

1 APPEARANCES:

2 Franklin County Prosecuting Attorney
3 373 South High Street
4 13th Floor
5 Columbus, Ohio 43215
6 By Mr. Patrick J. Piccininni,
7 Assistant County Prosecutor,

8 On behalf of the Board of Elections.

9 ALSO PRESENT:

10 Mr. Dennis L. White, Director
11 Mr. Matthew Damschroder, Deputy Director
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P R O C E E D I N G S
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BOARD MEMBER ANTHONY: Mr. Chair, upon review and inspection, it appears the intent of the voter was to vote for Mike Huckabee.

I move that the following ballots be remade to evidence that vote. And it would be Ballot No. 365, 358, 332, 299, 287, 274, 487, 530, 529, 472, 468, 467, 514, 509, 423, 392, 386, 411, 407, and 405.

CHAIRMAN PREISSE: And I second the motion.

DIRECTOR WHITE: All in favor?
(Board votes aye unanimously.)

DIRECTOR WHITE: Any nay's?
(No response.)

DIRECTOR WHITE: Motion carries.

DEPUTY DIRECTOR DAMSCHRODER: The next stack. Again, president overvoted contest would be a recommendation for John McCain. The first ballot is the person just X'd through all the contests, which is what's causing it to be kicked out. But it's clearly a vote for McCain.

1 BOARD MEMBER ANTHONY: For McCain?

2 DEPUTY DIRECTOR DAMSCHRODER: Yeah.

3 CHAIRMAN PREISSE: Michael, do you
4 want to pass them down as you look at them one by
5 one and --

6 BOARD MEMBER COLLEY: Sure.

7 CHAIRMAN PREISSE: I think it might go
8 faster.

9 BOARD MEMBER COLLEY: Do you think it
10 would?

11 CHAIRMAN PREISSE: As long as you keep
12 us categorically segregated, I think we can
13 be -- we can still do it quicker and just as
14 effectively here. And, of course, I've got to
15 follow my own suggestion for it to work.

16 BOARD MEMBER ANTHONY: Mr. Chairman,
17 upon review and inspection, it appears the intent
18 of the voter was to vote for John McCain.

19 I move that the following ballots be
20 remade to evidence that vote: Ballot No. 286,
21 283, 277, 455, 276, 289, 301, 303, 304, 318, 314,
22 309, 305, 351, 359, 322, 336, 327, 408, 403, 379,
23 363, 373, 397, 395, 391, 418, 413, 431, 428, 401,
24 400, 502, 499, 494, 510, 508, 457, 454, 459, 512,

1 515, 461, 516, 517, 519, 522, 470, 524, 473, 477,
2 484, 488, and 490.

3 CHAIRMAN PREISSE: And I second the
4 motion.

5 All in favor, say aye.

6 (Board votes aye unanimously.)

7 DEPUTY DIRECTOR DAMSCHRODER: Motion
8 carries.

9 DIRECTOR WHITE: Motion carries.

10 MR. DAMSCHRODER: The next one is
11 Rankin.

12 BOARD MEMBER ANTHONY: Mr. Chair, upon
13 review and inspection, it appears the intent of
14 the voter was to vote for Kim Rankin for State
15 Representative of the 24th District. I move that
16 the following ballot be remade to evidence that
17 vote. That would be Ballot No. 417.

18 CHAIRMAN PREISSE: Second.

19 DIRECTOR WHITE: All in favor?

20 (Board votes aye unanimously.)

21 DIRECTOR WHITE: Any nay's?

22 (No response.)

23 DIRECTOR WHITE: Motion carries.

24 DEPUTY DIRECTOR DAMSCHRODER: The next

1 big stack are all ballots that have to be remade
2 either because they're cut, torn, watermarked,
3 taped, too light. But in each of the cases, the
4 voters' intent is exceptionally clear, and there
5 is not a question about that. So I can read the
6 numbers in the resolution or you can.

7 BOARD MEMBER ANTHONY: It doesn't
8 matter to me, Matt. So we should just make a
9 motion?

10 DEPUTY DIRECTOR DAMSCHRODER: Yep.

11 BOARD MEMBER ANTHONY: Mr. Chair, I
12 move -- upon review and inspection, it appears
13 that the intent of the voter --

14 CHAIRMAN PREISSE: Do you want me to
15 do it and give you a break?

16 BOARD MEMBER ANTHONY: No. It's the
17 intent of the -- to remake these entire ballots
18 to reflect the intent of the voter. I'm okay for
19 now.

20 419, 399, 495, 496, 497, 500, 446,
21 445, 444, 443, 441, 440, 439, 438, 437, 436, 435,
22 434, 433, 432, 425, 424, 422, 389, 280, 275, 378,
23 282, 285, 291, 297, 320, 324, 333, 334, 340, 342,
24 344, 346, 347, 348, 353, 313, 354, 355, 356, 362,

1 364, 367, 368, 369, 374, 380, 381, 410, 290, 284,
2 412, 382, 384, 416, 504, 483, 452, 506, 507, 453,
3 511, 518, 465, 421, 523, 469, 471, 528, 479, 480,
4 481, 404, 531, 533, 485, 489, 312, 311, 310, 308,
5 394, 448, 526, 442, and 341.

6 CHAIRMAN PREISSE: And I second the
7 motion.

8 DIRECTOR WHITE: All in favor?
9 (Board votes aye unanimously.)

10 DIRECTOR WHITE: Any nay's?
11 (No response.)

12 DIRECTOR WHITE: The motion carries.

13 DEPUTY DIRECTOR DAMSCHRODER: The next
14 set are overvoted contests, is county -- oh, I'm
15 sorry -- Clerk of Courts. These appear to be for
16 Phil Harmon.

17 They're a little bit difficult
18 because, in some of -- on some of these ballots,
19 it's on the front; and other times, it's on the
20 back. So you might have to flip back and forth
21 if it looks a little bit weird to you.

22 BOARD MEMBER ANTHONY: Mr. Chair, upon
23 review and inspection, it appears the intent of
24 the voter was to vote for Phil Harmon for Clerk

1 of Common Pleas.

2 I move that the following ballots be
3 remade to evidence that vote. That would be
4 Ballot No. 462, 394, 458, 352, 493, 503, and 350.

5 CHAIRMAN PREISSE: I second the
6 motion.

7 DIRECTOR WHITE: All in favor?

8 (Board votes aye unanimously.)

9 DIRECTOR WHITE: Any nay's?

10 (No response.)

11 DIRECTOR WHITE: So moved.

12 DEPUTY DIRECTOR DAMSCHRODER: The next
13 section are for Representative Congress, 15th
14 Congressional District. They appear to be votes
15 for Stivers.

16 BOARD MEMBER ANTHONY: Mr. Chair --

17 CHAIRMAN PREISSE: Yes.

18 BOARD MEMBER ANTHONY: -- upon review
19 and inspection, it appears the intent of the
20 voter was to vote for Steve Stivers for
21 Representative to Congress, the 15th District.

22 I move that the following ballots be
23 remade to evidence that vote: Ballot No. 534,
24 335, 464, and 482.

1 CHAIRMAN PREISSE: Second the motion.

2 DIRECTOR WHITE: All in favor?

3 (Board votes aye unanimously.)

4 DIRECTOR WHITE: Nay?

5 (No response.)

6 DIRECTOR WHITE: Motion carries.

7 DEPUTY DIRECTOR DAMSCHRODER: Again,
8 15th Congressional District, votes that appear to
9 be for Wagner, W-a-g-n-e-r.

10 BOARD MEMBER ANTHONY: Mr. Chair, upon
11 review and inspection, it appears the intent of
12 the voter was to vote for Robert Wagner for
13 Representative to the 15th District.

14 I move that the Board remake the
15 following ballots to evidence that vote: No. 501,
16 366, 373, 271, 269 --

17 DEPUTY DIRECTOR DAMSCHRODER: Hold on.
18 I think that --

19 MR. PICCININNI: No. Sorry.

20 BOARD MEMBER ANTHONY: And 269 -- no,
21 no. And what was the last one?

22 MR. PICCININNI: 271 was the last one.

23 BOARD MEMBER ANTHONY: And 271 was the
24 last one.

1 DEPUTY DIRECTOR DAMSCHRODER: I'm
2 sorry. I got ahead of you.

3 BOARD MEMBER ANTHONY: Mr. Chair, upon
4 review --

5 MR. PICCININNI: Wait. There's a
6 motion on the --

7 CHAIRMAN PREISSE: Second.

8 DIRECTOR WHITE: All in favor?
9 (Board votes aye unanimously.)

10 DIRECTOR WHITE: Any nay's?
11 (No response.)

12 DIRECTOR WHITE: So moved.

13 DEPUTY DIRECTOR DAMSCHRODER: The next
14 one is 12th Congressional District for Tiberi,
15 T-i-b-e-r-i.

16 BOARD MEMBER ANTHONY: Mr. Chair, upon
17 review and inspection, it appears the intent of
18 the voter was to vote to Pat Tiberi for
19 Representative to Congress, the 12th District.

20 I move that the following ballots be
21 remade to evidence that vote: No. 269, 317, and
22 385.

23 CHAIRMAN PREISSE: Second.

24 DIRECTOR WHITE: All in favor?

1 (Board votes aye unanimously.)

2 DIRECTOR WHITE: Any nay's?

3 (No response.)

4 DIRECTOR WHITE: Motion carries.

5 DEPUTY DIRECTOR DAMSCHRODER: Also,
6 12th Congressional District appears to be for
7 David Ryon, R-y-o-n.

8 BOARD MEMBER ANTHONY: Mr. Chair, upon
9 review and inspection, it appears the intent of
10 the voter was to vote for David Ryon, R-y-o-n,
11 for the 12th Representative to Congress, the 12th
12 District. I move that the Board remake Ballot
13 No. 420 to evidence that vote.

14 CHAIRMAN PREISSE: Second.

15 DIRECTOR WHITE: All in favor?

16 (Board votes aye unanimously.)

17 DIRECTOR WHITE: Any nay's?

18 (No response.)

19 DIRECTOR WHITE: And the motion
20 carries.

21 DEPUTY DIRECTOR DAMSCHRODER: The next
22 set is for Clerk of the Court of Common Pleas,
23 appear to be votes for Dorothy Teater.

24 BOARD MEMBER ANTHONY: Mr. Chair, upon

1 review and inspection, it appears the intent of
2 the voter was to vote for Ms. Dorothy S. Teater
3 for Clerk of Common Pleas.

4 I move that the Board remake the
5 following ballots to evidence that vote: No. 292,
6 293, 270, 329, 426, and 491.

7 CHAIRMAN PREISSE: Second.

8 DIRECTOR WHITE: All in favor?

9 (Board votes aye unanimously.)

10 DIRECTOR WHITE: Any nay's?

11 (No response.)

12 DIRECTOR WHITE: Motion carries.

13 DEPUTY DIRECTOR DAMSCHRODER: The next
14 contest is Member of State Central Committee,
15 Male, 15th District. They appear to be a vote
16 for Preisse.

17 BOARD MEMBER ANTHONY: Oh, one?

18 BOARD MEMBER MARINELLO: Yeah, it's
19 Preisse.

20 DEPUTY DIRECTOR DAMSCHRODER:

21 P-r-e-i-s-s-e.

22 BOARD MEMBER ANTHONY: Mr. Chair, upon
23 review and inspection, it appears that the intent
24 of the voter was to vote for Doug Preisse. I

1 move that the following Ballot No. 307 be remade
2 to reflect the voter's intent.

3 BOARD MEMBER MARINELLO: Second.

4 DIRECTOR WHITE: All in favor?

5 (Board members in favor of the motion
6 so indicated.)

7 DIRECTOR WHITE: Any nay's?

8 CHAIRMAN PREISSE: I'm going to have
9 to abstain.

10 DIRECTOR WHITE: And one abstains.

11 The motion carries.

12 DEPUTY DIRECTOR DAMSCHRODER: The next
13 little set are also the same contest where the
14 vote appeared to be votes for Regan, R-e-g-a-n.
15 Or Regan.

16 BOARD MEMBER ANTHONY: Mr. Chair, upon
17 review and inspection, it appears the intent of
18 the voter was to vote for Joseph Regan for member
19 of the State Central Committee, Man, 15th
20 District.

21 I move that the Board remake the
22 following ballots -- remake the following ballots
23 to evidence that vote: 315, 409, and 272.

24 BOARD MEMBER MARINELLO: Second.

1 DIRECTOR WHITE: All in favor?

2 (Board members in favor of the motion
3 so indicated.)

4 DIRECTOR WHITE: Any nay's?

5 CHAIRMAN PREISSE: And I'll abstain
6 again.

7 DIRECTOR WHITE: Another abstention
8 from the Chairman. The motion carries.

9 DEPUTY DIRECTOR DAMSCHRODER: All
10 right. Next, County Commissioner between Troper
11 and Miller. Overvoted. These are for -- that
12 appear to be for Troper.

13 BOARD MEMBER ANTHONY: Mr. Chair, upon
14 review and inspection, it appears the intent of
15 the voter was to vote for Michael C. Troper for
16 County Commissioner, a full term commencing
17 1/3/29.

18 I move that the Board remake the
19 following ballots to evidence that vote: No. 371,
20 319, 338, 343, 402, and 532.

21 DIRECTOR WHITE: Looking for a second.

22 CHAIRMAN PREISSE: Second.

23 BOARD MEMBER MARINELLO: Second.

24 DIRECTOR WHITE: All in favor?

1 (Board votes aye unanimously.)

2 DIRECTOR WHITE: Any nay's?

3 (No response.)

4 DIRECTOR WHITE: Motion carries.

5 DEPUTY DIRECTOR DAMSCHRODER: Next one
6 is same contest but appear to be votes for
7 Jeffrey J. Miller.

8 BOARD MEMBER ANTHONY: Mr. Chair, upon
9 review and inspection, it appears that the intent
10 of the voter was to vote for Jeffrey J. Miller
11 for County Commissioner, a full term commencing
12 1/3 of 2009.

13 I move that the following ballots be
14 remade to evidence that vote: Ballot 281, 288,
15 279, 339, 345, 388, 430, 447, 450, 513, and 474.

16 CHAIRMAN PREISSE: I second the
17 motion.

18 DIRECTOR WHITE: All in favor?

19 (Board votes aye unanimously.)

20 DIRECTOR WHITE: Any nay's?

21 (No response.)

22 DIRECTOR WHITE: Motion carries.

23 DEPUTY DIRECTOR DAMSCHRODER: All
24 right. Now we have -- before we finish up with

1 absentee, I have four little stray ballots here
2 that will only fit into a category.

3 This first one that we'll send around,
4 the voter did not make any marks in any ovals,
5 but just put some miscellaneous marks that,
6 perhaps, could be -- one could be led to believe
7 it was a vote for Tiberi and McCain, but maybe
8 not. It's your call. It's certainly within the
9 purview of the Board to say that there's no
10 legible votes to be read and declare it a blank
11 ballot.

12 DIRECTOR WHITE: They put their mark
13 over there in the timing marks.

14 BOARD MEMBER MARINELLO: That's crazy.

15 DIRECTOR WHITE: See where they put it
16 in the timing marks?

17 BOARD MEMBER MARINELLO: Yeah.
18 That's --

19 DIRECTOR WHITE: But on the back, do
20 you see where the levy was? Instead of filling
21 out the circle in the top -- because the circles
22 go to the top -- they just put an X there.

23 Well, I think it looks like they tried
24 to vote for those particular races and that

1 issue. But it's you guys' call.

2 BOARD MEMBER MARINELLO: Get them down
3 here.

4 CHAIRMAN PREISSE: I don't want to
5 bias your opinion with mine, but it looks awfully
6 sketchy.

7 DIRECTOR WHITE: That's a Republican
8 pink ballot. Was that yours?

9 CHAIRMAN PREISSE: Thank you,
10 Mr. Director.

11 DIRECTOR WHITE: See, the green's
12 Democrat, and the pink are --

13 BOARD MEMBER ANTHONY: I don't get
14 this one.

15 CHAIRMAN PREISSE: Crossover vote. It
16 looks hard to count.

17 BOARD MEMBER ANTHONY: Mr. Chair, I
18 move that the Board don't count this ballot for
19 the lack of not knowing the intent of the voter.

20 CHAIRMAN PREISSE: Second.

21 DEPUTY DIRECTOR DAMSCHRODER: For the
22 record, the ballot number is --

23 MR. PICCININNI: 300.

24 BOARD MEMBER ANTHONY: Thank you.

1 DIRECTOR WHITE: All in favor?

2 (Board votes aye unanimously.)

3 DIRECTOR WHITE: Any nay's?

4 (No response.)

5 DIRECTOR WHITE: Motion carries.

6 DEPUTY DIRECTOR DAMSCHRODER: The next
7 one, the voter overvoted the district contest for
8 president, but it appears to have, perhaps, voted
9 for Romney for at large delegate.

10 MR. PICCININNI: And you're not making
11 a recommendation either way?

12 DEPUTY DIRECTOR DAMSCHRODER: My
13 recommendation would be for Mitt Romney.

14 BOARD MEMBER MARINELLO: Looks like it
15 to me.

16 BOARD MEMBER ANTHONY: Mr. Chair, upon
17 review and inspection, it appears the intent of
18 the voter was to vote for Mitt Romney.

19 CHAIRMAN PREISSE: Yeah, second.

20 MR. PICCININNI: This needs to be
21 separated because there's two issues here.

22 DEPUTY DIRECTOR DAMSCHRODER: There's
23 just one. The other one --

24 MR. PICCININNI: Just one? The other

1 one is not going to count.

2 DEPUTY DIRECTOR DAMSCHRODER: The one
3 is overvoted and it's just --

4 MR. PICCININNI: Okay. You're right.

5 DEPUTY DIRECTOR DAMSCHRODER: Yeah.
6 it's just -- it's just overvoted, so. It's an at
7 large delegate.

8 MR. PICCININNI: Got you.

9 CHAIRMAN PREISSE: I'll second that.

10 DIRECTOR WHITE: All in favor?

11 (Board votes aye unanimously.)

12 MR. PICCININNI: He hasn't made a
13 motion yet.

14 BOARD MEMBER ANTHONY: I ain't
15 finished my motion yet, guys. I got stopped.

16 MR. PICCININNI: I'm sorry.

17 BOARD MEMBER ANTHONY: Anyway, I move
18 that Ballot No. 390 be remade to evidence that
19 vote.

20 DIRECTOR WHITE: And it has been
21 seconded by the Chairman.

22 CHAIRMAN PREISSE: Second and --

23 DIRECTOR WHITE: All in favor.

24 (Board votes aye unanimously.)

1 DIRECTOR WHITE: Hearing no
2 opposition, the motion carries.

3 DEPUTY DIRECTOR DAMSCHRODER: All
4 right. These last two are unique.

5 BOARD MEMBER MARINELLO: Don't tease
6 us with the phrase, last two.

7 BOARD MEMBER ANTHONY: Now, when you
8 say last two, what do you mean?

9 DEPUTY DIRECTOR DAMSCHRODER: The last
10 two for absentee. We've still got provisional
11 and election-day ballots to go.

12 The voter appears to have, in some
13 cases, used checkmarks; in other cases, used
14 filling in the ovals; in other cases, using
15 checkmarks and ovals. There does not appear to
16 be any consistent manner of marking a ballot.

17 My recommendation would be that the
18 Board just run it through the machines with the
19 overvote detection off and just let the machine
20 count the contests that have some kind of mark.
21 That's my personal recommendation.

22 CHAIRMAN PREISSE: And, under those
23 circumstances, the machine would still detect an
24 overvote. It would count neither, right, or

1 would it count both?

2 DEPUTY DIRECTOR DAMSCHRODER: That's
3 correct. It would count neither. So the only
4 ones that would get voted, essentially, are going
5 to be the contest where there is no opposition or
6 the handful of contests where there is opposition
7 they only marked one oval.

8 But for the contest, like, for
9 instance -- you'll see, like, for David Payne for
10 State Central Committee. They filled in the oval
11 for Payne, checkmarked for Bill Todd. In that
12 case, the machine will just say, that contest is
13 an overvote and not count anything.

14 BOARD MEMBER ANTHONY: Mr. Chair, upon
15 review -- upon the advice of staff, I move that
16 we run these Ballots No. 406 and 527 back through
17 the machine and let it -- with the overvote
18 detection off and let it count as it is
19 programmed to count.

20 CHAIRMAN PREISSE: Second.

21 DIRECTOR WHITE: All in favor?

22 (Board votes aye unanimously.)

23 DIRECTOR WHITE: Any nay's?

24 (No response.)

1 DIRECTOR WHITE: Motion carries.

2 DEPUTY DIRECTOR DAMSCHRODER: All
3 right. The next is -- we do have a handful of
4 absentees left, I apologize. Ballot No. 547, the
5 voter voted for Kucinich but wrote a note on
6 their ID envelope saying, Kucinich marked instead
7 of Obama. So staff recommendation would be to
8 mark that for Obama for after it saying no.

9 BOARD MEMBER ANTHONY: What did he do?

10 DEPUTY DIRECTOR DAMSCHRODER: It was
11 too late to get a second ballot, and so she just
12 wrote on her --

13 MR. PICCININNI: That's like pushing
14 the button.

15 DEPUTY DIRECTOR DAMSCHRODER: Or is
16 it?

17 MR. PICCININNI: I think it is.

18 DEPUTY DIRECTOR DAMSCHRODER: How is
19 it different from circling Obama's name on the
20 ballot?

21 MR. PICCININNI: But she didn't. The
22 voter did not.

23 BOARD MEMBER ANTHONY: Say what? Wait
24 a minute. They voted and then put a note in

1 there?

2 DEPUTY DIRECTOR DAMSCHRODER: Um-hmm.

3 Put a note on their ID envelope.

4 CHAIRMAN PREISSE: On the outside?

5 DEPUTY DIRECTOR DAMSCHRODER: I'm

6 sorry?

7 CHAIRMAN PREISSE: On the outside of

8 the envelope?

9 DEPUTY DIRECTOR DAMSCHRODER: Yeah.

10 DIRECTOR WHITE: And the note said

11 they wanted to change.

12 DEPUTY DIRECTOR DAMSCHRODER: Right.

13 MR. PICCININNI: I think it should
14 never have been -- the whole point is that that's
15 supposed to be separated from the envelope when
16 it's opened.

17 DEPUTY DIRECTOR DAMSCHRODER: No. Not
18 from that envelope.

19 SPEAKER: We haven't done that yet.

20 DEPUTY DIRECTOR DAMSCHRODER: It's not
21 supposed to be separated from the ID envelope.

22 MR. PICCININNI: The Board makes the
23 call.

24 DEPUTY DIRECTOR DAMSCHRODER: Yes, it

1 does.

2 MR. PICCININNI: It's a valid vote the
3 way it's cast.

4 BOARD MEMBER COLLEY: A valid what,
5 please?

6 MR. PICCININNI: It's a valid ballot
7 the way it's cast.

8 BOARD MEMBER MARINELLO: She says,
9 send another absentee.

10 BOARD MEMBER COLLEY: You're saying
11 just count the ballot and disregard the
12 instructions?

13 DEPUTY DIRECTOR DAMSCHRODER: I think
14 that's what your counsel is telling you to do.

15 MR. PICCININNI: I mean, the other
16 option is to tie them, let the Secretary make the
17 decision on it.

18 DEPUTY DIRECTOR DAMSCHRODER: Or to
19 count it.

20 MR. PICCININNI: Or to count it.

21 DIRECTOR WHITE: If she makes the
22 decision, we'll certify in about two months.
23 Because you've got 30 days each party to write
24 why you voted the way you voted.

1 MR. PICCININNI: It's 14 days.

2 DIRECTOR WHITE: I'm not a lawyer.
3 Pat's the lawyer. I think it's clear what the
4 voter's intent is. And if we really want to -- I
5 think she'd want us -- if we err on -- err on the
6 side of the voter.

7 BOARD MEMBER MARINELLO: That's what
8 we're supposed to do, is the voter intent.

9 MR. PICCININNI: It's voter intent
10 when you cannot read the ballot. You can read
11 the ballot.

12 CHAIRMAN PREISSE: Would your opinion
13 change when you see the name of the voter? It
14 has lots of Z's and ends in an I.

15 MR. PICCININNI: That doesn't matter.

16 CHAIRMAN PREISSE: My sense is that
17 it's a valid ballot the way it is, and it's
18 not -- what's your sense?

19 BOARD MEMBER MARINELLO: Well, I just
20 thought that, you know, voter intent is what
21 we're here for, true, but.

22 BOARD MEMBER ANTHONY: So she voted
23 this, folded it all up --

24 DEPUTY DIRECTOR DAMSCHRODER: She

1 voted it, put it in her envelope, and wrote a
2 note to us.

3 BOARD MEMBER ANTHONY: -- and put it
4 inside this envelope, and then she wrote on here
5 that said, oh, man, I made a mistake and decided
6 the other guy. I'm going to say we go with what
7 she put on here.

8 DEPUTY DIRECTOR DAMSCHRODER: Are you
9 going to move that?

10 BOARD MEMBER ANTHONY: Yeah.

11 CHAIRMAN PREISSE: I second that.

12 BOARD MEMBER ANTHONY: Okay. Upon
13 review of this ballot, I move that on Ballot 554,
14 we -- do we have to remake this or just run it
15 through?

16 DEPUTY DIRECTOR DAMSCHRODER: We'll
17 have to remake that one.

18 BOARD MEMBER ANTHONY: That we remake
19 this ballot --

20 CHAIRMAN PREISSE: Why will you have
21 to remake that one?

22 DEPUTY DIRECTOR DAMSCHRODER: Remake
23 it changing the contest for president.

24 DIRECTOR WHITE: He doesn't want it

1 changed.

2 DEPUTY DIRECTOR DAMSCHRODER: Oh, I'm
3 sorry. I wasn't paying attention. You're
4 saying --

5 BOARD MEMBER ANTHONY: That this is
6 it. She blew it. No, I think she blew it.

7 DEPUTY DIRECTOR DAMSCHRODER: That's
8 it? Okay. Then you'd count it as is. I'm
9 sorry.

10 BOARD MEMBER ANTHONY: That we count
11 this ballot as it was submitted to us.

12 CHAIRMAN PREISSE: Second.

13 DIRECTOR WHITE: All in favor?

14 (Board votes aye unanimously.)

15 DIRECTOR WHITE: Any nay's?

16 (No response.)

17 DIRECTOR WHITE: Motion is carried.

18 DEPUTY DIRECTOR DAMSCHRODER: All
19 right. This is Ballot 536, exact same issue.
20 The voter marked for Troper, then put an X
21 through Troper, then colored in Miller and
22 attached a note saying that the voter wanted to
23 vote for Miller.

24 CHAIRMAN PREISSE: It's attached in

1 the inside on the --

2 DEPUTY DIRECTOR DAMSCHRODER: To the
3 ballot.

4 MR. PICCININNI: Did they cross out
5 and then change it back and forth?

6 DEPUTY DIRECTOR DAMSCHRODER: Yes,
7 they did. Yep.

8 BOARD MEMBER ANTHONY: That's
9 different than that last one, to me.

10 DEPUTY DIRECTOR DAMSCHRODER: Well, I
11 think it's wrong, and I think it falls in the --

12 BOARD MEMBER ANTHONY: That category
13 of confused voter?

14 DEPUTY DIRECTOR DAMSCHRODER: I think
15 it -- well, I should -- I think if we were to do
16 it and it were to go to the Supreme Court, the
17 Supreme Court would say the Board was within its
18 discretion. I'm just wagering there. I mean, if
19 the Court of Appeals puts the southwestern on the
20 ballot.

21 DIRECTOR WHITE: Sometimes it's about
22 doing the right thing, not the legal thing.

23 BOARD MEMBER ANTHONY: Mr. Chair, upon
24 review and inspection of this ballot, Ballot No.

1 536, I move that we remake the ballot to reflect
2 Jeffrey J. Miller for County Commissioner, full
3 term commencing 1/3/2009.

4 CHAIRMAN PREISSE: Second the motion.

5 DIRECTOR WHITE: All in favor?

6 (Board votes aye unanimously.)

7 DIRECTOR WHITE: Any nay's?

8 (No response.)

9 DIRECTOR WHITE: The motion is
10 carried.

11 DEPUTY DIRECTOR DAMSCHRODER: Ballot
12 No. 535. The envelope was stuck to the ballot,
13 but the voter only voted for Ron Paul. And
14 there's also a slice on it, so it will have to be
15 remade.

16 BOARD MEMBER ANTHONY: So only voted
17 for one person. That's in pieces.

18 Mr. Chair, I move -- upon review and
19 inspection of this Ballot No. 535, I move that we
20 remake the ballot to show the voter's intent to
21 just vote for Ron Paul.

22 CHAIRMAN PREISSE: Second.

23 All in favor?

24 (Board votes aye unanimously.)

1 DIRECTOR WHITE: Any nay's?

2 (No response.)

3 DIRECTOR WHITE: Motion is carried.

4 DEPUTY DIRECTOR DAMSCHRODER: All
5 right. Then we have a stack here that are either
6 torn or ink blotted or too light. We can do that
7 all as one, all in a group. We're doing
8 emergency surgery over here.

9 CHAIRMAN PREISSE: Matthew, the
10 recommendation here is that we -- these are all
11 physically deficient or the reader -- they were
12 too light?

13 DEPUTY DIRECTOR DAMSCHRODER: They're
14 either too light or the ballot is -- it needs to
15 be remade because it's torn or something like
16 that.

17 BOARD MEMBER ANTHONY: But the votes,
18 we can read.

19 DEPUTY DIRECTOR DAMSCHRODER: Yeah.
20 As far as I know, we can read all the votes.

21 BOARD MEMBER ANTHONY: Mr. Chair, I
22 move that the following ballots be remade to
23 reflect the voters' intent as originally voted
24 and be run back through the machine. There are

1 No. 542, No. 546, No. 545, No. 544, No. 541, No.
2 540, No. 543 --

3 CHAIRMAN PREISSE: Can I interrupt you
4 to ask a question?

5 BOARD MEMBER ANTHONY: Yes.

6 CHAIRMAN PREISSE: Because I think the
7 intent is to include this one, but the number is
8 on the envelope.

9 DEPUTY DIRECTOR DAMSCHRODER: I wrote
10 it up in the upper right-hand corner, there.

11 BOARD MEMBER ANTHONY: And the
12 number --

13 CHAIRMAN PREISSE: And this came in
14 sufficiently intact.

15 DEPUTY DIRECTOR DAMSCHRODER: Yes.

16 CHAIRMAN PREISSE: You could tell it
17 was signed -- it had the ID envelope --

18 DEPUTY DIRECTOR DAMSCHRODER: The ID
19 envelope.

20 CHAIRMAN PREISSE: All right.

21 BOARD MEMBER ANTHONY: And 537.

22 CHAIRMAN PREISSE: And I second the
23 motion. And all in favor?

24 (Board votes aye unanimously.)

1 DEPUTY DIRECTOR DAMSCHRODER: Okay.

2 Now we're at the provisionals. Does anybody need
3 to take a break?

4 (Discussion off the record.)

5 (Pause in proceedings.)

6 DEPUTY DIRECTOR DAMSCHRODER: All
7 right. Back on the record. These are
8 provisionals. And the first stack of the
9 overvoted contest is Issue 29. And they appear
10 to be Issues for the levy. And they appear to be
11 votes for the levy.

12 BOARD MEMBER ANTHONY: 429?

13 DEPUTY DIRECTOR DAMSCHRODER: Yep.

14 BOARD MEMBER ANTHONY: Got you.

15 DIRECTOR WHITE: Did we take a break
16 yet?

17 CHAIRMAN PREISSE: We're going to go
18 through that big stack. And, as dessert, a
19 reward to us, we're going to take a break.

20 BOARD MEMBER MARINELLO: Sorry. I
21 thought we did.

22 BOARD MEMBER ANTHONY: Mr. Chair, upon
23 review and inspection, it appears the intent of
24 the voter was to vote for Item No. 29, the

1 proposed levy for MRDD.

2 I move that the Board remake the
3 following ballots to evidence that vote: No. 606,
4 579, 626, 634, 529, and 647.

5 CHAIRMAN PREISSE: And I'll second
6 that motion.

7 DIRECTOR WHITE: Seconded by
8 Mr. Chairman. All in favor?

9 (Board votes aye unanimously.)

10 DIRECTOR WHITE: Any nay's?

11 (No response.)

12 DIRECTOR WHITE: The motion is
13 carried.

14 DEPUTY DIRECTOR DAMSCHRODER: The next
15 set of provisionals appear to be overvoted in the
16 contest for president, and they appear to be
17 votes for Obama.

18 BOARD MEMBER ANTHONY: Mr. Chair, upon
19 review and inspection, it appears the intent of
20 the voter was to vote for Barack Obama.

21 I move that the following ballots be
22 remade to evidence that vote: No. 655, 587, 644,
23 599, 600.

24 CHAIRMAN PREISSE: I second the

1 motion.

2 DIRECTOR WHITE: All in favor?

3 (Board votes aye unanimously.)

4 DIRECTOR WHITE: Any nay's?

5 (No response.)

6 DIRECTOR WHITE: The motion is

7 carried.

8 DEPUTY DIRECTOR DAMSCHRODER: The next
9 one is overvoted, again president. It appears to
10 be a vote for Hillary Clinton. And there's just
11 the one ballot there.

12 BOARD MEMBER ANTHONY: Mr. Chair, upon
13 review and inspection of the ballot, it appears
14 that the voter -- that the intent of the voter
15 was to vote for Hillary Clinton. I move that
16 Ballot No. 585 be remade to evidence that vote.

17 CHAIRMAN PREISSE: I second the
18 motion.

19 DIRECTOR WHITE: All in favor?

20 (Board votes aye unanimously.)

21 DIRECTOR WHITE: Any nay's?

22 (No response.)

23 DIRECTOR WHITE: The motion is

24 carried.

1 DEPUTY DIRECTOR DAMSCHRODER: The next
2 one is -- appears to be overvoted for State
3 Central Committee, Man, for the 16th District.
4 There appears to be a vote for James Patrick
5 Leahy, L-e-a-h-y.

6 BOARD MEMBER MARINELLO: You think
7 it's a vote for him?

8 DEPUTY DIRECTOR DAMSCHRODER: I'm
9 sorry. It's a vote for Andrew Ginther. My
10 cheatsheet was wrong.

11 BOARD MEMBER ANTHONY: Mr. Chair, upon
12 review and inspection, it appears the intent of
13 the voter was a vote for Andrew J. Ginther for
14 member of the State Central Committee, Man, the
15 16th District. I move that the Board remake
16 Ballot No. 480 --

17 CHAIRMAN PREISSE: Second.

18 BOARD MEMBER ANTHONY: -- to evidence
19 that vote.

20 DIRECTOR WHITE: All in favor?
21 (Board votes aye unanimously.)

22 DIRECTOR WHITE: Any nay's?
23 (No response.)

24 DIRECTOR WHITE: Motion is carried.

1 MR. PICCININNI: 580. 580.

2 BOARD MEMBER ANTHONY: 580. Yeah. I
3 said that.

4 MR. PICCININNI: You said 480.

5 DEPUTY DIRECTOR DAMSCHRODER: The next
6 one is an overvoted provisional, the 15th
7 Congressional District contest. Appears to be a
8 vote for Wagner, W-a-g-n-e-r.

9 BOARD MEMBER ANTHONY: Mr. Chair, upon
10 review and inspection, it appears that the intent
11 of the voter was to vote for Robert Wagner for
12 Representative to Congress, the 15th District.

13 I move that Ballot No. 556 be remade
14 to evidence that vote.

15 CHAIRMAN PREISSE: Second.

16 DIRECTOR WHITE: All in favor?

17 (Board votes aye unanimously.)

18 DIRECTOR WHITE: Any nay's?

19 (No response.)

20 DIRECTOR WHITE: Hearing none, the
21 motion passes.

22 DEPUTY DIRECTOR DAMSCHRODER: All
23 right. The next one is for Democrat State
24 Central Committee, 15th District. Appears to be

1 votes for Charleta Tavares, T-a-v-a-r-e-s.

2 BOARD MEMBER MARINELLO: All of these
3 are Tavares?

4 DEPUTY DIRECTOR DAMSCHRODER: Yeah.

5 BOARD MEMBER MARINELLO: Yeah.

6 BOARD MEMBER ANTHONY: Mr. Chair, upon
7 review and inspection, it appears that the
8 voters' intent was to vote for Charleta
9 B. Tavares for member of the State Central
10 Committee, Woman, for the 15th District.

11 I move that the following ballots be
12 remade to evidence that vote: Ballot No. 637,
13 651 -- 615, 614, 611, and 573. And that's it.

14 We need a second.

15 CHAIRMAN PREISSE: Second.

16 DIRECTOR WHITE: All in favor?

17 (Board votes aye unanimously.)

18 DIRECTOR WHITE: Motion carries.

19 DEPUTY DIRECTOR DAMSCHRODER: The next
20 one you have is the same contest. Appears to be
21 voted for Joyce Beatty.

22 BOARD MEMBER ANTHONY: Upon review and
23 inspection, it appears that the intent of the
24 voter was to vote for Joyce Beatty for member of

1 the State Central Committee, Woman, the 15th
2 District. I move that the Board remake Ballot
3 No. 571 to evidence that vote.

4 CHAIRMAN PREISSE: Second.

5 DIRECTOR WHITE: All in favor?

6 (Board votes aye unanimously.)

7 DIRECTOR WHITE: Any nay's?

8 (No response.)

9 DIRECTOR WHITE: Motion carries.

10 DEPUTY DIRECTOR DAMSCHRODER: The next
11 one is Republican State Central Committee from
12 the 3rd District. Appears to be overvoted. Bill
13 Todd appears to be the intended candidate.

14 BOARD MEMBER ANTHONY: Mr. Chair, upon
15 evidence and review and inspection, it appears
16 the intent of the voter was to vote for Bill
17 Todd, member of State Central Committee, Man, the
18 3rd District.

19 I move that the Board remake Ballot
20 No. 552 to evidence that vote.

21 CHAIRMAN PREISSE: Second.

22 DIRECTOR WHITE: All in favor?

23 (Board votes aye unanimously.)

24 DIRECTOR WHITE: Any nay's?

1 (No response.)

2 DIRECTOR WHITE: The motion carries.

3 DEPUTY DIRECTOR DAMSCHRODER: The next
4 one is Issue 29, the MRDD levy, which was
5 overvoted. It appears to be a vote against the
6 levy.

7 BOARD MEMBER ANTHONY: Mr. Chair, upon
8 review and inspection, it appears that the intent
9 of the voter was to vote against the tax levy,
10 Issue No. 29. I move that the Board remake the
11 following ballots to evidence that vote: No. 652,
12 588, and 607.

13 CHAIRMAN PREISSE: Second.

14 DIRECTOR WHITE: All in favor?

15 (Board votes aye unanimously.)

16 DIRECTOR WHITE: Any nay's?

17 (No response.)

18 DIRECTOR WHITE: The motion carries.

19 DEPUTY DIRECTOR DAMSCHRODER: The next
20 are for president. It appears to be overvotes in
21 the contest for a Republican candidate for
22 president. These all appear to be votes for
23 McCain, as the voters' intent.

24 BOARD MEMBER ANTHONY: Mr. Chair, upon

1 review and inspection, it appears that the intent
2 of the voter was to vote for John McCain. I move
3 that the following ballots be remade to evidence
4 that vote: No. 557, 554, and 548.

5 CHAIRMAN PREISSE: Second.

6 DIRECTOR WHITE: All in favor?

7 (Board votes aye unanimously.)

8 DIRECTOR WHITE: Any nay's?

9 (No response.)

10 DIRECTOR WHITE: The motion carries.

11 DEPUTY DIRECTOR DAMSCHRODER: The next
12 set is same contest. Appears to be votes -- that
13 the voters' intent was for Huckabee.

14 BOARD MEMBER ANTHONY: Mr. Chair, upon
15 review and inspection, it appears that the intent
16 of the voter was to vote for Mike Huckabee. I
17 move that the following ballots be remade to
18 evidence that vote: Ballot No. 555 and Ballot No.
19 678.

20 CHAIRMAN PREISSE: Second.

21 DIRECTOR WHITE: All in favor?

22 (Board votes aye unanimously.)

23 DIRECTOR WHITE: Any nay's?

24 (No response.)

1 DIRECTOR WHITE: Motion carries.

2 DEPUTY DIRECTOR DAMSCHRODER: The
3 overvoted contest on this set of provisional
4 ballots appears to be the County Commissioner
5 contest. The voters' intent on this set appears
6 to be to vote for Lazarus.

7 BOARD MEMBER ANTHONY: Mr. Chair, upon
8 review and inspection, it appears that the intent
9 of the voter was to vote for Cindy Lazarus.

10 I move that the Board remake the
11 following ballots to evidence that vote: Ballot
12 No. 602, Ballot No. 654, Ballot No. 641, Ballot
13 No. 596, Ballot No. 645, Ballot No. 627, Ballot
14 No. 621, Ballot No. 566, and Ballot No. 564.

15 DIRECTOR WHITE: Is there a second?

16 CHAIRMAN PREISSE: Second.

17 DIRECTOR WHITE: All in favor?

18 (Board votes aye unanimously.)

19 DIRECTOR WHITE: Any nay's?

20 (No response.)

21 DIRECTOR WHITE: Motion carries.

22 DEPUTY DIRECTOR DAMSCHRODER: The next
23 one is still the same contest. It appears to be
24 overvoted, but the voters' intent appears to be

1 for O'Grady.

2 BOARD MEMBER ANTHONY: Mr. Chair, upon
3 review and inspection, it appears that the intent
4 of the voter was to vote for John O'Grady for
5 County Commissioner, full term commencing
6 1/3/2009.

7 I move that the Board remake the
8 following ballots to evidence that vote: 605,
9 657, 639, 593, 633, 610.

10 DIRECTOR WHITE: Is there a second?

11 CHAIRMAN PREISSE: Second.

12 DIRECTOR WHITE: All in favor?

13 (Board votes aye unanimously.)

14 DIRECTOR WHITE: Any nay's?

15 (No response.)

16 DIRECTOR WHITE: Motion carries.

17 This next group is -- the intent of
18 the voter is well marked. It's just that they're
19 either too light or the ballots was damaged.

20 BOARD MEMBER ANTHONY: So what do you
21 want us to do?

22 DIRECTOR WHITE: We need to have them
23 remade to -- there's no overvotes. You're --

24 BOARD MEMBER ANTHONY: Just remake

1 them?

2 DIRECTOR WHITE: Right. So just read
3 off the whole numbers. They were either too
4 light or their ballot was damaged, but the intent
5 of the voter is well -- well clear indicated on
6 these ballots.

7 BOARD MEMBER ANTHONY: Mr. Chair, I
8 move that the Board remake the following ballots
9 to reflect the voters' intent: 677 --

10 MR. PICCININNI: Hold on one second.
11 The reason for this particular motion is that
12 these cannot be read through the machine.

13 DEPUTY DIRECTOR DAMSCHRODER: That's
14 correct.

15 DIRECTOR WHITE: The intent is clear.
16 There's no question.

17 BOARD MEMBER ANTHONY: I don't need to
18 say nothing else, do I?

19 MR. PICCININNI: No. Just the
20 numbers.

21 BOARD MEMBER ANTHONY: All right.
22 You've got 677?

23 MR. PICCININNI: Yeah, 677. Okay.

24 BOARD MEMBER ANTHONY: Okay. 549,

1 550, 551, 558, 553, 559, 560, 561, 562, 563, 565,
2 567, 568, 569, 570, 608, 609, 572, 575, 576, 577,
3 612, 578, 613, 616, 617, 581, 618, 582, 619, 583,
4 620, 584, 622, 623, 586, 624, 625, 628, 629, 630,
5 661, 631, 632, 589, 591, 590, 635, 636, 594, 595,
6 638, 640, 642, 643, 597, 598, 646, 648, 649, 650,
7 651, 601, 653, 660, 603, 604, 659, 658, and 656.

8 CHAIRMAN PREISSE: And I second that
9 motion.

10 DIRECTOR WHITE: All in favor?
11 (Board votes aye unanimously.)

12 DIRECTOR WHITE: Any nay's?
13 (No response.)

14 DIRECTOR WHITE: Motion is carried.

15 DEPUTY DIRECTOR DAMSCHRODER: If we
16 keep trucking, we're close.

17 These are election-day paper
18 preference ballots. The first two are either
19 torn or the mark is too light to be read by the
20 machines.

21 BOARD MEMBER ANTHONY: So what do you
22 want us to do with these?

23 DIRECTOR WHITE: The voters' intent is
24 pretty clear.

1 DEPUTY DIRECTOR DAMSCHRODER: The
2 voters' intent is clear.

3 BOARD MEMBER ANTHONY: So we just need
4 to run them back through the machine?

5 DIRECTOR WHITE: Yeah. No, we have to
6 remake them.

7 BOARD MEMBER MARINELLO: How come you
8 have to keep those separate from --

9 DIRECTOR WHITE: They were election-
10 day ballots.

11 DEPUTY DIRECTOR DAMSCHRODER: Because
12 the election day --

13 BOARD MEMBER MARINELLO: Oh, they just
14 -- paper ballots --

15 CHAIRMAN PREISSE: Same problem,
16 different voting method.

17 DEPUTY DIRECTOR DAMSCHRODER: Right.

18 DIRECTOR WHITE: The voters' intent is
19 pretty clear on those, they just -- the marks
20 weren't right or the ballot's tore. So we have
21 to remake those. They just need to be remade.

22 BOARD MEMBER ANTHONY: Mr. Chair, upon
23 review and inspection, it appears that the voter
24 intent on these ballots are clear. I move that

1 the Board remake these ballots to reflect the
2 voters' intent: Ballot No. 664 and Ballot 663.

3 CHAIRMAN PREISSE: And I second the
4 motion.

5 DIRECTOR WHITE: All in favor?
6 (Board votes aye unanimously.)

7 DIRECTOR WHITE: Any nay's?
8 (No response.)

9 DIRECTOR WHITE: Motion carries.

10 DEPUTY DIRECTOR DAMSCHRODER: The next
11 one is too light to be read, and there's an
12 overvote in the contest for County Commissioner
13 between O'Grady and Lazarus. I think it's
14 probably Lazarus, but you guys can look at it and
15 see.

16 BOARD MEMBER MARINELLO: That's what I
17 think.

18 BOARD MEMBER ANTHONY: Kim, what are
19 you saying?

20 BOARD MEMBER MARINELLO: I think it's
21 Lazarus.

22 BOARD MEMBER ANTHONY: You think it's
23 Lazarus? Me, too.

24 CHAIRMAN PREISSE: I think so.

1 BOARD MEMBER ANTHONY: Upon review and
2 inspection, it appears the intent of the voter
3 was to vote for Cindy Lazarus. I move that the
4 following ballot be remade to -- that Ballot No.
5 666 be remade to evidence that vote.

6 CHAIRMAN PREISSE: And I second the
7 motion.

8 DIRECTOR WHITE: All in favor?
9 (Board votes aye unanimously.)

10 DIRECTOR WHITE: Any nay's?
11 (No response.)

12 DEPUTY DIRECTOR DAMSCHRODER: The next
13 one, election-day ballot, is overvoted in the
14 contest for Clerk of the Court of Common Pleas.
15 The staff recommendation is that it is a vote for
16 Phil Harmon.

17 BOARD MEMBER COLLEY: Looks good to
18 me.

19 BOARD MEMBER MARINELLO: Yep.

20 CHAIRMAN PREISSE: I agree.

21 BOARD MEMBER ANTHONY: Mr. Chair, upon
22 review and inspection, it appears that the intent
23 of the voter was to vote for Phil Harmon for
24 Clerk of Common Pleas -- Clerk of the Court of

1 Common Pleas. I move that the Board remake
2 Ballot No. 662 to evidence that vote.

3 CHAIRMAN PREISSE: I second it.

4 DIRECTOR WHITE: All in favor?

5 (Board votes aye unanimously.)

6 DIRECTOR WHITE: Any nay's?

7 (No response.)

8 DIRECTOR WHITE: The motion is
9 carried.

10 DEPUTY DIRECTOR DAMSCHRODER: The next
11 one is overvote in the contest for president. It
12 appears to be a vote for McCain.

13 BOARD MEMBER ANTHONY: Mr. Chair, upon
14 review and inspection, it appears that the intent
15 of the voter was to vote for John McCain. I move
16 that Ballot No. 665 be remade to evidence that
17 vote.

18 CHAIRMAN PREISSE: Second.

19 DIRECTOR WHITE: All in favor?

20 (Board votes aye unanimously.)

21 DIRECTOR WHITE: Any nay's?

22 (No response.)

23 DIRECTOR WHITE: Motion carries.

24 DEPUTY DIRECTOR DAMSCHRODER: The next

1 one is overvote in the contest for 7th
2 Congressional District. It appears to be a vote
3 for Conner, C-o-n-n-e-r.

4 BOARD MEMBER ANTHONY: Mr. Chair, upon
5 review and inspection of this ballot, it appears
6 that the voter's intent was to vote for Bill
7 Conner for Representative to Congress, the 7th
8 District. I move that Ballot No. 667 be remade
9 to evidence that vote.

10 CHAIRMAN PREISSE: Seconded.

11 DIRECTOR WHITE: All in favor?

12 (Board votes aye unanimously.)

13 DIRECTOR WHITE: Any nay's?

14 (No response.)

15 DIRECTOR WHITE: Motion carries.

16 DEPUTY DIRECTOR DAMSCHRODER: The next
17 one is overvoted in the 29th proposed tax levy.
18 It appears to be a vote for the levy.

19 BOARD MEMBER ANTHONY: Mr. Chair, upon
20 review and inspection, it appears the intent of
21 the voter was to vote for Issue 29, the proposed
22 tax levy. I move that Ballot No. 668 be remade
23 to evidence that vote.

24 CHAIRMAN PREISSE: Second.

1 DIRECTOR WHITE: All in favor?

2 (Board votes aye unanimously.)

3 DIRECTOR WHITE: Any nay's?

4 (No response.)

5 DIRECTOR WHITE: Motion carries.

6 DEPUTY DIRECTOR DAMSCHRODER: All
7 right. The next one, the poll workers gave the
8 voter both a Democrat primary ballot and an
9 issues-only ballot. The voter did not mark a
10 vote for either the 29th or the 27th tax
11 questions on the Democrat ballot, but did vote
12 them on the issues-only ballot. The voter intent
13 is pretty clear in terms of what they've marked.

14 CHAIRMAN PREISSE: Well, this is -- is
15 this a paper preference ballot, or what is that?

16 DEPUTY DIRECTOR DAMSCHRODER: Yes.
17 It's a paper preference ballot that the poll
18 workers put in an envelope and marked on the
19 envelope that it was a paper ballot. But they
20 gave them both sheets of paper, both the Democrat
21 ballot and the issues-only ballot.

22 And the voter did not vote any issues
23 on the Democrat. So it's not -- the voter didn't
24 cast -- the voter had one more ballot -- actual

1 ballot card than they were supposed to have had,
2 but they didn't vote twice in any contest that
3 appeared on both ballots.

4 BOARD MEMBER ANTHONY: So you're just
5 going to remake one ballot?

6 CHAIRMAN PREISSE: So did they vote
7 twice but on different things?

8 DEPUTY DIRECTOR DAMSCHRODER: My
9 personal view is that they probably did not
10 intentionally vote twice.

11 CHAIRMAN PREISSE: They voted two
12 times, though.

13 DEPUTY DIRECTOR DAMSCHRODER: Well, it
14 was in the same envelope. They voted two
15 different cards. I would be -- I'd be willing to
16 wager that what happened was they got an issues-
17 only, marked it, and said, well, I want to vote
18 for Democrat candidates, too. The poll workers
19 tore it off, they voted it, and they put it in
20 the envelope.

21 MR. PICCININNI: As opposed to what
22 they should have done, which was void the issue-
23 only ballot.

24 DEPUTY DIRECTOR DAMSCHRODER:

1 Precisely.

2 CHAIRMAN PREISSE: They probably were
3 afraid to do that.

4 BOARD MEMBER ANTHONY: Yeah. They
5 didn't want to tear nothing up in front of a
6 voter. So usually run just one ballot on that
7 one.

8 DEPUTY DIRECTOR DAMSCHRODER: Right.
9 If that's what the Board wants to do.

10 DIRECTOR WHITE: Yeah. I would think
11 you should make one ballot showing the voter's
12 intent. It's pretty clear they were going to
13 vote for it.

14 BOARD MEMBER ANTHONY: Mr. Chair --

15 MR. PICCININNI: Hold on. Does this
16 ballot actually need to be remade, or can't you
17 just run it through?

18 DEPUTY DIRECTOR DAMSCHRODER: We'll
19 have to remake it. Because if we run it through,
20 it will count -- the public count will increase
21 by two.

22 MR. PICCININNI: Got you.

23 BOARD MEMBER ANTHONY: Mr. Chair, upon
24 review and inspection, it is the intent of the

1 voter to vote a primary ballot, not an issues-
2 only ballot. I move that the Board remake the
3 ballot to reflect that desire. The Ballot No. is
4 538.

5 CHAIRMAN PREISSE: I second that
6 motion.

7 BOARD MEMBER ANTHONY: Oh, there's two
8 of them on there.

9 DEPUTY DIRECTOR DAMSCHRODER: We
10 numbered it. So go ahead and get both numbers in
11 the resolution.

12 BOARD MEMBER ANTHONY: 538 was for the
13 issue-only, and No. 539 was for the Ohio
14 Democratic primary.

15 DIRECTOR WHITE: Motion's been
16 seconded. All in favor?

17 (Board votes aye unanimously.)

18 DIRECTOR WHITE: Any nay's?

19 (No response.)

20 DIRECTOR WHITE: Motion carries.

21 DEPUTY DIRECTOR DAMSCHRODER: All
22 right. Now we turn to 17-year-old ballots. And
23 when you see these, you'll notice that on some of
24 them, the vote for the issue is covered up and

1 the vote for State Central Committee is covered
2 up with a white label.

3 We did that at a staff level because
4 voters -- 17-year-old voters cannot vote issues
5 or for state or county central committee.

6 MR. PICCININNI: And these are the
7 voters that asked for a paper ballot?

8 DEPUTY DIRECTOR DAMSCHRODER: No. All
9 17-year-old's had to vote on paper. And so to
10 reduce the number of ballot styles, we went ahead
11 and just printed everything with the candidates
12 on there. We covered up the votes that they
13 voted for, was what we've done in the past.

14 The first two overvoted for County
15 Commissioner. It appears to be votes for
16 O'Grady.

17 BOARD MEMBER MARINELLO: How many of
18 those did you get, the 17-year-old paper ballots,
19 do you think?

20 DEPUTY DIRECTOR DAMSCHRODER: I don't
21 know if I -- we can get you that number.

22 BOARD MEMBER MARINELLO: Oh, that's
23 all right.

24 BOARD MEMBER ANTHONY: Mr. Chair, upon

1 review and inspection, it appears that the intent
2 of the voter was to vote for John O'Grady for
3 County Commissioner. I move that Ballot No. 674
4 and 671 be remade to evidence that vote.

5 CHAIRMAN PREISSE: Seconded.

6 DIRECTOR WHITE: All in favor?

7 (Board votes aye unanimously.)

8 DIRECTOR WHITE: Any nay's?

9 (No response.)

10 DIRECTOR WHITE: Motion carries.

11 DEPUTY DIRECTOR DAMSCHRODER: The next
12 one is overvoted for president. It appears to be
13 a vote for Obama.

14 BOARD MEMBER ANTHONY: Mr. Chair, upon
15 review and inspection of the ballot, the intent
16 of the voter was to vote for Barack Obama. I
17 move that Ballot No. 673 be remade to evidence
18 that vote.

19 CHAIRMAN PREISSE: Second.

20 DIRECTOR WHITE: All in favor?

21 (Board votes aye unanimously.)

22 DIRECTOR WHITE: Any nay's?

23 (No response.)

24 DIRECTOR WHITE: Motion carries.

1 DEPUTY DIRECTOR DAMSCHRODER: The next
2 one, they overvoted. The contest is, again,
3 president. It appears to be a vote for Huckabee.

4 BOARD MEMBER ANTHONY: Mr. Chair, upon
5 review and inspection, it appears that the intent
6 of the voter is to vote for Mike Huckabee. I
7 move that Ballot No. 676 be remade to evidence
8 that vote.

9 CHAIRMAN PREISSE: And I second the
10 motion.

11 DIRECTOR WHITE: All in favor?

12 (Board votes aye unanimously.)

13 DIRECTOR WHITE: Any nay's?

14 (No response.)

15 DIRECTOR WHITE: Motion carries.

16 DEPUTY DIRECTOR DAMSCHRODER: The next
17 stack that Michael has is three ballots that just
18 need to be remade because they're either cut,
19 marred, taped, or whatever. The voters' intent
20 is clear. They have consistently marked --

21 BOARD MEMBER COLLEY: Abundantly
22 clear?

23 DEPUTY DIRECTOR DAMSCHRODER:

24 Abundantly clear. Absolutely.

1 CHAIRMAN PREISSE: Are these still --

2 DEPUTY DIRECTOR DAMSCHRODER: They're
3 still 17-year-old voters.

4 CHAIRMAN PREISSE: What's the one
5 without the color?

6 DEPUTY DIRECTOR DAMSCHRODER: When you
7 print them ballot on demand here at the office,
8 it doesn't do color.

9 CHAIRMAN PREISSE: So that was --

10 DEPUTY DIRECTOR DAMSCHRODER: That's
11 somebody who came here in person.

12 BOARD MEMBER MARINELLO: Interesting.

13 BOARD MEMBER ANTHONY: Now, what are
14 these, Matt? I was --

15 DEPUTY DIRECTOR DAMSCHRODER: Those
16 are ballots that are either torn or marred or
17 taped or cut or something.

18 BOARD MEMBER ANTHONY: So you've got
19 to rerun --

20 DEPUTY DIRECTOR DAMSCHRODER: We're
21 going to recreate them. But there's no overvoted
22 contest and no voter intent questions, though.

23 CHAIRMAN PREISSE: Those are still
24 17-year-olds?

1 DEPUTY DIRECTOR DAMSCHRODER: Still
2 17-year-old ballots.

3 BOARD MEMBER ANTHONY: Mr. Chair, upon
4 review and inspection of the ballots, I move that
5 the Board remake these ballots to reflect the
6 voters' intent. That would be Ballot No. 672,
7 670, and 669.

8 CHAIRMAN PREISSE: Seconded.

9 DIRECTOR WHITE: All in favor?
10 (Board votes aye unanimously.)

11 DIRECTOR WHITE: Any nay's?
12 (No response.)

13 DIRECTOR WHITE: Motion carries.

14 DEPUTY DIRECTOR DAMSCHRODER: All
15 right. This one is overvoted in the contest for
16 Court of Common Pleas Clerk. It appears to be a
17 vote for Teater, T-e-a-t-e-r.

18 BOARD MEMBER ANTHONY: Mr. Chair, upon
19 review and inspection of the ballot, the intent
20 of the voter was to vote for Dorothy S. Teater
21 for Clerk of Court of Common Pleas.

22 I move that the Board remake Ballot
23 No. 675 to evidence that vote.

24 CHAIRMAN PREISSE: Second.

1 DIRECTOR WHITE: All in favor?

2 (Board votes aye unanimously.)

3 DIRECTOR WHITE: Any nay's?

4 (No response.)

5 DIRECTOR WHITE: Motion carries.

6 DEPUTY DIRECTOR DAMSCHRODER: This
7 next one is a federal write-in absentee ballot
8 which is available for military and overseas
9 citizens who can't get their ballot in time to
10 return it. It's a valid vote for Obama that we
11 need permission to -- obviously, we can't read a
12 written-in ballot, so we had to make an optical
13 scan ballot that says Obama.

14 BOARD MEMBER ANTHONY: Just that one
15 vote?

16 DEPUTY DIRECTOR DAMSCHRODER: Yep.

17 SPEAKER: There's another one on
18 there, too, congressional.

19 DEPUTY DIRECTOR DAMSCHRODER: Did they
20 write in there congressional? I didn't see it.

21 BOARD MEMBER MARINELLO: This David
22 Robinson?

23 DEPUTY DIRECTOR DAMSCHRODER: Oh,
24 okay. I'm sorry, I didn't see that. So it's

1 Obama and Robinson. Thank you, guys.

2 BOARD MEMBER MARINELLO: They typed it
3 in. Does that normally come --

4 DEPUTY DIRECTOR DAMSCHRODER: Online.

5 BOARD MEMBER MARINELLO: Oh. Smart.

6 BOARD MEMBER ANTHONY: So does this
7 have a number on it?

8 DEPUTY DIRECTOR DAMSCHRODER: Yeah.

9 BOARD MEMBER ANTHONY: Mr. Chair, I
10 move that the Board create a ballot to reflect
11 the vote of Barack Obama for president and Dave
12 Robinson for commissioner -- for Congress. Yeah,
13 for Congress. This will be Ballot No. 679.

14 MR. PICCININNI: Which is an official
15 federal write-in absentee ballot.

16 DEPUTY DIRECTOR DAMSCHRODER: Correct.

17 BOARD MEMBER ANTHONY: Yes.

18 CHAIRMAN PREISSE: Second.

19 DIRECTOR WHITE: All in favor?
20 (Board votes aye unanimously.)

21 DIRECTOR WHITE: Any nay's?

22 (No response.)

23 DIRECTOR WHITE: Motion carries.

24 DEPUTY DIRECTOR DAMSCHRODER: All

1 right. Last one is interesting. The poll worker
2 wrote on it that the voter voted an issues-only
3 ballot on the machine because the voter was given
4 the wrong authority-to-vote slip.

5 So the poll workers gave the person a
6 paper ballot so that they could vote the
7 candidates. And the voter made a note here that,
8 quote, I was given the wrong slip to vote, so the
9 attorney general said to vote provisional. I
10 want my vote to count, end quote.

11 BOARD MEMBER ANTHONY: He voted on
12 both the machines and the paper ballot?

13 DEPUTY DIRECTOR DAMSCHRODER:
14 According to this, the poll worker said they
15 voted the issue-only on the machine, and then
16 they gave her a party ballot which is --

17 DIRECTOR WHITE: Did they vote the
18 issues again on the ballot?

19 DEPUTY DIRECTOR DAMSCHRODER: I don't
20 know. This has not been opened yet.

21 MR. PICCININNI: They don't vote.
22 They've already voted.

23 CHAIRMAN PREISSE: They voted on it,
24 and we -- what's the best evidence we have that

1 this voter voted only -- what is any evidence
2 that we have? We have the testimony of --

3 DEPUTY DIRECTOR DAMSCHRODER: We have
4 the testimony of a poll worker who wrote on
5 election-day that the vote -- that the voter,
6 quote, voted issues-only because the voter was
7 given wrong slip, end quote.

8 My personal view is, as much as I
9 would like to count the ballot, I think this is
10 the situation where the person has already put
11 their ballot in the ballot box, and you can't,
12 then, get another ballot to put in the ballot
13 box.

14 MR. PICCININNI: They would have voted
15 twice. On the issues, they would have voted
16 twice.

17 DEPUTY DIRECTOR DAMSCHRODER: Assuming
18 they voted the issues on here.

19 MR. PICCININNI: Assuming they voted
20 the issues there. But we have no way of knowing
21 that.

22 DEPUTY DIRECTOR DAMSCHRODER: Right.
23 Exactly. Whereas, the case with the other
24 situation where we had the Democrat ballot and

1 the issues-only ballot put together in the same
2 envelope, we knew that the person hadn't voted
3 twice.

4 Here, we have a ballot in the ballot
5 box, a signature in the poll book, and the public
6 count on the machine advanced by one. And we
7 have another ballot for the same voter. My
8 recommendation would be not to count it, but.

9 DIRECTOR WHITE: If you look at No. 1
10 that Brian gave us from the Secretary of State's
11 office, it kind of addresses that issue.

12 CHAIRMAN PREISSE: Is this the follow-
13 up e-mail or the --

14 DEPUTY DIRECTOR DAMSCHRODER: This is
15 the e-mail that came today. Which one is it,
16 Denny?

17 DIRECTOR WHITE: No. 1, more than one
18 ballot in the provisional envelope.

19 MR. PICCININNI: That's more than one
20 ballot in the provisional envelope.

21 DIRECTOR WHITE: Right. But that's a
22 provisional envelope. But if you read, it says,
23 apparently, some of your poll workers, for
24 whatever reason, instructed voters to complete

1 party ballots or even -- or you guys can read it.

2 Can everybody see that No. 1? That
3 was Brian's answer.

4 MR. PICCININNI: I think it's
5 inapplicable in this particular situation.
6 Because the situation is, you have a vote on the
7 machine and now you have a vote on paper.
8 There's no way to back out the machine vote.

9 DIRECTOR WHITE: And I think that's
10 what this is kind of saying here, but in a
11 different situation.

12 DEPUTY DIRECTOR DAMSCHRODER: Right.

13 DIRECTOR WHITE: Just to give you a
14 little guidance on this. They're saying only one
15 ballot should be counted.

16 DEPUTY DIRECTOR DAMSCHRODER: Right.

17 DIRECTOR WHITE: If you use that for a
18 guidance, I think that, basically, it can only
19 count as a vote on the machine.

20 MR. PICCININNI: You know, I don't
21 understand this when you see that the ballot
22 comes up in just issues.

23 CHAIRMAN PREISSE: And then you
24 complete it.

1 MR. PICCININNI: And you complete it.
2 And you don't ask any questions?

3 CHAIRMAN PREISSE: If you don't push
4 vote, then you could still -- you know, you could
5 go --

6 DEPUTY DIRECTOR DAMSCHRODER: Right.
7 If you haven't pressed the confirm button at the
8 end of the ballot, you could -- the poll workers
9 could cancel that ballot and start a new voting
10 session for the voter so that they can correct --

11 BOARD MEMBER ANTHONY: Or give them a
12 paper ballot?

13 DEPUTY DIRECTOR DAMSCHRODER: Or,
14 yeah. Or cancel the ballot and give them a paper
15 ballot.

16 CHAIRMAN PREISSE: So we know
17 that -- I mean, we can verify that the voter got
18 an issues-only ballot, right?

19 DEPUTY DIRECTOR DAMSCHRODER: Based on
20 what's written on that envelope, there. I mean,
21 we could go back and we could find that person's
22 name in the poll book, probably see where they
23 checked issues only, and then the number and the
24 signatures in the poll book should reconcile with

1 the number of ballots cast.

2 The number of issues-only checks
3 should reconcile with the number of issues only
4 on the machine. But there's always a slight
5 variation.

6 So I think, in this case, we have to
7 accept the statement of the poll worker that the
8 person voted an issues-only ballot on the machine
9 and dropped it in the ballot box, essentially, by
10 confirming it.

11 BOARD MEMBER ANTHONY: They only get
12 the one vote, then.

13 DIRECTOR WHITE: Right. One ballot.

14 BOARD MEMBER ANTHONY: Right. And the
15 ballot they put in the machine.

16 DEPUTY DIRECTOR DAMSCHRODER: Right.

17 BOARD MEMBER ANTHONY: So how do we
18 vote on this, then?

19 DIRECTOR WHITE: Not to -- not to
20 accept it.

21 MR. PICCININNI: We vote not -- a vote
22 not to -- it has to be a vote in the
23 affirmative. So it would have to be a vote to
24 count this provisional ballot.

1 DEPUTY DIRECTOR DAMSCHRODER: And then
2 it just dies for a lack of a second.

3 MR. PICCININNI: Or it has to fail.
4 It has to fail.

5 CHAIRMAN PREISSE: Wait a minute.
6 What are you saying?

7 DEPUTY DIRECTOR DAMSCHRODER: No, I
8 see what you're saying.

9 MR. PICCININNI: You have to vote no.
10 You have to vote not to count the ballot.

11 CHAIRMAN PREISSE: The question before
12 us is, do we count this ballot?

13 DEPUTY DIRECTOR DAMSCHRODER: Correct.

14 BOARD MEMBER ANTHONY: No. Then I
15 move -- okay. I make a motion that we count this
16 ballot.

17 MR. PICCININNI: The motion has to be
18 made in the affirmative. Correct.

19 BOARD MEMBER ANTHONY: That we count
20 this ballot in -- what number is this?

21 CHAIRMAN PREISSE: The motion has to
22 be made in the affirmative?

23 DEPUTY DIRECTOR DAMSCHRODER: I don't
24 think it -- we didn't number it.

1 BOARD MEMBER ANTHONY: I got an ID
2 number. Should I read that?

3 DEPUTY DIRECTOR DAMSCHRODER: Sure.

4 BOARD MEMBER ANTHONY: The ID No. is
5 050028237. Is there a second?

6 BOARD MEMBER MARINELLO: Second.

7 DIRECTOR WHITE: It's been seconded.

8 MR. PICCININNI: If you don't want it
9 to count, vote no; if you want it to count, vote,
10 yes.

11 BOARD MEMBER ANTHONY: Correct.

12 DIRECTOR WHITE: All in favor?

13 (No response.)

14 DIRECTOR WHITE: Everyone against?

15 BOARD MEMBER MARINELLO: No.

16 CHAIRMAN PREISSE: No.

17 BOARD MEMBER ANTHONY: No.

18 DIRECTOR WHITE: Motion fails.

19 DEPUTY DIRECTOR DAMSCHRODER: Just
20 real quick, we do -- the Secretary of State, we
21 asked them, in writing, a couple of weeks ago for
22 some ruling on some provisionals. They just
23 ruled this afternoon. So we still have some
24 provisionals that we have to open and run through

1 the machines.

2 Hopefully, there won't be any
3 overvotes in those or voter intent issues. If
4 there are, we'll have to have you come back
5 probably Wednesday afternoon for a very, very,
6 very, very brief meeting to do those before we
7 can certify Friday.

8 There is the issue still pending about
9 the post-election audit under the Secretary of
10 State's program. She asked for 11 counties to
11 volunteer. Eleven counties have volunteered. I
12 don't think that precludes us from participation.

13 We would have to ask the Secretary of
14 State for a waiver if we have a recount, an
15 automatic request of recount. Which we won't
16 know that until Friday.

17 BOARD MEMBER ANTHONY: Now,
18 what -- who actually does the audit?

19 DEPUTY DIRECTOR DAMSCHRODER: The way
20 the directive was written, our staff -- we
21 actually pay our staff to do the audit.

22 BOARD MEMBER ANTHONY: Okay. It's not
23 outside --

24 DIRECTOR WHITE: That's if you do it

1 the way she's doing it, it's our staff.

2 DEPUTY DIRECTOR DAMSCHRODER: Right.

3 Right. We could do it --

4 DIRECTOR WHITE: But I don't think
5 there's anything excluding the Board from hiring
6 somebody else to audit, if you want it
7 independent of us.

8 BOARD MEMBER ANTHONY: What's the
9 advantage of either?

10 DIRECTOR WHITE: Transparency.

11 BOARD MEMBER ANTHONY: Transparency?
12 Yeah.

13 DIRECTOR WHITE: You know, I think
14 it's hard -- I think it's hard to audit
15 yourself --

16 BOARD MEMBER ANTHONY: I do, too.

17 DIRECTOR WHITE: -- and have
18 credibility out there. Because the same people
19 that don't trust us now, are they going to trust
20 us if we audit ourselves?

21 And I think there's groups out there
22 that are available that would probably do this.
23 We'd have to pay them somehow or make them
24 temporary people. If the Secretary has a rule

1 that it has to be us. I don't know if there's
2 any law we have to do it.

3 DEPUTY DIRECTOR DAMSCHRODER: I mean,
4 in Cuyahoga, in 2006, they twice paid an outside
5 entity, the Cleveland State University Center for
6 Election Integrity, which is a very reputable
7 organization. They paid them to actually conduct
8 the audit.

9 You know, there is precedent for
10 that. I think under the Secretary of State's
11 directive, if we participate in her program, we
12 have to have our staff do it. So if we wanted
13 outside people to do it, we'd be doing it outside
14 of the structure of the Secretary of State
15 directive.

16 BOARD MEMBER MARINELLO: Would this
17 help on the paper ballot thing, like, for and
18 against and if an audit came out --

19 DIRECTOR WHITE: Would this -- would
20 this help what?

21 BOARD MEMBER MARINELLO: Like, her
22 theory on the electronic machines being so
23 horrible.

24 DIRECTOR WHITE: I don't know. I

1 think some people out there is convinced, no
2 matter what you do, what you show them.

3 And I use the example of my mother.
4 She's always afraid of flying. I don't care how
5 many times I've told her, how many stats I've
6 showed her that it's, you know, safer to fly
7 versus going by car, she always felt more
8 comfortable riding in my car than getting on the
9 airlines with us.

10 There's some people you're never going
11 to convince. Some you might. And that's what
12 the Board has to weigh in this whole situation,
13 that if you want to proceed with an audit, I
14 think it should be an independent audit.

15 But we need to make sure the Secretary
16 of State's okay with that because we don't want
17 to, I don't think, be in opposition of what she's
18 doing also.

19 So you guys need to put your minds
20 together and, you know, let us know how you want
21 to do it, and me and Matt would be more than
22 willing to help put something together and maybe
23 just send her a letter saying we want to do an
24 audit; would you sign off on this procedure and

1 this protocol, would be my suggestion.

2 DEPUTY DIRECTOR DAMSCHRODER: Well,
3 and I -- yeah. And I don't think the Board -- if
4 the Board wants to do something different than
5 the Secretary of State's directive, I don't think
6 the Board has to ask the Secretary's permission
7 to do that.

8 I think under the exact same statute
9 that she references -- or the Secretary of the
10 Boards can do other, you know, things beyond the
11 canvas to ensure the accuracy of the vote.
12 Obviously, I'm not quoting the statute directly,
13 but I think that's within the Board's purview to
14 do.

15 CHAIRMAN PREISSE: Just back up a tiny
16 bit here with how you opened the issue here.
17 Eleven other counties have already volunteered,
18 and that was her prescribed number, for whatever
19 reason. We didn't have any official
20 communication with the Secretary of State asking
21 for any waiver based on our little recount in
22 Bexley, right?

23 DEPUTY DIRECTOR DAMSCHRODER:
24 Correct. And I think Bill called over there and

1 talked to somebody.

2 BOARD MEMBER ANTHONY: And, Mr. Chair,
3 what I did, I called Antoinette and had her talk
4 to Jennifer and just ran it by them. You know,
5 if we wanted to do a post-election audit, would
6 they have a problem with it?

7 And I said that we would probably do
8 it a little differently than what they were doing
9 it. They're only counting 70 percent of the
10 votes. And I didn't know how they were doing the
11 audits, whether they were in-house or not.

12 And she got back to Jennifer, the
13 Secretary of State, and called me and told me
14 that she had no problem with us doing it. Now, I
15 haven't had any other further communication with
16 her at that point.

17 CHAIRMAN PREISSE: But the presumption
18 is that we had -- so, unofficially, the reaction
19 was, no problem if you do your own thing --

20 BOARD MEMBER ANTHONY: That's correct.

21 CHAIRMAN PREISSE: -- because we're
22 looking at a recount here in Bexley, the
23 Bexley --

24 BOARD MEMBER ANTHONY: Well, there was

1 some concern that we do not put the recount in
2 that, in the mix, because it has to be a random
3 selection. So we'd take the Bexley precinct out.

4 CHAIRMAN PREISSE: And what did you
5 just say also at the beginning of this matter on,
6 we won't know till Friday whether there's an
7 automatic --

8 DEPUTY DIRECTOR DAMSCHRODER: We won't
9 know till Friday, for certain, unless there's an
10 automatic recount.

11 BOARD MEMBER ANTHONY: And more than
12 just Bexley?

13 DEPUTY DIRECTOR DAMSCHRODER:
14 Correct. I mean, it's entirely possible. You
15 know, Canal Winchester Schools were closed,
16 Reynoldsburg Schools were closed, but not within
17 the 1/2 or 1 percent.

18 Based on all the provisionals and
19 other absentees that we've done and the overvoted
20 stuff, it's possible that other contests that
21 maybe weren't as close are now as close. Again,
22 we won't know that for sure until Thursday.

23 DIRECTOR WHITE: I agree with Matt
24 that you don't have to ask her approval to do

1 this, but I think we should so that she buys
2 into --

3 CHAIRMAN PREISSE: Well, I agree. If
4 we're going to do something, we ought to do it at
5 or above, if we can demonstrate that --

6 DIRECTOR WHITE: Right.

7 CHAIRMAN PREISSE: -- her standards
8 for this given test audit. Because we're trying
9 to gain credibility, preserve credibility.

10 BOARD MEMBER ANTHONY: Mr. Chair, if
11 we --

12 CHAIRMAN PREISSE: Were you going to
13 move to adjourn?

14 BOARD MEMBER ANTHONY: No, I'm
15 not -- not yet. Is there a time line?

16 DEPUTY DIRECTOR DAMSCHRODER: I think
17 the Secretary's time line for her directive is
18 that we have to begin no later than the 9th and
19 be finished with the audit no later than the
20 12th.

21 BOARD MEMBER ANTHONY: Can we do that?
22 Are we able to get that done?

23 DEPUTY DIRECTOR DAMSCHRODER: Yeah. I
24 mean, that will require working through that

1 weekend, but that's not necessarily --

2 CHAIRMAN PREISSE: Internally, we
3 could get it done. If you were going to bring in
4 a third party, it's --

5 DIRECTOR WHITE: Well, she already has
6 11 counties doing it her way, the way she wants
7 the audit. I don't really think we should
8 handicap ourselves with her time frames, as long
9 as she buys into what we do.

10 I think we should take the audit even
11 further steps, maybe increase the percentages,
12 have an outside credible, maybe, several sources
13 or organizations that are involved in it. It
14 would take longer to put together and to put the
15 process together, get involved.

16 BOARD MEMBER ANTHONY: You don't
17 think -- Mr. Chair, you don't think she'll take
18 this as a -- us trying to embarrass her?

19 DIRECTOR WHITE: We're not trying to
20 embarrass her. Let her sign off on whatever
21 procedure we use.

22 CHAIRMAN PREISSE: In a vacuum,
23 perhaps. But what we're trying to do is
24 subscribe to her suggested confidence-building

1 measure out there. Or, the reverse, if we have a
2 problem with this audit or any other county, this
3 might help expose it or confirm that we're okay.

4 So we're just -- hopefully, if we've
5 missed the window because of our recounts or what
6 have you, I think we still agree with her that it
7 might be a good idea to do a post-election audit.

8 DEPUTY DIRECTOR DAMSCHRODER: Well, I
9 think maybe two things we could do between now
10 and Friday is, one, obviously, we'll know whether
11 we do have an automatic recount probably on
12 Thursday. Obviously, before the meeting Friday.
13 Because we have to certify.

14 But Denny and I could also reach out
15 to a couple of organizations like the Brennan
16 Center for Justice and the Cleveland State
17 University Center for election integrity that
18 have both done post-election audits and see if we
19 can get a bid or a quote of what it would cost to
20 have respected outside third-party entities pull
21 together to conduct the audit for us.

22 DIRECTOR WHITE: In the meantime, you
23 can check with her, if you guys are okay with
24 that, inform -- I mean, make sure that she's okay

1 with it. If we're going to go through all these
2 steps, I would like for her to be on board with
3 it, too.

4 BOARD MEMBER ANTHONY: All right.
5 I'll talk with her.

6 DIRECTOR WHITE: And we're not trying
7 to embarrass her or -- and the bottom line is,
8 you know, we want an audit.

9 BOARD MEMBER ANTHONY: We want to make
10 sure there's going to be an open and fair
11 election.

12 DIRECTOR WHITE: Let the chips fall
13 the way they fall.

14 CHAIRMAN PREISSE: Any other business?

15 DEPUTY DIRECTOR DAMSCHRODER: Just the
16 last one, real quickly. We put in everybody's
17 packet a draft overtime and compensatory time
18 policy. It's consistent with the County
19 Commissioner's policy for their employees.

20 The way we've been doing it,
21 particularly, the payout and accrual of comp time
22 is, frankly, not good. So we're trying to bring
23 it up to speed with both the rest of the county
24 policies and with the law.

1 DIRECTOR WHITE: Just review that and
2 take as much time as you want. Maybe go at the
3 next meeting, the following meeting, or the
4 regularly-scheduled meeting.

5 BOARD MEMBER ANTHONY: Mr. Chair --

6 DEPUTY DIRECTOR DAMSCHRODER: Ideally,
7 I'd like to have it done by Friday, only because
8 of some other things that have happened.

9 BOARD MEMBER ANTHONY: Do you want us
10 to vote on this?

11 DEPUTY DIRECTOR DAMSCHRODER: Not
12 tonight. Maybe Friday.

13 CHAIRMAN PREISSE: And we could put it
14 on the agenda with --

15 DEPUTY DIRECTOR DAMSCHRODER: For
16 Friday.

17 CHAIRMAN PREISSE: For Friday, for
18 consideration.

19 DEPUTY DIRECTOR DAMSCHRODER: Right.

20 BOARD MEMBER ANTHONY: Mr. Chair, I
21 move that we adjourn.

22 BOARD MEMBER MARINELLO: Second.

23 CHAIRMAN PREISSE: Sounds like a good
24 idea. Anybody in favor?

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(Board votes aye unanimously.)

CHAIRMAN PREISSE: We're adjourned.

- - - - -

Thereupon, the proceedings were
concluded at 6:14 o'clock p.m.

- - - - -

CERTIFICATE

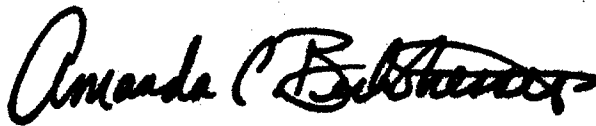
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The undersigned do hereby certify that the foregoing proceedings were digitally recorded, electronically transmitted, and transcribed via audible playback, and that the foregoing transcript of such proceedings is a full, true and correct transcript of the proceedings as so recorded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Columbus, Ohio, on this 21st day of April, 2008.



ANDREW A. SERHAL
Certified Digital Reporter
Notary Public - State of Ohio.
My commission expires December 12, 2012.



AMANDA C. BERKSTRESSER
Certified Digital Transcriber