

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

APPEARANCES:

Franklin County Prosecutor's Office
By Mr. Harold J. Anderson, III,
Assistant Prosecuting Attorney
Civil Division-Environmental
373 South High Street
Columbus, Ohio 43215

On behalf of the Board.

ALSO PRESENT:

Ms. Suzanne Brown,
Executive Assistant to the Board.

- - -

	INDEX	
	- - -	
	ITEM	PAGE
1		
2		
3		
4	Approval of Board Minutes, 1-25-13 and 2-15-13	4
5	Moving Madison-Plains Local School Issue to Madison County	5
6	Village of Brice Charter Commission	8
7	E.E. Ward Contract Extension	13
8	In-Person Absentee Hours for Primary Election	14
9	Appeal by Selena Miller	17
10	Protests Against Candidacy of Dominic Paretta and Jacqueline Taylor	43
11	Setting Next Meeting Date	47
12	League of Women Voters	52
13	Possible Voter Fraud	65
14		
15	- - -	
16		
17		
18		
19		
20		
21		
22		
23		
24		

1 Monday Afternoon Session,
2 March 4, 2013.

3 - - -

4 DIRECTOR ANTHONY: Good afternoon,
5 everyone. I would like to call the Franklin County
6 Board of Elections meeting to order with the roll
7 call.

8 Kimberly Marinello.

9 MEMBER MARINELLO: Here.

10 DIRECTOR ANTHONY: Zachary Manifold.

11 MEMBER MANIFOLD: Here.

12 DIRECTOR ANTHONY: Douglas Preisse.

13 CHAIRMAN PREISSE: Here.

14 DIRECTOR ANTHONY: And Brad Sinnott.

15 MEMBER SINNOTT: Here.

16 DIRECTOR ANTHONY: Mr. Chairman, we are
17 all here and accounted for.

18 The first item on the agenda would be the
19 approval of the Board minutes from January 25 and
20 February 15.

21 MEMBER SINNOTT: Mr. Chairman, I move
22 that we approve the minutes of the January 25, 2013,
23 and February 15, 2013, meetings of the Franklin
24 County Board of Elections as submitted.

1 MEMBER MANIFOLD: Second.

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

4 I'm passing the signature page for
5 everybody to fill out.

6 The second item on -- next item on the
7 agenda would be moving the Madison-Plains Local
8 school issue to Madison County. We have Jeff Mackey
9 to talk about that but basically there's a local
10 school levy in Madison County, and some of the voters
11 live here in Franklin County so we've decided it
12 would probably be best for all those voters if we
13 moved them over to the Madison County location.

14 Jeff.

15 MR. MACKEY: So 3503.01 says, in part,
16 that in any election in which only a part of the
17 electors in a precinct is qualified to vote, which in
18 this case is the Madison-Plains Local School
19 District, the Board may assign voters in such part to
20 an adjoining precinct. Such assignment may be made
21 to an adjoining precinct in another county with the
22 consent and approval of the Board of Elections of
23 such other county if the number of voters assigned to
24 vote in another county is 200 or less.

1 We had 183 voters in the affected part,
2 split our precinct. I believe Pickaway County also
3 had a small number of voters, and they are also
4 assigning those voters to Madison County so it made
5 sense to us to just assign all of those voters to
6 Madison County so they could run that election for
7 the school district in Madison County.

8 DEPUTY DIRECTOR WALCH: After we -- after
9 we did a little research into this also, the polling
10 location that these voters would be assigned to will
11 actually be closer geographically to them than the
12 precinct they would have here in Franklin County. So
13 from a distance traveled issue, in addition to what
14 Jeff brought up about the legal nature of this, from
15 a convenience factor too we felt this was a wise move
16 for us just to move this over to Madison County.

17 CHAIRMAN PREISSE: And how do we
18 communicate with the 183 voters?

19 DEPUTY DIRECTOR WALCH: We will send
20 notices out to each one of those voters to inform
21 them of their -- the polling location that they will
22 move to for this election. Then in subsequent
23 elections after that, we would inform them again of
24 being back at the location that they would be at here

1 in Franklin County.

2 DIRECTOR ANTHONY: And we will also post
3 that at their regular voting location in Franklin
4 County, that the location has been moved to the
5 Madison -- Madison County location.

6 I must add that there's nothing else on
7 the ballot in Franklin County for them to vote in
8 Franklin County which is why -- another reason to
9 move them to Madison County.

10 MEMBER SINNOTT: Do we know if these
11 voters will have access to the Madison County voting
12 place by virtue of the Bridges of Madison County?

13 CHAIRMAN PREISSE: So we'll mail them a
14 notice. They will be posted, and we will be ready to
15 field calls on confusion on election day.

16 DIRECTOR ANTHONY: That's correct.

17 DEPUTY DIRECTOR WALCH: Mr. Chairman,
18 this is something that has routinely be done in the
19 past with similar-type situations, whether it be from
20 one precinct to another precinct within the county
21 or, as Jeff explained earlier, from one precinct
22 within one county to another county. This is
23 something that is routinely done.

24 CHAIRMAN PREISSE: Okay.

1 MEMBER MARINELLO: Mr. Chairman, I move
2 that the Board temporarily re-assign the 183 Franklin
3 County voters in Madison-Plains Local School District
4 to the Fairfield South location in Madison County
5 located at 910 Big Plain Circleville Road to vote in
6 the May 7 Primary Election in the Madison-Plains
7 School District for this election only.

8 DIRECTOR ANTHONY: Is there a second?

9 MEMBER MANIFOLD: Second.

10 DIRECTOR ANTHONY: All those in favor say
11 aye. Opposed same sign. The motion carries.

12 The next item on the agenda is the
13 Village of Brice Charter Commission.

14 DEPUTY DIRECTOR WALCH: Jeff, can you
15 fill the members of the Board in on what took place
16 here.

17 MR. MACKEY: The Village of Brice intends
18 to -- the Village of Brice intends to ask their
19 voters if they would like to establish a Charter
20 Commission for the Village of Brice. The Charter
21 Commission question would be on the ballot along with
22 members of the Charter Commission. They have to
23 elected 15 people to serve on the Charter Commission.
24 Should the question pass and those 15 people are

1 elected, then those 15 people would put together a
2 charter for the Village of Brice for the Village
3 voters to vote on in a subsequent election and then
4 there would be a charter village instead of a
5 statutory village, if that helps.

6 CHAIRMAN PREISSE: That helps.

7 DEPUTY DIRECTOR WALCH: We did -- just so
8 you know the full story on this, they filed this
9 document timely. We did go back to the Village of
10 Brice and ask them to -- if they would consider, upon
11 discussion with counsel on this, if Brice would go
12 back and amend the resolution that they passed as the
13 original document that they passed called for a 45
14 days before the election filing deadline which
15 obviously conflicts with our ability to get out
16 overseas military ballots which is 45 days prior to
17 the election.

18 So we communicated with the Village of
19 Brice and asked if they would amend their original
20 resolution, which they did, and they set a 60-day
21 filing deadline for this Charter Review Commission
22 which then buys us enough time to administratively
23 get -- to meet our federal responsibility if there
24 are any overseas military or civilian ballots that

1 need to go to voters in the Village of Brice.

2 CHAIRMAN PREISSE: Sounds good.

3 MEMBER SINNOTT: I move that the Board
4 place on the May 7 Primary Election ballot the
5 Charter Commission question timely filed by the
6 Village of Brice.

7 DIRECTOR ANTHONY: Is there a second?

8 MEMBER MARINELLO: Second.

9 DIRECTOR ANTHONY: The next item on the
10 agenda is the renewal of our EMCS contract. EMCS is
11 Election Management Consulting Services, and they are
12 the company that does our voter registration system.
13 And I was just instructed this is a new contract, and
14 I have it here. We've been working -- they are the
15 sole source provider for our voter registration
16 system that we use. We are the only ones in the
17 state of Ohio that use this system. This system has
18 worked very well for us. We've managed to make it as
19 I like to refer to the Cadillac or Rolls Royce of
20 voter registration systems in the state of Ohio.

21 Through Carolyn Gorup's effort and her
22 team, we have been able to get this system to do
23 things that are the envy of other counties. So we
24 need to get the contract -- I keep saying extended,

1 but it's a new one so -- and Carolyn is here if you
2 need some discussion more about the system and all
3 the great stuff we are able to do with our voter
4 registration system.

5 MEMBER SINNOTT: And, Bill or Harold,
6 this is a no bid contract, correct?

7 DIRECTOR ANTHONY: That's correct. This
8 is the sole source provider for us.

9 MEMBER SINNOTT: There is only one
10 perspective provider?

11 DIRECTOR ANTHONY: That's it.

12 MR. ANDERSON: It's a proprietary
13 software that they apparently worked on when they
14 were part of Sequoia or the company that produces the
15 Sequoia software. They have subsequently left.
16 Sequoia doesn't support the software internally any
17 more, and to our knowledge they are the only two
18 people that are equipped to be able to work with that
19 particular iteration of the software.

20 MEMBER SINNOTT: And that's the reason
21 why it's proper for us to let the contract in the
22 absence of bidding.

23 MR. ANDERSON: And also it's below the
24 statutory threshold in the Revised Code for public

1 bidding.

2 MEMBER SINNOTT: Thank you.

3 DIRECTOR ANTHONY: Carol, did you want to
4 add anything to the discussion? I know I didn't ask
5 you earlier.

6 MS. GORUP: I really don't have anything
7 to add. You might need a new department, if you
8 don't.

9 CHAIRMAN PREISSE: Well, you sold me with
10 that Carol. I can't afford to lose you.

11 DIRECTOR ANTHONY: And the only signature
12 on it, this contract, would be yours, Mr. Chairman,
13 so I will pass it down, two copies for you to sign.

14 CHAIRMAN PREISSE: I am not going to sign
15 them until we vote.

16 DIRECTOR ANTHONY: Well, after we vote,
17 sir. Motion.

18 MEMBER MANIFOLD: Mr. Chairman, this
19 Board finds that the Election Management Consulting
20 Services is the only company able to provide
21 consulting services on the Board's Sequoia Voting
22 System and, therefore, move that the Board authorize
23 the Board Chairman to execute a contract with
24 Election Management Consulting Services in the amount

1 of \$46,305 for continued support on the Integrity
2 system in calendar year 2013.

3 DIRECTOR ANTHONY: Is there a second?

4 MEMBER MARINELLO: Second.

5 DIRECTOR ANTHONY: All those in favor
6 aye. The motion carries, Mr. Chairman.

7 The next item on the agenda is -- this is
8 an extension of our contract with E.E. Ward Moving &
9 Storage Company, LLC. They are the company that
10 we've contracted with for a number of years to move
11 all our voting equipment to all the various voting
12 locations and then pick it up and bring it back to
13 us. And this is the second --

14 DEPUTY DIRECTOR WALCH: I think it's the
15 third of four possible extensions.

16 DIRECTOR ANTHONY: Thank you. This is
17 the third of four extensions for this contract.

18 CHAIRMAN PREISSE: And we have been
19 pleased with their service for many years; is that
20 not correct?

21 DIRECTOR ANTHONY: And that is correct.

22 MEMBER MANIFOLD: Mr. Chairman, I move
23 that the Board extend the contract of E.E. Ward
24 Moving & Storage Company, LLC, through April 5, 2014,

1 for the transportation of voting machines.

2 DIRECTOR ANTHONY: Is there a second?

3 MEMBER MARINELLO: Second.

4 DIRECTOR ANTHONY: All those in favor say
5 aye.

6 And then Kim has the contract document.
7 Again, there's two copies and we have to sign it.

8 The next item on the agenda is we have to
9 set in-person absentee hours for the primary
10 election. We are proposing the following, and this
11 is from the -- our employees here, that hours be from
12 8 a.m. to 5 p.m. Monday through Friday beginning
13 April 2, 2013, ending May 3, 2013, and be open
14 Saturday, May 4, 2013, from 8 until noon, and all the
15 voting will be conducted here at Memorial Hall.

16 And, again, this is an off-year election.
17 We don't expect a huge turnout at all. And if you
18 need, we have Todd here, our absentee department, if
19 you have any questions about the hours.

20 CHAIRMAN PREISSE: Do you want to tell us
21 how you arrived at the hours or?

22 MR. WEDEKIND: Typically this type of
23 election we would do 8 to 5 Monday through Friday,
24 the last Saturday 8 to noon. That's in line with

1 what we have done in the past for primary/special
2 elections.

3 DIRECTOR ANTHONY: And this doesn't --
4 the Secretary of State setting the hours was just for
5 the Presidential cycle. We set our hours for these
6 type of things.

7 DEPUTY DIRECTOR WALCH: These hours for
8 in-person absentee would be consistent with what the
9 hours are for mayoral absentee which would shut off
10 at noon on Saturday, the Saturday before the
11 election. We will have staff in the office that
12 Saturday morning to get out the last minute absentees
13 via mail anyway so that's why it seemed to make sense
14 to us and, as Todd said, is consistent with past
15 practices by the Board to put those hours in there
16 also that final Saturday.

17 MEMBER SINNOTT: Did we do a prediction
18 of turnout for the municipal primary?

19 DIRECTOR ANTHONY: We try not to do the
20 projection of turnout because that's -- we just try
21 not to do it. We let you know what happened after.

22 CHAIRMAN PREISSE: Typically you can't --
23 you can't predict with any accuracy, but you can
24 explain the hell out of it after it happens.

1 DIRECTOR ANTHONY: That's right.

2 MR. WEDEKIND: I can tell you in 2011,
3 which was similar to this election, we had 3 -- about
4 3,000 mailed absentee ballots and 163 in-person
5 voters so I expect it to be similar to that.

6 MEMBER MANIFOLD: There wasn't a city
7 primary, right?

8 MR. WEDEKIND: Yes.

9 DIRECTOR ANTHONY: Yes, there was a
10 primary. There was.

11 MEMBER SINNOTT: In 2011?

12 DIRECTOR ANTHONY: Yes, sir.

13 MR. WEDEKIND: Yes.

14 DIRECTOR ANTHONY: There was a primary
15 and we had seven or eight -- seven or eight folks on
16 the ballot and we narrowed it down to six or whatever
17 it was.

18 MR. WEDEKIND: If you remember, we had
19 like seven write-in candidates for the school board
20 race.

21 DEPUTY DIRECTOR WALCH: The other issue
22 with predicting municipal turnout elections you are
23 not always comparing apples to apples because you
24 never know who is going to have something on the

1 ballot in a primary and who doesn't. What might have
2 been in the ballot of 2011, you know, we do have some
3 communities this primary that do have nothing. Grove
4 City, for example, doesn't have anything on the
5 ballot, so when you get into that, it starts to get
6 into not an apples to apples type comparison because
7 some municipalities may not have anything on the
8 ballot.

9 DIRECTOR ANTHONY: Trust me, everyone who
10 is registered to vote we want to come out and vote.
11 We don't want to set the parameters out. We want
12 them to all show up and vote.

13 MEMBER MANIFOLD: Mr. Chairman, I move
14 that the Board set early voting hours -- in-person
15 absentee voting hours for 8 a.m. to 5 p.m. Monday
16 through Friday beginning April 2, 2013, and ending
17 May 3, 2013, and Saturday, May 4, 2013, from 8 a.m.
18 to noon at Memorial Hall, 280 East Broad Street,
19 Columbus, Ohio.

20 MEMBER SINNOTT: Second.

21 DIRECTOR ANTHONY: All those in favor
22 aye.

23 The next item on the agenda is the appeal
24 by Selina Miller. I will let Jeff go through that,

1 and Ms. Miller is here to give testimony.

2 MR. MACKEY: I'll let Ms. Miller walk
3 through her appeal, but I have attempted from some of
4 the information she has provided us already to give
5 you a document that will enable you to follow along.
6 The first two pages that you have here were filed
7 previously and that is what appears in my document at
8 the end. The third page is something that she
9 brought in today so we would --

10 CHAIRMAN PREISSE: This is one --

11 MR. MACKEY: So we may have some
12 additional people for us to look at which is why I
13 have set the laptop up here so I may have to have you
14 slide out of the way.

15 CHAIRMAN PREISSE: Okay. Why don't you
16 give a few -- are you coming back over here to do
17 that?

18 MR. MACKEY: Maybe in a second.

19 CHAIRMAN PREISSE: Why don't you give --
20 to put in context for us, a fresh -- and for the
21 record and our audience today, why don't you put this
22 in context, a minute or so of narrative.

23 MR. MACKEY: Originally upon reviewing
24 her petition the Board decided that she had 296 valid

1 signatures of the 300 necessary for her to be a
2 certified candidate. The Board elected not to
3 certify her election to the ballot for this primary
4 election.

5 MEMBER SINNOTT: You said 297?

6 MR. MACKEY: 296.

7 MEMBER SINNOTT: So that's four short,
8 correct?

9 MR. MACKEY: Correct. Actually let me
10 double-check that.

11 I think it's actually 294. She needed
12 six signatures. Sorry about that. So she has put
13 together -- she went through some of the petitions
14 and looked at some of the ones that we did not allow
15 and has provided some additional information on why
16 we should have allowed certain signatures that might,
17 in fact, put her over the top.

18 CHAIRMAN PREISSE: I'm trying to make
19 sense of where -- okay. Now, describe the documents
20 you've given us then. The top one which is --

21 MR. MACKEY: So the document I have put
22 together would go along with her appeal letter there.
23 The first one is -- the first person she had
24 questioned was Henry Scott. I listed Mr. Scott as

1 petition No. 662, line No. 10. With his address
2 there, the first kind of image there is --

3 CHAIRMAN PREISSE: I don't know that any
4 of us were following what you were looking at --

5 MR. MACKEY: Okay.

6 CHAIRMAN PREISSE: -- at the moment.

7 MR. MACKEY: This document at the top
8 says Selina, candidate for Columbus Board of
9 Education, appeal research.

10 CHAIRMAN PREISSE: Okay.

11 MEMBER SINNOTT: Mr. Chairman, if I may,
12 so, Jeff, what you have done is you have given us
13 comparative signatures on the signers ascribed in
14 Ms. Miller's February 19 challenge to the Board's
15 initial decision, correct?

16 MR. MACKEY: That's correct.

17 MEMBER SINNOTT: And then Ms. Miller has
18 an additional 10 signatures that she would like for
19 us to examine described in her March 4 filing,
20 correct?

21 MR. MACKEY: I'm not sure how many of
22 those are new. Actually I would have to look at it.

23 MEMBER SINNOTT: Would it be correct to
24 say any that are new, you don't have prepared for our

1 comparison?

2 MR. MACKEY: That is correct. So we can
3 look at those on the computer here, if we need to.

4 MEMBER MANIFOLD: Then there is the
5 appeal filed the 19th and then there is an -- is this
6 an amended one on the 21st, add these down here to
7 the bottom? Is that what --

8 MR. MACKEY: Right, yeah.

9 MEMBER MANIFOLD: Okay.

10 MR. MACKEY: Those would -- are in my
11 documentation because they came in last week.

12 MEMBER SINNOTT: So there would be some
13 number of signatures now in question where we're not
14 prepared to do comparison right now.

15 MR. MACKEY: Well, I set up the computer
16 so we can do that, should you choose.

17 DEPUTY DIRECTOR WALCH: But he does not
18 have copies of them like he does for the initial ones
19 that were filed, if that's the question you are
20 asking.

21 MEMBER SINNOTT: Is the sole issue
22 whether we believe as a Board the signature on the
23 petition matches the signature on the Board's record?

24 MR. MACKEY: Yes. The question for the

1 Board will be whether or not that signature on that
2 petition should be accepted as a valid signature even
3 though we had originally invalidated it.

4 CHAIRMAN PREISSE: And that statement you
5 just made pertains to 1 to 9 on the February 21
6 document with the handwriting at the bottom or no?

7 MR. MACKEY: Yes.

8 CHAIRMAN PREISSE: Is the February 21
9 document with the handwriting at the bottom
10 sufficient to look at because it includes everything
11 that was on this February 19 1 to 7?

12 MR. MACKEY: Yeah. The February 21
13 document, the copy of the one that was filed on the
14 19th with the addition of those two extra names.

15 CHAIRMAN PREISSE: So we can put this
16 document aside and not be deficient in questions --
17 signatures in question?

18 MR. MACKEY: Yes, you can set aside the
19 February 19 filing and look only at the February 21
20 filing.

21 MEMBER MANIFOLD: Match that to this
22 document here that actually shows the breakdown of
23 the signatures.

24 CHAIRMAN PREISSE: And what is this

1 document which appears to be the same one without
2 handwriting but --

3 MR. MACKEY: Right. She has again
4 brought that with her today.

5 CHAIRMAN PREISSE: Oh, this is what
6 Ms. Miller brought today.

7 MR. MACKEY: So I think some of those are
8 just cleaned up, the ones that were on here before.
9 I'm not certain. I didn't get a chance to look at
10 it.

11 MEMBER SINNOTT: Well, because of the
12 importance of the matter and the premium I think we
13 ought to place on getting this right, I'm certainly
14 inclined to consider what Ms. Miller has presented to
15 us on the 4th of March.

16 CHAIRMAN PREISSE: Yeah, absolutely. I
17 am just trying to sort out what we are looking at so
18 we can proceed clearly and logically.

19 MEMBER SINNOTT: But it's unclear to me,
20 because I don't think we have done it before, whether
21 we are prepared to use the computer screen as to sort
22 through the issues new as of today but I'm game.

23 MR. MACKEY: We'll give it a shot.

24 MEMBER SINNOTT: Okay.

1 CHAIRMAN PREISSE: Yeah. That's fine,
2 although we wouldn't begin there. We would begin
3 with the No. 1.

4 MR. MACKEY: That would be my
5 recommendation.

6 DEPUTY DIRECTOR WALCH: Correct.

7 CHAIRMAN PREISSE: All right. Do you
8 want to walk us through then?

9 MR. MACKEY: Do you want me to walk you
10 through, or do you want to hear from Ms. Miller and
11 then I can help you with what I have put together? I
12 don't know.

13 CHAIRMAN PREISSE: Okay. I'm not sure it
14 matters. So why don't -- you have been standing
15 patiently by so why don't we proceed with you, and I
16 think our stenographer will ask you to state your
17 name for the record.

18 MS. MILLER: My name is Selina Miller,
19 filed a petition under Selina Renee Miller. Good
20 afternoon. As stated before, there was an original
21 appeal request indicated or submitted, and at that
22 time I had several names. Some were omitted
23 eventually because I did a computer scan of my own.
24 Now, what I did come up with is the first page for

1 Mr. Mackey, it has a copy of the name that was
2 submitted. I guess it was omitted as a deficiency
3 because they had a name as Hay, H-A-Y; and in
4 actuality the name is Henry. In my new appeal that I
5 filed today requests -- in documentation it shows on
6 the first page that I submitted on a day prior to the
7 deadline and that's which -- that's marked for
8 March 4 a voter's registration form showing that he
9 did indicate his name is Henry Scott.

10 MR. MACKEY: And we put it in as Henry
11 Scott. Somebody who was checking the petition had
12 difficulty reading the original signature so if -- on
13 my document there you'll see under the petition
14 line --

15 CHAIRMAN PREISSE: Make that clear again.

16 MR. MACKEY: If you'll look at the one
17 that's headed Miller, Selina, candidate for Columbus
18 Board of Education, so we are on the first page here.

19 CHAIRMAN PREISSE: Right.

20 MR. MACKEY: First line there is just me
21 identifying what petition it was, what line it was.
22 I've also cropped out the actual signature line of
23 that petition so you can see that someone might have
24 a little difficulty reading that. We coded it as Hay

1 Scott and not registered because we couldn't find
2 anybody by that name.

3 CHAIRMAN PREISSE: The address checks
4 out?

5 MR. MACKEY: Yes. Through Ms. Miller's
6 research she was able to identify him as Henry Scott.
7 And as you can see on his little registration card,
8 the address was similar so we can take a moment there
9 to see if you feel that signature is valid.

10 CHAIRMAN PREISSE: How do we wish to
11 proceed, on a case-by-case, signature-by-signature
12 basis?

13 DIRECTOR ANTHONY: And you should look
14 at -- what you should be looking at is signature on
15 file which would be the application at the bottom of
16 the document that Jeff put together, and then the
17 snapshot of that line item on the petition, how that
18 person signed the name on the petition. You have to
19 compare that with the signature on file, and if you
20 think that there is enough similarity in the
21 signatures, then it would be a match. If you don't
22 think there is enough similarity in the signatures,
23 then it's as is. It doesn't count.

24 MEMBER SINNOTT: Mr. Chairman, I think

1 this might be more time efficient if we hear fully
2 from Ms. Miller now and then turn to a case-by-case
3 consideration by the Board of each signature
4 comparison after that.

5 CHAIRMAN PREISSE: That sounds like a
6 good idea.

7 MS. MILLER: So you want me --

8 CHAIRMAN PREISSE: Yes, please. Why
9 don't you give us your whole report.

10 MS. MILLER: Okay. Well, as stated on
11 the appeal research and my voter's registration form,
12 the signatures are all the same so I counted that as
13 a one that was not counted. It is the same
14 signature.

15 Okay. And on the paper that was
16 submitted by Mr. Mackey in regards to Leah Stephens,
17 it says it's not registered. I omitted that one from
18 my count. I believe he said that was not -- I'll
19 keep that up to you. I don't know how he counted
20 that one. Did you --

21 CHAIRMAN PREISSE: Jeff, are we referring
22 now to the -- I wish we had a better way to refer to
23 this No. 2 --

24 MS. MILLER: He has his appeal search and

1 mine just says appeal at the top so on his second
2 page of his appeal search it says Leah Stephens and I
3 don't know -- it was not a registered address is what
4 he is saying so.

5 CHAIRMAN PREISSE: Jeff, jump in here and
6 clarify.

7 MR. MACKEY: I think Nos. 2, 3, and 4 on
8 her latest letter were not on the original letter; is
9 that correct, Selina? Nos. 2, 3, and 4 on your new
10 filing, were they on the original?

11 MS. MILLER: 2, 3, and 4, no.

12 MR. MACKEY: Those are new?

13 MS. MILLER: Those are new ones, yeah.

14 CHAIRMAN PREISSE: Okay. It is not clear
15 to me what we are talking about. I am going to rely
16 on you now to look at point No. 2, the Leah Stephens'
17 signature. The question is why is that on this page?
18 And put in context what we are talking about as it
19 relates to that signature.

20 MR. MACKEY: Line No. 2 was on petition
21 681, Leah Stephens. I have the first clip there is
22 the signature line of the petition. This is page 2
23 of my documents.

24 CHAIRMAN PREISSE: Oh, okay, right.

1 MR. MACKEY: She's following along with
2 what I gave her that you have so we can all be on the
3 same.

4 CHAIRMAN PREISSE: Okay.

5 MR. MACKEY: So she was talking about
6 that one. And we coded that as not registered there
7 you can see.

8 CHAIRMAN PREISSE: Because?

9 MR. MACKEY: She pointed out this person
10 was, in fact, registered. I was able to find her.
11 Once we get to the end I will point out that this
12 person is actually out of the district even though
13 she did sign the petition so we are not going to be
14 able to count this one anyway.

15 CHAIRMAN PREISSE: Okay, okay.

16 MR. MACKEY: But I was able to find out
17 she was registered. She should not have been
18 registered at that address but will eventually be
19 coded as out of the district.

20 MEMBER SINNOTT: In the estimation of
21 staff Ms. Stephens is not eligible because she is not
22 an elector in the school district?

23 MR. MACKEY: Correct. She is in the
24 Groveport Madison School District.

1 CHAIRMAN PREISSE: Okay. Next.

2 MS. MILLER: On the third page of
3 Mr. Mackey's for the petition 682, line 13, for Karla
4 Lipscomb.

5 CHAIRMAN PREISSE: What about Steven
6 Taylor?

7 MR. MACKEY: Steven Taylor was already
8 counted as a valid signature in our system, so on the
9 petition it looked like possibly it wasn't counted
10 but it was.

11 MEMBER SINNOTT: So he is among the 294.

12 MR. MACKEY: Correct.

13 CHAIRMAN PREISSE: Why is he -- okay.
14 I'm sorry to interrupt you. Karla Lipscomb.

15 MS. MILLER: Karla Lipscomb, she was
16 originally indicated I believe a nonregistered
17 person, and I had a voter's registration form that
18 was submitted on 2-5-2013 and it's among the ones
19 that I submitted today. There's a voter's
20 registration form.

21 CHAIRMAN PREISSE: So there's a line on
22 the petition and this is the registration form.

23 MEMBER SINNOTT: What was the staff's
24 reason for opposing this allowance?

1 MR. MACKEY: Whoever was looking up this
2 particular one was not able to find them. However,
3 Ms. Miller was able to tell us that it was Karla
4 Lipscomb, so when I look up Karla Lipscomb and pull
5 up her registration form, I can see that that is an
6 actual registered person at 4857 Kingshill. The 7
7 kind of blends into the Kingshill. Maybe the person
8 wasn't able to find it because of that.

9 CHAIRMAN PREISSE: I can also certainly
10 understand how the signature on the petition would be
11 very difficult to read. Having said that it pretty
12 closely matches this -- the same illegible signature
13 on the registration card.

14 MEMBER SINNOTT: Was she registered to
15 vote at the time she signed the petition?

16 MS. MILLER: Yes, sir. You have a voter
17 registration form.

18 MR. MACKEY: You are looking at a
19 registration form. There on the right-hand side you
20 will see that came in on the 4th of February.

21 MEMBER SINNOTT: So she became registered
22 the 4th. It appears as though she signed the
23 petition on the 3rd.

24 MR. MACKEY: As long as the person is

1 registered at the time that we are checking the
2 petition, that is the guiding principle there so
3 typically candidates will bring lots of registrations
4 in with them as Ms. Miller did and file them with
5 their petitions.

6 MEMBER SINNOTT: So it has been the
7 practice of the Board to ignore when the petition was
8 signed but rather to look only to whether the person
9 signing was registered by the time the Board's staff
10 is doing the review.

11 MR. MACKEY: Actually I think it's at the
12 time the petition was filed.

13 DIRECTOR ANTHONY: Yes.

14 DEPUTY DIRECTOR WALCH: You can see from
15 hers she did sign it on 2-3, her voter registration
16 form, which is also the day she signed the petition.
17 So she would have signed the petition and the voter
18 registration form on the same day which is --

19 MEMBER MANIFOLD: It looks like we have a
20 record of receiving it on the 4th which the deadline
21 was the 6th?

22 DEPUTY DIRECTOR WALCH: 6th.

23 MEMBER SINNOTT: I wasn't hearing any
24 objection to the legal discussion.

1 MR. ANDERSON: No. There is actually
2 case law on point from the Ohio Supreme Court as long
3 as the registration is received prior to the petition
4 being filed, it's a valid registered electoral vote.

5 MEMBER MANIFOLD: Should we come back and
6 vote on each one of these?

7 MR. ANDERSON: Yeah. You need to go
8 through each one individually.

9 CHAIRMAN PREISSE: Okay.

10 MS. MILLER: And, next, we have three
11 signatures which were challenged for being printed is
12 what I was told. And I pulled them up, and I can see
13 the connecting letters for each one so I counted them
14 as cursive for Alfonzo Woodford, Eric Jenkins, and
15 Ashlie Depinet.

16 CHAIRMAN PREISSE: Okay. Let's proceed
17 to 8.

18 MS. MILLER: Okay. And there's a Lisa
19 Shepherd and I could tell her signature to be the
20 same.

21 CHAIRMAN PREISSE: What happened to
22 Herbert Safford?

23 MR. MACKEY: Mr. Safford was already a
24 valid signature.

1 CHAIRMAN PREISSE: Okay. I'm sorry.
2 Please continue.

3 MS. MILLER: Yes. Lisa Shepherd next on
4 your? Okay. Lisa Shepherd is showing the same
5 signature as what I'm showing that was in the same
6 system -- in the system.

7 MR. MACKEY: On this one I actually
8 messed it up because I went back, as you can see from
9 my little checkmark there, and found it but did not
10 get it corrected in the system so.

11 MEMBER SINNOTT: Lisa Shepherd in the
12 294?

13 MR. MACKEY: She is not in the 294.

14 MEMBER SINNOTT: And there's no dispute
15 now about the correctness.

16 MR. MACKEY: If you are asking my
17 opinion, then, yes, that one should have been
18 counted.

19 CHAIRMAN PREISSE: Okay.

20 MS. MILLER: And going back to my one
21 that I submitted today, there were three new ones, if
22 you take a look there on the one marked March 4.

23 MEMBER MANIFOLD: I have a quick
24 question, so the deadline for the appeal protest is

1 February 22, right? Can you -- you can continue to
2 amend all the way up until today?

3 MR. MACKEY: Actually there is no
4 deadline for appeals. Only protests have a deadline.

5 MEMBER MANIFOLD: Oh, okay.

6 MS. MILLER: And in addition to that, I
7 was told I just had to submit the letter, but I was
8 trying to give Mr. Mackey some idea of what I was
9 trying to appeal.

10 MEMBER MANIFOLD: Thanks. I just wanted
11 to make sure.

12 MS. MILLER: And on the new one dated for
13 today, I found new ones, and it notes 2, 3, 4, 5, 6,
14 and 7. The No. 1 we went over for Henry Scott so if
15 you go to No. 2, I could start over again for you.
16 00663, line No. 11 it shows on the response DJ.

17 CHAIRMAN PREISSE: Okay. I need to catch
18 up. These are the ones you have to pull up
19 electronically?

20 MR. MACKEY: Do you want me to start?

21 MR. ANDERSON: While Jeff is doing that
22 it may be helpful to go through the original filings
23 to see these last three, potentially may not matter
24 if she didn't get enough valid signatures in the

1 original couple in the original.

2 CHAIRMAN PREISSE: You are saying we are
3 at 294, Jeff. Even because you -- the two we have
4 just reviewed or three that we have forwarded to the
5 staff in agreement, they are okay?

6 MR. MACKEY: Right, so she would need all
7 six of the remaining ones on her second filing.

8 MEMBER MANIFOLD: Well, I think there's
9 two, right, that aren't in there that I think --

10 MR. MACKEY: She filed nine. I've got
11 three. Two of them were -- I'm sorry, you're
12 correct. Two were already valid, and one was out of
13 district so we won't be able to count.

14 CHAIRMAN PREISSE: That's right, valid
15 signature, not valid on this particular so that --
16 okay. So that -- does that take us to 6 in question
17 and she's at 294?

18 MR. MACKEY: Correct.

19 CHAIRMAN PREISSE: So if all of these --
20 Harold's point is for it to be okay, she would hit
21 300.

22 MR. MACKEY: Yep.

23 CHAIRMAN PREISSE: What's your thought on
24 that?

1 MEMBER SINNOTT: My suggestion is that we
2 go ahead and complete the exercise of looking at the
3 signatures for comparison, and I'm not sure how we
4 are going to come out.

5 CHAIRMAN PREISSE: All right. Let's look
6 at the next one. What is it?

7 MR. MACKEY: Three.

8 CHAIRMAN PREISSE: Three.

9 MS. MILLER: Actually four, I believe it
10 is.

11 CHAIRMAN PREISSE: So we are now looking
12 at -- you're pulling up her petition; is that right?

13 MR. MACKEY: Yep. She is talking about
14 line 11 of petition 663 so here is line 663, here is
15 line 11.

16 CHAIRMAN PREISSE: Now, where are we
17 looking at? Registration cards?

18 MR. MACKEY: I'll have to pull those up
19 also.

20 CHAIRMAN PREISSE: You have to pull those
21 up?

22 MR. MACKEY: Yep.

23 CHAIRMAN PREISSE: Are you able to do
24 that in the same?

1 MEMBER SINNOTT: Jeff, are we really
2 going to have to do a comparison on the same screen?

3 CHAIRMAN PREISSE: Line 11 is what name?

4 MS. MILLER: Actually it says 00663, line
5 11 says DJ. That's my response from you all. But
6 when I look on the signature petition, it says John
7 Like, and it has nothing to do with the initials that
8 was omitted, DJ.

9 MR. MACKEY: She is referring to the
10 report that we gave her that said line by line how we
11 coded each line on the petition. So whoever is
12 searching used initials to search and probably an
13 address. But, yeah, my question would be who do you
14 contend it is that we were not able to find?

15 MS. MILLER: You said you could not find
16 DJ, DJ. You have a signature from a person named I
17 believe it's John Like which it would be JL.

18 MR. MACKEY: How do you spell Like?

19 MS. MILLER: I think it's L-I-K-E or
20 something, I'm not sure. But it has DJ for your
21 reason of not counting it in, so my theory of it is
22 it was miscounted simply because it has no bearing of
23 what you're saying, DJ versus JL.

24 Then the No. 12 is the same way. It says

1 WS and the person's name is Sarah White. Then I got
2 confused because unlike Sarah White is SW, this
3 person has WS. And then it goes MA, and then the
4 name is Ashley Met.

5 MEMBER MARINELLO: They just have the
6 initials wrong here, last name first.

7 MR. MACKEY: That's how we search.

8 CHAIRMAN PREISSE: So the question line
9 No. 11, this petition which appears to be John Like,
10 L-I-K, or something similar, Ms. Miller is saying why
11 didn't we count that; is that right? And our coding
12 says not registered.

13 MR. MACKEY: Not registered at the
14 address.

15 CHAIRMAN PREISSE: So the question is can
16 we here in realtime find it or not? We were
17 unable -- staff was unable to find it previous to
18 today. If we can't -- do you know this person?

19 MS. MILLER: I was just in a flow in a
20 city.

21 CHAIRMAN PREISSE: So you don't know what
22 the name is?

23 MS. MILLER: Not personally other than
24 what they wrote down.

1 CHAIRMAN PREISSE: Is the address
2 legible? Can you pull it up by address?

3 MS. BROWN: Search for a John, 3522.

4 MR. MACKEY: It's frozen.

5 MEMBER MARINELLO: Been there, done that.

6 CHAIRMAN PREISSE: I think, Board
7 Members, staff, I was about to come to the same
8 conclusion that Bradley suggested. Given,
9 Mr. Sinnott, we want to get this right as obviously
10 you do and we are having technical difficulty with
11 the computer seizing up, I would like to give my
12 colleagues permission that the staff go back and try
13 to bring as much clarity to these matters as you can
14 and reduce the pieces of paper down to the extent we
15 can in the comparison of signatures and registration
16 cards for the petition and the registration cards and
17 present this in as logical and clear a manner as we
18 can probably in communication with Ms. Miller.

19 Some of this information we just got
20 together. We want to get it right. It appears
21 because of other issues on the agenda we have to
22 have -- we would like to have another Board meeting
23 in the pretty near future, so hopefully we can
24 proceed along those lines. How does that sound to

1 everybody?

2 MEMBER MARINELLO: I agree.

3 MEMBER MANIFOLD: Yeah. That's fine.

4 MEMBER SINNOTT: Chairman, I think one of
5 the goals here is to create a written exhibit to the
6 transcript of the Board meeting when we make the
7 decision on Ms. Miller's case, that somebody in
8 reviewing the exhibits would know what it is that was
9 the basis for the Board's action to compare the
10 signatures. I don't think there would be any harm at
11 all in communication between Ms. Miller and staff
12 about the clarification of the exact issue that comes
13 before us as to each signature in question.

14 CHAIRMAN PREISSE: I think that will
15 provide us with greater clarity and Ms. Miller in the
16 process. That thing, is it still seized up?

17 MR. MACKEY: It's running, just slow.

18 CHAIRMAN PREISSE: I think we should
19 proceed as discussed on this matter. Thanks for
20 coming in and --

21 MS. MILLER: I do want to make one more
22 statement. I just want to keep in mind all of these
23 are not in comparison to the signature. It's the
24 way -- like I said, No. 1 through 7, No. 2 through 4

1 where it says, you know, the initials and the names
2 are not matching, like you said earlier, how can you
3 omit it from a count if the name is not even matching
4 up? And then another one was for the Bill Watkins.
5 He is a neighbor so I indicated that one, and Karla
6 Lipscomb, I want to reiterate her name is signed the
7 same way on the voter registration form.

8 CHAIRMAN PREISSE: Okay. We got a good
9 look at some of those including the Lipscomb
10 situation, but I think we need to put them all apples
11 to apples in as clear a fashion as we can create with
12 your cooperation. I appreciate you coming in today.

13 MS. MILLER: No problem.

14 CHAIRMAN PREISSE: Thank you.

15 MS. MILLER: Thank you.

16 DIRECTOR ANTHONY: So we will notify her
17 of our next meeting.

18 MR. ANDERSON: We need a motion to table
19 this matter.

20 MEMBER SINNOTT: So moved. Mr. Chairman,
21 motion to table the Selina Miller appeal until the
22 time of the next Board meeting.

23 MEMBER MANIFOLD: Second.

24 DIRECTOR ANTHONY: All those in favor say

1 aye.

2 The next item on the agenda would be the
3 protest against the candidacy of Dominic Paretti. We
4 have an individual that filed a protest there was
5 signatures that should not have been counted. Jeff,
6 do you want to walk us through those? Is Ms. Reis
7 here?

8 MR. MACKEY: So is it Reis?

9 MS. REIS: Reis.

10 MR. MACKEY: Ms. Reis filed the protest
11 originally on February 22. In addition we received
12 an addendum to that this morning. Those are both
13 there. The document I have prepared includes all of
14 those as well as actually my -- my document does
15 include some information that Mr. Paretti was going
16 to present, but he has withdrawn his appeal of some
17 of our signatures that he thought we should have
18 counted. So those groups are all in the same
19 document that you have there.

20 MEMBER SINNOTT: Okay.

21 CHAIRMAN PREISSE: So we have two letters
22 from Ms. Reis dated February 22 and March 1 detailing
23 various signatures that question her findings. And
24 then what are these two? Describe these two

1 comparatives.

2 MR. MACKEY: Right. One is for the next
3 issue which is Jacqueline Taylor so set that aside
4 for a moment.

5 CHAIRMAN PREISSE: Okay. And this
6 document that you have given us here which begins
7 with petition 1455, line 15, Miller, Marco.

8 MR. MACKEY: Yes. That should follow
9 along with the items she brought forth in her protest
10 letter.

11 CHAIRMAN PREISSE: In her protest letter
12 or letters?

13 MR. MACKEY: Letters.

14 CHAIRMAN PREISSE: So both of these
15 protest letters match this.

16 MR. MACKEY: That is correct.

17 MEMBER MANIFOLD: Do we have the ones
18 from today ready?

19 MR. MACKEY: Yes.

20 MEMBER MANIFOLD: The ones from this
21 morning.

22 MEMBER SINNOTT: Here Mr. Paretto filed a
23 March 1 appeal of protest. At least that was the way
24 it was captioned, right?

1 MR. MACKEY: Yes.

2 MEMBER SINNOTT: So he -- he has had an
3 opportunity to respond to the February 22 collection
4 of questions, but I presume he has had no opportunity
5 to respond to the March 4 collection of questions.

6 MR. MACKEY: That would be -- he has not
7 responded. I don't know that he -- he was alerted
8 earlier today that we received that. The items that
9 he appealed were not necessarily items brought up in
10 the letter but were additional signatures more along
11 the lines of Ms. Miller's appeal that he found that
12 we felt we should have counted that we had
13 invalidated.

14 DEPUTY DIRECTOR WALCH: I think the
15 question you are asking, Mr. Sinnott, is has he had a
16 substantial amount of time to even consider the
17 amended -- or the amended portion of this, and the
18 answer to that is no since it just was filed today.
19 He did not have, you know -- yes, he was notified
20 that we got it, as was Ms. Taylor on her petition
21 also. Being that they were just filed today, they
22 have had since this morning to know about this.

23 MEMBER SINNOTT: My inclination we want
24 to consider all relevant evidence and get this right,

1 but I want to afford Mr. Paretti and perhaps
2 Ms. Taylor too, I haven't seen her material yet, the
3 opportunity to address everything that's being called
4 in question. It seems to me a matter of fundamental
5 fairness.

6 CHAIRMAN PREISSE: Yeah. Just brief the
7 situation, material as late as today was submitted.
8 This is -- this is the case again. So I think we
9 should give ourselves and the candidates in question
10 a chance to get it right. And, Brad, you're
11 suggesting handling the case, this situation, all
12 together and not pick apart a part of it today and
13 more of it later.

14 MEMBER SINNOTT: Yeah. That would be
15 right. Why don't we give Mr. Paretti an opportunity
16 to be heard on all the evidence and Ms. Taylor whose
17 similarly situated. I think we need to afford her
18 the same opportunity. We've already decided we have
19 to meet again soon to consider Ms. Miller's matter so
20 it would seem to make sense for me for these three
21 questions about whose qualifying for the school board
22 primary to come before the Board in the near term but
23 at a date other than this one.

24 CHAIRMAN PREISSE: I think that makes a

1 lot of good sense.

2 MEMBER MANIFOLD: I agree.

3 MEMBER SINNOTT: If everyone agrees,
4 Mr. Chairman, I move we table the Paretti and Taylor
5 matters until such time as the Board next meets.

6 MEMBER MANIFOLD: Second.

7 DIRECTOR ANTHONY: All those in favor say
8 aye. Motion carries.

9 The next item on the agenda would be
10 maybe we should set that date for the next meeting so
11 that everyone here will know when that next meeting
12 date is. Everybody like to get their calendars out
13 and let us know when is a good time?

14 MR. ANDERSON: You are running up against
15 statutory -- deadlines for statutory.

16 DIRECTOR ANTHONY: Next week?

17 MR. ANDERSON: Next week is probably as
18 late as you can do it.

19 CHAIRMAN PREISSE: What is your deadline?

20 MR. ANDERSON: 23rd.

21 DEPUTY DIRECTOR WALCH: Todd, what's the
22 date?

23 MR. WEDEKIND: We have to mail on the 2nd
24 which is a Saturday so we don't want to be anywhere

1 near that date.

2 DIRECTOR ANTHONY: So this week would be
3 good or first of next week?

4 CHAIRMAN PREISSE: How does Tuesday,
5 March 12, in the afternoon look?

6 DIRECTOR ANTHONY: That would give us 10
7 days. Would that be enough time to copy?

8 DEPUTY DIRECTOR WALCH: It's the 23rd,
9 Saturday, the 23rd.

10 MR. WEDEKIND: I'm sorry, Jeff. Last
11 weekday is the 22nd but that doesn't give Karla much
12 time. I would recommend doing it this week so we
13 have time -- we still have to create all the bases --
14 approve the ballot bases and publicly display the
15 ballot bases so.

16 CHAIRMAN PREISSE: I am afraid Friday is
17 out for 50 percent of the Board, maybe more, and
18 doing this tomorrow or Wednesday or even Thursday I
19 am not sure that gives our candidates time to digest
20 it.

21 DIRECTOR ANTHONY: Jeff has something to
22 say.

23 MR. MACKEY: I also expect Friday, the
24 8th, is the date that the Brice Charter Commission

1 member petitions will be due so I would expect them
2 to come in probably that day.

3 CHAIRMAN PREISSE: Meaning you want it
4 accurate.

5 MR. MACKEY: We may not be ready on
6 Friday depending on when they come in. They
7 shouldn't be too hard to check to get done by Monday,
8 Tuesday.

9 MEMBER SINNOTT: If we set out a meeting
10 for the 12th, we will have people to be on the
11 Village of Brice.

12 MR. MACKEY: We'll be done then too.

13 CHAIRMAN PREISSE: I see a nod from Todd.

14 MR. WEDEKIND: Yeah, I think the 12th
15 would be the latest you want to go.

16 CHAIRMAN PREISSE: But doable.

17 MR. WEDEKIND: The 12th.

18 DIRECTOR ANTHONY: Everybody's schedule,
19 it's time, but I understand that.

20 MEMBER SINNOTT: 3 o'clock on Tuesday,
21 the 12th?

22 DIRECTOR ANTHONY: Set the meeting for
23 3 o'clock on the 12th, March 12, at 3 o'clock.

24 MR. ANDERSON: To clean up the record,

1 might I suggest we table all three of those? I mean,
2 I think you can do it in one motion to that specific
3 date in time. In other words, table the Miller
4 appeal, the Paretti protest, and the Taylor protest
5 until March 12 at 3 o'clock.

6 MEMBER SINNOTT: Mr. Chairman, I move we
7 table the Miller, Paretti, and Taylor matters until
8 Tuesday, the 12th of March, at 3 p.m.

9 DIRECTOR ANTHONY: Is there a second?

10 MEMBER MANIFOLD: Second.

11 DIRECTOR ANTHONY: All those in favor
12 aye. Motion carries.

13 The meeting is scheduled for 3 o'clock,
14 March 12, 2013.

15 CHAIRMAN PREISSE: That sounds like a
16 good plan.

17 DIRECTOR ANTHONY: The next item on the
18 agenda we have League of Women Voters.

19 MR. MACKEY: Ms. Taylor has a question.

20 CHAIRMAN PREISSE: Okay.

21 MS. TAYLOR: Good afternoon. Thank you,
22 guys. My question is will these addendums be
23 permitted to continue to come in? Otherwise we are
24 going to be right back at the same impasse so if

1 another addendum comes in the morning of the 12th,
2 then here we are again. So that is my question. So
3 the addendum this morning came in, I received an
4 e-mail at 11:26 this morning indicating there was an
5 addendum to Ms. Reis's protest. So, again, March 12
6 another set of -- another set of addendum -- another
7 addendum comes in so my question is will there be a
8 cease on that?

9 CHAIRMAN PREISSE: Well, the challenge is
10 going to run out pretty soon as to what the Board
11 physically can do to meet our statutory deadlines. I
12 don't know if.

13 DIRECTOR ANTHONY: There's nothing we can
14 do. We cannot not turn it into an addendum. That
15 would be stepping on the rights of an individual so
16 we cannot do that.

17 MS. TAYLOR: Okay.

18 DIRECTOR ANTHONY: At some point if the
19 addendums keep coming in as we get ready to meet,
20 then we are going to run out of time, and the issue
21 will not be on the ballot with our prior -- our
22 prior -- our prior vote on items to the ballot.

23 CHAIRMAN PREISSE: Okay.

24 MS. TAYLOR: Thank you.

1 CHAIRMAN PREISSE: Do you want to
2 proceed?

3 DIRECTOR ANTHONY: Yes, sir. Are we
4 ready?

5 CHAIRMAN PREISSE: Yeah.

6 DIRECTOR ANTHONY: The next item on the
7 agenda is League of Women Voters' presentation. Last
8 meeting I gave everybody a copy of a packet the
9 League of Women Voters presented to us. They have a
10 proposal to bring before us. I've taken the liberty
11 of getting the two pages of their proposal and so
12 take that.

13 And so at this point who is going to come
14 up with the League of Women Voters?

15 MS. PULLES: Thank you for giving us time
16 today on the agenda. My name is Amy Pulles, and I am
17 the President of the League of Women Voters
18 Metropolitan Columbus. Prior to serving as the
19 president, I was the administrator for the League
20 from 2001 through 2012.

21 We are here today to talk about our
22 proposal for the Board of Elections to financially
23 support our Voter Information Bulletin in the amount
24 of \$6,000. In the past -- well, in the fall some

1 members of our Development Committee had met with
2 Mr. Anthony about ways that the Board of Elections
3 could support the League of Women Voters in our
4 Voting Information Bulletin. In past years the Board
5 of Elections has purchased the back cover -- this is
6 a copy of this year's bulletin. And from 2005,
7 general election, 2005, to the general election of
8 2010, the Board of Elections did purchase the back
9 cover of our Voter Information Bulletin, and you used
10 that as a way to -- to inform voters about deadlines,
11 hours, polling locations and so on.

12 However, you have not done that since,
13 like I said, 2010, I believe was the last year. But
14 anyhow I want to tell you a little bit about the
15 League in case you didn't know. The mission of the
16 League of Women Voters is to encourage informed and
17 active participation in government, work to increase
18 understanding of major public policies, and influence
19 public policy through education and advocacy. The
20 League is where hands-on work to safeguard democracy
21 leads to specific improvement.

22 Throughout our last League year we spent
23 a great deal of time coming up with our strategic
24 plan for the next five years and through that we

1 determined that our focus at the Metropolitan
2 Columbus level of League of Women Voters was to work
3 to become the go-to organization in central Ohio for
4 nonpartisan citizen education, to protect civil
5 discourse among citizens and legislators with
6 differing opinions, and encouraging people to work
7 together in a productive manner that allows for
8 compromise and positive outcomes for all central
9 Ohioans and also to engage populations with low
10 participation rates such as minorities and young
11 people by teaching them how to get involved in the
12 political process and providing -- by providing them
13 with the tools and education necessary to advocate
14 for issues important to them regardless of their
15 party affiliation.

16 The best way that we currently do that is
17 through the use of our Voter Information Bulletin.
18 What this is it exists in basically every major city
19 in the entire country. We survey usually starting in
20 July, or actually as soon as the certified list of
21 candidates comes from you guys, we survey. We send
22 out a survey to all of our candidates, questions are
23 decided on from our Board of Directors. The surveys
24 include their education, occupation, and

1 qualifications for office. And then for major
2 offices like the citywide races and countywide races
3 we also ask them some specific questions.

4 Then once the surveys are returned back
5 we enter their surveys into -- into our bulletin, and
6 they are printed. The responses are printed exactly
7 as they sent them to us. We make no changes. Even
8 typographical errors we do not change. There's a
9 word limit to questions, and after they have reached
10 that word limit, they are cut off. And it says that
11 they have exceeded the word limit. This -- this is
12 distributed through the Columbus Dispatch to anybody
13 who receives the Dispatch on it's usually the second
14 Sunday before the general election. This year we
15 actually had moved it up to the third Sunday before
16 the general election but then -- because of all the
17 absentee voting that's been occurring, but through
18 some confusion it ended up the second week before.

19 But anyhow it's also available on our
20 website at the end of September, several different
21 sources linking to our website so that people are
22 able to see that it's available.

23 One tremendous asset for us is the Board
24 of Elections because we receive over a thousand phone

1 calls from voters in the months of September and
2 October and in the first week -- first couple of days
3 of November and I would say that 75 percent of those
4 phone calls start with the Board of Elections told me
5 to call you. And it's what they are looking for is
6 voter service information, information that they can
7 take to the polls to learn about the candidates and
8 that can help them make their decision on voting.

9 Another great piece of our Voter
10 Information Bulletin are our pros and cons we create
11 on our state issues. We interview -- we study the
12 issue. We interview people that are for the issue.
13 We interview who are against the issue. And then we
14 list bullet points as to why -- why people support or
15 oppose the issue.

16 We also give -- provide an explanation of
17 the issue in terms that people can better understand
18 so a lot of times when people get to the ballot or to
19 their voting box and they read the issue, they don't
20 understand it. What does voting yes mean? We say a
21 vote yes means this. A vote no means that just so
22 people are educated when they go to the polls.

23 One way -- one reason why people don't go
24 vote is because they don't feel like they know

1 anything. They don't know any of the people they are
2 voting for. They don't know what races they are
3 voting on so they just don't go. Well, our Voter
4 Information Bulletin eliminates that.

5 I just don't know anything to try to get
6 them to -- to go vote. We don't like to see low
7 voter turnouts so we are trying to change that. And
8 we have been working for 92 years to try to change
9 that.

10 So we -- I got off my schedule. So I
11 wanted to make sure I say that like I had said
12 earlier we are -- us and the Board of Elections are
13 already working together by you providing us with --
14 with referrals. You send people to us, like I said,
15 on a daily basis during election season, and also we
16 use your -- your website quite a bit. We use it. We
17 staff the phone bank at WBNS 10TV on election day
18 when voters call in with questions. And also we get
19 a lot of calls where people want a sample ballot.
20 They have no idea you guys have that on your website.
21 We tell them where to go. They don't have access to
22 the internet, I print off the sample and mail them a
23 copy of the Voter Information Ballot with that.

24 We provide speakers at nursing homes, and

1 we send sample ballots to all the residents we got
2 from their website along with a copy of the Voter
3 Information Bulletin, but we also think there is a
4 lot of other ways we might be able to work more
5 closely with the Board of Elections to educate voters
6 and to increase voter turnout.

7 We would love the opportunity to be able
8 to talk to you about that further if anybody has any
9 ideas on ways we might be able to expand our
10 relationship, but we do hope that you will consider
11 our proposal to financially support the efforts. It
12 is for \$6,000. We do have to pay \$5,000 to the
13 Dispatch to print the -- to print it and to circulate
14 it for us. It goes to approximately, give or take
15 what their circulation rate is at the time for
16 Sunday, it can range between 350,000, 450,000 that
17 receive a copy of our Voter Information Bulletin
18 through the Dispatch.

19 They also provide us with overruns that
20 we give to all the local libraries. We give to
21 United Way Agency. We give them to business. We
22 give them to schools. Anybody who asks for them we
23 provide them copies, as many as they need.

24 Partnering with the League will ensure

1 the continuation of the VIB and continued
2 availability of easy access to unbiased information
3 on candidates, issues, and the voting process in
4 Franklin County and also partnering with the League
5 will also help to ensure a level playing field for
6 candidates of all walks of life.

7 Our Voter Information Bulletin provides a
8 free way for candidates to get their information in
9 the hands of voters. So thank you for giving us this
10 time.

11 CHAIRMAN PREISSE: Thank you. Are there
12 questions or comments from the Board?

13 MEMBER SINNOTT: Mr. Chairman, I have a
14 couple of questions for Ms. Pulles. We may -- thank
15 you for joining us today. You are asking for \$6,000
16 from the Board?

17 MS. PULLES: Yes.

18 MEMBER SINNOTT: And then is it true that
19 the Dispatch charges the League \$5,000 to print and
20 distribute the Guide?

21 MS. PULLES: That's the fee they charge
22 us, \$5,000. It costs them quite a great deal more to
23 do that service for us, but they only ask us for
24 5,000. And then the additional thousand would be to

1 help offset the staff time to create the Voter
2 Information Bulletin.

3 MEMBER SINNOTT: So if we were to give
4 you the \$6,000, we would be underwriting the League's
5 entire cost of printing and distributing the Guide
6 plus we would be paying \$1,000 for League staff time?

7 MS. PULLES: Yeah. Well, the staff time
8 that's put into creating that, yes.

9 CHAIRMAN PREISSE: The advertisement on
10 the back of that VIB, I don't recall ever voting or
11 authorizing that. I wonder if that -- since I have
12 been on the Board. I wonder was that part, do you
13 recall or know, of the general advertising initiative
14 that we have launched over the years?

15 DIRECTOR ANTHONY: It must have been. We
16 do -- particularly in big cycle years, the even
17 number years, we do spend some -- a substantial
18 amount of money advertising, and I believe that we
19 did put that on part of the advertising in 2010.

20 CHAIRMAN PREISSE: That's what I'm
21 suspecting.

22 MS. PULLES: Can I say something? As I
23 remember when that first started, at the time the
24 Board of Elections had a requirement to -- to in some

1 sort of way three times during the election season
2 had to advertise their deadlines, their polling
3 hours, and I think that that's -- it must not be
4 ringing a bell.

5 CHAIRMAN PREISSE: I think we are under
6 certain requirements with the newspaper of record; is
7 that correct?

8 DEPUTY DIRECTOR WALCH: That's correct.

9 MS. PULLES: You were using that -- that
10 was justification. You were using that to fulfill
11 one of those three times.

12 MEMBER SINNOTT: Well, one of the things
13 I found curious about this matter when I first read
14 the agenda was whether the Board has the legal
15 authority to take the taxpayers' money and give it to
16 a private group which looks to be what is being
17 requested on the face. I find it interesting that
18 when the Board has made a payment toward
19 dissemination of the Voter Guide in the past, it
20 received some advertising in exchange.

21 CHAIRMAN PREISSE: I'm not sure that --
22 let's get that straight because that wasn't my
23 understanding.

24 MS. PULLES: The moneys to purchase the

1 back cover was paid to the Dispatch. That was not
2 paid to us.

3 MEMBER SINNOTT: Paid to the Dispatch.

4 MS. PULLES: It was paid to the Dispatch.
5 At the time they did not charge us to print out, only
6 started in the last few years.

7 MEMBER SINNOTT: That's my most
8 fundamental question here before turning to the
9 merits of whether we want to do this. Do we have the
10 capacity to take people's money and give it to the
11 League of Women Voters or any other private
12 organization?

13 MR. ANDERSON: Oh, the general rule in
14 Ohio is that lending credit is unconstitutional.
15 Now, if there is a contractual relationship, if there
16 is a statutory right to procure a particular service
17 or good, then that's not lending credit issue. I
18 have not -- I don't know that I would have sufficient
19 information about what's going on here to opine today
20 as to whether that's a valid legal expenditure.

21 MEMBER SINNOTT: Okay.

22 CHAIRMAN PREISSE: Let me ask a side
23 question too, the League does not endorse or support
24 candidates.

1 MS. PULLES: No, we do not.

2 CHAIRMAN PREISSE: But speak to the issue
3 of issues.

4 MS. PULLES: Okay. The League at the
5 state and national level of the League of Women
6 Voters they do have an active advocacy arm that
7 focuses on good government and voter protection
8 advocacy. Throughout our 92-year history that has
9 not been a partisan issue. They do take through our
10 process of study and consensus, all of our members
11 do, we do create positions on issues and then we go
12 out and we can -- as long as we have a position, then
13 the state and national -- then the League of Women
14 Voters can advocate on a particular issue. When we
15 come to those -- our positions, they are not done
16 based on any party opinion or any party -- any
17 party's platform. They are based directly on study
18 and consensus among our members.

19 CHAIRMAN PREISSE: So the League does
20 endorse or take positions on issues, ballot issues.

21 MS. PULLES: Yes, yes, at the state and
22 national level. At the local level we focus on
23 citizen education.

24 CHAIRMAN PREISSE: All right. I think we

1 have enough information to study this further
2 internally, but it sounds like, I think they are only
3 two lawyers up here, have pointed out in questions we
4 would want to make sure we protect the Board, the
5 public body, as well as the League from doing
6 something improper.

7 MS. PULLES: Right, right.

8 CHAIRMAN PREISSE: And we are well aware
9 of the work over the 92 years, and I think we have
10 plenty of information to study that further.

11 Other thoughts or questions?

12 MEMBER MANIFOLD: I would just say thank
13 you for coming down. You guys do great work.

14 MS. PULLES: Thank you.

15 MEMBER MANIFOLD: It easily makes sense
16 to buy an ad on here but \$6,000 for the back page of
17 that ad for my money we pay --

18 MS. PULLES: I wanted to say that even if
19 you are not able to financially support us, your
20 purchasing of that ad kept the Dispatch doing it
21 because it was funding that they were receiving for
22 it so that's another way to support us is to continue
23 placing that ad.

24 MEMBER MANIFOLD: I was going to say we

1 usually have a decent amount of money in our
2 advertising budget in the fall. I think it's usually
3 late summer that we do our advertising budget. Make
4 sure you work with these guys.

5 MS. PULLES: Yeah, we will.

6 MEMBER MANIFOLD: That's way more than --
7 what we pay on a T.V. ad is just ridiculous. The
8 amount of money they spend for a 30-second ad is
9 probably more money than that and that reaches way
10 more people so I would gladly. Work with us, see
11 what we can do.

12 MS. PULLES: Okay. Good.

13 CHAIRMAN PREISSE: Thank you very much.

14 MS. PULLES: Thanks for your time.

15 DIRECTOR ANTHONY: Thank you.

16 The next item on the agenda is directive
17 2013-11, the Secretary of State's Office that advises
18 the Board of Elections to look into any kind of fraud
19 or voter suppression issues that have been in the
20 2012 election cycle. Dana and I have had a
21 conference call with the Secretary of State's Office
22 about this.

23 And part of the directive says that
24 citizen groups are allowed to present those to us for

1 the Board -- if the Board uncovers anything, any kind
2 of fraud or voter suppression, that we have to have
3 the Board sit and discuss it. We do have before you
4 today more details on several -- a number of issues.
5 There may have been some fraudulent activities and we
6 need to subpoena individuals to come to provide
7 additional documentation to us, we could make that so
8 we could get more information, figure out how to
9 proceed.

10 As part of the conversation today as
11 well, we would like to talk about possibly holding a
12 public session where we would invite groups to come
13 in and tell us if they know of voter fraud or voter
14 suppression. We did something similar, I believe,
15 2000 -- I forgot the year now.

16 CHAIRMAN PREISSE: These are two separate
17 issues?

18 DIRECTOR ANTHONY: Yeah, two separate
19 issues but the same issue so the first one we want to
20 talk about would be the issuing of subpoenas for
21 individuals who we suspect voted -- voted more than
22 once. And I'll let Dana go through -- do you have a
23 list for them of individuals?

24 DEPUTY DIRECTOR WALCH: You do have in

1 your packets today, each one of you should have a
2 little binder clip, on it seven instances that we
3 have identified through our normal course of business
4 here at the Board putting in vote histories, updating
5 histories, et cetera, after the election.

6 What has been normal procedure of the
7 Board from my understanding in the past, my limited
8 knowledge of it, been through one instance of it, but
9 through historical nature, also working with the
10 Prosecutor's Office is that they ask us to do some
11 additional research into any case that we might have
12 like this and that would begin with not only the
13 documentation that we can provide here but then also
14 calling folks in to talk to them to discuss these
15 matters with them.

16 In your binder there you have seven
17 different cases that are stapled together. The first
18 one deals with an instance where we believe the voter
19 registered to vote here in Franklin County voted in
20 Franklin County after having passed an absentee
21 ballot in Montgomery County, and the documentation is
22 there showing that.

23 And then the remaining six instances are
24 people that we suspect voted in an absentee ballot by

1 mail and then voted also in person at our vote center
2 on Morse Road. We identified these six instances
3 immediately following the election, in the day or two
4 after the election, and we're actually able to go
5 back because at the vote center we had -- since we
6 were voting on the machines, our electronic voting
7 machines, we coded each one of the ballots that were
8 cast there. We're required to do that during the
9 golden week period, but we opted for consistency sake
10 just to continue to do that throughout the entire
11 in-person absentee voting session, the entire 35
12 days.

13 So when this -- these situations
14 presented themselves where somebody had voted via
15 mail by absentee and then also in-person absentee, we
16 were able to go back into the machines and pull those
17 votes out of the machines so that each one of these
18 individuals only had one vote count in this election.

19 CHAIRMAN PREISSE: On this case that is
20 Rosemary Begallian, there is a facsimile of an
21 application to vote absentee, the second page was a
22 second request that was rejected?

23 DEPUTY DIRECTOR WALCH: That's correct.

24 CHAIRMAN PREISSE: The third page, is

1 that the documentation of having voted at the early
2 vote center?

3 DEPUTY DIRECTOR WALCH: That's correct.
4 As you can see, that's an absentee voter request, but
5 in the upper right-hand corner of that there is a
6 sticker that was over that and that identifies it as
7 absentee ballot application applied for at our early
8 vote center.

9 CHAIRMAN PREISSE: And executed at the
10 same time.

11 DEPUTY DIRECTOR WALCH: That's correct,
12 sir, and then the final page of that one would be the
13 copy of her mail-in absentee ballot, the
14 identification envelope that came with that.

15 CHAIRMAN PREISSE: Is that pattern there
16 replicated in the other five?

17 DEPUTY DIRECTOR WALCH: That's correct.

18 MEMBER SINNOTT: So the Board has
19 statutory subpoena authority?

20 MR. ANDERSON: Yes.

21 MEMBER SINNOTT: And the staff is
22 proposing that we compel these people to come where?

23 DEPUTY DIRECTOR WALCH: Come to the Board
24 of Elections to be interviewed by staff here at the

1 Board of Elections about these -- these instances.

2 MEMBER SINNOTT: To answer questions from
3 the Board staff, right?

4 DEPUTY DIRECTOR WALCH: That's correct.

5 MEMBER SINNOTT: Under oath?

6 DEPUTY DIRECTOR WALCH: Yes. We would
7 have a court reporter there as per the directive Bill
8 mentioned earlier. We would have a court reporter
9 there to document the entire session, and it would
10 then be after that interview and any subsequent
11 documentation that would be provided by the voter or
12 by the Board itself to then make any recommendation
13 to you, Members of the Board, if we felt this needed
14 further action through the Prosecutor's Office.

15 So the first step in this would be
16 calling these individuals into the office to
17 interview them under oath, and we would present doing
18 that via the Board issuing subpoenas to these seven
19 individuals to come in.

20 MEMBER SINNOTT: Is that a recorded
21 interview?

22 DEPUTY DIRECTOR WALCH: Yes. We would
23 have a court reporter there to do an entire
24 transcript of the interview.

1 MEMBER SINNOTT: Have we attempted any
2 informal communication with these folks about what
3 they did?

4 DEPUTY DIRECTOR WALCH: Not as of this
5 point, no. The only instance we have had of there
6 being any communication on this -- on any of these
7 issues is the one instance is Mr. Herron, Douglas
8 Herron, who actually self-reported himself to the
9 Bureau of Criminal Investigation or whatever, it's
10 called BCI, and realized that he might have done
11 something wrong after -- but after he did it. But we
12 have not spoken with Mr. Herron. That is through a
13 phone conversation that was given to the -- from BCI.

14 CHAIRMAN PREISSE: They alerted us that
15 he told them.

16 DEPUTY DIRECTOR WALCH: That's correct.
17 The call was from BCI, not from Mr. Herron.

18 CHAIRMAN PREISSE: The interviews would
19 take place in these offices at a Board meeting or?

20 MR. ANDERSON: If you issue a subpoena,
21 the subpoena would be to a Board meeting. Informally
22 I think what Dana is saying is that you would request
23 they come in and meet with staff informally. Absent
24 that then you would look at the Board's subpoena

1 authority.

2 CHAIRMAN PREISSE: Brad's question is a
3 transcript would relate to an interview subsequent to
4 the subpoena.

5 DEPUTY DIRECTOR WALCH: What I was
6 proposing was that we issue a subpoena for these
7 individuals to come in and speak with Board staff but
8 make that under oath in front of a court reporter,
9 also to allow the staff to do initial research into
10 these matters before presenting the evidence to you
11 four Members of the Board for any formal action on
12 it.

13 CHAIRMAN PREISSE: Does that work,
14 Harold?

15 MR. ANDERSON: I'll have to -- I think
16 so, but I would have to look at the code. This is a
17 little -- this shades to the criminal, and I'm not a
18 criminal attorney so.

19 DIRECTOR ANTHONY: You know, when I was
20 on the Board a number of years ago, we had a
21 situation where a gentleman voted twice and we were
22 advised, we subpoenaed an individual to a Board
23 meeting, and then the individual had to come before
24 the Board and then explain what had happened and then

1 the Board made a decision. So, I mean, that's the
2 way I remember doing it so I'm not sure if that --
3 that was the advice we had gotten so I don't know
4 what that means presently but.

5 MEMBER MANIFOLD: Yeah, I'm not sure the
6 thought -- the directive was put on the Board.

7 DIRECTOR ANTHONY: So anyway we had an
8 individual come before the Board, subpoenaed them,
9 they came in for a Board meeting, and then they
10 presented their -- the Board then asked questions,
11 and we would provide you guys with the task, and then
12 the individual answered the questions and then based
13 on the answers, the Board made a determination to
14 prosecute the person or not.

15 CHAIRMAN PREISSE: You are not allowed to
16 vote twice, and we have pretty good evidence that
17 seven persons have so we must take action.

18 MEMBER MANIFOLD: I guess my question is
19 did they -- the second -- so they came into the vote
20 center after they had mailed back their absentee
21 ballot, right, like in the mail?

22 DEPUTY DIRECTOR WALCH: That's correct.

23 MEMBER MANIFOLD: But the -- but we know
24 they are marked in the book, they show up there, they

1 vote, the ballot has been marked, they can't vote.

2 They voted a provisional ballot, right?

3 DEPUTY DIRECTOR WALCH: No. It's been --
4 and Todd is still here, Todd might pipe in on this,
5 it's been the past practice of the Board if somebody
6 had requested an absentee ballot and then come to the
7 vote center, that's because that is also absentee
8 voting. It was considering a case of where something
9 happened to the initial ballot, and, thus, it was a
10 new ballot was reissued to them. That was a
11 decision, I believe, Todd, if I am correct, was made
12 a number of years ago through Board procedure that we
13 kept going through this year.

14 We have had discussions of coming before
15 you to change that for the future because we do have
16 these instances where I don't know what they might
17 have said to the clerk at the early vote center, to
18 say I threw that away, I misplaced it, I didn't vote.
19 I have no idea what they might have said that would
20 have led the clerk at the vote center to issue them
21 another authority to vote slip for the in-person and
22 at the center. But in these cases these voters not
23 only mail an absentee vote but then also came in in
24 person.

1 MEMBER MANIFOLD: Okay.

2 CHAIRMAN PREISSE: Yeah, Todd.

3 MR. WEDEKIND: Okay. Previously what we
4 would do would be have the voter provisional ballot.
5 Years back we would do that. The previous
6 administrator wanted us to treat it like a second
7 ballot request and treat it the same so like someone,
8 you know, I lost it, whatever, we would issue the
9 second ballot. So this administrator wanted us to
10 change from giving them a provisional ballot to
11 letting them vote on the machine just as we would as
12 if it was a second request. So that's why we have
13 done it that way. The ballot is coded so we can
14 always pull it out as we did with these individuals
15 so, you know, future discussions I think we would
16 like to go back to going back to making the voter
17 provisional ballot if they, in fact, have already
18 requested an absentee. It would end up being the
19 same situation but I think there --

20 CHAIRMAN PREISSE: In your scenario they
21 would have a chance to only count one.

22 MR. WEDEKIND: Only count one.

23 CHAIRMAN PREISSE: These votes have been
24 counted twice.

1 MR. WEDEKIND: No. They were only
2 counted once.

3 DEPUTY DIRECTOR WALCH: Since we had
4 coded the ballots at the vote center on the vote
5 machines as we are able to do once we identified this
6 a day or two after when we did the official canvass
7 of votes, we were able to go back in and get those
8 votes out of the machines.

9 CHAIRMAN PREISSE: At the early vote
10 center.

11 DEPUTY DIRECTOR WALCH: That's correct.

12 MR. WEDEKIND: So there was only one
13 counted.

14 DEPUTY DIRECTOR WALCH: It's like a
15 provisional without an envelope.

16 MR. WEDEKIND: Exactly the way we used to
17 vote when we get provisionals on the DREs. This is
18 exactly the same pro -- a provisional code is put in
19 for the provisional, and then once we determine
20 whether it is to be counted or not to be counted, we
21 either leave it in or pull it out and that's the same
22 way with those.

23 MEMBER MANIFOLD: Okay.

24 MEMBER SINNOTT: I'm in favor.

1 MR. ANDERSON: It's the attempt that's
2 the problem.

3 MEMBER SINNOTT: Right.

4 MR. ANDERSON: Whether there were two
5 counted ballots or not, even the attempt is the law.

6 MEMBER SINNOTT: Got that. I am in favor
7 of investigating this, but I'm unclear as to what to
8 say in a motion authorizing issuing subpoenas because
9 I'm not sure that we have figured out what our
10 investigative process is going to be here. Usually
11 if you want information from a witness, your first
12 step is to pick up and call and say, hey, I want to
13 talk to you about what happened. And if that person
14 wouldn't talk to you, you have a subpoena authority
15 available to you, then you take that step. I don't
16 think we've done that yet. Perhaps we haven't done
17 it trying to be compliant with an SOS directive.

18 It's not clear to me whether we want to
19 direct these people to show up at the Board's office
20 at any particular time to be interviewed by the
21 director or we want to summon that person to the
22 Board meeting to be examined by the Board Members.

23 CHAIRMAN PREISSE: May I interject? As I
24 glance at the recent directive, refresh us as to what

1 that directs us to do in this circumstance or similar
2 circumstances.

3 DEPUTY DIRECTOR WALCH: It directs us to
4 investigate any credible allegations we have of vote
5 fraud or any vote suppression, and it says that the
6 Board must hold a public hearing at which electors --
7 qualified electors may provide sworn testimony or
8 affidavits in support of the alleged acts.

9 I read that as that meant if somebody
10 made an allegation to us to have in these instances
11 brought forward today are ones that we have uncovered
12 here at the Board our past -- our protocol that we
13 have with the Prosecutor's Office does allude to
14 staff looking into these allegations prior to
15 anything being brought to you for any formal action
16 of any sort.

17 You could advise us to simply try and
18 contact these people and get them in to interview
19 them. And if they don't, then subpoena them. I
20 mean, I think we have discretion here as to how we
21 want to proceed in this. Our thought originally was
22 to go ahead and just subpoena them in to come and
23 meet with staff and talk with them but if there's a
24 different course the Board would like us to take,

1 that's certainly, I think, within your discretion
2 depending on any, you know, other idea from counsel,
3 I guess.

4 CHAIRMAN PREISSE: Let me jump ahead just
5 a bit. Were we to fill in the middle part which we
6 are discussing now and find something actual, our
7 recourse would be to refer that to the Prosecutor's
8 Office, wouldn't it be?

9 MR. ANDERSON: Correct.

10 DEPUTY DIRECTOR WALCH: Yes.

11 CHAIRMAN PREISSE: So we are trying to
12 gather information to perhaps refer or not, that's
13 the Board's decision to refer to the Prosecutor.

14 DEPUTY DIRECTOR WALCH: That's correct.
15 Over the summer, Mr. Chairman, for example, we did
16 uncover a few instances of three voters of 2008 that
17 we alleged voted twice. We went ahead and conducted
18 interviews with those three individuals, presented
19 evidence to you of not only the interview with them
20 but documentation as I am showing you here today, at
21 which time you then -- the Members of the Board took
22 action to refer the matter over to the Prosecutor's
23 Office.

24 MEMBER SINNOTT: Mr. Chairman, I ask, if

1 this makes sense, in light of the fact we have a
2 meeting next Tuesday of the Board, what if staff were
3 to undertake to communicate with these folks in
4 question between now and Tuesday if they are
5 responsive and start information flowing to the
6 Board. And if they are unresponsive, then on Tuesday
7 we can consider a particular motion drafted in
8 advance that would invoke the Board's subpoena
9 authority.

10 CHAIRMAN PREISSE: That sounds like a
11 logical procedure. I wonder if we shouldn't put in
12 writing as soon as we can to these seven individuals
13 a description of what the fact pattern is as we
14 understand it and why we are contacting them.

15 DEPUTY DIRECTOR WALCH: Sure. We can do
16 that.

17 MEMBER MANIFOLD: I think that makes a
18 lot of sense because I know how we have done it in
19 the past. The directive kind of threw me for a loop
20 because it seems a bit more we had to conduct here.

21 MEMBER SINNOTT: I think in these cases
22 we are really doing nothing besides our traditional
23 identification for the Prosecutor's consideration of
24 voting statute violations.

1 MEMBER MANIFOLD: Yeah.

2 MEMBER SINNOTT: But then the idea of
3 having a public forum where people can come and make
4 allegations of voter suppression or voter fraud,
5 that's -- that's innovative. I've never done that
6 before.

7 DEPUTY DIRECTOR WALCH: We haven't done
8 it since I have been here, but Bill thought he
9 remembered a time when he did it after the 2008
10 election; is that correct, Bill?

11 DIRECTOR ANTHONY: It might have been the
12 2004 election. How long have you been --

13 CHAIRMAN PREISSE: I may not have been
14 here yet.

15 DIRECTOR ANTHONY: You may not have been
16 here. There was a lot of angst about voter, you
17 know -- just a lot of questions about voter integrity
18 of our system and whether it was voter suppression or
19 not and so -- and I was Chairman of the Board at the
20 time, and we decided to hold a public meeting. I
21 think Matt was the Director and Hackett was Deputy
22 Director or vice versa and we held the meeting in
23 here and about 30 or 40 people showed up, might have
24 been more than that, and we gave them the opportunity

1 to present whatever they had to present to us and we
2 took -- we had a court reporter. And we had a court
3 reporter and we took notes and in the end we did a
4 report on all -- and we looked into all the
5 allegations and exhaustive report on how public --
6 how we addressed all the issues that were brought
7 before us, and it seemed after we did that, the
8 report then, we haven't had -- then after that, we
9 had some more open dialogue. So that's how I
10 remember us doing it and it had to have been after
11 the 2004 election.

12 MR. WEDEKIND: It was '04.

13 DIRECTOR ANTHONY: It was '04? Okay.

14 MEMBER SINNOTT: Mr. Chairman, what if we
15 ask the staff to prepare a motion for our
16 consideration next Tuesday that would comply with the
17 directive's requirement of any -- to have a public
18 meeting for the purpose of receiving comments on
19 voter suppression or voter fraud?

20 MEMBER MANIFOLD: Sounds like a great
21 idea.

22 DEPUTY DIRECTOR WALCH: Do you want to
23 include these seven in with that or?

24 MEMBER SINNOTT: No.

1 CHAIRMAN PREISSE: I think we are
2 resolved to go ahead and take a look by written and
3 telephonic communication with those seven what is
4 going on. But then getting to those I think Brad
5 says -- talks about having a public hearing on
6 various issues. Let's see where those two meet and
7 make sense for us to proceed.

8 DIRECTOR ANTHONY: And in '04, if I
9 recall correctly, we used to send out a letter to
10 invite community groups, that we reached out to a lot
11 of community groups. Anyway we did a broad sweep
12 trying to get as many folks at the meeting as
13 possible. But, yes, we can do that.

14 DEPUTY DIRECTOR WALCH: So is it the
15 decision, just so I'm clear on this, that for the
16 seven voters in question we will try to contact by
17 mail and phone to have them appear at our March 12
18 meeting?

19 MEMBER SINNOTT: No.

20 DEPUTY DIRECTOR WALCH: To come in and be
21 interviewed by staff.

22 MEMBER SINNOTT: As I think the Board
23 has -- the Board staff has done in the past go ahead
24 and contact the seven people we think voted twice and

1 interview them about whether they voted twice. And
2 if they refuse to communicate with us then or if our
3 communication is unsatisfactory, then draft a motion
4 for us to consider on Tuesday that would compel them
5 to come to the Board's office and under oath give
6 testimony on the subject.

7 And I think we ought to treat those as
8 apples and then we have the orange of the public
9 forum that perhaps we're obliged to have where people
10 can come and say whatever they want to say about
11 voter suppression or voter fraud.

12 DIRECTOR ANTHONY: Now, I was just
13 advised that at this time that seven, if there is any
14 others, we ought to include it. I mean --

15 DEPUTY DIRECTOR WALCH: Yeah, no, I would
16 agree with that. These are the only seven that have
17 been brought to my attention so far so they are the
18 only ones I have at this point so. But if any would
19 come to our attention, certainly at any time we would
20 certainly look into it and do our due diligence on
21 checking out the circumstances surrounding it.

22 MEMBER MANIFOLD: I would just add you
23 guys check in the Secretary of State's Office, make
24 sure that meets the outline of the directive.

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

MEMBER SINNOTT: I move we adjourn.

MEMBER MANIFOLD: Second.

MEMBER MARINELLO: Second, third.

DIRECTOR ANTHONY: All those in favor.

We stand adjourned.

(Thereupon, the meeting was concluded at

5:06 p.m.)

- - -

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

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Monday, March 4, 2013, and carefully compared with my original stenographic notes.

Karen Sue Gibson, Registered
Merit Reporter.

(KSG-5673)

- - -