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BEFORE THE BOARD OF ELECTIONS
OF FRANKLIN COUNTY, OHIO

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IN RE: :

Board Meeting :

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Proceedings before Chairman Douglas
J. Preisse and Board members William A.
Anthony, Jr., Michael F. Colley, and
Kimberly E. Marinello with Executive
Director Dennis L. White and Deputy
Director Matthew Damschroder, taken at the
Franklin County Board of Elections, 280
East Broad Street, Columbus, Ohio, on
Wednesday, March 5, 2008, at 4:15 o'clock
p.m.

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1 APPEARANCES:

2 Office of the Franklin County
3 Prosecuting Attorney
4 373 South High Street
5 Columbus, Ohio 43215
6 By Mr. Ron O'Brien,
7 Franklin County Prosecutor
8 and
9 Mr. Tony Palmer,
10 Mr. Patrick J. Piccininni,
11 Mr. Nick Soulas,
12 Assistant Prosecuting Attorneys,
13
14 On behalf of the Franklin
15 County Board of Elections.
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2 P R O C E E D I N G S

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4 MR. PREISSE: We are reconvening
5 a special organizational meeting of the
6 Board, which we recessed on Sunday, March
7 1st. And having received a letter from
8 the Secretary of State, indicating that
9 the organizational procedures we employed
10 were not quite perfect in her estimation,
11 I am handing symbolically the gavel back
12 to the senior member of the Board and the
13 retiring Chairman of the Board, Bill
14 Anthony.

15 CHAIRMAN ANTHONY: At this point
16 we will do the roll call.

17 MR. WHITE: Mr. Anthony?

18 CHAIRMAN ANTHONY: Here.

19 MR. WHITE: Ms. Marinello?

20 MS. MARINELLO: Here.

21 MR. WHITE: Mr. Preisse?

22 CHAIRMAN PREISSE: Here.

23 MR. WHITE: Mr. Colley?

24 MR. COLLEY: Here.

1 CHAIRMAN ANTHONY: All members
2 present.

3 MR. PREISSE: I would like to
4 move that the Board rescind the resolution
5 that we adopted on Sunday, which called
6 for a personal services consulting
7 relationship with Matthew Damschroder.

8 CHAIRMAN ANTHONY: Is there a
9 second?

10 MS. MARINELLO: Second?

11 CHAIRMAN ANTHONY: Any
12 discussion?

13 (No audible response)

14 CHAIRMAN ANTHONY: All those in
15 favor, say aye.

16 (Unanimous aye)

17 CHAIRMAN ANTHONY: The motion
18 carries.

19 MR. COLLEY: Mr. Chairman, I
20 nominate Matthew M. Damschroder to the
21 full term of Deputy Director of the
22 Franklin County Board of Elections at the
23 rate of \$52.10 per hour.

24 CHAIRMAN ANTHONY: Is there a

1 second?

2 MR. PREISSE: I second the
3 motion.

4 CHAIRMAN ANTHONY: Roll call
5 vote.

6 MR. WHITE: Mr. Anthony?

7 CHAIRMAN ANTHONY: Yes.

8 MR. WHITE: Ms. Marinello?

9 MS. MARINELLO: No.

10 MR. WHITE: Mr. Preisse?

11 MR. PREISSE: Yes.

12 MR. WHITE: Mr. Colley?

13 MR. COLLEY: Yes.

14 CHAIRMAN ANTHONY: The motion
15 carries. At this point Mr. Damschroder is
16 now Deputy Director of the Franklin County
17 Board of Elections.

18 Now, we need a chair for the
19 Board of Elections.

20 MR. COLLEY: Mr. Chairman, I
21 nominate Douglas J. Preisse for Chairman
22 of the Franklin County Board of Elections.

23 CHAIRMAN ANTHONY: I second that
24 motion.

1 Any discussion?

2 (No audible response)

3 CHAIRMAN ANTHONY: All those in
4 favor, say aye.

5 (Unanimous aye)

6 CHAIRMAN ANTHONY: I turn the
7 gavel back over to you, sir.

8 CHAIRMAN PREISSE: Thank you,
9 Mr. Anthony.

10 MR. ANTHONY: Sir, I have a
11 motion I would like to bring before the
12 Board.

13 CHAIRMAN PREISSE: We will pause
14 in the action for a moment.

15 MR. PICCININNI: We did it at
16 the last meeting. You need to redo it.

17 MR. WHITE: People had to
18 abstain from particular votes.

19 We need Mr. Damschroder. We
20 need the list.

21 CHAIRMAN PREISSE: I think I
22 have it. I do have it.

23 Do you want to follow this one?

24 MR. WHITE: Yes.

1 CHAIRMAN PREISSE: There you
2 go.

3 MR. ANTHONY: We'll let Ms.
4 Marinello do that. She did it last time.

5 (Mr. Damschroder enters.)

6 MS. MARINELLO: Mr. Chairman, I
7 move that the following individuals be
8 appointed to the Franklin County Board of
9 Elections: Lucinda Balach - \$15.74 per
10 hour; Tim Beck - \$23.58 per hour; Chris
11 Bidwell - \$13.94 per hour; Barbara Burns -
12 \$16.20 per hour; Debbie Cotner - \$14.43
13 per hour; Karen Cotton - \$35.00 per hour;
14 Lynne Counts - \$20.63 per hour; Mark
15 Essary - \$16.60 per hour; Debbie Ford -
16 \$25.93 per hour; Roland Gamino - \$17.33
17 per hour; Frank Gill - \$20.62 per hour;
18 Carolyn Gorup - \$37.56 per hour; Mary
19 Hackett - \$32.52 per hour; Jane Hanley -
20 \$15.87 per hour; Howard Heard - \$18.99 per
21 hour; Peggy Howell - \$24.39 per hour;
22 Margalyn Kisor - \$14.90 per hour; Renee
23 Klco - \$31.56 per hour; Robin Link -
24 \$16.83 per hour; Barcy McNeal - \$22.28 per

1 hour; David Magers - \$22.36 per hour; Rose
2 Martin - \$14.42 per hour; Donna Miller -
3 \$16.17 per hour; Tina Miller - \$15.55 per
4 hour; Carla Patton - \$19.81 per hour;
5 Sonny Phaiphanya - \$20.40 per hour; Ben
6 Piscitelli - \$29.71 per hour; Matt Rushay
7 - \$19.24 per hour; Lisa See - \$24.86 per
8 hour; Gene Shell, Jr., - \$22.50 per hour;
9 Beverly Starghill - \$21.53 per hour;
10 Darlene Tompkins - \$16.56 per hour; Brenna
11 Umbstaetter - \$20.70 per hour; Stan Wayne
12 - \$26.44 per hour; Todd Wedekind - \$27.50
13 per hour; Mike Wihl - \$18.21 per hour; and
14 Marlene Wirth - \$25.04 per hour.

15 CHAIRMAN PREISSE: I second the
16 motion.

17 Is there any discussion?

18 (No audible response)

19 CHAIRMAN PREISSE: All in favor?

20 (Unanimous aye)

21 MR. ANTHONY: Mr. Chairman, I
22 move that Harold Fielder be appointed
23 Clerk of the Franklin County Board of
24 Elections at the hourly rate of \$27.50 per

1 hour.

2 MR. COLLEY: I second.

3 CHAIRMAN PREISSE: Any
4 discussion?

5 (No audible response)

6 CHAIRMAN PREISSE: Let's have a
7 roll call vote, please.

8 MR. WHITE: Mr. Anthony?

9 MR. ANTHONY: Yes.

10 MR. WHITE: Ms. Marinello?

11 MS. MARINELLO: I abstain.

12 MR. WHITE: Mr. Colley?

13 MR. COLLEY: Yes.

14 MR. WHITE: Mr. Chairman?

15 CHAIRMAN PREISSE: Yes.

16 MR. COLLEY: Mr. Chairman, I
17 move that Aaron Sellers be appointed Clerk
18 of the Franklin County Board of Elections
19 at the hourly rate of \$19.81 per hour.

20 MS. MARINELLO: Second.

21 CHAIRMAN PREISSE: Any
22 discussion?

23 (No audible response)

24 CHAIRMAN PREISSE: If none, roll

1 call vote on the motion, please.

2 MR. WHITE: Mr. Colley?

3 MR. COLLEY: Yes.

4 MR. WHITE: Ms. Marinello?

5 MS. MARINELLO: Yes.

6 MR. WHITE: Mr. Anthony?

7 MR. ANTHONY: Yes.

8 MR. WHITE: Mr. Chairman?

9 CHAIRMAN PREISSE: I abstain.

10 MR. ANTHONY: Mr. Chairman, I
11 move that Suzanne Brown be appointed Clerk
12 of the Franklin County Board of Elections
13 at the hourly rate of \$28.61 per hour.

14 MS. MARINELLO: I second.

15 CHAIRMAN PREISSE: Any
16 discussion?

17 (No audible response)

18 CHAIRMAN PREISSE: Hearing none,
19 we will call for a roll call vote.

20 MR. WHITE: Ms. Marinello?

21 MS. MARINELLO: Yes.

22 MR. WHITE: Mr. Colley?

23 MR. COLLEY: I abstain.

24 MR. WHITE: Mr. Anthony?

1 MR. ANTHONY: Yes.

2 MR. WHITE: Mr. Chairman?

3 CHAIRMAN PREISSE: Yes.

4 That concludes the rehiring of
5 the complete complement of clerks.

6 We will entertain a motion to
7 adjourn if there's nothing else.

8 MR. ANTHONY: There is one item
9 I would like to make a motion on, Mr.
10 Chairman, if I may.

11 CHAIRMAN PREISSE: Yes, sir.

12 MR. ANTHONY: I move that the
13 Board of Elections adopt a precinct count
14 optical scan paper ballot as the primary
15 voting system to be used in Franklin
16 County, beginning with the November 4th,
17 2008 General Election and for all
18 subsequent elections except that the
19 Board's current DRE voting machines should
20 be used for in-precinct election day
21 voting for disabled voters and in person
22 absentee voting with a paper ballot option
23 under the SOS Directive 2008-01; also that
24 the Board request from the Ohio Secretary

1 of State a written interpretation on
2 whether the Board of Elections can choose
3 a vendor and product from the State's
4 Master Voting Machine Contract entered
5 into by the previous Secretary of State or
6 whether it must conduct a new Request for
7 a Proposal or Invitation to Bid process to
8 select a vendor and product; and that the
9 Board of Elections hereby determines that
10 the purchase of a precinct count optical
11 scan paper ballot system is a necessary
12 and proper expense of the Board and
13 directs the Director and Deputy Director
14 to seek supplemental appropriations from
15 the Franklin County Board of Commissioners
16 in the amount necessary to implement this
17 resolution.

18 CHAIRMAN PREISSE: There is a
19 motion on the floor.

20 MS. MARINELLO: I second.

21 CHAIRMAN PREISSE: I will call
22 for a discussion. Having only a short
23 period to ponder this and now in my second
24 extended tenure as the new kid on the

1 block and Chairman of the Board for about,
2 what, two minutes, I actually had a
3 question as to the proper notice for
4 matters that come before the regular board
5 meeting or a special board meeting. My
6 understanding is that we are in a special
7 organizational board meeting.

8 I think we need to consult with
9 our counsel irrespective of the merits of
10 the issue, which we can also discuss, and
11 I would be happy to do that.

12 But I think even leaving that
13 aside, my concern is we may be potentially
14 in violation of the open meetings rule
15 here, so I am asking counsel.

16 MR. ANTHONY: Mr. Chairman, I
17 would move that we table this motion and
18 talk about it at the next meeting that we
19 have.

20 CHAIRMAN PREISSE: There is a
21 motion for the motion to be tabled.

22 MS. MARINELLO: I will second
23 that.

24 CHAIRMAN PREISSE: We will call

1 for a voice vote on the tabling of the
2 motion.

3 I vote yes to table.

4 MS. MARINELLO: Yes.

5 MR. COLLEY: Yes.

6 MR. PREISSE: We will table the
7 motion.

8 If there is no further business
9 to come before the Board we will entertain
10 a motion to adjourn.

11 MR. ANTHONY: Mr. Chair, before
12 we do I would like to go on record to give
13 out some accolades to all the Board
14 members and the extraordinary work they
15 have been done through this whole election
16 process. We have seen more voters than
17 ever, at least I have, that came out. And
18 I believe all our Board employees did an
19 exemplary job, many, many hours.

20 I believe we had one of the best
21 elections I have seen as a member of this
22 Board. And also I would like to give out
23 a thank you to all the county employees,
24 the security guards, the Sheriff's

1 Department, the cleaning crew, and
2 everybody else that worked so hard to make
3 this election a success.

4 I was in here Saturday and I was
5 in here Monday night. We saw thousands of
6 people participate in the process. They
7 were all orderly. The line extended clean
8 around the building and snaking throughout
9 the building. It started raining. Folks
10 were just great.

11 I just want that to be
12 memorialized in our minutes, because I
13 believe that people do deserve some kudos
14 and accolades from this Board because of
15 all the work that everybody has done,
16 Mr. Chair.

17 CHAIRMAN PREISSE: Those are
18 very appropriate comments. And I add to
19 them that it was a great and by and large
20 smooth election. I think it has been
21 pointed out that this was the ninth
22 consecutive election on the current
23 electronic voting machines that are being
24 used and it was as smooth as ever.

1 We had, I believe, only about
2 810 election day voters request a paper
3 ballot, which was much less than I
4 thought. I think that would be an
5 expression of the confidence of the voters
6 of Franklin County in the existing system.
7 We calculated that 99.6 percent of the
8 voters appear to have used the machines
9 and four tenths of one percent of the
10 voters asked for a paper ballot on
11 Election Day.

12 Congratulations to the Staff and
13 everybody who made the election smooth. I
14 had very little to do with it, but I hope
15 to add to the great team you have here.

16 MR. ANTHONY: I would add that
17 it would be nice if the Board of Elections
18 sent some thank yous to some of the folks
19 that I mentioned.

20 MR. WHITE: Mr. Chairman, I
21 don't know if I'm at liberty to express
22 this, but I had a concern. You brought up
23 that the motion to go to paper ballots
24 could possibly be an improper motion.

1 Can you table a motion that
2 shouldn't be a motion?

3 MR. PREISSE: Let's ask
4 counsels' opinion.

5 We have tabled a motion that may
6 have been out of order.

7 MR. O'BRIEN: I think that's
8 correct. At least my understanding would
9 be that this is a recessed special meeting
10 called for Sunday, and the notice that
11 went out for that special meeting limited
12 itself to reorganization. And once the
13 reorganization is done, it doesn't turn
14 into a general meeting.

15 If Member Anthony's motion is
16 out of order, I am not sure it would be
17 proper. So at least it would be tabling
18 an improper motion.

19 I think Mr. Anthony should
20 remake that motion at the next general
21 meeting.

22 CHAIRMAN PREISSE: So just
23 withdraw the motion?

24 MR. O'BRIEN: Or find the motion

1 to table was out of order as well.

2 CHAIRMAN PREISSE: Okay. By
3 rule of the Chair the motion to table is
4 out of order and the motion is out of
5 order.

6 MR. ANTHONY: I withdraw my
7 motion.

8 MR. O'BRIEN: This way we don't
9 get into a question of taking it off the
10 table at the next meeting when it was on
11 the table perhaps improperly in the first
12 place.

13 CHAIRMAN PREISSE: Wise counsel
14 from wise counsel.

15 And then at this point thank you
16 for the question, Mr. Director. I think
17 you cleaned that up for us.

18 If there is no other business,
19 and I think there is none, I will
20 entertain a motion to adjourn.

21 MR. ANTHONY: I move to adjourn.

22 MS. MARINELLO: Second.

23 CHAIRMAN PREISSE: All in favor?

24 (Unanimous aye)

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MR. PREISSE: We are adjourned.

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Thereupon, the proceeding was
concluded at 4:35 o'clock p.m.

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CERTIFICATE

I, Patricia W. White, Court Reporter and Notary Public in and for the State of Ohio, do hereby certify that I reported the foregoing proceedings and that the foregoing transcript of such proceedings is a full, true and correct transcript of my stenotypy notes as so taken.

I do further certify that I was called there in the capacity of a Court Reporter, and am not otherwise interested in this proceeding.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Columbus, Ohio, on this 17th day of March, 2008.

Patricia W. White

PATRICIA W. WHITE, Notary Public - State of Ohio.

My commission expires May 30, 2012.