed on Exhibit E be certified to  6 the November 3rd, 2009 General Election  7 ballot.  8 MR. COLLEY: Second.  9 MR. STINZIANO: All in favor?  10 MEMBERS: Aye.  11 MR. STINZIANO: Next is Exhibit F,  12 which are the local option petitions that the  13 staff has deemed valid and sufficient and  14 recommend certification.  15 MR. MAS: Mr. Chairman, I move that  16 the issues listed on Exhibit F be certified to  17 the November 3rd, 2009 General Election  18 ballot.  19 MR. COLLEY: Second.  20 MR. STINZIANO: All in favor?  21 MEMBERS: Aye.  22 MR. STINZIANO: And finally, we have  23 Exhibit G, which are local option petitions  24 that the staff found to contain at least one</p>	<p>1 the ballot has to be a natural derivative of  2 the person's legal voter registration name.  3 CHAIRMAN PREISSE: So we think this  4 fellow in the Village of New Albany goes by R?  5 MR. DAMSCHRODER: You can use an  6 initial.  7 MR. MAS: So what you're suggesting  8 is on the right-hand side -- I'm sorry, what  9 they're suggesting is on the right-hand side.  10 MR. STINZIANO: What they have filed  11 and asked to have their name presented as and  12 what we've deemed as a natural derivative.  13 CHAIRMAN PREISSE: Correct. Just  14 for speculation, why would someone want to go  15 by R?  16 MR. STINZIANO: Save money on  17 letterhead.  18 MR. MAS: It's gender neutral.  19 CHAIRMAN PREISSE: That's right.  20 That's what I thought, too, but maybe --  21 (Discussion off the record.)  22 MS. MARINELLO: Mr. Chairman, I move  23 that the name changes contained on Exhibit H  24 be listed on the November 3rd, 2009 General</p>
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<p>1 fatal flaw. It will be the staff's  2 recommendation that the Board not certify it,  3 but again we will need an affirmative motion  4 in order for the Board to make any  5 determinations.  6 MR. MAS: Very good. Mr. Chairman,  7 I move that the issues listed on Exhibit G be  8 certified to the November 3rd, 2009 General  9 Election ballot.  10 MR. COLLEY: Second.  11 MR. STINZIANO: All in favor?  12 MEMBERS: No.  13 MR. STINZIANO: That motion does not  14 pass.  15 The next item is Exhibit H, which  16 are the valid name change requests. These  17 individuals have expressed to have their names  18 changed for the ballot -- or for their listing  19 on the ballot for November, and it is the  20 staff's recommendation that their names are so  21 presented.  22 MR. DAMSCHRODER: The standard in  23 the statute in various court decisions through  24 time have been that the name that appears on</p>	<p>1 Election ballot.  2 MR. COLLEY: Yes, second.  3 CHAIRMAN PREISSE: And I had another  4 question, too, if I may. On the Village of  5 Lockbourne and the Village of New Albany, this  6 suggests their names would appear on the  7 ballot with the parenthetical?  8 MR. DAMSCHRODER: No, that's a  9 separate exhibit.  10 CHAIRMAN PREISSE: Oh, that's the  11 next -- okay.  12 MR. DAMSCHRODER: So we can address  13 that now or --  14 CHAIRMAN PREISSE: Inappropriate  15 question at the moment. And we're going to  16 vote on R. Okay.  17 MR. STINZIANO: We have a motion and  18 a second. All in favor?  19 MEMBERS: Aye.  20 MR. STINZIANO: Motion passes.  21 Next is Exhibit I.  22 MR. DAMSCHRODER: And in response to  23 the question, that's why we have these two  24 separated out, because both Robin is not a</p>

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<p>1 natural derivative of Christine or middle 2 initial M, as Chip is not a derivative of 3 Edward.</p> <p>4 So, I mean, I think two good 5 examples of people with well-known nicknames 6 would be Buck Rinehart, who appeared on the 7 ballot as Dana G. Rinehart for all of his 8 years of public office, and also Henry M. 9 O'Neill, Jr., appears on the -- you know, 10 everyone knows him as Butch O'Neill but 11 appears on the ballot as Henry M. O'Neill, Jr.</p> <p>12 CHAIRMAN PREISSE: So they'd like 13 to be Robin and Chip.</p> <p>14 MR. DAMSCHRODER: Correct. Staff's 15 recommendation is that after the Board put the 16 motion for Exhibit I onto the table, that the 17 Board reject the motion because they are not 18 natural derivatives of the person's registered 19 names.</p> <p>20 MR. MAS: And there's case law on 21 that.</p> <p>22 CHAIRMAN PREISSE: If they wanted to 23 add that to their name, they could do that.</p> <p>24 MR. PICCININNI: It would have to be</p>	<p>1 MR. DAMSCHRODER: Tuesday or 2 Wednesday, yeah.</p> <p>3 MR. STINZIANO: Tuesday or 4 Wednesday. We received two bids, from Dayton 5 Legal Blank and Election Systems &amp; Software, 6 and it's the staff's recommendation for the 7 Board to select Election Systems &amp; Software. 8 They were the lowest bid that we received.</p> <p>9 MR. MAS: Very good. Mr. Chairman, 10 I move that the Board authorize the Director 11 and Deputy Director to award the contract for 12 ballot printing for the November 3rd, 2009 13 General Election to Election Systems &amp; 14 Software.</p> <p>15 MR. COLLEY: Second.</p> <p>16 MR. DAMSCHRODER: I should probably 17 point out that representatives from Dayton 18 Legal Blank are here at the board meeting.</p> <p>19 Joe, I don't know if you want to 20 stand up and say hello.</p> <p>21 But they did submit a bid that was a 22 little bit higher in price. They were the 23 long-time printer of the Board until a number 24 of years ago, and we appreciate their</p>
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<p>1 a legitimate name change, and then they would 2 change it with us. It's like Judge Sheeran, 3 everybody knows him as Doug, and yet he has to 4 put Patrick on the ballot.</p> <p>5 MR. DAMSCHRODER: Now, if they went 6 down to probate court and changed their name 7 to Edward Chip Fellows, they could go on the 8 ballot as Chip Fellows.</p> <p>9 MR. STINZIANO: We're on the ballot 10 as Ocho Cinco.</p> <p>11 (Laughter.)</p> <p>12 MS. MARINELLO: Mr. Chairman, I move 13 that the name changes on Exhibit I be listed 14 on the November 3rd, 2009 General Election 15 ballot.</p> <p>16 MR. COLLEY: Second the motion.</p> <p>17 MR. STINZIANO: All in favor?</p> <p>18 MEMBERS: No.</p> <p>19 MR. STINZIANO: The motion does not 20 pass.</p> <p>21 The next item on the agenda is the 22 award of the contract for ballot printing. We 23 did a bid for the printing last Wednesday, 24 Matt?</p>	<p>1 long-time service. But in this instance, ES&amp;S 2 came in at a lower price.</p> <p>3 We'll continue to watch pricing as a 4 key indicator for our recommendation on this, 5 but also one of the issues that comes into 6 play is quality, and ES&amp;S is changing the 7 printing company that they are planning on 8 using in Ohio; because as you know, Ohio law 9 requires the ballots be printed in the state 10 of Ohio, and ES&amp;S is going to be using a 11 different printer than they have.</p> <p>12 And so it's entirely possible that, 13 depending on how things go this fall, that in 14 the future if the quality is not there, even 15 though ES&amp;S may continue to be a lower bidder, 16 a different recommendation may come before the 17 Board if quality is not consistent with what 18 we experienced in the past.</p> <p>19 MR. MAS: Now, do they submit 20 samples to us before we order the final 21 printing?</p> <p>22 MR. DAMSCHRODER: Yeah. As a part 23 of both for the testing of the high-speed 24 inserting system, they have to provide us with</p>

<p style="text-align: right;">Page 30</p> <p>1 a thousand ballots that are folded to make 2 sure that they go through our inserting 3 system, and they also have to give us what's 4 called a test deck, which is a premarked 5 sample of every vote combination for every 6 ballot style that we test on the scanners to 7 make sure that the scanning and tabulation 8 equipment can read the ballots before we do 9 the final order and give them the green light 10 to print ballots. 11 MR. STINZIANO: There's been a 12 motion and a second. We'll take a vote. All 13 in favor? 14 MEMBERS: Aye. 15 MR. STINZIANO: The motion passes. 16 The next item on the agenda is a 17 fiscal matter. The manager of logistics, 18 Harold Fielder, has incurred personal expenses 19 for the providing of donuts, both at the 20 Primary and August Election, and it is the 21 staff's recommendation and past practice to 22 reimburse Mr. Fielder for those expenses. 23 MR. MAS: It doesn't sound like a 24 very controversial thing.</p>	<p style="text-align: right;">Page 32</p> <p>1 MR. STINZIANO: The next one falls 2 under the procurement policy. It's an online 3 poll worker training grant agreement. 4 We again submitted a request to the 5 Secretary of State to participate and received 6 funding for our poll workers. It's our intent 7 again for those poll workers that complete 8 fully the online training program to give them 9 an additional \$10. And so we submitted that 10 on Tuesday, and so we have that grant for the 11 Board to sign, if they're so inclined. 12 MR. DAMSCHRODER: It's the staff's 13 recommendation to enter into the agreement. 14 MS. MARINELLO: Mr. Chairman, I move 15 that the Board adopt as submitted the grant 16 agreement drafted by the Ohio Secretary of 17 State office. 18 MR. COLLEY: Second. 19 MR. STINZIANO: All in favor? 20 MEMBERS: Aye. 21 MR. STINZIANO: Motion passes. 22 The next item, since I do not see 23 the representative from the Secretary of 24 State's office here yet, is referral of</p>
<p style="text-align: right;">Page 31</p> <p>1 MR. STINZIANO: It is not. And 2 actually, he buys them both for supply pickup 3 day and Election Day, and so this is actually 4 four instances or four boxes of very large 5 donuts -- or four large boxes of donuts. 6 MS. MARINELLO: Medium-sized donuts. 7 MR. STINZIANO: Medium-sized donuts. 8 We are in a recession. 9 MR. MAS: Mr. Chairman, in that case 10 I move that the Board authorize the Director 11 and Deputy Director to reimburse Harold 12 Fielder \$194.45 for expenses incurred at the 13 Primary and Special Elections. 14 MR. COLLEY: Second. 15 MR. STINZIANO: We'll take a roll 16 call vote. 17 Mr. Colley. 18 MR. COLLEY: Yes. 19 MR. STINZIANO: Chairman Preisse. 20 CHAIRMAN PREISSE: Yes. 21 MR. STINZIANO: Mr. Mas. 22 MR. MAS: Yes. 23 MR. STINZIANO: Ms. Marinello. 24 MS. MARINELLO: I abstain.</p>	<p style="text-align: right;">Page 33</p> <p>1 possible voter fraud cases to the Prosecuting 2 Attorney. 3 In going through our voter 4 registration files, the staff found three 5 instances, two of registration fraud where 6 individuals listed themselves as U.S. citizens 7 but our research indicates they are not, and 8 one instance of double voting. That instance 9 of double voting did occur in 2004. 10 But it has been our practice that 11 anytime any of these issues arise, to refer it 12 to the Prosecuting Attorney for them to do 13 their due diligence as to whether or not 14 prosecution is proper. 15 MS. MARINELLO: Mr. Chairman, I move 16 that the Board, per the recommendation of the 17 Director and the Deputy Director, refer 18 possible voter fraud cases to the Prosecuting 19 Attorney for further action. 20 MR. COLLEY: Second the motion. 21 MR. STINZIANO: All in favor? 22 MEMBERS: Aye. 23 MR. STINZIANO: The motion passes. 24 MR. DAMSCHRODER: Why don't we take</p>

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1 a brief break so that we can call Brett and  
 2 see if he's planning on coming. If not, if  
 3 he's not going to be able to come, then we can  
 4 adjourn for another day.  
 5 (Recess taken.)  
 6 MR. STINZIANO: The next issue on  
 7 the agenda is discussing polling locations and  
 8 ADA compliance.  
 9 The Board had requested an  
 10 opportunity to talk with Brett Harbidge, the  
 11 ADA coordinator from the Secretary of State's  
 12 office, regarding the grant that we submitted  
 13 and compliance in general, and also with us is  
 14 Brian Shinn and Pat Wolfe from the Secretary  
 15 of State's office to address any questions the  
 16 Board may have.  
 17 MR. DAMSCHRODER: As Michael alluded  
 18 to, the primary concern is that our office has  
 19 -- it takes all of our responsibilities as  
 20 elections administrators very seriously,  
 21 including the obligation to make sure that  
 22 voting locations are accessible on Election  
 23 Day for all of our voters, and as we have  
 24 replaced, added, supplemented locations, our

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1 warehouse team continues to do complete the  
 2 forms, Secretary of State forms on  
 3 accessibility, and to, when possible, select  
 4 locations that do not require any mitigation  
 5 activities or equipment for Election Day to  
 6 bring the location up to standard.  
 7 But from time to time, there is a  
 8 necessity to purchase additional equipment,  
 9 whether it's door handle retrofits or parking  
 10 signage or cones to provide for the van  
 11 accessible aisles between noticed parking  
 12 spaces.  
 13 So there was some concern when our  
 14 application, as Michael expressed, for funds  
 15 through the Secretary of State's office from  
 16 the Health and Human Services Department for  
 17 those grant monies came back rejected, because  
 18 it seemed to be inconsistent with some of our  
 19 previous interactions with the Secretary of  
 20 State's office relative to grant applications.  
 21 In the past, instead of rejecting  
 22 requests wholesale, the portions of the  
 23 requests that could be funded were funded or  
 24 changes were made as a part of that process.

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1 And so I guess the issue today is  
 2 not so much to hash back through what  
 3 happened, but to find out, I guess, two  
 4 primary issues, the first and foremost being  
 5 what specifically needs to be included in a  
 6 grant application in order for it to be  
 7 approved so that we can do the things that we  
 8 need to do here locally using federally  
 9 reimbursed funds so that, since there is a  
 10 federal funding mechanism available, the  
 11 taxpayers of Franklin County alone don't have  
 12 to bear that burden.  
 13 So I think that's the primary  
 14 question, is what specifically needs to be in  
 15 the grant request, what form, what issues,  
 16 partial, full, whatever, so that we can start  
 17 moving forward and getting the funds so we can  
 18 do the things we need to do.  
 19 MR. HARBAGE: Would you prefer that  
 20 I just run through the process for the grant  
 21 and show an example of a properly filled out  
 22 grant application? I brought some examples of  
 23 another spreadsheet that was correctly filled  
 24 out and shows exactly what we need.

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1 I mean, obviously, it's HHS funding,  
 2 it's federal dollars, we have obligations that  
 3 we have to fulfill and information that we  
 4 have to have in case we ever got audited, so  
 5 that's where we came up with the application  
 6 and the spreadsheet now. And we think that  
 7 covers --  
 8 MR. STINZIANO: Are we required to  
 9 use the Secretary of State's spreadsheet for  
 10 the federal grant?  
 11 MR. HARBAGE: Absolutely not. We  
 12 created a spreadsheet because we thought maybe  
 13 counties could benefit from that, they didn't  
 14 have to design their own spreadsheet, but if a  
 15 county decides to use their own spreadsheet,  
 16 we would prefer -- we have to have the correct  
 17 information.  
 18 MR. STINZIANO: As the Board is  
 19 aware, we used our own spreadsheet identifying  
 20 areas where we were seeking funding under  
 21 deficiencies.  
 22 MS. MARINELLO: Could corrections be  
 23 made from -- like a problem on the grant,  
 24 couldn't just those specific things be

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1 corrected? Or does the whole thing have to  
 2 start all over?  
 3 MR. HARBAGE: No. Actually, I don't  
 4 typically deny an entire grant. That was  
 5 asked -- Michael had asked for a letter  
 6 denying the grant so we could basically start  
 7 over. Typically, I would just work with the  
 8 county, correct the problems, you know, maybe  
 9 some of the things that are on that  
 10 spreadsheet we can salvage and not have to  
 11 redo, but I've always just worked with the  
 12 county to get the money that they need.  
 13 So this is really the first time  
 14 I've ever sent a denial letter to a county.  
 15 So my goal or my hope is that we can work  
 16 together to figure out maybe where we went  
 17 wrong in the first grant application and just  
 18 move forward and fix it and get you the money  
 19 that you need to make your sites compliant.  
 20 You know, we don't want to not give  
 21 out money. I mean, that's what it's for.  
 22 It's there to give to counties so it's not an  
 23 unfunded mandate, so we can make the sites  
 24 compliance for voters with disabilities.

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1 MR. SHINN: But, of course, for our  
 2 own purposes of auditing and complying with  
 3 federal requirements, we do have to make sure  
 4 that your application falls within the  
 5 parameters of what we need to see to be able  
 6 to justify the grant of the money, and then,  
 7 of course, the expenditure has to happen  
 8 within X number of days.  
 9 I think one of the issues, and we  
 10 did lay it out pretty clearly in our letter,  
 11 at least from our perspective it was pretty  
 12 clear, some of the problems with the grant  
 13 application, and I think a lot of it comes  
 14 down to maybe some vagueness in terms of, for  
 15 example, on your spreadsheet you used Xs  
 16 instead of numbers. So it wasn't always  
 17 abundantly clear how the Xs added up to equal  
 18 a certain figure.  
 19 And I had asked Brett to kind of  
 20 come up with some examples that other counties  
 21 have provided in their applications, so you  
 22 could understand a little more clearly exactly  
 23 what we are looking for so that you might be  
 24 able to tweak what you already submitted and

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1 then be able to resubmit it. So do you want  
 2 me to --  
 3 MR. DAMSCHRODER: Why don't we  
 4 distribute those down now.  
 5 MR. SHINN: I brought six. And I  
 6 brought some different information. I didn't  
 7 know if we were going to need it or not.  
 8 MR. DAMSCHRODER: Well, and I think  
 9 one of the things that added a level of  
 10 frustration to Michael and I was that, as you  
 11 all know, the Director is required by law to  
 12 sign a statement saying that all locations are  
 13 accessible, and the Secretary of State's  
 14 directive expands that to -- it's general  
 15 accessibility but also specifically parking,  
 16 and adds a requirement for the Deputy Director  
 17 to sign.  
 18 And there was a level of concern on  
 19 our part, since the warehouse had documented  
 20 that a number of places were deficient for  
 21 different categories and the grant request was  
 22 being -- we had not yet heard on the results  
 23 of the grant request by the time we had to  
 24 sign that statement, that there was some

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1 concern about what position we should take on  
 2 completing that certification of accessibility  
 3 while there was still a grant request pending.  
 4 Because we couldn't, certainly, say  
 5 truthfully that, yes, everything was  
 6 accessible as required by law, knowing that we  
 7 had a request pending with the Secretary of  
 8 State's office, in a sense that request  
 9 stating that we're not accessible, so it put  
 10 us in a little bit of a bind.  
 11 MR. STINZIANO: And then I think the  
 12 issue became even more concerning when we  
 13 received a letter from the Secretary of  
 14 State's office suggesting we apply for a grant  
 15 when we had one pending and requiring that we  
 16 be compliant. And that's when, I think, we  
 17 wanted a final determination for our purposes  
 18 so we could move forward instead of having a  
 19 grant application we're still waiting to get a  
 20 determination on.  
 21 MR. HARBAGE: I think what I'll do  
 22 -- I don't know how much time you guys are  
 23 going to give us, but let me run through the  
 24 first two pages. The denial letter is in

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1 there. That was the first sheet. Then you  
 2 have the second sheet. That's the grant  
 3 application. It's very, very simplistic.  
 4 CHAIRMAN PREISSE: Very what?  
 5 MR. HARBAGE: Simplistic, as far as  
 6 their application part.  
 7 You know, I don't know if anybody  
 8 has any experience filling out federal grant  
 9 applications, but a two-page application is  
 10 very rare.  
 11 And this is recently new, because  
 12 you used to have to fill out one application  
 13 per location, so you'd have to have 515 of  
 14 these. Because HHS says we need to know  
 15 exactly what you need per location, dollar  
 16 amount, what equipment is going where.  
 17 Simple application. County. We  
 18 want to know how many locations you have  
 19 total, how many need funding, so maybe you got  
 20 515 total but you only need money for 400.  
 21 Some simple questions about your  
 22 efforts. You know, who's evaluating your  
 23 locations; have you talked to the location  
 24 about modifications you'll be making. And

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1 then describing any extenuating circumstances  
 2 that you want to let us know about.  
 3 But this application, you have to  
 4 attach a spreadsheet. And that's what the  
 5 next Excel format sheet is. And this is just  
 6 a sample; it's another county that had sent an  
 7 application in.  
 8 You can see, one of the things that  
 9 we have to have for HHS, and in the case we  
 10 ever get audited, is location by location what  
 11 equipment you need. So for example, at the  
 12 Bishop school, I need four cones, two complete  
 13 signs, a directional sign, an alternate  
 14 entrance sign, and it's going to cost \$231.  
 15 We need that information.  
 16 MR. STINZIANO: Can I ask a  
 17 clarifying question? Does the Excel  
 18 spreadsheet have to represent everything we  
 19 need for that place to be compliant, or just  
 20 what we're requesting within that grant  
 21 application?  
 22 MR. HARBAGE: We need to know what  
 23 equipment is going to that location, each  
 24 individual location.

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1 MR. STINZIANO: Okay. So it doesn't  
 2 have to be everything to make that compliant.  
 3 If we decide we want one cone, one parking  
 4 spot, that would be sufficient.  
 5 MR. SHINN: He's asking if in the  
 6 grant application, that they have to just list  
 7 the things that they're asking for, or do they  
 8 have to list everything that --  
 9 Am I understanding your question,  
 10 Michael?  
 11 MR. STINZIANO: Correct.  
 12 MR. HARBAGE: I mean, if you have  
 13 previous equipment that's going to go to that  
 14 location and you're not applying for it, I  
 15 don't need to know about that.  
 16 MR. STINZIANO: Okay.  
 17 MR. SHINN: So just the stuff that  
 18 you're asking for money through our program.  
 19 MR. PICCININNI: To buy new or to --  
 20 MR. SHINN: Right, exactly.  
 21 MR. HARBAGE: Correct. You know, I  
 22 know there's some counties out there, they  
 23 have all kinds of equipment; you know, maybe  
 24 they have moved locations or whatever and need

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1 new equipment. You know, some counties  
 2 haven't even applied, so this would be the  
 3 equipment they need to make that location  
 4 compliant. And that would be a communication  
 5 between myself and the county.  
 6 But we have to have exactly what  
 7 equipment you're asking for and what the  
 8 dollar amount is per location. And you can  
 9 see that it's not an X, it's a number. It's  
 10 how many cones, how many signs, and so forth.  
 11 MR. STINZIANO: But it doesn't have  
 12 to be a number, is what I'm hearing.  
 13 MR. SHINN: We would prefer  
 14 specificity.  
 15 MR. STINZIANO: Okay.  
 16 MR. SHINN: It's helpful to us to be  
 17 able to say, if at the top you're saying  
 18 you're spending \$5 on a \$250 fine sign and  
 19 therefore for this particular polling place  
 20 you need four of them, that's much more clear  
 21 than just an X.  
 22 MR. MAS: And, Brett, so to  
 23 understand, the problem you found was not with  
 24 this --

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1 MR. HARBAGE: No.  
 2 MR. MAS: That we did this okay.  
 3 MR. HARBAGE: Yeah, that was fine.  
 4 MS. MARINELLO: It was the way the  
 5 spreadsheet --  
 6 MR. HARBAGE: Correct.  
 7 The other thing that, you know, for  
 8 example, our spreadsheet shows exactly what  
 9 the price per unit is you're paying for  
 10 equipment, down towards the bottom. You know,  
 11 so if you're getting 134 cones, it's \$8.25  
 12 each, and it gives us a total, and then that  
 13 totals it up over here to the right side,  
 14 which is going to correspond with the number  
 15 you put on your total request, on your  
 16 application, and also your quotes that you  
 17 send us. Because you have to send quotes from  
 18 your vendors you're getting your equipment  
 19 from.  
 20 So these things should match up. If  
 21 you're asking for, you know, 19,085.85, that  
 22 should be on here, and also your quote should  
 23 add up to be that amount as well.  
 24 MR. DAMSCHRODER: One question that

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1 may, once we revise the spreadsheet to be in  
 2 line with the Secretary of State's preferred  
 3 format, is for the Prosecuting Attorney to  
 4 opine to the extent to which competitive  
 5 bidding falls under any of these things.  
 6 Because whether we can use the \$10,000  
 7 threshold as per location or whether it's all  
 8 cones is one category and we can break up  
 9 categories of stuff, or whether it's the  
 10 entire project and do a public bid offering on  
 11 that.  
 12 MR. PICCININNI: Well, that is my  
 13 question: Are any of these vendors that you  
 14 guys use under state contract?  
 15 MR. HARBAGE: Not that I'm aware of.  
 16 MR. DAMSCHRODER: We've been made  
 17 aware of it, because my client reached out to  
 18 the Department of Administrative Services. As  
 19 an amendment the Secretary of State asked for  
 20 a couple of years ago that the General  
 21 Assembly passed to allow counties to take  
 22 advantage of cooperating and purchasing, our  
 23 Board a couple years ago paid that fee, so  
 24 we're part of that program, and so we met with

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1 the coordinator from DAS last week. They have  
 2 just added WW Granger as a vendor, and Granger  
 3 has some of these things, so we might be able  
 4 to do state term schedule for some but not  
 5 all.  
 6 I know Inclusion Solutions is a  
 7 vendor that has done a lot of work with other  
 8 counties. I don't think they're on state  
 9 term. And some of the stuff can get pretty  
 10 pricey pretty quick. And depending on how we  
 11 break it down for purposes of procurement, we  
 12 may hit that \$10,000 threshold very quickly  
 13 and require a bid.  
 14 MR. HARBAGE: And I think one of the  
 15 bigger issues and one of the reasons why we  
 16 denied the grant was, you know, in the cover  
 17 letter that was sent in, it clearly stated  
 18 that once the grant monies were granted, you  
 19 guys were going to reengage the locations and  
 20 decide what options they wanted to pursue.  
 21 You know, I'm not even sure what that really  
 22 means.  
 23 But you can see from their  
 24 spreadsheet, we have to know all that

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1 information up front, what each location needs  
 2 on the grant. It's not an option-based  
 3 program. It is specific to each location. We  
 4 need to know that up front. Not necessarily  
 5 you get this option, this option, or this  
 6 option. It's got to be clear, precise,  
 7 exactly what equipment you need up front.  
 8 And we've provided a checklist that  
 9 we think provides the counties to be able to  
 10 go out and survey their locations, based on  
 11 ADA law and based on Ohio Revised Code law, to  
 12 outline those deficiencies.  
 13 So the next thing I had put in my  
 14 packet was a checklist that we provided. It  
 15 clearly lays out what a polling location is  
 16 required to have. It lays out the numbers  
 17 from the ADA. It lays out the numbers from  
 18 the Ohio Revised Code.  
 19 It is based a lot on DOJ, the  
 20 Department of Justice, checklist, but theirs  
 21 is 35 pages. It has a lot more information in  
 22 it than what we need. It's got pictures,  
 23 diagrams, explains how to measure. We've  
 24 gotten the checklist down to about four pages,

<p style="text-align: right;">Page 50</p> <p>1 so we think it's an easy form to go out and  2 survey a location.  3 MR. STINZIANO: As the Board is  4 aware, we have surveyed all our locations and  5 have them at the warehouse on file. The  6 spreadsheet that was submitted as part of the  7 original grant were deficiencies identified  8 based off of those -- off that spreadsheet and  9 these forms.  10 MR. HARBAGE: One of the other  11 issues with why we denied the grant as well is  12 the second paragraph in the letter, and that  13 paragraph talks about things that we can't  14 authorize funding for under the HHS program.  15 We can't pay for anything that's  16 permanent. We cannot pay for anything -- we  17 can't pay for installation, just like we can't  18 pay for somebody to take this equipment out.  19 Those are clear guidelines that HHS has told  20 us, you know, these are things that we cannot  21 pay for. And those things were listed.  22 Some of the quotes were for  23 permanent signage. There was some question  24 about -- and it can be questionable, about</p>	<p style="text-align: right;">Page 52</p> <p>1 And so we do have counties taking  2 advantage of that, where they are getting a  3 more permanent sign. You know, I don't know  4 if permanent is the right word, but a sign  5 that goes in the ground, they're going to  6 leave it there for five years, but that  7 location is going to sign an agreement saying,  8 yeah, we don't see any problem being a  9 location for the next five years.  10 MR. DAMSCHRODER: Indefinitely  11 temporary.  12 MR. HARBAGE: Yeah, I mean, the  13 language is debatable. You know, when we  14 talked to HHS about it, I said, if we can put  15 a sign in, why can't we stripe? And they  16 said, well, now you're getting into  17 construction type issues.  18 MR. PICCININNI: So you use the  19 cones instead of striping.  20 MR. HARBAGE: Cones or temporary  21 striping has been used by other counties.  22 MR. DAMSCHRODER: Or the county can  23 pay for the striping itself, which is far less  24 expensive both from the standpoint of</p>
<p style="text-align: right;">Page 51</p> <p>1 striping. There is a company that does make  2 temporary striping for the day or what you  3 would stripe a football field with, which is  4 something that can be approved, but it does  5 have to be temporary equipment that can be  6 moved to other locations, because, obviously,  7 polling locations move a lot.  8 We have implemented here recently,  9 we talked to HHS about, you know, is there  10 anything that we can do a little bit more  11 permanently, and they said, well, there are  12 things that are nonconstruction related, and  13 that was the term that she used, was  14 nonconstruction. Things like a vertical sign.  15 You can put it in the ground, and that would  16 be a post, sign, minimum fine; van, if it  17 needs to say van.  18 The only stipulation is, at the  19 locations that you're going to put those signs  20 in the ground at, you have to get that  21 location to sign a five-year agreement or a  22 ten-year agreement that they will be a polling  23 location for that period of time. That was  24 their stipulation.</p>	<p style="text-align: right;">Page 53</p> <p>1 purchasing it and doing it as opposed to  2 buying cones, and we wouldn't have to pay  3 employees to go out and do it, take them up,  4 put them down. Cones get stolen. It's hard  5 to steal paint that's been put on the ground.  6 But I bet it can be done if you try really  7 hard.  8 MR. HARBAGE: And to my surprise,  9 we've had a lot of success with other counties  10 that, you know, they actually talk to the  11 location about their deficiencies and  12 sometimes the location says, we can do that,  13 or we can fix that. You know, the firehouse  14 or township house or these other buildings.  15 Maybe they're getting ready to stripe this  16 summer and they've went ahead and restriped it  17 the right way. Well, then the Board of  18 Elections no longer has to deal with that  19 anymore.  20 The less equipment you have to take  21 out, I think the better off you're going to  22 be.  23 MR. DAMSCHRODER: Oh, we concur  24 completely. I think our biggest challenge in</p>

<p style="text-align: right;">Page 54</p> <p>1 terms of locations has been with signage, 2 because locations particularly are public -- 3 well, all of our churches feel that they are 4 exempt, which they are. 5 MR. HARBAGE: And they are, 363 6 days a year. 7 MR. DAMSCHRODER: Right. Well, in 8 their view, they're still exempt for those two 9 days unless a voter is there, and then the 10 voter isn't exempt. 11 And then there's also the exemption 12 of the grandfather for public locations, that 13 they feel that they're grandfathered in 14 because the sign was there at a certain point 15 in time. 16 And then someone, a large political 17 subdivision, that shall go unnamed at this 18 moment in time, called us last week and said 19 they've come up with an additional exemption 20 that we had never heard of, because they're a 21 certain kind of political subdivision. 22 And so I guess one of the questions 23 that we have is, if for public locations -- 24 because obviously with churches, clearly</p>	<p style="text-align: right;">Page 56</p> <p>1 100 percent compliant 363 days when there's 2 not an election? Maybe not, but they would 3 look at their programs and services. If there 4 are services and programs in that building 5 that they cannot move, then it would trigger 6 them to remove barriers. 7 But when it comes to an election and 8 polling locations, between ADA, Ohio Revised 9 Code, and HAVA is the big kicker, because HAVA 10 says people with disabilities need to have the 11 same opportunity to vote just like anybody 12 else. And when they did this -- all those 13 machines with HAVA, they put those accessible 14 machines in there in 2006, DOJ came out with a 15 letter saying that means the polling locations 16 have to be accessible. 17 So when it comes to a polling 18 location, a board of elections has a 19 responsibility to select locations that are 20 accessible, because people with disabilities 21 have to have that opportunity to vote just 22 like anybody else. 23 MR. SHINN: So to kind of summarize 24 what Brett is saying, I think it's our</p>
<p style="text-align: right;">Page 55</p> <p>1 there's no exemption for us to be there to 2 provide signage, et cetera, for the location 3 for voters. But if it's a public facility, a 4 school, township house, for which an exemption 5 -- legitimate exemption does exist, assuming 6 there are, does that exemption extend to the 7 Board of Elections for those two days, or does 8 the exemption not exist? 9 MR. HARBAGE: I'm not sure what, 10 when you say an exemption, you know, when it 11 comes to the ADA, there are certain locations 12 that are exempt. Churches are a good example. 13 Private clubs are an example. But just 14 because it's a public Title II entity, a 15 government entity, they don't get a clear-cut 16 exemption the other 363 days a year. 17 Forget about an election, but 18 depending on what services and programs they 19 offer, they have to make their programs and 20 services accessible. So there's not really an 21 exemption based on -- I wouldn't call it an 22 exemption. 23 Now, do you say, you know, the 24 municipal building in Chillicothe has to be</p>	<p style="text-align: right;">Page 57</p> <p>1 position, and Heaven knows, you guys aren't 2 the only county that gets the push-back from 3 the local officials. But what about our brand 4 new township hall that was just built last 5 year? What Brett is saying is that when it's 6 used for a polling place, there is a higher 7 standard. 8 MR. HARBAGE: Correct. 9 MR. SHINN: So it would be our 10 position, and consistently around the state, 11 what we're saying is that on Election Day, the 12 Election Day standards apply. Obviously, it's 13 not our concern other than Election Day, but 14 when it's being used as a polling place, that 15 it has to meet the heightened, shall we say, 16 standards that the Department of Justice has 17 identified that Brett is referring to. 18 Correct? 19 MR. HARBAGE: Yeah. And, you know, 20 when it's not an election, it depends on when 21 the building was built, what services or 22 programs, where the funding is coming from. 23 So there's a lot of different variables. But 24 when it comes to an election in a polling</p>

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1 location, between those three codes and some  
 2 laws way back, our interpretation is that they  
 3 have to be accessible.  
 4 So that was the other issue with the  
 5 permanent signs and the permanent paint and  
 6 that sort of thing.  
 7 MR. STINZIANO: I guess we are  
 8 unclear, because in the past you have granted  
 9 components of a grant. When we did our poll  
 10 worker training, you questioned our videos and  
 11 did not grant that component. You granted  
 12 other aspects. You even granted a lower  
 13 threshold because, based on your personal  
 14 observation, you didn't think we had met what  
 15 we were asking for. So I don't really  
 16 understand --  
 17 MR. HARBAGE: With poll worker  
 18 training?  
 19 MR. STINZIANO: Yes. With the  
 20 grant, the videos from Stan, you said you were  
 21 going to get back with Stan. I think he's  
 22 still waiting. But in terms of, though, why  
 23 this grant is different.  
 24 MR. HARBAGE: I mean, the reason why

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1 we granted part of the poll worker training  
 2 grant was because there was -- I don't know if  
 3 it was your part or my part, there was lack of  
 4 communication of what was in the grant wasn't  
 5 going to be implemented until you got the  
 6 grant money. That wasn't communicated in the  
 7 cover letter.  
 8 I had always -- all the other  
 9 counties that we had dealt with, when they  
 10 submit a grant for poll worker training, they  
 11 say they're going to do A, B and C. I'm going  
 12 to train them on the machine. I'm going to  
 13 talk about sensitivity. I'm going to bring a  
 14 person with a disability in. This is the  
 15 cost.  
 16 I'm assuming they were going to  
 17 implement that regardless. And with the grant  
 18 previously, obviously, I didn't understand  
 19 that you weren't going to implement it until  
 20 the grant was granted. And, you know, maybe  
 21 that was my fault, I'm not sure.  
 22 But so that's why we granted partial  
 23 grant on that one.  
 24 MR. SHINN: And if I may interject,

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1 too. I think it's the specificity level that  
 2 we need with these specific polling place  
 3 grants with HHS -- if I interrupted you, I'm  
 4 sorry -- as opposed to that program where he  
 5 could break out part of it. Here, because  
 6 there were overarching concerns about your  
 7 spreadsheet, we weren't able to grant any of  
 8 it because of the questions that we had.  
 9 MR. STINZIANO: And the question is  
 10 that it was just Xs?  
 11 MR. HARBAGE: No, no. I have other  
 12 concerns.  
 13 MR. SHINN: Right. As we explained  
 14 in the letter, there were several other  
 15 concerns. One of them is the inconsistency  
 16 between the cover letter, what you were saying  
 17 in the cover letter and what you were saying  
 18 in the actual grant application. Correct?  
 19 MR. HARBAGE: Mm-hmm.  
 20 MR. SHINN: And then there was also  
 21 a cost concern. Obviously, we are  
 22 administering the federal grant program where  
 23 we are seeing costs that were significantly  
 24 higher than any other county that submitted.

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1 Obviously, we have to make sure that we're  
 2 spending -- or we are making sure that this  
 3 HHS money is being spent responsibly. There  
 4 were concerns that we had when we saw costs  
 5 that were significantly higher than any other  
 6 county.  
 7 MS. MARINELLO: Is there any kind of  
 8 list or anything, like this should be spent on  
 9 this, like what are the guidelines for the  
 10 cost of --  
 11 MR. HARBAGE: We don't really have  
 12 any guidelines, but just from previous grants  
 13 and other counties, and I included -- there's  
 14 three different vendors. There's a Hall  
 15 Signs, there's a -- just from previous grants  
 16 we know that the equipment that you are  
 17 wanting to get we can get considerably  
 18 cheaper.  
 19 And just for your information, for  
 20 example, the quote that was turned in, you're  
 21 getting a maximum fine sign that's 20 bucks,  
 22 where all three of these companies, you can  
 23 get -- this one is selling them for \$2.19. Or  
 24 \$4.55.

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1 MS. MARINELLO: Were these just  
 2 estimates and then it all comes out in --  
 3 like, we'll have to pay back whatever?  
 4 MR. HARBAGE: It can't be an  
 5 estimate.  
 6 MR. STINZIANO: I think the \$2.19  
 7 signs are temporary, cardboard signs?  
 8 MR. HARBAGE: No, it's an aluminum.  
 9 Probably exactly what you were getting. It's  
 10 an aluminum sign.  
 11 MR. STINZIANO: But we're not for  
 12 sure.  
 13 MR. HARBAGE: I'm pretty sure other  
 14 counties have gotten those signs and they're  
 15 aluminum, .08 gray, whatever, yeah.  
 16 MR. STINZIANO: So, conceivably, you  
 17 all could have granted -- and I don't really  
 18 want to go back to a grant we've already  
 19 denied. You could have granted \$2.18 signs.  
 20 MR. SHINN: You're right, we could  
 21 have. I mean we didn't, again because of the  
 22 overarching concerns about your application.  
 23 We could have, if that were the only issue,  
 24 said, well, we think your price is kind of

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1 high. In X other counties in the same area,  
 2 Fairfield, Licking, Delaware, we've seen these  
 3 prices. We will give you X dollars to  
 4 purchase that sign.  
 5 I don't know, have we done that  
 6 before?  
 7 MR. HARBAGE: We have never done  
 8 that.  
 9 MR. SHINN: All right. Well, then  
 10 I'll shut up.  
 11 MR. HARBAGE: Because, you know, the  
 12 quote has to match what's on the spreadsheet.  
 13 MR. DAMSCHRODER: What if we have to  
 14 do a bid, do we have to do the bid before we  
 15 submit a grant application to get the exact  
 16 numbers?  
 17 MR. HARBAGE: What do you mean by a  
 18 bid?  
 19 MR. DAMSCHRODER: Well, if the  
 20 Prosecutor says that every location -- let's  
 21 just use an example. Every location needs  
 22 something, and that to stay under the 10,000  
 23 bid threshold for boards of elections, we  
 24 can't break these up and it has to be bid as

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1 one -- because all of it is over \$10,000, we  
 2 have to bid. Do we have to do the bid before  
 3 we can submit the grant application so we have  
 4 exact dollars?  
 5 MR. HARBAGE: And that \$10,000  
 6 threshold, does that apply to a federal HHS,  
 7 Health and Human Services, grant fund  
 8 something.  
 9 MR. DAMSCHRODER: That's a great  
 10 question for you guys. Our instructions from  
 11 the Prosecutor is that the law says boards of  
 12 elections have to bid any election supplies  
 13 over \$10,000.  
 14 MR. SHINN: I would think, Matt,  
 15 that, again, because what Brett is saying is  
 16 under the HHS guidelines that he administers  
 17 for our office, we have to know exactly up  
 18 front how much it's going to be, that if  
 19 that's what it takes to get you the exact  
 20 number, then you would probably have to do  
 21 that prior to submitting your bid.  
 22 MR. PICCININNI: And we'll look at  
 23 that issue.  
 24 MR. STINZIANO: I guess my

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1 confusion, the contention is, I feel we did  
 2 give a "this is how much it's going to be"  
 3 estimate in the grant, and I think we would do  
 4 it again, and I guess we'd have numbers  
 5 instead of Xs, but I don't understand why that  
 6 threshold would change.  
 7 MR. SHINN: What threshold would  
 8 change?  
 9 MR. STINZIANO: The threshold of --  
 10 you said you need a specific amount. The  
 11 Excel spreadsheet identified each location,  
 12 identified what deficiency we were seeking  
 13 reimbursement for, and a total amount.  
 14 Another spreadsheet is going to do the exact  
 15 same thing, other than we'll have numbers  
 16 instead of Xs.  
 17 MR. SHINN: It will be more specific  
 18 that way, and it will make sense. But again,  
 19 that wasn't the only reason your grant -- as  
 20 we explained in the letter, that wasn't the  
 21 only reason it was rejected, Michael.  
 22 MR. HARBAGE: I brought an example  
 23 of another concern and it's outlined in the  
 24 letter. If you look in the -- it's a stapled

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1 package, the spreadsheet that you guys turned  
 2 in, and this is just one example.  
 3 It says "ADA results, all locations,  
 4 multiple precincts" at the top. If you look  
 5 at All Saints Academy, the other thing that  
 6 was relatively odd to me as well is, on the  
 7 spreadsheet you can see it's either \$20.00,  
 8 1.75, or 3.50. That's the only options as you  
 9 go down, I don't know, 50 pages of this  
 10 spreadsheet. And you can see on the other  
 11 spreadsheet, the example that I gave you, you  
 12 know, it comes out to \$247.50, where it's very  
 13 specific per location.  
 14 And this is an example I give, is, I  
 15 had a hard time figuring out what that X even  
 16 meant, what is a 250 vertical ADA sign, van  
 17 access sign, and what is a van space, based on  
 18 that X.  
 19 And I usually can compare the  
 20 spreadsheet to the quotes and say, okay,  
 21 they're getting 550 6-by-12 sign rider up to  
 22 \$500. Well, I can look at the spreadsheet,  
 23 and at the bottom it should say 550. It  
 24 doesn't match up on this spreadsheet the way

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1 it is.  
 2 As you may know, we do spot checks  
 3 on Election Day. It's part of our enforcement  
 4 procedure. We go out, we check actual  
 5 locations on Election Day to see if counties  
 6 are being in compliance with, and we use the  
 7 same checklist.  
 8 A lot of times what I'll do is, I'll  
 9 pick a couple of locations and just verify  
 10 that the equipment being ordered is going to  
 11 make that site compliant. Obviously, if a  
 12 county already has equipment, that's something  
 13 I would have to talk to them about, to see,  
 14 you know, hey, are there other pieces of  
 15 equipment going here that's going to make this  
 16 site compliant.  
 17 So if you look at All Saints Academy  
 18 that I highlighted, there's an X in every  
 19 category, and it's saying it's going to cost  
 20 \$350 at that location to make it compliant, or  
 21 the equipment you need with this grant may be  
 22 based on some other equipment that you have.  
 23 But the pictures that I've taken clearly shows  
 24 that the equipment being ordered is not going

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1 to make it compliant, or it's too much  
 2 equipment.  
 3 MR. STINZIANO: But you have said  
 4 what we have requested in the grant doesn't  
 5 have to be the end-all for compliant.  
 6 MR. HARBAGE: I understand that.  
 7 But you're ordering \$350 worth of equipment on  
 8 this grant for this location.  
 9 MR. SHINN: What it's saying is,  
 10 there's more being asked for than what our  
 11 spot check revealed it needed.  
 12 MR. HARBAGE: And maybe it's, you  
 13 know, I haven't looked at your checklist, and  
 14 I've told that you before, Michael; I'm not  
 15 sure if this maybe got evaluated wrong. Maybe  
 16 somebody is interpreting it wrong. But I  
 17 think this is a clear, good example of,  
 18 there's four spaces, they all have vertical  
 19 signs, they have the access required, the only  
 20 thing that's missing is the minimum fine  
 21 applicable. Four signs.  
 22 MR. MAS: Brett, I'm sorry, I didn't  
 23 hear that last part. The only thing missing  
 24 is?

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1 MR. HARBAGE: The minimum fine  
 2 applicable, the sign. I don't know if this is  
 3 City of Columbus or not; it's either 500 or  
 4 250.  
 5 MR. STINZIANO: What we have  
 6 learned, for the Board's knowledge, is, we did  
 7 send a letter on Monday reengaging our polling  
 8 sites, and a lot of them per the letter we  
 9 sent last fall went out and made improvements.  
 10 So what was submitted with the grant  
 11 was the checklist we did when we did survey at  
 12 515 locations. We did not resurvey all 515  
 13 locations in an odd-year election because we  
 14 don't have the manpower to do that. So there  
 15 is discrepancies that when they call in and  
 16 talk to us, we're recognizing that exists.  
 17 MR. HARBAGE: So this is an example,  
 18 you know, all you need is four minimum fine  
 19 signs that's going to cost you 10 bucks, not  
 20 350. So, and I've looked at probably 10  
 21 locations and I have concerns. This is just  
 22 one example.  
 23 We've done multiple trainings,  
 24 regional trainings. We've presented

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1 conference on how to do the checklist, you  
 2 know, things that should be answered. You  
 3 know, how to make things compliant. The best  
 4 options, the easiest options.  
 5 So I don't know if somewhere along  
 6 the line the checklist was wrong, the person  
 7 who surveyed it didn't write down the right  
 8 information. But when you're looking at 515  
 9 locations and I'm going to give you \$122,000,  
 10 I want to be comfortable that that site is now  
 11 going to be compliant based on what you're  
 12 getting in this grant and what you already  
 13 have.  
 14 So that's even a bigger concern for  
 15 myself.  
 16 MR. STINZIANO: So our application  
 17 should be full compliance, is what you're  
 18 saying.  
 19 MR. HARBAGE: No.  
 20 MR. SHINN: No, that's not what he's  
 21 saying.  
 22 MR. HARBAGE: I'm not saying that.  
 23 I'm saying between this --  
 24 MR. SHINN: He's saying that if

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1 you're going to apply for it, it needs to be  
 2 specific to that location and specific to that  
 3 location's needs.  
 4 MR. HARBAGE: I mean, if somebody  
 5 can tell me at All Saints Academy how these Xs  
 6 and \$350 is going to make it compliant,  
 7 explain it to me, because I don't understand.  
 8 MR. STINZIANO: It was based on,  
 9 when we went out and did the testing last  
 10 fall, I don't think we thought, and I wonder  
 11 if other 88 counties have the same standard of  
 12 the spot check being matched up with what  
 13 their grant applications are, that's was  
 14 submitted, that's how the Excel spreadsheet  
 15 was created.  
 16 MR. HARBAGE: And I visit counties a  
 17 couple times a week to work with them on this  
 18 kind of stuff. To go out with them, to train  
 19 the people, to show them how to fill out their  
 20 grant application, to show them what  
 21 equipment. And I'm more than happy to do that  
 22 with you guys, with Franklin County.  
 23 CHAIRMAN PREISSE: Let's take a  
 24 break for a second and see if any of the Board

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1 members want to make any comments or ask any  
 2 questions. Because we're having a good,  
 3 free-flowing conversation, and I think some  
 4 good information is being shared, but I also  
 5 want to move it along. Unless we are missing  
 6 -- unless we haven't at least touched on any  
 7 of the key components of the issues.  
 8 MR. HARBAGE: No, I mean we've  
 9 touched on all the components that were in the  
 10 denial letter. I mean, if there's any  
 11 questions, I'll feel free to answer them.  
 12 MR. MAS: I did have just a  
 13 clarification, I guess. It sounds like  
 14 perhaps one of the principal points is that  
 15 maybe we were going on stale information,  
 16 perhaps, Michael, that maybe the site has come  
 17 into partial compliance since last fall and  
 18 the latest visit by Brett; is that what  
 19 possibly happened?  
 20 MR. HARBAGE: Oh, there's always a  
 21 possibility that you do a checklist last fall  
 22 and they restripe this summer. But myself,  
 23 just looking at 10 locations, I doubt 10 of  
 24 them, that happened. I mean, you can tell

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1 when they've restriped and when they haven't.  
 2 But we have had that happen. I've called  
 3 counties and said, hey, there's totally new  
 4 striping, and it didn't match up with what the  
 5 county had on file. That does happen on  
 6 occasion.  
 7 But just through looking at those 10  
 8 locations and that's all I really looked at,  
 9 just in the parking, I have concerns like I've  
 10 laid out in that example. I want to make sure  
 11 that the equipment you're ordering and the  
 12 equipment that you have, when it's out there  
 13 on Election Day, makes that site compliant.  
 14 MS. MARINELLO: And you would need  
 15 it on this spreadsheet showing exactly what  
 16 the invoices do to back it up.  
 17 MR. HARBAGE: Absolutely. I need  
 18 that spreadsheet per location, what equipment  
 19 that you're asking for, and quotes that match  
 20 that.  
 21 MS. MARINELLO: If the spreadsheet  
 22 could, you know, maybe --  
 23 MR. HARBAGE: The spreadsheet does  
 24 total it.

<p style="text-align: right;">Page 74</p> <p>1 MS. MARINELLO: What if the 2 spreadsheet added up perfectly in all columns 3 and all that stuff and added up to 122, is 4 Motion Graphics still too high, in your 5 opinion? 6 MR. HARBAGE: It doesn't add up to 7 122. That's another issue. 8 MS. MARINELLO: Oh. 9 MR. HARBAGE: It adds up to 114,440, 10 which is another concern. You know, the 11 spreadsheet doesn't match the quote. So 12 there's about 8,000 -- 13 MS. MARINELLO: But that could have 14 been old. 15 MR. DAMSCHRODER: Or it could have 16 been a typo. 17 MS. MARINELLO: Yeah. 18 MR. STINZIANO: The question, I 19 think, is, is Motion Graphics too high? 20 MS. MARINELLO: Yeah. 21 MR. HARBAGE: I think clearly by the 22 examples that I've provided that \$20 for a 23 fine sign is way out of where it should be. 24 CHAIRMAN PREISSE: Any other board</p>	<p style="text-align: right;">Page 76</p> <p>1 how the layout of the parking lot was. And 2 you'd mentioned you were going to ask DOJ, and 3 I don't know if you have an answer. 4 MR. HARBAGE: I'm still working on 5 that. I mean, there becomes an issue of -- 6 MR. STINZIANO: Because that makes a 7 difference, if we need one sign, two signs, 14 8 signs. 9 MR. HARBAGE: The checklist is set 10 up as, are there an adequate number of spaces 11 based on the total number of spaces available. 12 You know, for example, my best 13 example is the basketball arena at OU they use 14 as a voting location. Well, there's 10,000 15 parking spots, but they only use the backside 16 auxiliary little office where there's one 17 parking lot with 20 spaces. 18 There's not a good guidance from DOJ 19 about what do you do about that situation, 20 because if you read these guidelines, it would 21 say, well, if you've got 10,000, you've got to 22 have two percent that are accessible. Well, 23 that doesn't make a lot of sense for Election 24 Day when it's one precinct.</p>
<p style="text-align: right;">Page 75</p> <p>1 questions, thoughts? 2 MR. HARBAGE: And \$30 for a 12-by-18 3 is way out of what other counties are getting 4 them for. And on down, you know. 5 CHAIRMAN PREISSE: Well, thanks for 6 your coming over and providing the 7 information, as well. I think we have some 8 information to absorb. 9 Anybody else have anything? 10 MR. STINZIANO: I think the only 11 other lingering question is on the parking 12 lots. 13 For example, last Friday, Mr. 14 Nickolas, the ADA -- or the regional liaison, 15 and Mr. Harbidge provided training, specific 16 Secretary of State training. We went to an 17 institution that has about 400 parking spots, 18 and what we're responsible for and what we're 19 not. 20 I believe it's been our 21 interpretation in the past, we're only 22 responsible for 25 at a location, and we were 23 given different perspectives based on where 24 the front door was to the voting location and</p>	<p style="text-align: right;">Page 77</p> <p>1 So Michael had asked me for some 2 clarification on what do we do in those 3 situations. What if there is no striping, how 4 do you count the number, you know, so I'm 5 getting clarification from DOJ on that kind of 6 stuff. 7 MR. DAMSCHRODER: The only other 8 item that would be directly for the Board's 9 consideration, I think, is, as we go forward 10 on examining some of these, there are going to 11 be a number of issues on which we're going to 12 need the Board's counsel, legal counsel, to 13 provide guidance. 14 Patrick is always very helpful, but 15 I think one of the things that the Prosecuting 16 Attorney's office and the Prosecuting Attorney 17 in particular has preferred sometimes is, 18 instead of providing specific legal guidance 19 to the Director or Deputy Director at our 20 individual request or individual board 21 members, at the individual board member's 22 request, that that guidance come from the 23 Board. 24 And so I think it might be nice now,</p>

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1 ideally, or at a subsequent meeting, for the  
 2 Board to authorize the Director and Deputy  
 3 Director together to ask for written legal  
 4 opinions from the Prosecuting Attorney's  
 5 office on the narrow issue of voting location  
 6 accessibility so that we can expedite some of  
 7 these things and get clear legal guidance.  
 8 So I don't know if we necessarily  
 9 need to take a vote on that, but I think that  
 10 would be helpful going forward.  
 11 MR. PICCININI: You have a meeting  
 12 next week, right?  
 13 MR. DAMSCHRODER: We do.  
 14 CHAIRMAN PREISSE: Let's chew on  
 15 that for a week or until our next meeting.  
 16 MR. DAMSCHRODER: Okay.  
 17 MR. MAS: And, Mr. Chairman,  
 18 speaking of that, I think that we had changed  
 19 the meeting time to 3:00. Are we all in  
 20 agreement on that?  
 21 CHAIRMAN PREISSE: Yes. Because  
 22 there's a number of voter challenges that have  
 23 been filed.  
 24 MR. STINZIANO: And we'll also be

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1 certifying the writings.  
 2 MR. DAMSCHRODER: Yes. And hearing  
 3 any appeals that may be filed in the meantime.  
 4 CHAIRMAN PREISSE: All right. Well,  
 5 thank you very much for coming over. Nice to  
 6 see you again, Pat. And you gentlemen, thank  
 7 you very much.  
 8 MR. HARBAGE: And like I said, I'm  
 9 more than happy to help out however I can.  
 10 You know, I visit counties on a regular basis  
 11 to help them, and Eric Nickolas is available  
 12 as well.  
 13 CHAIRMAN PREISSE: He seems to be  
 14 always available. We're going to name a chair  
 15 after him over there.  
 16 I think if there's nothing else  
 17 before us --  
 18 MR. STINZIANO: There are no other  
 19 matters before the Board.  
 20 MS. MARINELLO: I shall, Mr.  
 21 Chairman, make a motion to adjourn.  
 22 MR. COLLEY: Second to adjourn.  
 23 MR. STINZIANO: All in favor?  
 24 MEMBERS: Aye.

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1 MR. STINZIANO: This meeting is  
 2 adjourned.  
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 4 Thereupon, the proceedings were  
 5 concluded at 4:44 o'clock p.m.  
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1 CERTIFICATE  
 2  
 3 The undersigned do hereby certify that  
 4 the foregoing proceedings were digitally  
 5 recorded, electronically transmitted, and  
 6 transcribed via audible playback, and that  
 7 the foregoing transcript of such proceedings  
 8 is a full, true and correct transcript of  
 9 the proceedings as so recorded.  
 10  
 11 IN WITNESS WHEREOF, I have hereunto set  
 12 my hand and affixed my seal of office at  
 13 Columbus, Ohio, on this \_\_\_\_ day of  
 14 \_\_\_\_\_, 2009.  
 15  
 16  
 17  
 18 Martha J. Blumling  
 19 Certified Digital Reporter  
 20 Notary Public - State of Ohio.  
 21 My commission expires December 5, 2012.  
 22  
 23 DONNA J. BELLOUS  
 24 Certified Digital Transcriber