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BEFORE THE BOARD OF ELECTIONS

OF FRANKLIN COUNTY, OHIO

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IN RE: :

Special Meeting :

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Proceedings before Chairman Douglas  
J. Preisse and Board members William A.  
Anthony, Jr., Michael L. Colley, and  
Kimberly E. Marinello with Director Dennis  
L. White and Deputy Director Matthew  
Damschroder, taken at the Franklin County  
Board of Elections, 280 East Broad Street,  
Columbus, Ohio, on Monday, March 31, 2008,  
at 2:10 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. Patrick J. Piccininni  
7 and  
8 Mr. Nick Soulas,  
9 Assistant Prosecuting Attorneys,  
10  
11 On behalf of the Board.

12 ALSO PRESENT:

13  
14 Ms. Katherine Thomsen,  
15 Office of Secretary of State  
16  
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2                   P R O C E E D I N G S

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

7                   MR. WHITE: Roll call.

8                   Mr. Colley?

9                   MR. COLLEY: Here.

10                  MR. WHITE: Ms. Marinello?

11                  MS. MARINELLO: Here.

12                  MR. WHITE: Mr. Chairman?

13                  CHAIRMAN PREISSE: Here.

14                  MR. WHITE: Mr. Anthony?

15                  MR. ANTHONY: Here.

16                  MR. WHITE: All present.

17                  CHAIRMAN PREISSE: Where are the  
18 ballots?

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

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

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

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

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

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

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

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

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

14 MR. DAMSCHRODER: Correct.

15 CHAIRMAN PREISSE: Any  
16 questions?

17 MR. ANTHONY: Mr. Chairman?

18 MR. WHITE: Yes, Mr. Anthony.

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

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

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

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

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

10          CHAIRMAN PREISSE: Got you.

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

15          MR. WHITE: Ready to start?

16                 Any other questions, Mr.  
17 Chairman?

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

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

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

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

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

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

1 to take some time to do it this way.

2 CHAIRMAN PREISSE: All right.

3 Let's get started.

4 MR. WHITE: We will start with

5 this one here. The first ballot is

6 000263. As Matt mentioned, this ballot

7 basically had some fluid dumped on it.

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

9 might want to be careful in handling it.

10 I think the voter's mark is

11 pretty much clear what the intention of

12 the voter was on that.

13 MR. DAMSCHRODER: Pass it

14 around. Once available then a motion can

15 be made.

16 MR. ANTHONY: I would like to

17 make the motion that ballot number 000263

18 be accepted as voting against the levy.

19 MR. PICCININNI: In this

20 particular case this ballot needs to be

21 remade in accordance with the voter's

22 intent.

23 CHAIRMAN PREISSE: Remaking the

24 ballot.



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

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

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

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

11 MR. PICCININNI: And be marked  
12 RB1.

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

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

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

1 don't have to say it twice.

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

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

6 MR. WHITE: We need a second.

7 MS. MARINELLO: Second.

8 MR. WHITE: All in favor?

9 (Unanimous aye)

10 MR. WHITE: The vote is carried.

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

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

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

22 CHAIRMAN PREISSE: Second.

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

1 (Unanimous aye)

2 MR. WHITE: Any nays?

3 (No audible response)

4 MR. WHITE: The motion carries.

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

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

13 CHAIRMAN PREISSE: Is there a  
14 second?

15 MS. MARINELLO: Second.

16 MR. WHITE: All in favor?

17 (Unanimous aye)

18 MR. WHITE: So carried.

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

24 MR. ANTHONY: Mr. Chair, I would

1 like to move to remake this ballot to  
2 reflect it is for the levy.

3 CHAIRMAN PREISSE: Second.

4 MR. WHITE: All in favor?

5 (Unanimous aye)

6 MR. WHITE: So carried.

7 MR. DAMSCHRODER: The next one  
8 is the exact same situation. This is  
9 ballot number 000265. Timing marks are  
10 torn off and it is a vote against the  
11 levy.

12 MR. ANTHONY: Mr. Chair, I would  
13 like to make a motion that this ballot be  
14 remade to show that it's against the  
15 levy.

16 CHAIRMAN PREISSE: Second.

17 MR. WHITE: All in favor, say  
18 aye.

19 (Unanimous aye)

20 MR. WHITE: So carried.

21 MR. DAMSCHRODER: Ballot number  
22 000267, the voter did not mark inside of  
23 the oval, but it appears to have been  
24 intended to vote against the levy.

1 MR. ANTHONY: Mr. Chair, I would  
2 like to make a motion that this ballot be  
3 remade to reflect that they voted against  
4 the levy.

5 CHAIRMAN PREISSE: Second.

6 MR. WHITE: All in favor, say  
7 aye.

8 (Unanimous aye)

9 MR. WHITE: The next ballot is  
10 000268. This ballot appears to have  
11 several problems on it. The ballot got  
12 torn. Also on the levy number 26 for  
13 Hilliard School District there appears to  
14 be two votes for that levy, one more  
15 prominent than the other.

16 MR. DAMSCHRODER: The one that's  
17 more prominent is the same as the way  
18 other votes on the ballot were made. So  
19 when we remake that ballot we will record  
20 both of the votes, the one that's  
21 indeterminant and the one that is clear.

22 CHAIRMAN PREISSE: Say that  
23 again?

24 MR. DAMSCHRODER: On this ballot

1 because there is more than one contest,  
2 the Hilliard School levy is the one that  
3 has the foreign mark. When remaking that  
4 ballot we will make the new ballot with  
5 obviously both the vote for the Hilliard  
6 contest and also for the county-wide MRDD  
7 contest.

8 MR. ANTHONY: Mr. Chair, I would  
9 like to move to remake this ballot to  
10 reflect that it is for the the County  
11 Board of Mental Retardation levy and also  
12 against the levy for Hilliard City  
13 Schools.

14 CHAIRMAN PREISSE: Second.

15 MR. WHITE: All in favor, say  
16 aye.

17 (Unanimous aye)

18 MR. WHITE: The motion passes.

19 MR. DAMSCHRODER: This next one  
20 is ballot number 000001. And there is a  
21 foreign mark in the contest for President,  
22 but it's clearly a vote for Hillary  
23 Clinton.

24 When you look, you will see that

1 the foreign mark is very, very light.  
2 That is the sensitivity of the machine.  
3 The machines are not designed to pick up  
4 those kinds of stray marks.

5 MR. ANTHONY: Mr. Chair, I would  
6 like to make a motion that we remake this  
7 ballot to reflect that it was a vote for  
8 Hillary Clinton.

9 CHAIRMAN PREISSE: Second.

10 MR. WHITE: All in favor, say  
11 aye.

12 (Unanimous aye)

13 MR. WHITE: The motion passes.

14 MR. DAMSCHRODER: The next  
15 ballot is number 000002. And again there  
16 is a foreign mark in the contest for  
17 President, clearly a vote for Hillary  
18 Clinton.

19 And my Staff recommendation is  
20 to reflect a vote for Clinton.

21 MR. ANTHONY: Mr. Chair, I would  
22 like to move that we remake this ballot to  
23 indicate it was a vote for Hillary  
24 Clinton.

1 CHAIRMAN PREISSE: Second.

2 MR. WHITE: All in favor, say  
3 aye.

4 (Unanimous aye)

5 MR. WHITE: Any nays?

6 (No audible response)

7 MR. WHITE: The motion carries.

8 This next one is the same thing  
9 with a foreign mark on the ballot. The  
10 ballot number is 000007. And it is the  
11 race for Franklin County Board of Mental  
12 Retardation and Developmental  
13 Disabilities.

14 Looks like some kind of smudge  
15 mark against the levy. The voter's intent  
16 looks pretty clear for the levy. It  
17 doesn't appear to be any other.

18 MR. ANTHONY: Mr. Chair, I would  
19 like to make a motion that we remake this  
20 ballot to show a vote for the Mental  
21 Retardation levy.

22 CHAIRMAN PREISSE: Second.

23 MR. WHITE: All in favor?

24 (Unanimous aye)



1 MR. WHITE: Any nays?

2 (No audible response)

3 MR. WHITE: The motion carries.

4 MR. DAMSCHRODER: Ballot number  
5 8. And when you see it, all the marks are  
6 very, very faint and Xs as opposed to  
7 fill-in. The voter intent is clear  
8 throughout the ballot. So the Staff  
9 recommendation is to remake the entire  
10 ballot consistent with the voter's  
11 intent.

12 MR. ANTHONY: Mr. Chair, I would  
13 like to make a motion that we remake, I  
14 guess, this entire ballot to reflect the  
15 voter's intent.

16 MR. PREISSE: Second.

17 MR. WHITE: All in favor?

18 (Unanimous aye)

19 MR. WHITE: Any nays?

20 (No audible response)

21 MR. WHITE: So carried.

22 MR. DAMSCHRODER: Ballot number  
23 9, the exact same circumstances as the  
24 previous ballot.

1 MR. ANTHONY: Mr. Chair, I would  
2 like to move that we remake the entire  
3 ballot to reflect the voter's intent.

4 CHAIRMAN PREISSE: Second.

5 MR. WHITE: All in favor?

6 (Unanimous aye)

7 MR. WHITE: Any nays?

8 (No audible response)

9 MR. WHITE: The motion carries.

10 MR. DAMSCHRODER: Ballot number  
11 10, there is a foreign mark in the contest  
12 for County Commissioner, Lazarus versus  
13 O'Grady. The voter intent appears to be  
14 for Lazarus.

15 MR. ANTHONY: Mr. Chair, I would  
16 like to make a motion that the Board  
17 remake this ballot to reflect Cindy  
18 Lazarus.

19 CHAIRMAN PREISSE: Second.

20 MR. WHITE: All in favor?

21 (Unanimous aye)

22 MR. WHITE: Any nays?

23 (No audible response)

24 MR. WHITE: The motion carries.

1 MR. DAMSCHRODER: Ballot 11,  
2 fluid spilled on the ballot and the timing  
3 mark is smudged so it won't read, so we  
4 would ask to remake the entire ballot.

5 MR. ANTHONY: Mr. Chair, I would  
6 like to make a motion that the Board  
7 remake this entire ballot to reflect the  
8 voter's intent.

9 CHAIRMAN PREISSE: Second.

10 MR. WHITE: All in favor?

11 (Unanimous aye)

12 MR. WHITE: Any nays?

13 (No audible response)

14 MR. WHITE: So carried.

15 MR. DAMSCHRODER: Ballot number 12, it's  
16 an over voted contest for County  
17 Commissioner. The voter's intent is for  
18 O'Grady by having notated the words yes  
19 next to O'Grady and no next to Lazarus.

20 MR. ANTHONY: Mr. Chair, I would  
21 like to make a motion that the Board  
22 remake this ballot to reflect a vote for  
23 John O'Grady.

24 CHAIRMAN PREISSE: Second.

1 MR. WHITE: All in favor?

2 (Unanimous aye)

3 MR. WHITE: Any nays?

4 (No audible response)

5 MR. WHITE: So carried.

6 MR. DAMSCHRODER: Ballot number  
7 14, the voter has a foreign mark in Issue  
8 number 29 against the levy, but it is  
9 clearly for the levy.

10 MR. ANTHONY: Mr. Chair, I would  
11 like to make a motion that the Board  
12 remake this ballot to reflect a vote for  
13 the MRDD levy.

14 CHAIRMAN PREISSE: Second.

15 MR. WHITE: All in favor?

16 (Unanimous aye)

17 MR. WHITE: Any nays?

18 (No audible response)

19 MR. WHITE: So carried.

20 MR. DAMSCHRODER: The next  
21 ballot is ballot number 13. There is an  
22 indeterminant mark in the contest for  
23 Court of Appeals, Tenth District. I would  
24 say that because the standard is to be

1 marked consistently throughout the ballot,  
2 my recommendation would be that it not be  
3 counted as a vote for Parks; but when you  
4 all see it, you can look at it.

5 The machines notice when there  
6 is something faint. When it is bold, it  
7 recognizes it as a vote. In a situation  
8 like this it kicks it out because it  
9 doesn't know whether it's dust or a mark.

10 The standard, as you can tell  
11 from 3506.21 is that the markings have to  
12 be made in a consistent manner. The voter  
13 clearly knows how to mark a ballot by  
14 having fully filled in all the other ovals  
15 and just made a stray mark in my opinion  
16 in the Parks contest.

17 So in this case we wouldn't  
18 actually remake the ballot. We could  
19 remake the ballot and just not mark a vote  
20 for Parks. That's probably what we should  
21 do.

22 CHAIRMAN PREISSE: It hasn't  
23 been counted?

24 MR. DAMSCHRODER: It's been

1 rejected. Nothing on that ballot has been  
2 counted. We will remake the ballot.

3 MR. ANTHONY: Mr. Chair, I would  
4 like to make a motion that we remake this  
5 ballot to reflect that he didn't vote for  
6 the judge for Court of Appeals, Tenth  
7 District.

8 CHAIRMAN PREISSE: Second.

9 MR. WHITE: All in favor?

10 (Unanimous aye)

11 MR. WHITE: Any nays?

12 (No audible response)

13 MR. WHITE: So carried.

14 MR. PICCININNI: Mr. Chairman, a  
15 full term commencing September 2009.

16 MR. DAMSCHRODER: There is only  
17 one contestant.

18 MR. ANTHONY: I amend my motion  
19 to reflect the date.

20 MR. DAMSCHRODER: Ballot number  
21 15, it's the contest for President. The  
22 voter filled in both ovals for Kucinich  
23 and Obama but then made a note to us to  
24 void the vote for Kucinich.

1           MR. WHITE:  If we had never got  
2   the waiver from the Secretary of State on  
3   Election Night, we would have had to do  
4   this Election Night.  We would have had to  
5   do this for the official count too.  
6   That's why we asked for that waiver.

7           MR. ANTHONY:  Mr. Chair, I would  
8   like to make a motion that the Board  
9   remake this ballot to indicate the voter's  
10  intent to vote for Barack Obama.

11          CHAIRMAN PREISSE:  Second.

12          MR. WHITE:  All in favor?

13                   (Unanimous aye)

14          MR. WHITE:  Any nays?

15                   (No audible response)

16          MR. WHITE:  So carried.

17          MR. WHITE:  This ballot here is  
18  number 16.  There is a cut on the paper,  
19  so it wouldn't go through the machine.  
20  The voter's intent is pretty clear.  There  
21  are no discrepancies there other than the  
22  machine could not read it because of the  
23  cut.

24          MR. ANTHONY:  Mr. Chair, I would

1 like to make a motion that the Board  
2 remake this entire ballot.

3 MR. WHITE: Is there a second?

4 CHAIRMAN PREISSE: Second.

5 MR. WHITE: All in favor?

6 (Unanimous aye)

7 MR. WHITE: Any nays?

8 (No audible response)

9 MR. WHITE: So carried.

10 MR. DAMSCHRODER: Ballot number  
11 17, the markings are just too light. The  
12 voter's intent is clear throughout the  
13 ballot.

14 We would ask to remake it.

15 MR. ANTHONY: Mr. Chair, I would  
16 like to make a motion that the Board  
17 remake this entire ballot.

18 MS. MARINELLO: Second.

19 MR. WHITE: All in favor?

20 (Unanimous aye)

21 MR. WHITE: Any nays?

22 (No audible response)

23 MR. WHITE: So carried.

24 This ballot here is number 18.



1 I think the only thing that looks like  
2 here is they used gold pen.

3 MR. DAMSCHRODER: The  
4 voter's intent is clear throughout the  
5 ballot.

6 MR. ANTHONY: Mr. Chair, I would  
7 like to make a motion that the Board  
8 remake this entire ballot to indicate the  
9 voter's intent -- to reflect the voter's  
10 intent.

11 CHAIRMAN PREISSE: Second.

12 MR. WHITE: All in favor?

13 (Unanimous aye)

14 MR. WHITE: Any nays?

15 (No audible response)

16 MR. WHITE: So carried.

17 MR. DAMSCHRODER: The next  
18 ballot is ballot number 19. The vote was  
19 for County Commissioner but marked out  
20 Lazarus's name and appears to be a vote  
21 for O'Grady.

22 MR. ANTHONY: I would like to  
23 make a motion that the Board remake this  
24 ballot to indicate a vote for John O'Grady

1 for Franklin County Commissioner.

2 CHAIRMAN PRICE: Second.

3 MR. WHITE: All in favor?

4 (Unanimous aye)

5 MR. WHITE: Any nays?

6 (No audible response)

7 MR. WHITE: So carried.

8 MR. DAMSCHRODER: Ballot number  
9 20. Again the marks are too faint for the  
10 machine to pick up, but it is very clear  
11 and consistently marked.

12 MR. ANTHONY: Mr. Chair, I move  
13 that the Board remake this entire ballot  
14 to indicate the voter's intent.

15 CHAIRMAN PREISSE: Second.

16 MR. WHITE: All in favor?

17 (Unanimous aye)

18 MR. WHITE: Any nays?

19 (No audible response)

20 MR. WHITE: So carried.

21 MR. DAMSCHRODER: Ballot number  
22 21. The voter made a stray mark under  
23 contest number 29 against the levy.

24 It is the Staff recommendation

1 that it is clearly a vote for the levy.

2 MR. ANTHONY: Mr. Chair, I would  
3 like to make a motion that the Board  
4 remake this ballot to reflect the voter's  
5 intent for number 29, the MRDD levy, as a  
6 vote for the levy.

7 CHAIRMAN PREISSE: Second.

8 MR. WHITE: All in favor?

9 (Unanimous aye)

10 MR. WHITE: Any nays?

11 (No audible response)

12 MR. WHITE: So carried.

13 MR. DAMSCHRODER: Ballot number  
14 22 has a stray mark for Cindy Lazarus, but  
15 the ballot was consistently marked for  
16 John O'Grady.

17 MR. ANTHONY: Mr. Chair, I would  
18 like to make a motion that the Board  
19 remake this ballot to reflect the voter's  
20 intent to vote for John O'Grady.

21 CHAIRMAN PREISSE: Second.

22 MR. WHITE: All in favor?

23 (Unanimous aye)

24 MR. WHITE: The motion carries.

1 MR. DAMSCHRODER: The next  
2 ballot is ballot number 23. It was cut.  
3 Therefore, it needs to be remade. There  
4 are no stray or foreign marks or over  
5 votes.

6 CHAIRMAN PREISSE: Where is it  
7 cut?

8 MR. PICCININNI: It was cut and  
9 taped back together.

10 MR. ANTHONY: Mr. Chair, I  
11 would like to make a motion that the Board  
12 remake this entire ballot to indicate the  
13 voter's intent.

14 CHAIRMAN PREISSE: Second.

15 MR. WHITE: All in favor?

16 (Unanimous aye)

17 MR. WHITE: Any nays?

18 (No audible response)

19 MR. WHITE: So carried.

20 MR. DAMSCHRODER: Ballot number  
21 24, the voter filled in ovals both for  
22 Obama and for Clinton and wrote the word  
23 first next to Obama and the word second  
24 next to Clinton and the word Vice above

1 Clinton.

2 The Board is going to have to  
3 determine if that indeed is an over vote.  
4 My recommendation will be that it is a  
5 true over vote. We don't have right  
6 choice voting in Ohio.

7 MR. ANTHONY: Mr. Chair, I would  
8 like to make a motion that the Board  
9 remake this ballot to indicate that it was  
10 an over vote.

11 CHAIRMAN PREISSE: Second.

12 MR. WHITE: All in favor?

13 (Unanimous aye)

14 MR. WHITE: Any nays?

15 (No audible response)

16 MR. WHITE: So carried.

17 This is ballot number 3. I  
18 don't know where to start on this ballot.  
19 There are prominent marks on some of the  
20 races and light marks in some races and  
21 there is some type of liquid poured on the  
22 ballot. So you might ask counsel what to  
23 do.

24 MR. DAMSCHRODER: The contest

1 that has more than one candidate is the  
2 County Commissioner O'Grady/Lazarus. The  
3 machine is picking it up as an over vote.

4 It would appear to me to be  
5 consistently voted in a way to indicate  
6 O'Grady. That would be my recommendation.

7 CHAIRMAN PREISSE: That is the  
8 only contestant?

9 MR. DAMSCHRODER: Correct.

10 MR. WHITE: Right.

11 MR. ANTHONY: Mr. Chair, I would  
12 like to make a motion that the Board --

13 CHAIRMAN PREISSE: Let me ask a  
14 question if I may before you complete your  
15 motion, and that is I believe I understand  
16 the staff recommendation to be to remake  
17 the ballot to indicate a vote for John  
18 O'Grady but not in those other --

19 MR. DAMSCHRODER: Correct, but  
20 the Board can.

21 CHAIRMAN PREISSE: -- but the  
22 machine will spit it right back out.

23 MR. DAMSCHRODER: It won't be  
24 over voted for those other contests

1 because there is only one candidate.

2 If the Board determines that is  
3 a vote for Mary Ellen, then we will remake  
4 the vote and add a vote for Mary Ellen.

5 MR. WHITE: That's not the only  
6 thing that was confusing on that ballot.  
7 There are some real dark marks and kind of  
8 light marks.

9 MR. DAMSCHRODER: But the  
10 standard from the statute is if the  
11 majority of marks were made in a  
12 consistent manner.

13 My view is that the mark for  
14 O'Shaughnessy is not consistently made.

15 MR. ANTHONY: Let me reiterate  
16 my motion. I move that the Board remake  
17 the ballot to reflect the voter's intent  
18 and also to show that it was a vote for  
19 John O'Grady.

20 CHAIRMAN PREISSE: Second.

21 MR. WHITE: All in favor?

22 (Unanimous aye)

23 MR. WHITE: Any nays?

24 (No audible response)

1 MR. WHITE: So carried.

2 MR. DAMSCHRODER: Ballot number  
3 4, we have the same situation, a race  
4 between Charleta and Joyce Beatty where  
5 there is an over vote. It is quite  
6 apparent that the voter's intent there was  
7 a vote for Tavares.

8 MR. ANTHONY: Mr. Chair, I would  
9 like to make a motion that the Board  
10 remake this ballot to reflect the voter's  
11 intent to vote for Charleta Tavares in the  
12 15th District.

13 CHAIRMAN PREISSE: Second.

14 MR. WHITE: All in favor?

15 (Unanimous aye)

16 MR. WHITE: Any nays?

17 (No audible response)

18 MR. WHITE: So carried.

19 MR. DAMSCHRODER: Ballot number  
20 5, the voter has consistently marked the  
21 ballot but it was too light for the  
22 machine to pick up. The voter's intent is  
23 clear and consistently marked.

24 MR. ANTHONY: Mr. Chair, I would



1 like to make a motion that the Board  
2 remake this ballot to reflect the voter's  
3 intent.

4 MR. PREISSE: Second.

5 MR. WHITE: All in favor?

6 (Unanimous aye)

7 MR. WHITE: Any nays?

8 (No audible response)

9 MR. WHITE: So carried.

10 MR. DAMSCHRODER: Ballot number  
11 6. There is a foreign mark for Cindy  
12 Lazarus, but the manner of the ballot has  
13 been marked consistently such that it  
14 would appear to be a vote for O'Grady.

15 MR. ANTHONY: Mr. Chair, I would  
16 like to make a motion that the Board  
17 remake this ballot to show a vote for John  
18 O'Grady.

19 CHAIRMAN PREISSE: Second.

20 MR. WHITE: All in favor?

21 (Unanimous aye)

22 MR. WHITE: Any nays?

23 (No audible response)

24 MR. WHITE: So carried.

1           MR. DAMSCHRODER: The next  
2 ballot is number 25. The voter appears to  
3 have voted -- the voter cast their ballot  
4 in pencil. The voter appears to have  
5 voted for the tax levy, but looks like the  
6 voter perhaps tried to erase it but didn't  
7 give any additional marks. You can kind  
8 of see erasure marks. The voter  
9 consistently marked the ballot of the  
10 other contests but not fully and clearly  
11 darkening the ovals.

12           My recommendation will be that  
13 the voter pretended to erase the vote and  
14 it not be recorded as a vote for  
15 anything. But, obviously, it is the  
16 Board's decision.

17           MR. ANTHONY: Mr. Chair, I would  
18 like to make a motion that the Board  
19 remake this ballot to reflect no vote for  
20 the MRDD levy.

21           CHAIRMAN PREISSE: Second.

22           MR. WHITE: All in favor?

23           (Unanimous aye)

24           MR. WHITE: Any nays?

1 (No audible response)

2 MR. WHITE: So carried.

3 MR. DAMSCHRODER: Ballot number

4 26, the ballot was sliced and taped

5 together. It needs to be remade. It is a

6 sliced ballot taped together. The space

7 between the timing marks there is not

8 accurate.

9 MR. ANTHONY: Mr. Chair, I would

10 like to make a motion that the Board

11 remake this entire ballot to reflect the

12 voter's intent.

13 CHAIRMAN PREISSE: Second.

14 MR. WHITE: All in favor?

15 (Unanimous aye)

16 MR. WHITE: Any nays?

17 (No audible response)

18 MR. WHITE: So carried.

19 MR. DAMSCHRODER: Ballot 27,

20 the exact same thing, the ballot has been

21 sliced and they tried to piece it back

22 together again.

23 CHAIRMAN PREISSE: I suppose

24 what's happening is people are opening

1 mail with a knife and cutting it in half.

2 MR. DAMSCHRODER: And in some  
3 circumstances when we are opening them too  
4 we slice them on accident as well.

5 MR. ANTHONY: Mr. Chair, I would  
6 like to make a motion that the Board  
7 remake this entire ballot to reflect the  
8 voter's intent.

9 CHAIRMAN PREISSE: Second.

10 MR. WHITE: All in favor?

11 (Unanimous aye)

12 MR. WHITE: Any nays?

13 (No audible response)

14 MR. WHITE: So carried.

15 MR. DAMSCHRODER: Ballot number  
16 28, the voter appears to have marked with  
17 a very dark, maybe wet marking instrument.  
18 When they pulled out their ballot it got  
19 smudged.

20 The voter intent is clear. The  
21 ballot just got smudged.

22 MR. ANTHONY: Mr. Chair, I move  
23 that the Board remake this entire ballot  
24 to reflect the voter's intent.

1 CHAIRMAN PREISSE: Second.

2 MR. WHITE: All in favor?

3 (Unanimous aye)

4 MR. WHITE: Any nays?

5 (No audible response)

6 MR. WHITE: So carried.

7 MR. DAMSCHRODER: Ballot number  
8 29, there is some fluid on the ballot  
9 that's caused it to smudge a little bit  
10 and also a foreign mark for Lazarus and  
11 against the levy but consistently made for  
12 O'Grady and for the levy.

13 MR. ANTHONY: Mr. Chair, I would  
14 like to make a motion that the Board  
15 remake this entire ballot to reflect the  
16 voter's intent.

17 CHAIRMAN PREISSE: Second.

18 MR. WHITE: All in favor?

19 (Unanimous aye)

20 MR. WHITE: Any nays?

21 (No audible response)

22 MR. WHITE: So carried.

23 MR. DAMSCHRODER: Ballot number  
24 30, the ballot is marked in a consistent

1 and clear manner. There is a water smudge  
2 on the timing marks at the bottom. It  
3 needs to be remade in its entirety.

4 MR. ANTHONY: Mr. Chair, I move  
5 that the Board remake this entire ballot  
6 to reflect the voter's intent.

7 CHAIRMAN PREISSE: Second.

8 MR. WHITE: All in favor?  
9 (Unanimous aye)

10 MR. WHITE: Any nays?  
11 (No audible response)

12 MR. WHITE: So carried.

13 MR. DAMSCHRODER: Ballot number  
14 31, the voter whited out Hillary Clinton  
15 and marked Obama.

16 MR. ANTHONY: Mr. Chair, I would  
17 like to make a motion that the Board  
18 remake this ballot to reflect the vote for  
19 Barack Obama.

20 CHAIRMAN PREISSE: Second.

21 MR. WHITE: All in favor?  
22 (Unanimous aye)

23 MR. WHITE: Any nays?  
24 (No audible response)

1 MR. WHITE: So carried.

2 MR. DAMSCHRODER: Ballot number  
3 32, again a sliced ballot that needs to be  
4 remade.

5 MR. ANTHONY: Mr. Chair, I would  
6 like to move that the Board remake this  
7 entire ballot to reflect the voter's true  
8 intent.

9 CHAIRMAN PREISSE: Second.

10 MR. WHITE: All in favor?

11 (Unanimous aye)

12 MR. WHITE: Any nays?

13 (No audible response)

14 MR. WHITE: So carried.

15 MR. DAMSCHRODER: Next is ballot  
16 number 33, which is torn and water has  
17 smudged the timing marks. You will notice  
18 it is over voted for Obama, Clinton, and  
19 Kucinich.

20 When we remake the ballot we  
21 will note the over votes and the machines  
22 will not count any vote for that contest  
23 only. It is torn and the timing marks are  
24 smudged on the side.

1 CHAIRMAN PREISSE: Just one?

2 MR. DAMSCHRODER: Yes.

3 MR. ANTHONY: Mr. Chair, I move  
4 that the board remake this entire ballot  
5 to reflect an over vote for the  
6 presidential election.

7 CHAIRMAN PREISSE: Second.

8 MR. WHITE: All in favor?

9 (Unanimous aye)

10 MR. WHITE: Any nays?

11 (No audible response)

12 MR. WHITE: So carried.

13 MR. DAMSCHRODER: Ballot number  
14 34, you will see there's a check mark for  
15 Tavares and the oval fully filled in for  
16 Beatty, again, the standard being  
17 consistently marked.

18 The Staff recommendation would  
19 be to count that for Beatty.

20 MR. ANTHONY: Mr. Chair, I move  
21 that the Board remake this ballot to  
22 reflect a vote for Joyce Beatty from the  
23 15th District Central Committee.

24 CHAIRMAN PREISSE: Second.



1 MR. WHITE: All in favor?

2 (Unanimous aye)

3 MR. WHITE: Any nays?

4 (No audible response)

5 MR. WHITE: So carried.

6 MR. DAMSCHRODER: Ballot number  
7 35, the voter filled in both ovals for  
8 O'Grady and for Lazarus and put an X next  
9 to Lazarus, so it's a unique one. I don't  
10 know if the voter was trying to indicate  
11 the X is not for Lazarus or if the X is  
12 indicating who I wanted.

13 MR. ANTHONY: Mr. Chair, I move  
14 that the board remake this ballot to show  
15 an over vote for Franklin County  
16 Commissioner, the race between O'Grady and  
17 Lazarus.

18 CHAIRMAN PREISSE: Second.

19 MR. WHITE: All in favor?

20 (Unanimous aye)

21 MR. WHITE: Any nays?

22 (No audible response)

23 MR. WHITE: So carried.

24 MR. DAMSCHRODER: Ballot number

1 36, the markings are consistently light  
2 and need to be remade.

3 MR. ANTHONY: Mr. Chair, I move  
4 that the Board of Elections remake this  
5 entire ballot to reflect the voter's  
6 intent.

7 CHAIRMAN PREISSE: Second.

8 MR. WHITE: All in favor?  
9 (Unanimous aye)

10 MR. WHITE: Any nays?  
11 (No audible response)

12 MR. WHITE: So carried.

13 MR. DAMSCHRODER: Ballot number  
14 37 is sliced and retaped and needs to be  
15 remade.

16 MR. ANTHONY: Mr. Chair, I move  
17 that the board remake this entire ballot  
18 to reflect the voter's intent.

19 CHAIRMAN PREISSE: Second.

20 MR. WHITE: All in favor?  
21 (Unanimous aye)

22 MR. WHITE: Any nays?  
23 (No audible response)

24 MR. WHITE: The motion carries.

1           MR. DAMSCHRODER: The next one  
2 is ballot number 38, and a chunk of the  
3 bottom of the ballot is missing, omitting  
4 the timing marks. But all of the votes  
5 are there and clear and consistently  
6 marked.

7           MR. ANTHONY: Mr. Chair, I move  
8 that the Board remake this entire ballot  
9 to reflect the voter's intent.

10          CHAIRMAN PREISSE: Second.

11          MR. WHITE: All in favor?

12                 (Unanimous aye)

13          MR. WHITE: Any nays?

14                 (No audible response)

15          MR. WHITE: So carried.

16          MR. DAMSCHRODER: Ballot number  
17 39 is cut and taped and needs to be  
18 remade.

19          MR. PICCININNI: On those that  
20 are cut, is there a way to bunch them  
21 together?

22          MR. WHITE: Maybe we could  
23 redirect it.

24          MR. ANTHONY: Mr. Chair, I move

1 that the Board remake this entire ballot  
2 to reflect the voter's intent.

3 CHAIRMAN PREISSE: Second.

4 MR. WHITE: All in favor?

5 (Unanimous aye)

6 MR. WHITE: Any nays?

7 (No audible response)

8 MR. WHITE: So carried.

9 MR. DAMSCHRODER: Ballot number  
10 40, there is a stray mark in the Lazarus  
11 contest, but the ballot is consistently  
12 marked with voter's intent for O'Grady.

13 MR. ANTHONY: Mr. Chair, I would  
14 like to make a motion that the Board  
15 remake this ballot to show that the  
16 voter's intent was for John O'Grady for  
17 County Commissioner.

18 CHAIRMAN PREISSE: Second.

19 MR. WHITE: All in favor?

20 (Unanimous aye)

21 MR. WHITE: So carried.

22 MR. DAMSCHRODER: Ballot number  
23 41, there is a water mark over the contest  
24 for coroner for Gorniak, but the voter did

1 not make a vote there.

2 MS. MARINELLO: When will these  
3 be remade?

4 MR. DAMSCHRODER: Tomorrow and  
5 Wednesday.

6 MR. ANTHONY: Mr. Chair, I would  
7 like to make a motion that the Board  
8 remake this ballot to reflect there was a  
9 no vote cast for Jan Gorniak.

10 CHAIRMAN PREISSE: Second.

11 MR. WHITE: All in favor?

12 (Unanimous aye)

13 MR. DAMSCHRODER: Ballot number  
14 42, there is a light mark for Lazarus but  
15 the ballot is marked in a consistent  
16 manner throughout as a vote for O'Grady.

17 MR. ANTHONY: Mr. Chair, I would  
18 like to make a motion that the Board  
19 remake this ballot to indicate the voter's  
20 intent to vote for John O'Grady.

21 CHAIRMAN PREISSE: Second.

22 MR. WHITE: All in favor?

23 (Unanimous aye)

24 MR. WHITE: The motion carries.

1           MR. DAMSCHRODER: Ballot number  
2    43, an over vote in the contest for  
3    President. They marked an X through  
4    Edwards and marked the ballot consistently  
5    for Clinton.

6           MR. ANTHONY: Mr. Chair, I would  
7    like to make a motion that the Board  
8    remake this ballot to indicate an over  
9    vote for President.

10          MR. DAMSCHRODER: The Staff  
11    recommendation is to record this as a vote  
12    for Clinton since it is consistently  
13    marked throughout the ballot ovals.

14          MR. ANTHONY: Mr. Chair, I would  
15    like to move that the Board remake this  
16    ballot as a vote for Hillary Clinton.

17          CHAIRMAN PREISSE: Second.

18          MR. WHITE: All in favor?

19                 (Unanimous aye)

20          MR. WHITE: So carried.

21          MR. DAMSCHRODER: Ballot number  
22    44 has a stray mark for O'Grady but is  
23    clearly marked for Lazarus.

24          MR. ANTHONY: Mr. Chair, I would

1 like to move that the Board remake this  
2 ballot to indicate a vote for Cindy  
3 Lazarus.

4 CHAIRMAN PREISE: Second.

5 MR. WHITE: All in favor?

6 (Unanimous aye)

7 MR. WHITE: The motion carries.

8 MR. DAMSCHRODER: We have been  
9 at this for an hour. I don't know if we  
10 want to take a stretch.

11 (Brief break taken)

12 CHAIRMAN PREISSE: Back on the  
13 record. We are out of recess. Because  
14 you have made enough progress, I think we  
15 can begin.

16 MR. DAMSCHRODER: We have  
17 several different stacks here.

18 For the record during the recess  
19 the question was posed to the Secretary of  
20 State's representative about whether or  
21 not we can categorize the ballots that  
22 were before the Board today in order to  
23 speed the process along.

24 I think it would be good to have

1 intent issue?

2 Can we categorize those as well?

3 MR. WHITE: We are talking  
4 about, say, they are light marks.

5 MS. THOMSEN: If it's all light  
6 and it's very clear what the voter's  
7 intent is, I think you could categorize  
8 them. If you can't tell which person they  
9 actually voted for, the Board should vote  
10 on these individually if there is a true  
11 question.

12 CHAIRMAN PREISSE: Thank you,  
13 Katherine.

14 MR. DAMSCHRODER: Well, back  
15 then to the task at hand. We will be able  
16 to eliminate a lot of the ballots but not  
17 all of them.

18 The first category that we have  
19 are ballots that are too light to read or  
20 that have been damaged or have cuts or  
21 water mark smudges on them, but other than  
22 that, the voter's intent is absolutely  
23 clear and consistently marked throughout  
24 the ballot.



1           CHAIRMAN PREISSE:  So they are  
2 consistently marked and there is no double  
3 or over voting.

4           MR. DAMSCHRODER:  That's  
5 correct.

6           MR. PICCININNI:  Do we know how  
7 many ballots we are dealing with in that  
8 stack?

9           MR. DAMSCHRODER:  We could read  
10 all the numbers into the record if you  
11 would like.

12           MR. PICCININNI:  We probably  
13 should do that so we know, and I hate to  
14 do that because it's going to slow it  
15 up.

16           MR. DAMSCHRODER:  That's all  
17 right.

18                   Ballot number 45, ballot number  
19 48, ballot number 56, ballot number 57,  
20 ballot number 58, ballot number 75, ballot  
21 number 76, ballot number 82, ballot number  
22 100, 105, 110, 118, 124, 129, 131, 133,  
23 139, 146, 149, 152, 157, 158, 160, 162,  
24 164, 166, 167, 170, 173, 180, 185, 188,

1 193, 202, 206, 212, 223, 226, 238, 249,  
2 257, 49, 51, 70, 71, 73, 77, 78, 88, 89,  
3 91, 95, 96, 107, 111, 126, 127, 128, 132,  
4 135, 136, 148, 155, 156, 161, 165, 175,  
5 187, 197, 217, 224, 229, 241, 250, 251,  
6 252, 253, and 258.

7 MR. WHITE: Just so it's clear,  
8 can you tell what this stack represents?

9 MR. DAMSCHRODER: This stack is  
10 all ballots, absentee ballots, Democrat  
11 absentee ballots that were torn, smudged,  
12 or had markings that were too light to be  
13 able to tell.

14 There are no voter intent  
15 questions there. All of them have been  
16 clearly and consistently marked.

17 MR. ANTHONY: Mr. Chair, I would  
18 like to make a motion that the Board  
19 remake the ballots that were just read  
20 into the record to reflect the voters'  
21 intent.

22 CHAIRMAN PREISSE: I will second  
23 that.

24 MR. WHITE: All in favor?

1 MR. DAMSCHRODER: That works for  
2 me.

3 MR. ANTHONY: These are all for  
4 the levy, Issue 29.

5 MR. PICCININNI: If someone has  
6 a question on a particular one, take that  
7 one out of the stack and we will deal with  
8 that one individually.

9 Does that make sense?

10 (Affirmative nods)

11 (Board review of ballots)

12 MR. ANTHONY: Mr. Chair, I move  
13 that the following ballots be remade by  
14 the Board to reflect a vote for Issue 29,  
15 the following ballots as evidenced by the  
16 voters' intent. The numbers are 240, 230,  
17 228, 222, 215, 208, 191, 177, 169, 114,  
18 99, 81, and 79.

19 MR. WHITE: Do I hear a second?

20 MS. MARINELLO: I second.

21 MR. WHITE: All in favor?

22 (Unanimous aye)

23 MR. WHITE: Any nays?

24 (No audible response)

1 MR. WHITE: So carried.

2 MR. DAMSCHRODER: The next  
3 category are ballots, the same situation,  
4 where the voter intent question is on  
5 Issue 29. The Staff's recommendation is  
6 that these be recorded as votes against  
7 the levy.

8 (Board review of ballots)

9 MR. ANTHONY: Mr. Chair, I move  
10 that the Board remake the following  
11 ballots. Upon the review and inspection  
12 of these ballots that it was the voter  
13 intent to vote no for Issue 29. The  
14 numbers are 244, 232, 184, 181, 154, 121,  
15 113, 101, 98, 80, and 69.

16 CHAIRMAN PREISSE: Second.

17 MR. WHITE: All in favor?

18 (Unanimous aye)

19 MR. WHITE: Any nays?

20 (No audible response)

21 MR. WHITE: The motion carries.

22 MR. DAMSCHRODER: The next are  
23 three ballots where the contest in  
24 question is the Representative for

1 Congress from the 12th District.

2 The Staff recommendation would  
3 be to remake as recording votes for  
4 Robinson.

5 (Board review of ballots)

6 MR. ANTHONY: Mr. Chair, I move  
7 that upon review and inspection of the  
8 ballots that the Board remake the  
9 following ballots to reflect the voters'  
10 intent to vote for Robinson, David  
11 Robinson, for Representative of the 12th  
12 District. The numbers are 103, 179, and  
13 60.

14 CHAIRMAN PREISSE: Second.

15 MR. WHITE: All in favor?

16 (Unanimous aye)

17 MR. WHITE: Any nays?

18 (No audible response)

19 MR. WHITE: The motion carries.

20 MR. DAMSCHRODER: Next, again,  
21 is for Representative for Congress from  
22 the 12th District. These would all be  
23 votes that the Staff would recommend be  
24 recorded as for Goodwin.

1 Congress.

2 I move that the Board remake  
3 this ballot to evidence that vote. This  
4 is ballot number 246.

5 CHAIRMAN PREISSE: Second.

6 MR. WHITE: All in favor?

7 (Unanimous aye)

8 MR. WHITE: Any nays?

9 (No audible response)

10 MR. WHITE: Motion carries.

11 MR. DAMSCHRODER: The next is  
12 20th District State Representative appears  
13 to be a vote for Campbell.

14 (Board review of ballot)

15 MR. ANTHONY: Mr. Chair, upon  
16 review and inspection it appears that the  
17 intent of the voter was to vote for Bev  
18 Campbell for the 20th House seat.

19 I move that the board remake  
20 this ballot. The number is ballot 254.

21 CHAIRMAN PREISSE: Second.

22 MR. WHITE: All in favor?

23 (Unanimous aye)

24 MR. WHITE: Motion carries.

1 MR. DAMSCHRODER: The next one  
2 is for member of the Central Committee  
3 from the 15th District. It appears to be  
4 a vote for Tavares, T-a-v-a-r-e-s.

5 (Board review of ballot)

6 MR. ANTHONY: Mr. Chair, upon  
7 review and inspection it appears the  
8 intent of the voter was to vote for  
9 Charleta Tavares.

10 I move that the ballot number 53  
11 be remade to evidence that vote.

12 CHAIRMAN PREISSE: Second.

13 MR. WHITE: All in favor?

14 (Unanimous aye)

15 MR. WHITE: Any nays?

16 (No audible response)

17 MR. WHITE: Motion carries.

18 MR. DAMSCHRODER: The next one  
19 is 7th Congressional District. It appears  
20 to be a vote for Bill Conner, C-o-n-n-e-r.

21 (Board review of ballot)

22 MR. ANTHONY: Mr. Chair, upon  
23 review and inspection it appears that the  
24 intent of the voter was to vote for Bill

1 Conner.

2 I move that the Board remake  
3 ballot number 182 to evidence that vote in  
4 the 7th Congressional District.

5 CHAIRMAN PREISSE: Second.

6 MR. WHITE: All in favor?

7 (Unanimous aye)

8 MR. WHITE: Any nays?

9 (No audible response)

10 MR. WHITE: The motion carries.

11 MR. DAMSCHRODER: The next one  
12 is for member of the Central Committee  
13 16th District, appears to be a vote for  
14 Mr. Ginther, G-i-n-t-h-e-r.

15 (Board review of ballot)

16 MR. ANTHONY: Mr. Chair, upon  
17 review and inspection by the Board it  
18 appears that the intent of the voter was  
19 to vote for Andy Ginther, a member of the  
20 State Central Committee, 16th District.

21 I move that ballot number 211 be  
22 remade to evidence that vote.

23 CHAIRMAN PREISSE: Second.

24 MR. WHITE: All in favor?



1 (Unanimous aye)

2 MR. WHITE: Any nays?

3 (No audible response)

4 MR. WHITE: The motion carries.

5 MR. DAMSCHRODER: The next set  
6 on all contests is County Commissioner  
7 between Lazarus and O'Grady where there is  
8 an over vote. The recommendation of Staff  
9 is that you find these as we have to be  
10 votes for Lazarus.

11 (Board review of ballots)

12 MR. ANTHONY: Mr. Chair, upon  
13 review and inspection of these ballots it  
14 appears that the intent of the voter was  
15 to vote for Cindy Lazarus.

16 I move that the Board remake the  
17 following ballots to evidence that vote.  
18 The numbers are 47, 61, 86, 83, 109, 115,  
19 120, 122, 141, 142, 159, 163, 171, 174,  
20 186, 195, 196, 207, 216, 225, 234, 247,  
21 and 261.

22 CHAIRMAN PREISSE: Second.

23 MR. WHITE: All in favor?

24 (Unanimous aye)

1 MR. WHITE: Any nays?

2 (No audible response)

3 MR. WHITE: Motion carries.

4 MR. DAMSCHRODER: The next  
5 stack, the votes were for the same  
6 contest. They appear to be votes for  
7 O'Grady.

8 (Board review of ballots)

9 MR. ANTHONY: Mr. Chair, upon  
10 review and inspection of the following  
11 ballots it appears that the intent of the  
12 voter was to vote for John O'Grady for a  
13 full-term Commissioner.

14 I move that the Board remake the  
15 following ballots to evidence that vote.  
16 The numbers are 52, 64, 67, 74, 87, 92,  
17 102, 104, 130, 138, 168, 189, 198, 201,  
18 203, 209, 214, 218, 227, 236, 239, 243,  
19 256, and 259.

20 CHAIRMAN PREISSE: I second that  
21 motion.

22 MR. WHITE: All in favor?

23 (Unanimous aye)

24 MR. WHITE: Any nays?

1 (No audible response)

2 MR. WHITE: The motion carries.

3 MR. DAMSCHRODER: The next set  
4 are all over votes in the contest for  
5 judge for the Court of Appeals, 10th  
6 District between Brown and Parks. The  
7 Staff recommendation would be to find in  
8 favor of votes for Brown.

9 (Board review of ballots)

10 MR. ANTHONY: Mr. Chair, upon  
11 review and inspection it appears that the  
12 intent of the voter was to vote for Edward  
13 Y. Parks for Judge in the Court of Common  
14 Pleas, 10th District -- I mean for Brown,  
15 Richard Brown, for a full term commencing  
16 7/1/2009.

17 I move that the Board remake the  
18 following ballots to evidence that vote.  
19 The numbers are 68, 85, 153, 213, 219, and  
20 255.

21 CHAIRMAN PREISSE: I will second  
22 that.

23 MR. WHITE: All in favor?

24 (Unanimous aye)

1 MR. WHITE: Any nays?

2 (No audible response)

3 MR. WHITE: The motion passes.

4 MR. DAMSCHRODER: The next are  
5 all over votes for President. They appear  
6 to be votes for Obama.

7 (Board review of ballot)

8 MR. ANTHONY: Mr. Chair, upon  
9 review and inspection it appears the  
10 intent of the voter was to vote for Barack  
11 Obama.

12 I move that the Board remake the  
13 following ballots to evidence that vote.  
14 The numbers are 54, 72, 90, 108, 137, 140,  
15 150, 151, 176, 183, 220, 231, 233, 237,  
16 242, 248, and 260.

17 CHAIRMAN PREISSE: Second.

18 MR. WHITE: All in favor?

19 (Unanimous aye)

20 MR. WHITE: Any nays?

21 (No audible response)

22 MR. WHITE: The motion carries.

23 MR. DAMSCHRODER: The same  
24 contest, the vote appears to be for John

1 117, 119, 125, 134, 144, 172, 192, 194,  
2 199, 200, 204, 205, 210, 221, 235, and  
3 245.

4 CHAIRMAN PREISSE: Second.

5 MR. WHITE: All in favor?

6 (Unanimous aye)

7 MR. WHITE: The motion  
8 carries.

9 MR. DAMSCHRODER: Now, we turn  
10 to the Republican absentee ballots. The  
11 first ballot appears to be over voted in  
12 two contests from the 7th Congressional  
13 District. It appears the vote voted for  
14 Huckabee and then also for a member of the  
15 State Central Committee manned 15th  
16 District where the voter appears to have  
17 voted for Regan.

18 We will have to do a roll call  
19 vote on this one, Mr. Director.

20 MR. PICCININNI: You actually  
21 don't need to do a roll call vote. You  
22 can do yeas, nays, and abstentions.

23 (Board review of ballot)

24 MR. ANTHONY: Upon review and

1 inspection it appears that the intent of  
2 the voter on this ballot was to vote for  
3 Joseph Regan for member of the State  
4 Central Committee 15th District for the  
5 Republican Party.

6 I move --

7 MR. DAMSCHRODER: Bill, there is  
8 also an over vote for district for  
9 President.

10 MR. ANTHONY: I see that now.

11 And also the intent of the voter  
12 was to -- looks like an over vote but  
13 looks like the intent was for Mike  
14 Huckabee.

15 I move that ballot number 343 be  
16 remade to evidence those votes.

17 MS. MARINELLO: Second.

18 MR. WHITE: All in favor?

19 CHAIRMAN PREISSE: I abstain.

20 MS. MARINELLO: Aye.

21 MR. COLLEY: Aye.

22 MR. ANTHONY: Aye.

23 MR. WHITE: Any nays?

24 (No audible response)

1 MR. WHITE: The motion carries.

2 MR. DAMSCHRODER: The next is an  
3 over voted ballot for a member of the  
4 State Central Committee manned Third  
5 District. It appears to be a vote for  
6 Bill Todd.

7 (Board review of ballot)

8 MR. ANTHONY: Upon review and  
9 inspection of the ballot it appears the  
10 intent of the voter was to vote for Bill  
11 Todd for member of State Central Committee  
12 Third District manned.

13 I move that the board remake  
14 ballot number 466 to evidence that vote.

15 CHAIRMAN PREISSE: Second.

16 MR. WHITE: All in favor?

17 (Unanimous aye)

18 MR. WHITE: Any nays?

19 (No audible response)

20 MR. WHITE: The motion carries.

21 MR. DAMSCHRODER: The next is  
22 for the State Central Committee manned  
23 Third District, which appear to be votes  
24 for David Payne, P-a-y-n-e.

1 (Board review of ballots)

2 MR. ANTHONY: Mr. Chair, upon  
3 review and inspection of the following  
4 ballots it appeared the intent of the  
5 voters on these ballots was to vote for  
6 David Payne for member of State Central  
7 Committee manned Third District.

8 I move that the Board remake the  
9 following ballots to evidence that vote;  
10 number 520, 357, and 325.

11 CHAIRMAN PREISSE: Second.

12 MR. WHITE: All in favor?

13 (Unanimous aye)

14 MR. WHITE: Any nays?

15 (No audible response)

16 MR. WHITE: The motion carries.

17 MR. DAMSCHRODER: This is ballot  
18 460. The over vote contest is a member of  
19 County Central Committee, Hilliard Ward  
20 4. The vote appears to be a vote for Kim  
21 Allison.

22 (Board review of vote)

23 MR. ANTHONY: Mr. Chair, upon  
24 review and inspection of the ballot it



1 ballot number 302, 331, 360, 361, 370,  
2 376, 377, 383, 387, 396, 427, 492, 498,  
3 451, 505, 463, 476, and 486.

4 CHAIRMAN PREISSE: Second.

5 MR. WHITE: All in favor?

6 (Unanimous aye)

7 MR. WHITE: Any nays?

8 (No audible response)

9 MR. WHITE: The motion carries.

10 MR. DAMSCHRODER: The next is  
11 the same contest. They appear to be votes  
12 against the tax levy, Issue 29.

13 CHAIRMAN PREISSE: Let's take a  
14 short break.

15 (Brief break taken)

16 (Board review of ballots)

17 MR. ANTHONY: Mr. Chairman, upon  
18 review and inspection it appears the  
19 intent of the voter was to vote against  
20 number 29, the proposed MRDD levy.

21 I move that the Board remake the  
22 following ballots to evidence that vote;  
23 number 306, 321, 328, 330, 393, 398, 525,  
24 and 475.

1 CHAIRMAN PREISSE: Second.

2 MR. WHITE: All in favor?

3 (Unanimous aye)

4 MR. WHITE: Any nays?

5 (No audible response)

6 MR. WHITE: So carried.

7 MR. DAMSCHRODER: The next  
8 contest was Issue 23. The vote appears to  
9 be for the levy.

10 (Board reviews ballot)

11 MS. MARINELLO: For the levy or  
12 against?

13 MR. DAMSCHRODER: Appears to be  
14 for.

15 MR. ANTHONY: Mr. Chair, upon  
16 review and inspection it appears that the  
17 intent of the voter was to vote for the  
18 proposed tax levy for Perry Township,  
19 number 23.

20 I move that the Board remake  
21 ballot number 478 to evidence that vote.

22 CHAIRMAN PREISSE: Second.

23 MR. WHITE: All in favor?

24 (Unanimous aye)

1 MR. WHITE: Any nays?

2 (No audible response)

3 MR. WHITE: Motion carries.

4 MR. DAMSCHRODER: The next one  
5 has foreign marks, but it's Issue 26.

6 The Staff would recommend it be  
7 counted for the levy.

8 (Board reviews ballot)

9 MR. ANTHONY: Mr. Chair, upon  
10 review and inspection it appears the  
11 intent of the voter was to vote for Issue  
12 number 26, the proposed tax levy for  
13 Hilliard City School District.

14 I move that the Board remake  
15 ballot number 373 to evidence that vote --  
16 375 to evidence that vote.

17 CHAIRMAN PREISSE: Second.

18 MR. WHITE: All in favor?

19 (Unanimous aye)

20 MR. WHITE: Any nays?

21 (No audible response)

22 MR. WHITE: The motion carries.

23 MR. DAMSCHRODER: The next one  
24 is Issue 4B as in boy. It appears to be a

1 vote against the local liquor option.

2 (Board reviews ballot)

3 MR. ANTHONY: Mr. Chair, upon  
4 review and inspection it appears the  
5 intent of the voter was to vote no for  
6 Issue 4B, Special Election by Petition.

7 I move that the Board remake  
8 ballot number 316 to evidence that vote.

9 CHAIRMAN PREISSE: Second.

10 MR. WHITE: All in favor?

11 (Unanimous aye)

12 MR. WHITE: Any nays?

13 (No audible response)

14 MR. WHITE: So carried.

15 MR. DAMSCHRODER: The next one,  
16 we are on to the Presidential contest. It  
17 appears to be over voted.

18 The Staff recommends votes for  
19 Ron Paul.

20 (Board reviews ballot)

21 MR. ANTHONY: Mr. Chair, upon  
22 review and inspection it appears the  
23 intent of the voters was to vote for Ron  
24 Paul.

1 I move that the Board remake the  
2 following ballots to evidence that vote;  
3 ballot number 372, 298, and 278.

4 CHAIRMAN PREISSE: Second.

5 MR. WHITE: All in favor?

6 (Unanimous aye)

7 MR. WHITE: Any nays?

8 (No audible response)

9 MR. WHITE: The motion carries.

10 MR. DAMSCHRODER: The next one  
11 appears to be votes for the presidential  
12 contest for Rudy Giuliani, which we know  
13 now is spelled G-i-u-l-i-a-n-i.

14 (Board review of ballots)

15 MR. ANTHONY: Mr. Chair, upon  
16 review and inspection it appears the  
17 intent of the voter was to vote for Rudy  
18 Giuliani.

19 I move that the Board remake the  
20 following ballots to evidence that vote.  
21 It will be ballot number 414 and ballot  
22 number 326.

23 CHAIRMAN PREISSE: Second.

24 MR. WHITE: All in favor?

1 (Unanimous aye)

2 MR. WHITE: Any nays?

3 (No audible response)

4 MR. WHITE: The motion carries.

5 MR. DAMSCHRODER: The next one

6 again is an over voted contest for

7 President. It appears to be votes for

8 Fred Thompson.

9 (Board reviews ballot)

10 MR. ANTHONY: Mr. Chair, upon

11 review and inspection it appears the

12 intent of the voter was to vote for Fred

13 Thompson.

14 I move that the following

15 ballots be remade to evidence that vote;

16 ballot number 456, ballot number 415, and

17 ballot number 323.

18 CHAIRMAN PREISSE: Second.

19 MR. WHITE: All in favor?

20 (Unanimous aye)

21 MR. WHITE: Any nays?

22 (No audible response)

23 MR. WHITE: The motion carries.

24 MR. DAMSCHRODER: The next over

1 voted contest for president appears to be  
2 for Romney.

3 To speed this up, after you look  
4 at one, pass it on to the next person.  
5 Once each Board member looks at one page,  
6 then hand it off to the next person.

7 (Board review of ballots)

8 MR. ANTHONY: Mr. Chair, upon  
9 review and inspection of the following it  
10 appears that the intent of the voter was  
11 to vote for Mitt Romney.

12 I move that the following  
13 ballots be remade to evidence that vote;  
14 ballot number 337, 421, 429, and 449.

15 CHAIRMAN PREISSE: Second.

16 MR. WHITE: All in favor?

17 (Unanimous aye)

18 MR. WHITE: Any nays?

19 (No audible response)

20 MR. WHITE: The motion carries.

21 MR. DAMSCHRODER: The next stack  
22 are ballots for Huckabee.

23 - - - - -

24 Thereupon, the first portion

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CERTIFICATE

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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 April, 2008.

Patricia W. White

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

My commission expires May 30, 2012.