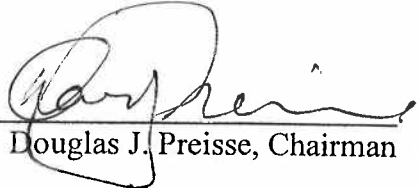
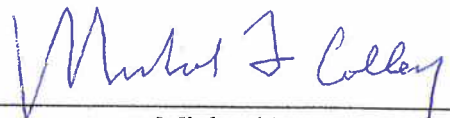


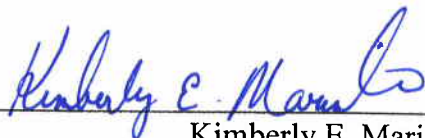
FRANKLIN COUNTY BOARD OF ELECTIONS
280 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 462-3100


MINUTES OF THE MEETING ON
12/9/11


APPROVED ON 1/25/12

BY: 
Douglas J. Preisse, Chairman


Michael F. Colley, Esq.


Kimberly E. Marinello


Zachary Manifold

ATTEST: 
William A. Anthony, Jr., Director

BEFORE THE
FRANKLIN COUNTY BOARD OF ELECTIONS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

- - - - -

In Re: :

Special Meeting :

:

- - - - -

Proceedings before Director William A.
Anthony, Jr., Chairman Douglas J. Preisse, and
Board Members Michael F. Colley, Kimberly E.
Marinello, and Zachary E. Manifold, taken at
Franklin County Board of Elections, 280 East
Broad Street, Columbus, Ohio on Friday,
December 9, 2011, at 4:40 o'clock p.m.

- - - - -

1 APPEARANCES:

2 Franklin County Prosecutor's Office
3 Civil Division
4 373 South High Street, 13th Fl.
5 Columbus, OH 43215
6 By Mr. Nick A. Soulas, Jr.,
7 Assistant Prosecutor,

8
9 On behalf of the Board.

10

11

12

13 ALSO PRESENT:

14 Ms. Suzanne Brown, Executive Assistant,
15 Franklin County Board of Elections

16

17 Mr. Ben Piscitelli,
18 Public Information Officer

19

20

21

22

23

24

25

26

27

28

29

30

1	AGENDA	
2	Item	Page No.
3	Call to Order	4
4	iVotronic Service and Support Agreement	4
5	M650 High Speed Scanners Service and Support Agreement	7
7	Unity Software Maintenance and Support Agreement	8
8	Purchase Order for iVotronic	9
9	Purchase Order for M650 High Speed Scanners	10
10	Purchase Order for Unity Software and Firmware Agreement	10
12	Purchase Order for OPEX Envelope Opening/Document Extraction Equipment	11
13	Purchase Order for Battery Replacement	13
15	Executive Session	17
16	Resignation/Appointment of Deputy Director	19
17	Adjourn	20
19		
20		
21		
22		
23		
24		

1 - - - - -

2 P R O C E E D I N G S

3 - - - - -

4 DIRECTOR ANTHONY: I would like to
5 call the Franklin County Board of Elections
6 meeting to order. I will do the roll call.

7 Kimberly Marinello?

8 MS. MARINELLO: Here.

9 DIRECTOR ANTHONY: Zachary Manifold?

10 MR. MANIFOLD: Here.

11 DIRECTOR ANTHONY: Douglas Preisse?

12 CHAIRMAN PREISSE: Here.

13 DIRECTOR ANTHONY: And Michael Colley?

14 MR. COLLEY: Here.

15 DIRECTOR ANTHONY: We are all here,
16 Mr. Chairman.

17 The first item on the agenda, we have
18 some year-end stuff we have to get processed for
19 our -- so we can have an election next year.

20 We have -- the first item, we have our
21 voting machine, the iVotronic voting machines.
22 They need maintenance. These things are a
23 little over six years old, and we want to start
24 getting them in the first of the year starting

1 to run some maintenance on them, and so we had
2 entered into an agreement with ES&S for this
3 maintenance of the machines.

4 We have 4,800 -- I forgot how many
5 machines. I should know that number; shouldn't
6 I?

7 CHAIRMAN PREISSE: We have a lot.

8 DIRECTOR ANTHONY: We have a lot,
9 yeah. We have a lot.

10 They're going to basically do a full
11 maintenance on them, tear them apart, put them
12 back together, so we will basically have
13 like-new machines. Later on in this, you're
14 going to see that we're also replacing batteries
15 in these -- we have 4,715 of these machines.

16 Some of the other items we're going to
17 approve today is the machines also need
18 batteries. These iVotronics have a battery in
19 the motherboard and they have a stick battery,
20 and those -- we have never changed the
21 motherboard battery and it's time to replace the
22 stick batteries.

23 But this first item on the agenda is
24 basically to do the maintenance on the machine.

1 We're going to stagger them -- stagger the
2 maintenance so they will get all done in
3 January, hopefully, maybe February.

4 Any questions?

5 (No audible response.)

6 DIRECTOR ANTHONY: The Prosecutor's
7 Office has looked at the agreement and they have
8 made some changes to it. ES&S has agreed to the
9 changes, so that's why it's before you today.

10 CHAIRMAN PREISSE: All right.

11 DIRECTOR ANTHONY: So we need a motion
12 if we're going to -- and then the motion would
13 allow me and the Deputy Director to enter into
14 this agreement with ES&S.

15 CHAIRMAN PREISSE: Okay.

16 MR. MANIFOLD: I move that the Board
17 authorize the Director and Deputy Director to
18 enter into a service and support agreement for
19 the iVotronic voting system with Election
20 Systems & Software, Inc. for the term of
21 May 1st, 2011 through April 30th, 2015 in the
22 amount of \$848,700.

23 DIRECTOR ANTHONY: Is there a second?

24 MR. COLLEY: Mr. Chairman, I second

1 that motion.

2 DIRECTOR ANTHONY: All those in favor
3 say aye.

4 THE BOARD: Aye.

5 DIRECTOR ANTHONY: Motion carries.

6 The next motion, we have -- it's time
7 for maintenance on all of our equipment. We
8 have equipment we call a 650, and that equipment
9 basically takes the absentee ballot, paper
10 ballots, and runs through it and it tabulates
11 and counts all the paper ballots. We have 10 of
12 these machines, and they are also in need of
13 maintenance.

14 CHAIRMAN PREISSE: Okay. Anybody have
15 any questions?

16 MR. MANIFOLD: Mr. Chairman, I move
17 that the Board authorize the Director and Deputy
18 Director to enter into a service and support
19 agreement for the M650 High Speed Scanners with
20 the Election Systems & Software, Inc. for the
21 term of May 1st, 2011 through April 30th, 2016
22 in the amount of \$99,233.54.

23 DIRECTOR ANTHONY: Is there a second?

24 MR. COLLEY: Second.

1 DIRECTOR ANTHONY: All those in favor
2 say aye.

3 THE BOARD: Aye.

4 DIRECTOR ANTHONY: That motion
5 carries.

6 And then the next large motion is the
7 actual software agreement that we have to enter
8 into with ES&S for the Unity Software that
9 basically -- it's the software for the iVotronic
10 voting machines where we have to -- so that's
11 the election software for those machines.

12 And as you can see, that's a little
13 longer term, but it's a pretty hefty price, but
14 software agreements normally are.

15 Any questions on that one?

16 MR. MANIFOLD: Mr. Chairman, I move
17 that the Board authorize the Director and Deputy
18 Director to enter into a maintain and support
19 agreement for the Unity Software with Election
20 Systems & Software, Inc. for the term of
21 May 1st, 2011 through April 30th, 2016 in the
22 total amount of \$1,069,688.63.

23 DIRECTOR ANTHONY: Is there a second?

24 MR. COLLEY: Second.

1 DIRECTOR ANTHONY: All those in favor
2 say aye.

3 THE BOARD: Aye.

4 DIRECTOR ANTHONY: And the next motion
5 we have to -- in order to make it happen, we
6 have to issue purchase orders in order to get
7 some of this stuff done for the first of the
8 year, so we have to authorize -- you guys have
9 to authorize us to issue a purchase order for
10 ES&S for the first payment under the contract of
11 the --

12 MS. MARINELLO: Oh, this is all
13 included --

14 DIRECTOR ANTHONY: Yeah. Right.

15 MS. MARINELLO: Oh, okay.

16 DIRECTOR ANTHONY: This is the first
17 installment of the -- the first payment for it.

18 MS. MARINELLO: Okay. Mr. Chairman, I
19 move that the Board authorize the Fiscal Officer
20 to open a purchase order in the amount of
21 \$212,175 to Election Systems & Software, Inc.
22 for first year payment under the iVotronic
23 voting system agreement.

24 DIRECTOR ANTHONY: Is there a second?

1 MR. COLLEY: Second.

2 DIRECTOR ANTHONY: All those in favor
3 say aye.

4 THE BOARD: Aye.

5 DIRECTOR ANTHONY: And then the next
6 item is, again, a purchase order for the 650 so
7 we can get that started as well.

8 MS. MARINELLO: Mr. Chairman, I move
9 that the Board authorize the Fiscal Officer to
10 open a purchase order in the amount of
11 \$10,400.04 to Election Systems & Software, Inc.
12 for first year payment under the M650 High Speed
13 Scanners agreement.

14 DIRECTOR ANTHONY: Is there a second?

15 MR. COLLEY: Second.

16 DIRECTOR ANTHONY: All those in favor
17 say aye.

18 THE BOARD: Aye.

19 DIRECTOR ANTHONY: And then the next
20 item would be the issuing of purchase order for
21 the software maintenance agreement.

22 MS. MARINELLO: Mr. Chairman, I move
23 that the Board authorize the Fiscal Officer to
24 open a purchase order in the amount of \$201.984

1 to Election Systems & Software, Inc. for first
2 year payment under the Unity Software and
3 Firmware agreement.

4 DIRECTOR ANTHONY: Is there a second?

5 MR. COLLEY: Second.

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

8 THE BOARD: Aye.

9 DIRECTOR ANTHONY: And then the next
10 item, we had been looking at these OPEX mail
11 extractors, particularly for -- we actually had
12 one demo'd here last election cycle.

13 And what this piece of equipment does
14 is as we get mail in, it zips it, it cuts it,
15 and it's a little suction thing that opens it up
16 a little bit and then our folks hand take the
17 items out of there. Where, in the past, we have
18 cut them and we had lots of folks standing
19 around desks trying to open and pull -- extract
20 mail out of the envelope.

21 This will speed that process up and we
22 will be able to utilize staff in other ways that
23 we think is necessary, but this is a step
24 forward in our constant step of trying to

1 automate as much as we can automate.

2 We're getting two of these. One of
3 these units will actually have a table that can
4 raise and lower in case we have folks that are
5 ADA challenged, wheelchair, or whatever, so
6 we're able to adjust it, or if folks want to
7 stand up and use it. It won't be a regular
8 table model that just sits down.

9 We have the room currently. And
10 hopefully if we're lucky enough to have a new
11 location, we'll make sure we find someplace for
12 these things to fit.

13 We looked at these and we believe that
14 the cost for this is actually going to be a
15 savings over the life of these machines with
16 some staff reassignment and even maybe some
17 reduction of staff.

18 Any questions on the OPEX?

19 MS. MARINELLO: Do we have the service
20 agreement?

21 DIRECTOR ANTHONY: Yes, we do. It's
22 right there.

23 MS. MARINELLO: I mean, like for
24 somebody --

1 DIRECTOR ANTHONY: Yeah, that's all
2 part of that -- we did the service agreement as
3 part of the whole pricing.

4 MR. MANIFOLD: I would just say, you
5 know, I've seen a couple of these at some of the
6 Election Center conferences, and I've been
7 really impressed. I really do think -- we've
8 talked before that I think it will be a cost
9 savings. I think you'll like the equipment.

10 DIRECTOR ANTHONY: All right.

11 CHAIRMAN PREISSE: All right.

12 MS. MARINELLO: Mr. Chairman, I move
13 that the Board approve the purchase of envelope
14 opening/document extraction equipment and
15 authorize the Fiscal Officer to open a 2012
16 purchase order in January in the amount of
17 \$57,640 to OPEX Corporation.

18 DIRECTOR ANTHONY: Is there a second?

19 MR. COLLEY: Second.

20 DIRECTOR ANTHONY: All those in favor
21 say aye.

22 THE BOARD: Aye.

23 DIRECTOR ANTHONY: And the next item,
24 we're getting into our presidential year, and

1 what was interesting is at the summer
2 conference -- and we had already knew this, but
3 at the summer conference, SOS had a session
4 where they were telling everybody that owned
5 electronic voting machines that they better take
6 a look at the batteries, because most of them
7 had not had a battery replacement in five years,
8 since they had purchased the equipment. And we
9 had already looked into it and we had talked to
10 ES&S.

11 As I was saying earlier, there's a
12 battery -- the iVotronics have a battery in the
13 motherboard and they have a stick battery; and
14 then the little unit that the PEV you stick into
15 the iVotronic to make it work, that also has a
16 battery. It's never been replaced and neither
17 has the battery in the motherboard.

18 Life expectancies of these batteries,
19 I was told, is about five to eight years, if
20 they're in a place with controlled humidity and
21 all of that, and our with warehouse is not a
22 controlled humidity environment.

23 So we became very concerned that we
24 would -- it would be a disaster if in the middle

1 of a March primary, or worse yet, November's
2 general election, our motherboard batteries fail
3 on us.

4 And those are soldered in, so we just
5 can't, like, open them up and take them out and
6 replace them. You have to actually unsolder
7 them and then solder them back into place, which
8 is something that we can't do.

9 We could replace the stick batteries
10 in the iVotronics, but those are generally
11 plugged up anyways, so the likelihood of -- you
12 know, so that's not as big of a concern.

13 We also can't replace the batteries in
14 the PEVs because those are also soldered in as
15 well. The whole unit is soldered in.

16 Those will have to be shipped back to
17 the ES&S plant and they will have to take them
18 apart, resolder them, and then ship them back to
19 us. We're going to start that at the first of
20 the year.

21 They originally had a price that they
22 had given us for these batteries at \$60 a
23 battery. Nathan and I negotiated that down to
24 \$49 a battery. We also negotiated down the cost

1 of the stick batteries. I think they were like
2 9 -- I'll have to take a look, but they gave us
3 a better price on all of this.

4 And because you have 4,715 machines,
5 you know, it doesn't take long for this to cost
6 a lot of money.

7 So that's where we are. We think this
8 is something that we cannot not do. I, for one,
9 don't want to be here and have a -- be in the
10 newspaper because we had a, you know, \$49
11 battery jack us up -- I mean, I didn't mean to
12 say jack us up; mess us up.

13 Any questions on that?

14 CHAIRMAN PREISSE: Understood and
15 important.

16 MS. MARINELLO: Yes. Mr. Chairman, I
17 move that the Board authorize the Director and
18 Deputy Director to proceed with purchase and
19 installations of replacement batteries for
20 voting equipment and authorize the Fiscal
21 Officer to open a 2012 purchase order in January
22 in the amount of \$267,750 to Elections Systems &
23 Software, Inc.

24 DIRECTOR ANTHONY: Is there a second?

1 MR. COLLEY: Second.

2 DIRECTOR ANTHONY: All those in favor
3 say aye.

4 THE BOARD: Aye.

5 DIRECTOR ANTHONY: At this point we
6 would -- I would suggest we should probably move
7 into executive session to discuss some personnel
8 matters.

9 MS. MARINELLO: I move the Board enter
10 into executive session to consider the
11 appointment, employment, dismissal, discipline,
12 promotion, demotion, or compensation of public
13 employees and/or officials of this Board of
14 Elections.

15 DIRECTOR ANTHONY: Actually, if
16 everybody's mind is set, we really don't have to
17 do executive session, unless you just want to go
18 into it and have a discussion.

19 CHAIRMAN PREISSE: If everybody what?

20 DIRECTOR ANTHONY: If everybody is in
21 agreement on this -- well, we can go into
22 executive session and come back out.

23 Is there a second for her motion?

24 MR. COLLEY: Second.

1 DIRECTOR ANTHONY: All right. I'll do
2 the roll call.

3 Kimberly Marinello?

4 MS. MARINELLO: Yes.

5 DIRECTOR ANTHONY: Zachary Manifold?

6 MR. MANIFOLD: Yes.

7 DIRECTOR ANTHONY: Douglas Preisse?

8 CHAIRMAN PREISSE: Yes.

9 DIRECTOR ANTHONY: And Michael Colley?

10 MR. COLLEY: Yes.

11 DIRECTOR ANTHONY: We now stand in
12 executive session.

13 (Board goes into executive session.)

14 DIRECTOR ANTHONY: We need a motion to
15 come out of executive session.

16 MS. MARINELLO: Mr. Chairman, I move
17 that we come out of executive session. No votes
18 were taken; no decisions made.

19 DIRECTOR ANTHONY: Is there a second?

20 MR. MANIFOLD: Second.

21 DIRECTOR ANTHONY: Roll call.

22 Kimberly Marinello?

23 MS. MARINELLO: Yes.

24 DIRECTOR ANTHONY: Zachary Manifold?

1 MR. MANIFOLD: Yes.

2 DIRECTOR ANTHONY: Douglas Preisse?

3 CHAIRMAN PREISSE: Yes.

4 DIRECTOR ANTHONY: Michael Colley.

5 MR. COLLEY: Yes.

6 DIRECTOR ANTHONY: We are now out of
7 executive session. We will entertain a motion
8 to bring on our newest member of the Board here.

9 CHAIRMAN PREISSE: That would be here,
10 you get the honors.

11 MR. COLLEY: Mr. Chairman, I move that
12 the Board accept the resignation of its Deputy
13 Director, Nathan Burd, effective at 4 p.m. on
14 Wednesday, December 7th, 2011 and appoint as his
15 successor, Dana Walsh, effective Tuesday,
16 December 13th, at the rate of \$54.4548 per hour.

17 DIRECTOR ANTHONY: Is there a second?

18 MS. MARINELLO: Second.

19 DIRECTOR ANTHONY: All those in favor
20 say aye.

21 THE BOARD: Aye.

22 DIRECTOR ANTHONY: Welcome aboard,
23 Dana.

24 MR. WALSH: Thanks very much. I

1 appreciate it. I appreciate the confidence that
2 the Board is showing me. And I commit to you
3 I'll do a great job for not only you, but for
4 the citizens of Franklin County. I appreciate
5 it very much. Look forward to it.

6 CHAIRMAN PREISSE: Well,
7 congratulations. And you'll get to work
8 Tuesday, but welcome aboard.

9 MR. WALSH: Thank you very much. I
10 appreciate it, Mr. Chairman. Thank you.

11 DIRECTOR ANTHONY: That concludes our
12 business for today. Is there a motion to
13 adjourn?

14 MS. MARINELLO: Mr. Chairman, I move
15 to adjourn.

16 DIRECTOR ANTHONY: Is there a second?

17 MR. MANIFOLD: Second.

18 DIRECTOR ANTHONY: All in favor?

19 THE BOARD: Aye.

20 DIRECTOR ANTHONY: We stand adjourned.

21 - - - - -

22 Thereupon, the proceedings were
23 concluded at 5:05 o'clock p.m.


24 - - - - -

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

CERTIFICATE

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 23rd day of December, 2011.



MICHELLE K. SALINAS
Certified Digital Reporter
Notary Public - State of Ohio.
My commission expires June 11, 2013



CRYSTAL SIMPSON
Certified Digital Transcriber