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APPEARANCES:

Franklin County Prosecutor's Office
By Mr. Harold J. Anderson, III,
Assistant Prosecuting Attorney
Civil Division-Environmental
373 South High Street
Columbus, Ohio 43215

On behalf of the Board.

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Friday Afternoon Session,
February 15, 2013.

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DIRECTOR ANTHONY: Good afternoon. I would like to call the Franklin County Board of Elections February meeting to order.

I will do the roll-call. Kimberly Marinello.

MEMBER MARINELLO: Here.

DIRECTOR ANTHONY: Zachary Manifold.

MEMBER MANIFOLD: Here.

DIRECTOR ANTHONY: Douglas Preisse.

CHAIRMAN PREISSE: Here.

DIRECTOR ANTHONY: And Bradley Sinnott.

MEMBER SINNOTT: Here.

DIRECTOR ANTHONY: Mr. Chairman, we are all here and accounted for.

First item on the Board agenda, Mr. Chairman, is the Gahanna and Grove City Ward boundaries, and we have Jeff Mackey or who? Carla? Carla and Matt are here.

DIRECTOR ANTHONY: Carla and Matt Shay are going to kind of go through what the --

MEMBER MARINELLO: Rushay.

1 DEPUTY DIRECTOR WALCH: You said Shay.

2 DIRECTOR ANTHONY: It's Matt Rushay. And
3 you have at your -- at your places the maps, the
4 original and proposed, for both Gahanna and Grove
5 City. Which one of you guys want to start, Carla or
6 Matt? If there are any questions.

7 DEPUTY DIRECTOR WALCH: In front of you
8 you do have a set of four maps. One is the original
9 Gahanna precincts and amended Gahanna precincts and
10 the other is the same for Grove City.

11 CHAIRMAN PREISSE: So who will walk us
12 through what we are looking at and what we are doing?
13 I see the shady part is the part --

14 MS. PATTON: If you look at the area,
15 both of them redrew their ward lines and they took in
16 parts of precincts and other parts. So if you are
17 looking at your map, you'll see old lines and new
18 lines. Where there is a dash, the map that has
19 shading on there, that's where they have changed from
20 one ward to another ward.

21 So, for example, the area with the dash
22 lines through there, that used to be a part of a
23 different ward than it currently is on the new ward
24 lines.

1 CHAIRMAN PREISSE: The new --

2 DIRECTOR ANTHONY: So we are going to
3 look at Gahanna first? Everybody looking at Gahanna?

4 CHAIRMAN PREISSE: New precincts, not
5 wards.

6 MS. PATTON: The new precincts, we had to
7 reline all the precincts so that we would fall under
8 the requirements of 1,400 voters in any given
9 precinct.

10 CHAIRMAN PREISSE: Let me do something
11 scientific. We haven't changed -- oh, have we
12 changed ward boundaries? Yes, we have changed some
13 ward boundaries but also just precinct boundaries
14 within as well.

15 MS. PATTON: Gahanna didn't have as many
16 precinct boundary changes. They were a little kinder
17 to us in the drawing of their ward lines. Grove City
18 had some very drastic changes to their ward, and so
19 several of the precincts in the Grove City area had
20 to be readjusted to fall within the new ward
21 boundaries.

22 MEMBER SINNOTT: In the instance of both
23 cities there is not an increase in the number of
24 wards.

1 MS. PATTON: No, there is no increase in
2 the number of wards. Overall in the City of Gahanna
3 we had -- we gained a net of one precinct.

4 MR. RUSHAY: One precinct.

5 MS. PATTON: Grove City we gained a net
6 of two precincts because of the new boundaries.

7 DEPUTY DIRECTOR WALCH: But the number of
8 wards stayed the same.

9 MS. PATTON: Wards is still four wards in
10 each subdivision. Gahanna had just small areas that
11 changed into wards where Grove City had larger areas
12 that went from one ward to the other ward,
13 particularly between the first ward -- or the second
14 ward of Grove City that now encompasses what used to
15 be parts of the fourth ward, parts of the first ward,
16 parts of the third ward so.

17 DIRECTOR ANTHONY: How many precincts
18 were in -- were added to Grove City? Two?

19 MS. PATTON: Total of two precincts were
20 added to Grove City.

21 CHAIRMAN PREISSE: So would this bring us
22 up to countywide 105 precincts?

23 MS. PATTON: I believe we were at 800.

24 DEPUTY DIRECTOR WALCH: We were at 802.

1 I think we are at 804 now.

2 MS. PATTON: 804.

3 CHAIRMAN PREISSE: What's that?

4 DEPUTY DIRECTOR WALCH: 804.

5 MS. PATTON: With Gahanna 805.

6 DEPUTY DIRECTOR WALCH: I forgot about
7 the one.

8 CHAIRMAN PREISSE: 805, okay.

9 MEMBER SINNOTT: Perhaps there is a
10 motion.

11 MEMBER MANIFOLD: I have a question about
12 the central committee.

13 DIRECTOR ANTHONY: No.

14 MEMBER MANIFOLD: Do you get thrown out
15 of your seat?

16 CHAIRMAN PREISSE: We checked on our
17 side, and it didn't affect our people, but we didn't
18 check on your side.

19 DIRECTOR ANTHONY: We need to check that
20 because there was a line change on a couple of them,
21 see where they live. Hey, Matt.

22 MR. RUSHAY: Yes, sir.

23 DIRECTOR ANTHONY: As far as the central
24 committee seats are concerned, were any of the

1 current central committee seats impacted because they
 2 got moved out when the lines were drawn?

3 MS. PATTON: Grove City.

4 DIRECTOR ANTHONY: Grove City, which one?

5 MS. PATTON: Grove City Ward 2.

6 DIRECTOR ANTHONY: Ward 2.

7 MS. PATTON: I know -- I believe Ward 2
 8 currently on the Democratic Party is Donna Miller.
 9 She got moved into Ward 1. So there are some
 10 impacts. Other than that I'm not aware as to where
 11 the central committee members were positioned. And I
 12 think for the most part I think on the Republican
 13 side they were still within the wards they represent.

14 DIRECTOR ANTHONY: Can you find out?

15 MS. PATTON: Yes.

16 MR. RUSHAY: Sure.

17 DIRECTOR ANTHONY: Both Gahanna and Grove
 18 City?

19 MS. PATTON: Yes.

20 MR. RUSHAY: Yes.

21 DIRECTOR ANTHONY: Notify the folks.

22 MS. PATTON: We will do that.

23 MEMBER MARINELLO: Mr. Chairman, I make a
 24 motion to accept the new ward boundary lines for the

1 City of Gahanna and Grove City and approve the
2 resulting proposed precinct boundaries with revisions
3 developed by the Board of Elections staff.

4 DIRECTOR ANTHONY: Is there a second?

5 MEMBER MANIFOLD: Second.

6 DIRECTOR ANTHONY: All those in favor say
7 aye. Motion carries.

8 The second item on the agenda back when
9 we did salary adjustments, we -- Dana and I and the
10 fiscal folks, we erred in some calculations, and we
11 need to straighten it out so this motion would -- we
12 actually gave poor Debbie Cochran a decrease instead
13 of an increase so.

14 DEPUTY DIRECTOR WALCH: The beginning
15 wage we started from and then added to was incorrect
16 so even with the addition that we made of 1-1/2
17 percent the county gave it didn't bring her up to
18 where she should have been, so by trying to give her
19 a little bit of a raise at the last meeting, we
20 actually cut her salary so we wanted to make it right
21 this month.

22 MEMBER SINNOTT: In order to correct our
23 earlier computational error, Mr. Chairman, I move
24 that the Board adjust Debbie Cochran's salary to

1 \$20.082 per hour instead of the \$19.729 per hour
2 approved at our previous meeting and that this new
3 salary be made retroactive to January 28, 2013.

4 DIRECTOR ANTHONY: Is there a second?

5 MEMBER MARINELLO: Second.

6 DIRECTOR ANTHONY: All those in favor say
7 aye. That motion carries as well.

8 The next item on the agenda would be
9 certification of candidates issues. You have Exhibit
10 A in front of you.

11 And, Mr. Mackey, am I right to say you
12 are going to walk us through that?

13 DEPUTY DIRECTOR WALCH: All of the
14 exhibits for each of the Board Members are stapled
15 together so they all occur within the same packet.

16 MR. MACKEY: In the packet stapled there
17 are Exhibits A through D. Exhibit A is candidates
18 that will be certified into the primary election and
19 the general election. First three pages there
20 include the candidates in the primary election. And
21 then pages 4 and 5 there will be candidates not
22 involved in the primary who are certified to the
23 general election.

24 MEMBER SINNOTT: Board Members, Director,

1 Deputy Director, and counsel, let me ask about the
2 language proposed for the certification motion. As
3 currently drafted, the motion proposes that we
4 certify candidates to the May primary election ballot
5 and the November general election ballot. Is that
6 what we want to be doing at this time?

7 CHAIRMAN PREISSE: Don't the primary --
8 don't we attest to the results of the primary
9 election and then cert --

10 DIRECTOR ANTHONY: Only if --

11 CHAIRMAN PREISSE: -- certify the results
12 in advance of the general election to the general
13 election?

14 DEPUTY DIRECTOR WALCH: We can put
15 through straight to the general election those
16 candidates that do not have a primary.

17 DIRECTOR ANTHONY: Right.

18 DEPUTY DIRECTOR WALCH: And that's why we
19 broke it out as we did, as Jeff did, in Exhibit A
20 that some candidates who -- that need to appear on
21 the primary ballot are on there, and then others can
22 go straight to the general because they do not have a
23 primary.

24 CHAIRMAN PREISSE: There's two parts of

1 Exhibit A.

2 DIRECTOR ANTHONY: Yes.

3 DEPUTY DIRECTOR WALCH: That's correct,
4 Mr. Chairman.

5 CHAIRMAN PREISSE: This language would
6 reflect the two parts of Exhibit A broken out to
7 those that are advancing without primary.

8 DEPUTY DIRECTOR WALCH: That's correct.

9 CHAIRMAN PREISSE: I see. I was
10 confused.

11 DEPUTY DIRECTOR WALCH: Pages 1, 2, and 3
12 of Exhibit A are candidates that must appear on a
13 primary ballot. Candidates in Exhibit A on pages 4
14 and 5 move directly on to the general election;
15 there's no primary election.

16 CHAIRMAN PREISSE: Okay. I am no longer
17 confused. Very good.

18 DIRECTOR ANTHONY: Well, we can do it
19 this time. Counsel has suggested we break them down
20 into two separate motions. That wouldn't --

21 MR. ANDERSON: If that's less confusing.

22 CHAIRMAN PREISSE: I am no longer
23 confused with the explanation so I defer to counsel
24 if it's necessary, but I am now satisfied with the

1 clarity.

2 DEPUTY DIRECTOR WALCH: This language is
3 consistent with what the Board has done in the past
4 on like elections but if the Members of the Board --

5 CHAIRMAN PREISSE: I have no problem with
6 it.

7 MEMBER SINNOTT: My impression is that
8 with reference to the exhibit the motion is now
9 sufficiently clear.

10 DIRECTOR ANTHONY: Okay.

11 MR. ANDERSON: Okay.

12 MEMBER MANIFOLD: Mr. Chairman, I move
13 the Board certify the May 7, 2013, primary election
14 ballot and the November 5, 2013, general election
15 ballot, those candidates appearing on Exhibit A, this
16 petition was found to be valid in submission.

17 DIRECTOR ANTHONY: Is there a second?

18 MEMBER SINNOTT: Second.

19 CHAIRMAN PREISSE: All those in favor.

20 Now, we move on to Exhibit B.

21 MR. MACKEY: Exhibit B including some of
22 the more common reasons why we find the petitions to
23 be insufficient there, if you'll turn past those to
24 the actual candidates, I can go through those one by

1 one or I've indicated there why we found them to be
2 insufficient. They are all insufficient for not
3 having submitted enough valid signatures.

4 MEMBER MANIFOLD: I guess I have a
5 question. Looking at most of these they look pretty
6 clear. Do you have -- do you know if you have 7 part
7 petitions with circulator errors? This is under
8 Frederick Lamarr. Do we know what those seven? Were
9 they seven --

10 MR. MACKEY: I think that they were all
11 the number did not match the number of signatures
12 collected on the circulator statement.

13 MEMBER SINNOTT: Jeff, the Board's
14 bipartisan staff is in agreement that these
15 candidates, these petitions are not valid?

16 MR. MACKEY: Correct. And also on all
17 the ones that we are not going to recommend here were
18 reviewed a second time with another staff member to
19 see that we could come up with any signatures that
20 somebody invalidated.

21 DIRECTOR ANTHONY: And we will send
22 letters to folks that did not make it for whatever
23 reason, and they will have an opportunity to present
24 an argument before the Board at some point so.

1 CHAIRMAN PREISSE: Okay.

2 MEMBER SINNOTT: Mr. Chairman, I move
3 that the Board deny certification to the candidates
4 appearing on Exhibit B on the basis that the
5 declarations of candidacy petitions for either not
6 timely filed or found by staff to be invalid or
7 insufficient.

8 DIRECTOR ANTHONY: Is there a second?

9 MEMBER MARINELLO: Second.

10 DIRECTOR ANTHONY: All those in favor say
11 aye.

12 Finally C, Exhibit C being?

13 MR. MACKEY: I'll let Carla walk you
14 through the questions and issues.

15 MS. PATTON: If you turn the page of the
16 first page of Exhibit C, it's all the local questions
17 and issues that were filed by resolution or by
18 ordinance by a subdivision seeking either a tax levy,
19 a bond issue, or some type of proposition, whether it
20 be an income tax or gas or electric aggregation
21 issue. Those have all been reviewed and are
22 sufficient as to form of resolution.

23 If you turn to the next page of Exhibit
24 C, the local liquor options, there were three

1 petitions found to have a valid number of signatures,
2 therefore, the forms of the petitions are correct.
3 Everything was filed in a timely manner so we do
4 suggest that those be certified to the primary
5 ballots since there will be candidates appearing on
6 those ballots as well.

7 CHAIRMAN PREISSE: You said there's
8 three?

9 MS. PATTON: There's three petitions that
10 were vital, two of which had weekday and Sunday sales
11 questions filled out; therefore, those are
12 constituted by two different issues with one
13 petition.

14 CHAIRMAN PREISSE: Oh, I see. That's why
15 there is five.

16 MS. PATTON: There is three precincts,
17 two of the precincts have a weekday sale as well as a
18 Sunday sale question, and the third precinct is for
19 Sunday sales only.

20 CHAIRMAN PREISSE: Okay.

21 MEMBER MANIFOLD: Mr. Chairman, I move
22 the Board of Elections certify the May 7, 2013,
23 primary election ballot of the issues appearing on
24 Exhibit C which were timely filed and found by the

1 staff to be sufficiently valid.

2 DIRECTOR ANTHONY: Is there a second?

3 MEMBER SINNOTT: Second.

4 DIRECTOR ANTHONY: All those in favor.

5 Opposed?

6 And then Exhibit D are those local
7 questions and issues that were not recommended.

8 MS. PATTON: Exhibit D we had one local
9 option petition that was filed. They were -- they
10 were notified that due to the possibility of no
11 candidates appearing on the ballot that they would
12 have been held off to the November election.
13 However, they did fall 9 signatures short of the
14 required 314 signatures needed in the precinct.
15 Therefore, we're not recommending certification at
16 this time to the November ballot for this local
17 option.

18 MEMBER SINNOTT: Mr. Chairman, because of
19 a professional relationship that my office has with
20 the Kroger Company I'll abstain from consideration of
21 this matter.

22 DIRECTOR ANTHONY: I will need a
23 roll-call vote. Why don't you make the motion.

24 MEMBER MARINELLO: Mr. Chairman, I move

1 the Board of Elections deny certification to the
 2 local option petition appearing on Exhibit D filed on
 3 behalf of Kroger at 55 West Schrock Road,
 4 Westerville, Ohio, due to an insufficient number of
 5 valid signatures.

6 DIRECTOR ANTHONY: Roll-call vote. Kim
 7 Marinello.

8 MEMBER MARINELLO: Yes.

9 DIRECTOR ANTHONY: Is there a second?

10 MEMBER MANIFOLD: Second.

11 DIRECTOR ANTHONY: Second Mr. Manifold.

12 Vote Kim Marinello.

13 MEMBER MARINELLO: Yes.

14 DIRECTOR ANTHONY: Zachary Manifold.

15 MEMBER MANIFOLD: Yes.

16 DIRECTOR ANTHONY: Douglas Preisse.

17 CHAIRMAN PREISSE: Yes.

18 DIRECTOR ANTHONY: And Brad Sinnott.

19 MEMBER SINNOTT: Abstained.

20 DIRECTOR ANTHONY: Motion carries.

21 The next item on the agenda is the
 22 Democratic side's right to hire William Maxwell
 23 Scarborough to be an employee of Voter Services
 24 beginning February 18 at the compensation rate of

1 \$14.66 an hour.

2 MEMBER MARINELLO: Mr. Chairman, I
3 recommend the Board hire William Maxwell Scarborough
4 as an employee of the Voter Services Department
5 beginning February 18, 2013, at the compensation rate
6 of \$14.66 per hour.

7 DIRECTOR ANTHONY: Is there a second?

8 MEMBER MANIFOLD: Second.

9 DIRECTOR ANTHONY: All those in favor.

10 Motion carries.

11 That concludes the agenda for the special
12 meeting. Motion to adjourn would be in order.

13 MEMBER SINNOTT: So moved.

14 MEMBER MANIFOLD: Second.

15 DIRECTOR ANTHONY: All in favor say aye.

16 We stand adjourned.

17 (Thereupon, the meeting was concluded at
18 2:38 p.m.)

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CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Friday, February 15, 2013, and carefully compared with my original stenographic notes.

Karen Sue Gibson, Registered
Merit Reporter.

(KSG-5663)

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