

1 BEFORE THE OHIO BOARD OF ELECTIONS
2 OF FRANKLIN COUNTY

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4 IN RE: :
5 Board Meeting : October 20, 2006
6 : Agenda

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8 Proceedings before Chairman William A.
9 Anthony, Jr. and Board Members Michael F.
10 Colley, Carolyn C. Petree, and Kimberly E.
11 Marinello, taken at the Franklin County
12 Board of Elections, 280 East Broad Street,
13 Columbus, Ohio, on Friday, October 20, 2006,
14 at 4:09 o'clock p.m.

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P R O C E E D I N G S

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CHAIRMAN ANTHONY: I'd like to

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call the Franklin County Board of Elections

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meeting to order.

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MR. DAMSCHRODER: Calling for a

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vote for attendance. Mr. Colley?

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MR. COLLEY: Here.

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MR. DAMSCHRODER: Ms. Marinello?

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MS. MARINELLO: Here.

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MR. DAMSCHRODER: Ms. Petree?

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MS. PETREE: Here.

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MR. DAMSCHRODER: Chairman

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Anthony.

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CHAIRMAN ANTHONY: Here.

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MR. DAMSCHRODER: All four members

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are present, Mr. Chairman. The first item

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on the agenda is to address an allegation

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that was filed with the Franklin County

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Board of Elections by Doug Preisse, a

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residence of Franklin County, against the

23

past voting practices of Robert

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N. Shamansky, also of Franklin County.

1 Mr. Preisse alleges that, in the
2 past, Mr. Shamansky has voted in the
3 precincts in which he was not a qualified
4 elector and has made a false statement on
5 his application to vote absentee in the 2005
6 Primary Election.

7 The complaint filed by Mr. Preisse
8 has been mailed to each of the Board members
9 earlier this week. And Mr. Preisse is
10 represented by Don Brey, who is here today.
11 And Mr. Shamansky is represented by
12 Mr. Donald McTigue, who is also here today.

13 CHAIRMAN ANTHONY: Okay. Should
14 we give an opportunity to say a few words to
15 us? Mr., is it, Brey?

16 MR. BREY: It's Brey. Thank you,
17 sir.

18 CHAIRMAN ANTHONY: Yes, sir.

19 MR. BREY: I don't know whether I
20 need this, but I figured it was here for a
21 reason. My name is Donald Brey, and I'm
22 counsel for Doug Preisse, who filed the
23 amended charge of election law violations by
24 Robert N. Shamansky.

1 The filing is brought before this
2 Board pursuant to Revised Code 3501.11(J).
3 3501.11 describes the general duties of this
4 and for every Board of Elections. And they
5 state, among other things, that each Board
6 of Elections shall do all of the followings.

7 And one of the things that all of
8 the followings includes, in Subsection J, is
9 that each Board of Elections shall
10 investigate irregularities, nonperformance
11 of duties or violations of Title 35 of the
12 Revised Code by election officers and other
13 persons, issue subpoenas, summon witnesses,
14 and compel the production of books, papers,
15 records, and other evidence in connection
16 with any such investigation and report the
17 facts to the prosecuting attorney.

18 We have filed the request that the
19 investigation take place because the
20 documents that we have that are records of
21 this Board of Elections, as well as official
22 records of the Franklin County Auditor that
23 deals with the property transactions, show
24 apparent violations of 3599.12, which is

1 voting other than where you live, where your
2 home is, other than where you're registered
3 or elected, as your home is defined in
4 3503.02, and also making the false
5 statement, which is a violation of 3599.11
6 on a registration or change of registration
7 card or on an application or a return of an
8 absentee voting ballot.

9 The facts are these:
10 Mr. Shamansky, according to the records of
11 this Board, has voted at an address at 678
12 Mohawk -- I believe that's in German Village
13 area -- until and through all of 2005.

14 In 2004, according to -- and, of
15 course, he could only do that if that was
16 his home, if that was his principle
17 residence, if that was the habitation to
18 which he was always going to go back, as
19 that's defined in the Ohio Revised Code.
20 And you can only have one of them.

21 In 2004, Mr. Shamansky purchased a
22 high-rise luxury apartment in the Miranova
23 complex. And as part of the purchase,
24 agreed that, as of January 1, 2005, that

1 would be his principle home.

2 In other words, that would be
3 where he would live, his principle place of
4 residence, of which you can only have one of
5 those.

6 The reason why that was important
7 is: Under Ohio tax law, and that we've
8 referred to, Revised Code 323.151 and
9 323.152, everyone can receive a
10 two-and-a-half percent -- it amounts to two-
11 and-a-half percent of an automatic reduction
12 of your property taxes at the one residence
13 that is your home, that is your principle
14 place of residence, that is the habitation
15 to which you're going to return.

16 So you can receive a
17 two-and-a-half percent tax break if that's,
18 in fact, your home. And Mr. Shamansky took
19 that two-and-a-half tax break. He
20 represented that that was his home.

21 And, in fact, we see that
22 two-and-a-half tax break on his Miranova
23 property and only on his Miranova property.
24 He owns a lot of other properties, but

1 that's the only one he claimed and the only
2 one he took that two-and-a-half percent
3 reduction on it.

4 And he took it for all of 2005.
5 And, yet, for the primary, Mr. Shamansky
6 filled out an application and filled out a
7 return of an absentee voter, voting records
8 for the primary in 2005, saying he didn't
9 live in Miranova complex, but that he wanted
10 to vote and did vote in Mohawk address,
11 which was a different precinct and a
12 different ward.

13 And in November of 2005, the
14 records of this Board show that he voted,
15 again, not at Miranova where he was claiming
16 for real estate purposes and of his tax
17 purposes was his home, but he voted again at
18 another address in a different ward, in a
19 different precinct. Again, the address at
20 Mohawk.

21 Now, in January of 2006, this
22 year, Mr. Shamansky filed on January 18 a
23 change of address. Because neither the
24 Mohawk address nor the Miranova address was

1 in the congressional district that he wanted
2 to run for.

3 You don't have to live in the
4 congressional district that you're running
5 for under Ohio law, but it might look kind
6 of funny. There might be claims that you're
7 a carpetbagger if, in fact, you don't even
8 live in the district where you're trying to
9 represent people.

10 But whatever his reasons were, he
11 filed it in -- a change of address form in
12 January 18 of 2006, this year, claiming that
13 he did, in fact, move from Miranova.

14 And it said he moved from
15 Miranova. It didn't say he moved from
16 Mohawk. It said he moved for voting
17 purposes from Miranova, even though he had
18 never voted at Miranova.

19 In that January 18, 2006 document,
20 it admitted that, for voting purposes, his
21 home was Miranova. But he stated, at least
22 in January 18, 2006, that he has changed his
23 residence, and he moved to Bexley, Ohio.

24 And he voted in Bexley, Ohio in

1 the May 2, 2006 primary this year. Two and
2 a half weeks later, on May 19, 2006, even
3 though he had just voted in Bexley two weeks
4 earlier saying he no longer lived in
5 Miranova, two and a half weeks later, on May
6 19, 2006, Mr. Shamansky personally signed a
7 real estate document saying that his home
8 was Miranova. Not Bexley, not Mohawk, but
9 Miranova Apartments.

10 This, we think, is sufficient
11 information to make it appropriate and
12 necessary for this Board to do its duty, to
13 conduct an investigation, to issue whatever
14 subpoenas and so forth are necessary to
15 interview witnesses and to determine, you
16 know, what it can determine about the
17 apparent violations of Title 35.

18 Or, in the alternative, maybe it
19 would turn out that he voted at the right
20 place, but he was cheating on his taxes.

21 But whatever this Board determines
22 in terms of its investigation, we would ask
23 that it conduct an investigation in an
24 appropriate time and appropriate fashion and

1 do what it is -- this Board's duty under the
2 Revised Code Section 3501.11(J) and report
3 the facts to the prosecuting attorney that
4 this Board is able to discern.

5 Thank you.

6 CHAIRMAN ANTHONY: Thank you. Are
7 there any questions for Mr. Brey?

8 (No response)

9 CHAIRMAN ANTHONY: Thank you, sir.

10 MR. BREY: Thank you, sir.

11 MR. DAMSCHRODER: Mr. McTigue.

12 MR. MCTIGUE: Thank you. I am
13 Donald McTigue, and I represent Mr. Bob
14 Shamansky. Mr. Shamansky has lived his
15 entire life in this community, except for
16 the years that he spent fighting for our
17 country.

18 This complaint before you today is
19 nothing but political bunk, and you are
20 being abused for political purposes.

21 This complaint was filed by the
22 chairman of the Republican Party, and it was
23 filed to replace an original challenge that
24 he filed challenging the right of

1 Mr. Shamansky to vote at this election.

2 When they realized that they
3 could not prevail on that as a safe -- or
4 face-saving step, they withdrew that,
5 because they knew they were going to lose if
6 a hearing was held before the election.

7 So they withdrew that to save
8 face, and they filed this instead, asking
9 for investigation. Well, there is no reason
10 for you to let yourself be misused in this
11 fashion.

12 I would request, on behalf of
13 Mr. Shamansky, that you not take any action
14 on this request. And, specifically,
15 that -- first, I'd ask that you dismiss it
16 on its face.

17 Second, if you don't dismiss it
18 today, I would ask that you do not take
19 action on it before the election. Because
20 it was filed at this time, right before the
21 election, hoping to be able to get out of
22 you some action that we're going to conduct
23 an investigation so it can be turned into a
24 campaign commercial.

1 You are the Board of Elections.

2 You have to be strictly non-partisan. Do
3 not let yourself be used here to serve one
4 political party's candidate.

5 And you can avoid the appearance
6 that that is what is happening by your
7 dismissing it today or by tabling it until
8 after the election.

9 This relates to things that
10 allegedly -- voting, allegedly, in 2005. It
11 has no -- as far as you're concerned, it has
12 no effect, nothing to do with the upcoming
13 election.

14 This does not require your
15 attention before this election. And so that
16 it's not misused by the person who filed it
17 for political purposes, I would, again, ask
18 that you dismiss it.

19 And if you don't dismiss it, that
20 you postpone consideration of it until after
21 the election. Thank you.

22 CHAIRMAN ANTHONY: Thank you very
23 much. Any questions for Mr. McTigue?

24 (No response)

1 CHAIRMAN ANTHONY: No questions.

2 Thank you.

3 MR. COLLEY: Mr. Chairman, I move
4 that the Board of Elections direct its
5 Director and Deputy Director to proceed
6 immediately with an investigation into the
7 charges presented by Mr. Preisse against
8 Mr. Shamansky alleging that Mr. Shamansky
9 has previously voted at elections in
10 precincts in which he was not a qualified
11 elector and that Mr. Shamansky made a false
12 statement on his application to vote by
13 absentee ballot at the 2005 Primary
14 Election.

15 CHAIRMAN ANTHONY: Is there a
16 second?

17 MS. PETREE: I'll second that.

18 MS. MARINELLO: Mr. Chairman --

19 CHAIRMAN ANTHONY: Yes.

20 MS. MARINELLO: -- pursuant to
21 Roberts Rules of Order, I move to table the
22 question for the time being.

23 CHAIRMAN ANTHONY: I'll second
24 that motion. I inquisitively move to

1 inquire. My motion is, basically, to
2 lay -- the motion to lay the question on the
3 table has been properly made and seconded by
4 Ms. Marinello and myself.

5 It is an undebatable motion and
6 takes precedence over the preceding motion
7 made by Mr. Colley and seconded by
8 Ms. Petree.

9 Therefore, the question is, shall
10 the motion made by Mr. Colley be seconded by
11 Ms. Petree be laid upon the table? And I
12 will now call a vote for that.

13 MR. DAMSCHRODER: Mr. Colley.

14 MR. COLLEY: No.

15 MR. DAMSCHRODER: Ms. Marinello.

16 MS. MARINELLO: Yes.

17 MR. DAMSCHRODER: Ms. Petree.

18 MS. PETREE: No.

19 MR. DAMSCHRODER: Chairman

20 Anthony.

21 CHAIRMAN ANTHONY: Yes.

22 MR. DAMSCHRODER: And the motion
23 is a tie.

24 CHAIRMAN ANTHONY: Yeah. It

1 resulted in a tie. And as a result of that,
2 it should be submitted to the Secretary of
3 State, pursuant to Section 3501.11,
4 paragraph X, of the Ohio Revised Code.

5 The Chairman asks that both sides
6 of the issue submit their rationale for
7 voting against or for this amendment -- this
8 motion to lay the question on the table to
9 the Director no later than noon on Friday,
10 October the 27th, so that the Director may
11 submit the matter in controversy to the Ohio
12 Secretary of State's Office by October the
13 30th, 2006. Is there any other --

14 MR. DAMSCHRODER: That's all we
15 have on that agenda item, Mr. Chairman.

16 CHAIRMAN ANTHONY: Thank you.

17 MR. DAMSCHRODER: The next item on
18 the agenda, Mr. Chairman, has to do with
19 registration forms that were filed by
20 individuals who were receiving compensation
21 from the organization Acorn for the -- the
22 compensation was being provided for the
23 purposes of conducting voter registration
24 drives.

1 The Board staff, as you'll recall
2 from previous meetings, found a number of
3 those registrations to be suspect, in that
4 information provided on the forms did not
5 match records already on file with the
6 Board.

7 Registrations purporting to be
8 from addresses that, upon investigation of
9 the Board, were determined to not exist and
10 other irregularities.

11 At a previous meeting, the Board
12 granted the Deputy Director and myself the
13 power to subpoena individuals who were
14 suspected of voting -- of voter
15 irregularities.

16 We issued a number of those
17 subpoenas earlier this week, interviewed
18 four individuals who provided testimony,
19 provided statements, sworn statements,
20 before the Director -- the Deputy Director
21 and myself.

22 The transcript of those
23 proceedings are in your packet this
24 afternoon. After discussing the matter with

1 the Deputy Director, we are prepared to
2 recommend that the Board refer three
3 individuals to the prosecuting attorney.

4 The two individuals -- two of the
5 four individuals who appeared earlier this
6 week, we recommend for referral. And a
7 third individual who was subpoenaed who was
8 served with his subpoena but failed to
9 appear, we would recommend that he be
10 referred as well to the prosecuting attorney
11 for further investigation and possible
12 criminal indictment.

13 MR. WHITE: Matt, I just want to
14 state one thing on the record. You were
15 talking about voter registrations. You
16 used -- what numbers are used or counts are
17 used as far as how many. But we questioned
18 about half a dozen to a dozen voting
19 registrations, total.

20 MR. DAMSCHRODER: And I think the
21 question as to the number of counts is up to
22 the prosecuting attorney. I might be able
23 to get them from the prosecuting attorney.
24 I think --

1 MR. WHITE: But the ones we looked
2 at --

3 MR. DAMSCHRODER: Basically, the
4 ones we looked at was a small --

5 MR. WHITE: -- it was half a dozen
6 to a dozen --

7 MR. DAMSCHRODER: Yeah. A small
8 number of cards per individual. I think,
9 basically, what we determined was: Based on
10 a handwriting sample and just a layman's
11 review of handwriting samples or statements
12 provided by the individuals at that time, at
13 least I believed that there was -- that
14 there was sufficient evidence based on just
15 a number of -- a handful of cards to
16 encourage the Board to refer those to the
17 prosecuting attorney.

18 There may be additional cards that
19 are from those individual people who are
20 given to the prosecuting attorney. So it
21 may be a number of counts beyond just the
22 ones that were specifically -- that are
23 specifically mentioned in the transcript
24 before you.

1 MR. WHITE: Let me -- I just don't
2 want people to think there's thousands of
3 problems --

4 MR. DAMSCHRODER: Right.

5 MR. WHITE: -- with voter
6 registrations and half of those are fraud.
7 The ones we looked at, there was half a
8 dozen to a dozen that we could identify that
9 we thought were questionable.

10 MR. DAMSCHRODER: Correct.

11 CHAIRMAN ANTHONY: Were these
12 first-time offenses? I mean, this is the
13 first time we've done this, obviously.

14 MR. DAMSCHRODER: Yeah. This is
15 certainly the first time we've done this
16 kind of thing since in, you know, my three-
17 and-a-half years here with the Board. And I
18 don't know if the Board has a prior history
19 of doing this.

20 And based on my conversations with
21 staff, we've never seen the kind of -- the
22 numbers of questionable registration cards
23 in the past as we saw in 2004 and again this
24 year; thus, causing the Board to take this

1 unusual step to conduct investigation.

2 CHAIRMAN ANTHONY: Interesting.

3 What's -- I guess one of the things that I'm

4 struggling with is that this is somebody's

5 first time doing something like this, and

6 we're getting ready to refer them to the

7 prosecutor.

8 You know, what type of impact

9 would that have on them? I mean, are we

10 giving them any chance to --

11 MR. PICCININNI: Don't do this.

12 CHAIRMAN ANTHONY: Yeah, don't do

13 this kind of stuff?

14 MR. PICCININNI: Don't -- this is

15 not appropriate. I mean --

16 CHAIRMAN ANTHONY: Yeah.

17 MR. PICCININNI: -- the stuff

18 that's being referred is egregious.

19 MR. WHITE: Mr. Chairman, when

20 somebody --

21 CHAIRMAN ANTHONY: Because I

22 haven't seen --

23 MR. WHITE: -- when somebody

24 registers somebody that has passed away --

1 CHAIRMAN ANTHONY: Well, see, I
2 didn't know that --

3 MR. WHITE: -- and one of those
4 individuals actually registered someone
5 that's not living anymore. I mean, that's
6 some serious stuff.

7 CHAIRMAN ANTHONY: So it was some
8 really unusual things?

9 MR. WHITE: And that's the
10 matter -- like I said, there were six to,
11 maybe, 12 that we thought were pretty
12 serious things that need to be looked at. I
13 mean, and, you know --

14 CHAIRMAN ANTHONY: Okay. I just
15 wanted to make sure. I haven't -- didn't
16 get a chance to take a look at all of them,
17 so --

18 MR. DAMSCHRODER: Yeah. And I
19 think your question is --

20 MR. WHITE: And they
21 were -- identified it down to three
22 individuals out of hundreds of thousands of
23 people that did voter registration in Ohio.

24 MR. DAMSCHRODER: And I think the

1 intent behind your question is well taken.
2 I think it's the Board's responsibility to
3 have an initial finding of fact, and then
4 it's the prosecuting attorney's
5 responsibility to determine whether or not
6 there should be indictments.

7 And once there is indictments, you
8 know, what penalty to seek at all.
9 Obviously, the highest penalty is the fifth
10 felony. You know, and the prosecuting
11 attorney, based upon the individual, if
12 indicted, their level of cooperation or
13 other things. You know, that's up to the
14 prosecuting attorney to determine what kind
15 of penalty is appropriate in the situation.
16 So --

17 MR. WHITE: And the kind of things
18 we identified in the hearing were
19 individuals signing someone else's name as
20 the application, which, you know, you just
21 can't do that --

22 CHAIRMAN ANTHONY: Right.

23 MR. WHITE: -- when we're talking
24 about voting. Now, I'd say in registering

1 people who didn't exist -- but, like I say,
2 it's been identified down to three
3 individuals out of thousands of people that
4 did voter registration.

5 MS. MARINELLO: This one
6 individual, he's registered voters for a
7 couple of years, hasn't he? This wasn't his
8 first time out registering people.

9 MR. WHITE: I'm not sure of that.

10 MR. DAMSCHRODER: It's hard to say
11 because in 2000 -- before House Bill 3 back
12 in 2004, an individual was being paid to
13 register another's vote didn't have to
14 provide on that form any identification as
15 to who was registering them.

16 So while we believe there were a
17 number of individuals in 2004 who may have
18 engaged in what we suspect to be voter
19 registration fraud, there's no way to,
20 basically, take those problems in 2004 and
21 apply them in 2006.

22 MR. WHITE: And I think by the
23 Board sending these over to the prosecutor's
24 office, you send a strong message out to

1 people who want to do voter registration, to
2 encourage that, you know, there's a right
3 way and a wrong way to do it.

4 Registering an individual that
5 passed away is not the right type of voter
6 registration we want to see done here. And
7 that's sad when you have one individual that
8 has kind of tainted a bad impression on --

9 CHAIRMAN ANTHONY: On the whole
10 organization.

11 MR. WHITE: -- all the good people
12 that went out and did great work in both
13 political organizations and not political
14 organizations from voter registration. So I
15 think that one individual needs to be
16 referred to the prosecutor.

17 MR. DAMSCHRODER: Okay.
18 Mr. Chairman, I think it would be worth
19 noting that Mr. McTigue is here, who is the
20 counsel for Acorn. I don't know if there's
21 anything --

22 CHAIRMAN ANTHONY: Mr. McTigue,
23 would you like to --

24 MR. DAMSCHRODER: -- you have

1 to -- you would add for the record at this
2 time?

3 MR. McTIGUE: Well, just briefly.
4 Again, I'm Donald McTigue; I'm counsel for
5 Acorn. Acorn is, of course, a national
6 organization that does voter registration
7 within economically and socially
8 disadvantaged communities in our cities and
9 rural areas.

10 They've done it for many years.
11 They've registered hundreds of hundreds of
12 thousands of people, trying to empower
13 people who normally lack political power
14 within our country.

15 As part of that, they hire
16 individuals, many individuals, to assist in
17 registration. They conduct training. They
18 turn in every registration card, even the
19 ones that may have problems.

20 They have a quality control
21 program where they check cards before
22 they're turned in. They even, in this
23 particular county, in addition to checking
24 the face of the cards to see if there's

1 anything that looks suspicious on a card or
2 incomplete, they also do phone calls to 20
3 percent of the people whose names appear.

4 They randomly select about 20
5 percent, make phone calls to try to verify.
6 But when they turn the -- and in this
7 particular county when they have been
8 turning the cards in, if there have been
9 any, any that are suspicious, they've tried
10 to highlight those for the Board, and
11 they've been working with the Board.

12 Now, with regard to the two
13 individuals that are being referred,
14 they're -- I know there's three that are
15 being referred, one person being referred
16 who, apparently, didn't respond to the
17 subpoena.

18 But with regard to the other two
19 people who did respond to the subpoena,
20 Acorn supports referring them to the
21 prosecutor. We don't tolerate what seemed
22 fairly clear in this case, something that
23 happened that shouldn't have happened.

24 And that has always been our

1 position, and we make that clear to people
2 when they're hired. So I just wanted to
3 state that.

4 Regarding the third person, I
5 don't -- who didn't show up for the
6 subpoena, I don't really have any comment
7 because I'm not sure what the circumstances
8 are there, in terms of whether the
9 person -- I know the person wasn't served
10 directly, according to the certificate.

11 It says it was left with another
12 individual, apparently, in the house.
13 Whether that's -- whether the subpoenaed
14 person ever actually knew that he was
15 subpoenaed and received it, I don't know.

16 But it would appear that it was
17 good service. So I can't address anything
18 beyond that. Thank you.

19 CHAIRMAN ANTHONY: Thank you very
20 much.

21 MR. PICCININNI: Mr. Chairman, the
22 subpoenas all provided and advised the
23 individual for failure to comply with the
24 subpoena. It was a misdemeanor in the first

1 degree under the Ohio Title 35.

2 But on the same token, we have
3 these suspected -- I mean, further
4 investigation has warranted a referral to
5 the prosecutor.

6 I think it is appropriate in the
7 cases that are being referred, with the
8 final decision resting with the prosecutor
9 as to what -- you know, what further action
10 would be taken on these.

11 CHAIRMAN ANTHONY: Thank you. Any
12 other questions or discussion on this issue?

13 MS. MARINELLO: Mr. Chairman,
14 based on the recommendation of the Director
15 and Deputy Director, I move that the Board
16 of Elections refer the following individuals
17 to the Franklin County prosecuting attorney
18 for further investigation and possible
19 criminal prosecution of voter registration
20 fraud: Frances D. Bowman of 509 Burnet Road,
21 Robyn R. Brown of 459 Miller Avenue, and
22 Lamont D. Kennedy of 218 North 17th Street,
23 with Mr. Kennedy receiving an additional
24 referral for failure to appear following the

1 accepted service of his subpoena ordering
2 his appearance.

3 CHAIRMAN ANTHONY: Is there a
4 second?

5 MR. COLLEY: Second.

6 CHAIRMAN ANTHONY: All those in
7 favor, say aye.

8 (Board members in favor of the
9 motion so indicated.)

10 MR. DAMSCHRODER: And the motion
11 carries. And Denny and I will send a letter
12 to the prosecuting attorney on Monday with
13 the Board's referral.

14 CHAIRMAN ANTHONY: Thank you.

15 MR. DAMSCHRODER: The next item on
16 the agenda, Mr. Chairman, is the
17 determination of petitions that were filed
18 earlier this week by Mr. & Mrs. Wright of
19 Columbus, recognized as a committee for the
20 purpose of appointing observers at various
21 precincts.

22 The record should reflect that
23 Mr. & Mrs. Wright were filed to be, I think,
24 either/or the committee advocating Issue 2,

1 opposing Issue 1, opposing Issue 3, opposing
2 Issue 4, advocating Issue 5, and/or
3 advocating Issue 7, again, for the purpose
4 of appointing observers.

5 The House Bill 3 amended the
6 process for appointing observers;
7 specifically, creating this additional
8 filing for groups of individuals wishing to
9 be recognized as a committee for the purpose
10 of appointing observers.

11 And because it's something new
12 both in law and in practice, I ask the
13 prosecuting attorney's office to look into
14 the interpretation of the statute to
15 determine what -- where our options were.

16 MR. PICCININNI: Issue 1 is off
17 the ballot, so that one is dealt with.

18 CHAIRMAN ANTHONY: Right. That
19 one was dealt with. Okay.

20 MR. PICCININNI: There is a group
21 advocating Issue 2 that is the committee.
22 So this group, I do not -- in our opinion,
23 does not fall within the appropriate
24 statute. The one advocating Issue 2 should

1 be denied.

2 There are groups opposing and
3 supporting Issue 3. For the same reason,
4 the petition should be denied. Issue 4 has
5 got a group for it and opposing it.

6 The Issue 5 people are actually
7 opposing Issue 4, so -- those are bona fide
8 committees in good faith, so the petitioner
9 opposing Issue 4 -- the petition to be an
10 observer, because they oppose Issue 4,
11 should also be denied.

12 Issue 5 has a committee that's
13 already on file. If I'm not mistaken, it's
14 a pact, right? The American Cancer Society,
15 is that a pact?

16 MR. MCTIGUE: Yeah. Smoke-Free
17 Ohio is a pact, yes.

18 MR. PICCININNI: Okay. They are
19 already on file as the issue advocates,
20 Group 4, Issue 5; therefore, this group -- I
21 don't even know who this group is. It
22 appears to just be two individuals -- the
23 petition should be denied.

24 As for Issue 7, does that also

1 have a pact?

2 MR. McTIGUE: What is Issue 7?

3 CHAIRMAN ANTHONY: The COTA.

4 MR. PICCININNI: COTA.

5 MR. McTIGUE: Oh, COTA, yes. Keep
6 Our Community Moving.

7 MR. PICCININNI: You're the
8 treasurer.

9 MR. McTIGUE: I'm the -- that's
10 right. I just didn't know what the issue
11 number was. Keep Our Community Moving, yes.

12 CHAIRMAN ANTHONY: So that should
13 be denied as well.

14 MR. PICCININNI: That should be
15 denied as well.

16 CHAIRMAN ANTHONY: Is Stuart
17 Wright and Margaret Wright in the hall?

18 MR. WRIGHT: I'm here.

19 CHAIRMAN ANTHONY: You're here?
20 Would you like to say something on your
21 behalf?

22 MR. WRIGHT: Well, I'm interested
23 in the integrity of the electoral process,
24 so I do think that the counting of -- the

1 casting and counting of ballots should be
2 observed. And I want to be sure that we had
3 a chance to appoint observers.

4 I realize there are other
5 committees that have been more prominent in
6 advocating and opposing these issues, but I
7 wasn't sure what their position was on
8 appointing observers.

9 So the reason my wife and I filed
10 this request is that we definitely will
11 appoint observers if you recognize us, and I
12 think that would contribute to the
13 confidence of the community that everything
14 is on the up and up in the casting and
15 counting of ballots in Franklin County, if
16 you have independent observers in addition
17 to the pairs of election workers.

18 Thank you.

19 CHAIRMAN ANTHONY: Thank you very
20 much, sir.

21 MR. DAMSCHRODER: Well,
22 Mr. Chairman, I'd just like to make a note
23 that we have worked pretty closely with
24 Mr. Wright over the last several months.

1 Mr. Wright has demonstrated to be
2 a very active and engaged citizen in terms
3 of advocating, as he said, transparency and
4 openness in the process.

5 And while, you know, I
6 wholeheartedly concur with his desire to be
7 an observer, it would be nice if we could
8 find some other way to accommodate that.

9 But I think given -- and whether
10 it be as an observer through -- by some
11 other entity appointment, whether it's a
12 committee of five candidates or a political
13 party.

14 But I think it creates a dangerous
15 precedent to allow separate committees to be
16 created for the purpose of observing
17 elections that are different than the actual
18 committees out there advocating or opposing
19 the issues.

20 CHAIRMAN ANTHONY: Thank you. Any
21 other questions, discussion?

22 (No response)

23 CHAIRMAN ANTHONY: Entertain a
24 motion?

1 MS. PETREE: Mr. Chairman, I'd
2 like to make a motion, please.

3 CHAIRMAN ANTHONY: Yes, ma'am.

4 MS. PETREE: I move that the
5 petitions to be recognized as committee to
6 appoint observers filed by Mr. And
7 Mrs. Stuart Wright of Columbus be denied.

8 CHAIRMAN ANTHONY: Is there a
9 second?

10 MS. MARINELLO: Second.

11 CHAIRMAN ANTHONY: All those in
12 favor, say aye.

13 (Board members in favor of the
14 motion so indicated.)

15 MR. DAMSCHRODER: And motion
16 carries. The next item on the agenda,
17 Mr. Chairman, is the public discussion and
18 vote on the voting machine allocation for
19 the upcoming election.

20 This is new as a result of House
21 Bill 3 that requires Boards of Elections to,
22 again, publicly discuss and vote on the
23 allocation voting machines per precinct
24 Board at election.

1 The allocation formula that is
2 presented before you exceeds the minimum
3 allocation requirement as determined by the
4 Franklin County prosecuting attorney earlier
5 this year and a response -- and a written
6 response to this Board.

7 When asked what the proper
8 allocation schedule should be, the minimum,
9 at this time, based on the interpretation of
10 the prosecuting attorney, is one machine for
11 every 175 voters at the last gubernatorial
12 election.

13 And this allocation schedule of
14 one to 170 registered -- one machine to each
15 170 registered voters, as of August the
16 29th, 2006, dramatically exceeds the minimum
17 recommended from the prosecuting attorney.

18 CHAIRMAN ANTHONY: So it looks
19 like we have at least three in every voting
20 location.

21 MR. DAMSCHRODER: That is
22 correct. And we create a minimum of three
23 machines in every precinct.

24 CHAIRMAN ANTHONY: Yeah. I'm

1 looking here at 67 -- that's 167 registered
2 voters, and they got three machines for --

3 MR. DAMSCHRODER: Correct.

4 CHAIRMAN ANTHONY: -- for that --

5 MR. DAMSCHRODER: And we won't
6 need to change paper in that precinct on
7 election day.

8 CHAIRMAN ANTHONY: I don't think
9 so.

10 MR. PICCININNI: I think part of
11 that is that, the changes in House Bill
12 262 -- yeah, the changes were required in
13 House Bill 262 as a result of the 2004
14 General Election and the issues that
15 presented themselves, the challenges that
16 the Board was under, dealing with the lines
17 and et cetera.

18 House Bill 262 placed a
19 requirement that the Board have the
20 allocation done and in open session. That's
21 been -- huh?

22 SPEAKER: That was House Bill 3.

23 MR. PICCININNI: House Bill 3.

24 You're right. I'm sorry. House Bill 3

1 actually required that the Board vote on
2 these in open session, and I think Matt's
3 provided the rationale in how these machines
4 are allocated for the purposes of
5 transparency in the system and --

6 MR. WHITE: There ought to be
7 plenty of voting machines at each voting
8 precinct --

9 CHAIRMAN ANTHONY: I'd
10 certainly --

11 MR. WHITE: -- a fourth to a third
12 of the voters who already voted absentee
13 prior to election day that might be in those
14 numbers.

15 MR. DAMSCHRODER: Well, and I
16 think as has already been reported in the
17 press by Mr. Vitale with the Columbus
18 Dispatch, there's only one precinct that
19 actually has the same number of voting
20 machines as in 2004, and it's Columbus
21 60-something or other.

22 And the rationale there was the
23 precinct realignment there that changed the
24 number of registered voters, so --

1 CHAIRMAN ANTHONY: Well, I know
2 you guys did a good job with this. Is
3 there -- I know we got a lot of comment on
4 this last year, so --

5 MR. WHITE: I think we need to
6 thank the Commissioners for giving us an
7 abundant amount of necessary equipment, I'm
8 sure, as do the people. Absolutely.

9 CHAIRMAN ANTHONY: We can make
10 that part of the motion some kind of way,
11 thanking all three of them.

12 MR. DAMSCHRODER: Well, and I
13 think there's -- I think the Board has
14 already had a previous resolution commending
15 the Commissioners.

16 And Denny and I don't miss an
17 opportunity to do that. And if it's the
18 pleasure of the Board, another motion
19 commending the Commissioners --

20 CHAIRMAN ANTHONY: We could
21 certainly do that. That would please the
22 Board.

23 MR. DAMSCHRODER: That it's always
24 in order.

1 CHAIRMAN ANTHONY: That's always
2 in order? Okay. Well, I guess there's no
3 comments from -- you know, we used to get a
4 lot of talk about this stuff.

5 Is there any comments out there
6 from the people out in the audience? All
7 right. Then I'm going to make a motion that
8 pursuant to Section 3501.11, paragraph 1, of
9 the Ohio Revised Code, I move that the
10 Franklin County Board of Elections use the
11 ratio of one direct recording electronic
12 voting machine with voter verified paper
13 audit trail to every 170 registered voters
14 as of August 29th, 2006, for the purpose of
15 allocating voting machines to the various
16 precincts for the November 7, 2006, with the
17 exception that no precinct shall be
18 allocated less than three voting machines.

19 Is there a second?

20 MR. COLLEY: Second.

21 CHAIRMAN ANTHONY: All in favor,
22 say aye.

23 (Board members in favor of the
24 motion so indicated.)

1 MR. DAMSCHRODER: And motion
2 carries. Do you want to take a brief
3 recess, or do you need to step out of the
4 room for a moment, Bill? It won't take us
5 long to get through the rest.

6 CHAIRMAN ANTHONY: Okay, let's get
7 to the rest of it.

8 MR. DAMSCHRODER: The next item on
9 the agenda, Mr. Chairman, is just the
10 statutory requirement for the Board to pass
11 the resolution hiring poll workers and
12 establish a training program.

13 CHAIRMAN ANTHONY: Well, we've got
14 to do that, right?

15 MR. DAMSCHRODER: Yes, we do. I
16 entertain a motion for that, then.

17 MS. PETREE: Mr. Chairman, I'd
18 like to make a motion, please.

19 CHAIRMAN ANTHONY: Yes, ma'am.

20 MS. PETREE: In accordance with
21 Section 3501.22 of the Ohio Revised Code, I
22 move that the Board authorize the Director
23 and Deputy Director to appoint such precinct
24 election officials as may be necessary to

1 properly administer the November 7, 2006
2 General Election and to establish a training
3 program for said poll workers pursuant to
4 Section 3501.27, paragraph B, of the Ohio
5 Revised Code.

6 CHAIRMAN ANTHONY: Is there a
7 second?

8 MS. MARINELLO: Second.

9 CHAIRMAN ANTHONY: All those in
10 favor, say aye.

11 (Board members in favor of the
12 motion so indicated.)

13 MR. DAMSCHRODER: The next
14 section, Mr. Chairman and Board members, is
15 the contracts section to memorialize the
16 contracts that have always been signed by
17 the Director or Deputy Director or that will
18 elect other county commissioners over this
19 week, should be noted.

20 And a couple of things. First is
21 that, with Dayton Legal Blank, Election
22 Systems & Software, those were the -- those
23 contracts were awarded to the lowest bidders
24 that -- for the contract for the

1 transportation of voting machines.

2 That the Commissioners request --
3 the contract has actually been awarded to
4 all four vendors and work will be awarded
5 based on lowest and best bids, best being
6 defined as past performance.

7 So E. E. Ward is the -- was the
8 second to lowest bidder but will be the
9 primary vendor because they have a period of
10 time working with us.

11 The secondary vendor will be
12 Continental. The third vendor will be Lewis
13 & Michael Moving, and the fourth one will be
14 Commercial Movers.

15 That's similar to the way we do it
16 in the spring, with having multiple
17 vendors. And some of the contract changes
18 allowed made it more convenient for doing
19 multiple vendors.

20 And then, finally, the Sanese
21 Service issue with the (inaudible)
22 resolution is at the request of the Franklin
23 County Auditor. Basically, we can provide
24 coffee to our staff for free without the

1 need to bring in your own can or have a
2 thousand coffee pots plugged in throughout
3 the office.

4 CHAIRMAN ANTHONY: All right. I
5 will entertain a motion.

6 MR. DAMSCHRODER: I'm sorry.
7 There is one more thing I do want to state
8 for the record. And that is, given the
9 current ethics investigation, both for the
10 record and for the Board's information,
11 neither the Director or the Deputy Director
12 have any contact with any of these vendors
13 within the official capacity of the Board.

14 To the best of my knowledge, I
15 believe none of these vendors have any
16 relationship with the former Deputy Director
17 or any other former employees.

18 CHAIRMAN ANTHONY: All right.
19 We'll entertain a motion.

20 MS. PETREE: Mr. Chairman --

21 CHAIRMAN ANTHONY: Yes, ma'am.

22 MS. PETREE: -- I move that the
23 Franklin County Board of Elections enter
24 into contract with E. E. Ward, Continental

1 Movers, Lewis & Michael Moving, and
2 Commercial Movers for the purpose of
3 providing voting machine transportation
4 services; Dayton Legal Blank, for the
5 purpose of providing precinct election kits;
6 Election Systems & Software, for the purpose
7 of providing commercial printing of absentee
8 ballots; and Sanese Services for the purpose
9 of providing indefinite beverage services
10 for employees on election day.

11 CHAIRMAN ANTHONY: Is there a
12 second?

13 SPEAKER: Year round.

14 MR. DAMSCHRODER: Year round?

15 MS. PETREE: Year round.

16 CHAIRMAN ANTHONY: Is there a
17 second?

18 MS. MARINELLO: Second.

19 CHAIRMAN ANTHONY: All those in
20 favor, say aye.

21 (Board members in favor of the
22 motion so indicated.)

23 MR. DAMSCHRODER: And motion
24 carries. The next item on the agenda,

1 Mr. Chairman, is to request a resolution of
2 the Board to allow the Deputy Director and I
3 to request supplemental appropriations from
4 the County Commissioners to help us finish
5 this year.

6 As you'll recall, about two or
7 three weeks ago, we mailed a memo to you
8 detailing a lot of the expenses of the Board
9 this year that have grown as a result of
10 House Bill 3, increase in absentee voting,
11 et cetera.

12 We estimate that we'll need 1.2
13 million to get through the balance of the
14 year. That amount does not include any
15 court-ordered backup paper ballots, and it
16 does not include the costs for any -- a
17 significant number or multiple number of
18 county-wide recounts, if that were to
19 happen.

20 CHAIRMAN ANTHONY: All right. Any
21 questions, discussions on that?

22 (No response)

23 CHAIRMAN ANTHONY: I move that the
24 Board of Elections authorize the Director

1 and Deputy Director to request supplemental
2 funding from the Franklin County
3 Commissioners in an estimate amount of 1.2
4 million dollars for the purpose of covering
5 the necessary and proper expenses of the
6 Board. Is there a second?

7 MR. COLLEY: Second.

8 CHAIRMAN ANTHONY: All those in
9 favor, say aye.

10 (Board members in favor of the
11 motion so indicated.)

12 MR. DAMSCHRODER: The motion
13 carries. I would like to note,
14 Mr. Chairman, at a previous Board
15 meeting -- this relates to budget issues.

16 At a previous Board meeting, we
17 had talked about the issue of providing
18 postage to absentee voters for their return
19 ballots.

20 And at that time -- I think it was
21 probably mid or early summer of this year.
22 At that time, we looked at the issue and
23 determined that, A, it was an expensive
24 proposition, and it was not in our budget

1 and that, at that time, we weren't going to
2 ask the Commissioners for funding for this
3 year to do that return postage.

4 Since that time, the Cuyahoga
5 County Board of Elections and the Cuyahoga
6 County Commissioners have decided to pay the
7 return free on all of their absentee ballots
8 of the Cuyahoga.

9 At this point, it would create,
10 like, an equal protection issue if we were
11 to start paying for ballots -- return
12 ballots now for ballots that we're going to
13 mail out this year.

14 But I think it is certainly
15 something that the Board should re-examine,
16 in light of the question about what a ballot
17 costs to be returned and things like that
18 and the other counties in Ohio;
19 particularly, the other large county in Ohio
20 that is doing that.

21 So I don't know if that's
22 something that the Board wants to have a
23 resolution at this time to ask the County
24 Commissioners for funding beginning in 2007

1 for return postage on ballots or whether
2 that's something we can just, you know,
3 handle in back channels.

4 But I was -- we did have
5 conversations with a couple of Board members
6 earlier this week about that issue and was
7 reminded that I needed to bring that up to
8 the Board at this time.

9 CHAIRMAN ANTHONY: How much is
10 that going to -- what do you estimate that
11 to be?

12 MR. DAMSCHRODER: Well, I mean, if
13 we have -- it's 63 cents right now for a
14 return ballot. And if you have 100,000
15 ballots, that's \$63,000.

16 CHAIRMAN ANTHONY: Wow.

17 MR. DAMSCHRODER: That's --

18 MR. PICCININNI: And you're
19 looking at twice a year.

20 CHAIRMAN ANTHONY: Twice a year?

21 MR. DAMSCHRODER: And it's one of
22 those things that probably -- you know, once
23 we start doing --

24 CHAIRMAN ANTHONY: Absentee?

1 MR. DAMSCHRODER: -- you can't
2 turn back. If we do it in '07, we have to
3 do it in '08. If we do it in '08, we've got
4 to, you know --

5 CHAIRMAN ANTHONY: So Cuyahoga
6 does it.

7 MR. DAMSCHRODER: Cuyahoga began
8 doing it this fall. So, again, I don't know
9 if that's something that the Board wants to
10 address now or just, again, have Denny and I
11 request that the Commissioners fund it as
12 the project plan and let the Commissioners
13 decide whether they want to pay for it.

14 CHAIRMAN ANTHONY: Why don't we
15 wait to --

16 MR. DAMSCHRODER: Want to discuss
17 it at a future board meeting?

18 CHAIRMAN ANTHONY: Yeah. I didn't
19 even have enough time to --

20 MS. PETREE: What about the
21 absentee ballots that have insufficient --

22 MR. DAMSCHRODER: Great question.
23 The ballot with insufficient postage,
24 really, is up to the post office, how they

1 handle.

2 So far this year, what we're
3 finding is, the post office is delivering
4 the ballot to us. And in some instances but
5 not all instances, debiting our postal
6 account for the cost of that additional
7 postage.

8 In other instances, the post
9 office may be returning the ballot to the
10 voter for additional postage.

11 CHAIRMAN ANTHONY: That's not
12 good.

13 MR. DAMSCHRODER: But we have told
14 the post office, A, don't return it to the
15 voter; give it to us, and we'll pay the
16 additional postage. And, B, don't sit on
17 it. Give it to us. And we'd rather have it
18 here and deal with it.

19 So -- but I can say, from a
20 cursory review of ballots, envelopes that
21 came in today, I think only per about two or
22 three trays, I only found two or three
23 ballots, envelopes that only have one stamp.

24 The overwhelming majority of folks

1 thought of putting in the additional 63
2 cents, the additional total 63 cents.

3 MR. WHITE: We have a notice and
4 instructions that tell them the proper
5 amount of postage, too, so --

6 MR. DAMSCHRODER: And I think
7 that's -- and that's --

8 MS. PETREE: Included in the
9 ballot?

10 MR. WHITE: Yeah.

11 MR. DAMSCHRODER: Yeah.

12 MR. WHITE: And instructions.

13 MS. MARINELLO: It's on the
14 outside of the envelope, like, extra postage
15 required or --

16 MR. DAMSCHRODER: Unfortunately,
17 we printed the envelopes before we knew how
18 many issues were going to be on the ballot.

19 MR. WHITE: But as Matt said, it's
20 not a problem, that we're aware.

21 CHAIRMAN ANTHONY: Thank you.
22 That's a good question.

23 MR. DAMSCHRODER: The last item
24 for action on the agenda, Mr. Chairman and

1 Board members: I have been invited to be a
2 participant during the week of November the
3 26th in Washington, DC, at a series of
4 election-related panels being sponsored by
5 the American Academy for the Advancement of
6 Science, the Carnegie Foundation, and the
7 Pew Charitable Trusts.

8 They're doing a whole series of
9 forums and panels on the whole gamut of
10 elections topics, from electronic voting to,
11 you know, organizational theory of boards,
12 what the future of elections holds and --

13 CHAIRMAN ANTHONY: Well, that
14 would be interesting.

15 MR. DAMSCHRODER: -- I've been
16 asked to be one of the panelists, so --

17 MS. MARINELLO: What an honor.

18 MR. DAMSCHRODER: Which is a
19 tremendous honor.

20 CHAIRMAN ANTHONY: Are you taking
21 Denny there, too?

22 MR. DAMSCHRODER: I'd love to take
23 Denny with me.

24 CHAIRMAN ANTHONY: Are you going

1 with him?

2 MR. WHITE: He doesn't want me to
3 outstage him there --

4 MS. PETREE: Oh, no.

5 MR. WHITE: -- nor will I
6 acknowledge that he -- he doesn't want the
7 competition.

8 MR. DAMSCHRODER: The one
9 issue -- the Pew Foundation -- or the Pew
10 Charitable Trusts and the American Academy
11 have offered to pay for all of my expenses
12 related to the trip; however, because there
13 is a component of this where -- it hasn't
14 been announced yet, but Pew Charitable
15 Trusts is going to be doing a partnership
16 with Election Science Institute.

17 My feeling was that, to avoid any
18 conflicts of interest, that it would be
19 better off that my participation was
20 funded -- the transportation and the lodging
21 and meals were funded by the Board instead
22 of by someone whom we've done past business.

23 CHAIRMAN ANTHONY: You're taking a
24 Greyhound bus up there or what?

1 MR. DAMSCHRODER: I thought about
2 walking. I could use the exercise.

3 CHAIRMAN ANTHONY: And I may just
4 shock you and show up and --

5 MR. DAMSCHRODER: I'd love to see
6 you.

7 CHAIRMAN ANTHONY: -- be a
8 cheering section for you.

9 MR. DAMSCHRODER: I'd love to see
10 you.

11 MR. PICCININNI: He's not taking
12 his lawyer with him.

13 CHAIRMAN ANTHONY: He's not taking
14 his lawyer with him? That's a great honor.

15 MR. DAMSCHRODER: It's a
16 tremendous honor.

17 CHAIRMAN ANTHONY: That's great.
18 Well, we will entertain --

19 MS. PETREE: Very proud.

20 CHAIRMAN ANTHONY: -- a motion.
21 Yeah, I am. Absolutely.

22 MS. MARINELLO: Well,
23 Mr. Chairman --

24 CHAIRMAN ANTHONY: Yes.

1 MS. MARINELLO: -- I move that the
2 Board of Elections authorize the payment of
3 all the travel expenses, including but not
4 limited to: transportation, lodging, meals,
5 and incidentals related to the Director
6 Damschroder's participation in the American
7 Academy for the Advancement of Science and
8 Carnegie Foundation's Panel on Elections
9 Administration and the concurrent Pew
10 Charitable Trusts Panel on Elections
11 Administration during the week of November
12 26, 2006 through December 1st, 2006, in
13 Washington, DC.

14 MR. COLLEY: Second.

15 CHAIRMAN ANTHONY: All right.
16 Well, is there a second?

17 MR. DAMSCHRODER: I think
18 Mr. Colley seconded the motion.

19 CHAIRMAN ANTHONY: All those in
20 favor, say aye.

21 (Board members in favor of the
22 motion so indicated.)

23 MR. DAMSCHRODER: Thank you very
24 much. The last item, I'm just going to

1 briefly tell you about. And I was going to
2 have it ready today, but I failed.

3 At the recommendation of the
4 Franklin County Sheriff's Department, the
5 Columbus Police Department, and the Franklin
6 County Prosecuting Attorney's Office, Denny
7 and I are going to draft a letter to be
8 signed by each of you that will be mailed to
9 all of the elected officials of Franklin
10 County at every level, as well as all the
11 candidates on the ballot.

12 In 2004, apparently, we had a few
13 issues with either candidates walking
14 through polling locations or officeholders
15 who were going to ballot, being there and
16 shaking hands and saying hello.

17 That's an inappropriate activity
18 on election day, and we want to remind them
19 of what is proper conduct and what is
20 improper conduct. So we'll be getting that
21 letter to you during next week for
22 individual signatures.

23 CHAIRMAN ANTHONY: So we're going
24 to prosecute them, too?

1 MR. WHITE: No. It's just kind of
2 a simple, you know, shame on you, if you
3 were to have done this on election day.

4 MR. PICCININNI: Pretty
5 much -- and that's what happened before.

6 CHAIRMAN ANTHONY: Yeah, I know.
7 I remember.

8 MR. PICCININNI: Yeah. That
9 should not happen.

10 CHAIRMAN ANTHONY: I got called on
11 that.

12 MR. PICCININNI: That should not
13 happen.

14 MR. DAMSCHRODER: A helpful
15 reminder will go a long way.

16 CHAIRMAN ANTHONY: Yes, it will.

17 MR. DAMSCHRODER: Other than that,
18 I have nothing else to --

19 CHAIRMAN ANTHONY: And we'll send
20 it to the people running, too, all the
21 candidates?

22 MR. DAMSCHRODER: Yes. All the
23 candidates and all the --

24 CHAIRMAN ANTHONY: I think

1 that's --

2 MR. PICCININNI: Right. If you're
3 not voting, you shouldn't be interfering.

4 CHAIRMAN ANTHONY: You shouldn't
5 be interfering with the elections.

6 MR. PICCININNI: That's correct.

7 MR. WHITE: Yeah. Public
8 officials, they don't have to be elected. I
9 mean, sometimes you have public
10 officials --

11 CHAIRMAN ANTHONY: Matter of fact,
12 they ought to be somewhere sitting down
13 showing out. There isn't anything to do at
14 that point.

15 MR. DAMSCHRODER: Unless you have
16 anything else?

17 CHAIRMAN ANTHONY: Move to
18 adjourn?

19 MR. DAMSCHRODER: Is there a
20 second?

21 MS. MARINELLO: Second.

22 MR. DAMSCHRODER: All in favor,
23 say aye.

24 (Board members in favor of the

1 motion so indicated.)

2 MR. DAMSCHRODER: Thank you very

3 much.

4 CHAIRMAN ANTHONY: Thank you.

5 - - - - -

6 Thereupon, the proceedings were

7 concluded at 5:11 o'clock p.m.

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1 CERTIFICATE

2
3 The undersigned do hereby certify that the
4 foregoing proceedings were digitally recorded,
5 electronically transmitted, and transcribed via
6 audible playback, and that the foregoing
7 transcript of such proceedings is a full, true
8 and correct transcript of the proceedings as so
9 recorded.

10 IN WITNESS WHEREOF, I have hereunto set my
11 hand and affixed my seal of office at Columbus,
12 Ohio, on this 25th day of October, 2006.

13 
14 _____

15 ELEGRA R. DAVIS
16 Certified Digital Reporter
17 Notary Public - State of Ohio.
18 My commission expires October 2, 2009.

19 
20 _____

21 AMANDA C. BERKSTRESSER
22 Certified Digital Transcriber
23
24