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APPEARANCES:

Franklin County Prosecutor's Office
By Mr. Tim Lecklider, Esquire
Assistant Prosecuting Attorney
373 South High Street, 13th Floor
Columbus, Ohio 43215

On behalf of the Board.

ALSO PRESENT:

Ms. Suzanne Brown
Mr. Jeffrey O. Mackey
Mr. Zachary Manifold
Ms. Alicia Healy

Franklin County Board of Elections

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Monday Morning Session,
November 21, 2016.

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DEPUTY DIRECTOR PAYNE: Director, we'll
take the roll.

Kim Marinello.

MEMBER MARINELLO: Here.

DEPUTY DIRECTOR PAYNE: Greg Haas.

MEMBER HAAS: Here.

DEPUTY DIRECTOR PAYNE: Doug Preisse.

CHAIRMAN PREISSE: Here.

DEPUTY DIRECTOR PAYNE: Brad Sinnott.

MEMBER SINNOTT: Here.

DEPUTY DIRECTOR PAYNE: Everybody is here
and accounted for.

I don't believe we have any minutes that
we need to approve, so we'll get started right off
with Zach Manifold. And we have some absentee
ballots and Election Paper by Choice that need to be
inspected by the Board for voter intent.

MR. MANIFOLD: Good morning. All right.
So we have, you know, let's start with the -- you
want to start with the remakes, that will be easy,
37, and then we'll get to the voter intent, the 17.

DEPUTY DIRECTOR PAYNE: Okay.

1 MR. MANIFOLD: We want you to look at
2 these. We have 37 ballots for remake. You can kind
3 of flip through. They're kind of tore up.

4 Some of them you'll see they have the
5 stub on them. What happened is somebody fed the
6 paper -- somebody fed the paper into the
7 Ballot-on-Demand printers wrong and so the stub
8 printed on the bottom instead of the top so those
9 ballots won't run.

10 So it's basically various forms of
11 destroyed ballots. I think one of them caught fire.

12 (Laughter.)

13 MEMBER SINNOTT: And, Zach, what is it
14 that you need to do?

15 MR. MANIFOLD: We just need authority to
16 remake those 37.

17 CHAIRMAN PREISSE: Because of physical
18 imperfections.

19 MR. MANIFOLD: Yeah. They won't go
20 through the tabulators.

21 DIRECTOR LEONARD: So a Democrat and
22 Republican will sit together.

23 MR. MANIFOLD: Yeah. We'll have a
24 bipartisan team remake each.

25 DEPUTY DIRECTOR PAYNE: These are

1 absentee?

2 MEMBER SINNOTT: These are absentees.

3 MR. MANIFOLD: These are absentees.

4 MEMBER MARINELLO: Are those on this
5 list?

6 DEPUTY DIRECTOR PAYNE: So we're looking
7 for a motion to approve 37.

8 MR. MANIFOLD: To remake the 37 and then
9 we'll go through the other ones.

10 DIRECTOR LEONARD: So we do need a
11 motion.

12 MEMBER SINNOTT: I move that the Board
13 authorize the staff to remake 37 absentee paper
14 ballots and that these remade ballots shall be
15 tabulated and included in the official canvass of the
16 results for the November 8, 2016 General Election.

17 MEMBER HAAS: Second.

18 DEPUTY DIRECTOR PAYNE: All those in
19 favor, signify by saying aye.

20 (Vote taken.)

21 DEPUTY DIRECTOR PAYNE: All those
22 opposed, same sign.

23 (No response.)

24 DEPUTY DIRECTOR PAYNE: Motion carries.

25 DIRECTOR LEONARD: Now we'll go to the

1 voter intent.

2 MR. MANIFOLD: Voter intent. So we've
3 got 17 of these for you guys to look at.

4 Brad, I'm going to start with you, and if
5 you want to write a "1" or if you want to -- I don't
6 know how we want to mark.

7 MEMBER SINNOTT: We're skipping around on
8 our agenda. So we've now moved to voter intent on
9 provisional ballots?

10 MR. MANIFOLD: Oh, wait. Sorry. Did we
11 skip something?

12 MEMBER SINNOTT: Next on our agenda would
13 be choice ballots.

14 MR. MANIFOLD: Oh, this is the first.
15 This is actually the first one. This is the voter
16 intent. Sorry. I thought we had those together, the
17 first thing, voter intent.

18 MEMBER SINNOTT: No. The first thing on
19 our agenda is absentee ballots; remaking absentee
20 ballots.

21 CHAIRMAN PREISSE: What is this here?
22 This doesn't have a title.

23 MR. MANIFOLD: This is supposed to be the
24 -- sorry. I did No. 2 instead of No. 1. This is
25 No. 1.

1 CHAIRMAN PREISSE: This is visually
2 confusing because it didn't have a --

3 DIRECTOR LEONARD: Header to it.

4 CHAIRMAN PREISSE: -- header like the
5 others do.

6 MEMBER SINNOTT: That's okay. We can do
7 this orally. So, Zach, what do you have there?

8 MR. MANIFOLD: All right. Hold on.

9 All right. So this is -- the first one
10 it's the United States Senate race. Just determining
11 what -- they wrote in one of the candidates which is
12 a candidate.

13 CHAIRMAN PREISSE: We came up with a
14 marking methodology in the past that seemed to work
15 well for us, but I can't recall the specifics.

16 MEMBER SINNOTT: Okay. So we've --

17 CHAIRMAN PREISSE: Did we do it on sticky
18 notes?

19 MEMBER SINNOTT: Well, let's not do it on
20 sticky notes because they fall off things.

21 MR. MANIFOLD: I think we marked it right
22 on the ballot.

23 MEMBER SINNOTT: Okay. Well, I'm going
24 to simply mark this No. 1 in the upper right-hand
25 corner. Okay. So I have marked what Zach has given

1 me as No. 1 in the upper right-hand corner. And you
2 are calling on the Board to determine what is the
3 intent of the voter relative to the vote in the
4 Presidential?

5 MR. MANIFOLD: No. U.S. Senate race.

6 MEMBER SINNOTT: U.S. Senate.

7 MR. MANIFOLD: They wrote in one of the
8 candidates instead of -- it is one of the candidates,
9 but they're not a write-in candidate.

10 (Board members reviewing ballot.)

11 MEMBER SINNOTT: I would be prepared to
12 make a motion after having seen that, and I would
13 guess that that motion would be agreeable to the
14 other members of the Board.

15 CHAIRMAN PREISSE: Me too. It's possible
16 that will work 37 times. We can try it.

17 MEMBER SINNOTT: Do we have 37? We don't
18 have --

19 MR. MANIFOLD: We have 17 of these.

20 MEMBER SINNOTT: Oh, 17.

21 DIRECTOR LEONARD: Let's go ballot by
22 ballot with a resolution as to each ballot.

23 MEMBER SINNOTT: We'll have to do it
24 ballot by ballot.

25 MR. MANIFOLD: Because each one is

1 something different.

2 MEMBER SINNOTT: Okay. Well, let's see
3 if this is workable.

4 MEMBER MARINELLO: I clearly see the
5 intent.

6 MEMBER SINNOTT: I move that ballot No. 1
7 be considered a vote for Ted Strickland for United
8 States Senator.

9 MEMBER HAAS: Second.

10 DEPUTY DIRECTOR PAYNE: All those in
11 favor, signify by saying aye.

12 (Vote taken.)

13 DEPUTY DIRECTOR PAYNE: Same sign.

14 Motion carries.

15 MR. MANIFOLD: All right. Here's No. 2.
16 We're looking at the County Prosecutor's race right
17 here. It kicked that out as undetermined.

18 MEMBER SINNOTT: Okay. I'm marking
19 ballot No. 2 in the upper right-hand corner. And
20 Zach says this is an issue as to the Prosecuting
21 Attorney vote.

22 CHAIRMAN PREISSE: Okay.

23 (Board members reviewing ballot.)

24 MEMBER HAAS: I move that ballot No. 2 be
25 counted as a vote for Ron O'Brien as County

1 Prosecutor.

2 MEMBER SINNOTT: Second.

3 DEPUTY DIRECTOR PAYNE: All those in
4 favor, signify by saying aye.

5 (Vote taken)

6 DEPUTY DIRECTOR PAYNE: All those
7 opposed, same sign.

8 Motion carries.

9 MR. MANIFOLD: All right. Ballot 3. So
10 on this one they've filled in the bubbles on the
11 front and then on the back they did dots, so we're
12 trying to figure out what the intent is there.

13 MEMBER SINNOTT: I'm marking ballot No. 3
14 in the upper right-hand corner.

15 CHAIRMAN PREISSE: They're consistent on
16 both sides, but different.

17 (Board members reviewing ballot.)

18 MEMBER HAAS: I move that we count the
19 dots as well as --

20 CHAIRMAN PREISSE: The bubbles.

21 MEMBER HAAS: -- the bubbles.

22 MEMBER SINNOTT: Second.

23 DIRECTOR LEONARD: That's ballot No. 3?

24 MEMBER HAAS: Ballot No. 3.

25 DEPUTY DIRECTOR PAYNE: And is that -- is

1 that -- that's clear what --

2 CHAIRMAN PREISSE: Yeah.

3 DEPUTY DIRECTOR PAYNE: Okay. All those
4 in favor, signify by saying aye.

5 (Vote taken.)

6 DEPUTY DIRECTOR PAYNE: Same sign.

7 Motion passes.

8 MR. MANIFOLD: All right. That was 3,
9 right?

10 MEMBER SINNOTT: Yes.

11 MR. MANIFOLD: This is 4. All right. I
12 think -- so they made X's and kind of were all over
13 the place with X's. So I think what we really wanted
14 just to get feedback on was the State Representative,
15 17th District, because I think they're close enough
16 on all the other X's.

17 MEMBER SINNOTT: I've marked ballot No. 4
18 in the upper right-hand corner.

19 (Board members reviewing ballot.)

20 CHAIRMAN PREISSE: I will move that the
21 ballot marked as No. 4 be considered a vote for Adam
22 Miller in the 17th Ohio House Representative
23 District.

24 DEPUTY DIRECTOR PAYNE: Is there a
25 second?

1 MEMBER SINNOTT: There is.

2 DEPUTY DIRECTOR PAYNE: All those in
3 favor, signify by saying aye.

4 (Vote taken)

5 DEPUTY DIRECTOR PAYNE: All those
6 opposed, same sign.

7 Motion carries.

8 MEMBER SINNOTT: I've been handed No. 5
9 which I've marked in the upper right-hand corner.
10 What's the question?

11 MR. MANIFOLD: There's a couple different
12 races here. They kind of made blobs.

13 MEMBER HAAS: Technical term for blob.
14 (Laughter.)

15 MR. MANIFOLD: Clerk of Courts, I think.
16 Clerk of Courts and then Court of Common Pleas,
17 January 29th. I think those two races are the only
18 ones.

19 MEMBER SINNOTT: Well, you also have
20 ambiguity regarding the Commissioner term commencing
21 January 2.

22 MR. MANIFOLD: Okay. Yeah, anything
23 that's got a -- oh, yeah, they missed that one, too.

24 (Board members reviewing ballot.)

25 MEMBER HAAS: I move that ballot No. 5,

1 that the vote for County Commissioner and Clerk of
 2 Courts not be counted, but for the Common Pleas
 3 commencing 1/9/2017 be counted.

4 MEMBER SINNOTT: And the County
 5 Commissioner term commencing?

6 MEMBER HAAS: January 2nd.

7 MEMBER SINNOTT: 2nd.

8 DEPUTY DIRECTOR PAYNE: All those in
 9 favor, signify --

10 CHAIRMAN PREISSE: But I think wasn't, on
 11 the Judgeship, don't we say who it's counted for
 12 because --

13 MEMBER HAAS: Oh, yeah. Richard Frye.

14 MEMBER SINNOTT: Second.

15 DEPUTY DIRECTOR PAYNE: All those in
 16 favor, signify by saying aye.

17 (Vote taken.)

18 DEPUTY DIRECTOR PAYNE: All those
 19 opposed, same sign.

20 Motion carries.

21 I just want to be clear, we're counting a
 22 vote for County Commissioner and Frye.

23 CHAIRMAN PREISSE: No, no.

24 MEMBER HAAS: No.

25 DEPUTY DIRECTOR PAYNE: Not counting for

1 County Commissioner or Frye.

2 MEMBER SINNOTT: Wait, wait, that's all
3 wrong.

4 DEPUTY DIRECTOR PAYNE: Okay. Tell me
5 what we're doing.

6 MEMBER SINNOTT: We're not counting a
7 vote, County Commissioner, January 2. We're not
8 counting a vote for Clerk of Court.

9 We are counting a vote for Common Pleas
10 Judge, term commencing January 9, for Richard Frye.

11 MEMBER HAAS: Yup.

12 MR. MANIFOLD: This one, again, circles
13 and then they flipped to the dots for the races here.

14 MEMBER SINNOTT: Okay. Marking ballot 6
15 in the upper right-hand corner. And I'm sorry, Zach,
16 the issue is that on some races the voter has not
17 completely filled in the circle but instead has put a
18 straight line mark?

19 MR. MANIFOLD: Uh-huh. Correct.

20 MEMBER HAAS: Does it for unopposed
21 races. They didn't completely mark it.

22 (Board members reviewing ballot.)

23 MEMBER MARINELLO: I move that on ballot
24 No. 6 that the intent of the voter with the line is
25 to be counted. The line is to be counted.

1 MEMBER SINNOTT: Second.

2 DEPUTY DIRECTOR PAYNE: All those in
3 favor, signify by saying aye.

4 (Vote taken.)

5 DEPUTY DIRECTOR PAYNE: All those
6 opposed, same sign.

7 Motion carries.

8 MR. MANIFOLD: All right. So this one is
9 the second page of a ballot that kicked out. The
10 voter has checked -- made a checkmark for issues and
11 then circled the bubble against.

12 MEMBER SINNOTT: I have marked this
13 ballot No. 7 in the upper right-hand corner.

14 CHAIRMAN PREISSE: Could be I'm for it --

15 MEMBER SINNOTT: Yup.

16 MEMBER HAAS: Especially since we only
17 got this one page to look at, we can't see what they
18 did on the others. If they did a checkmark on the
19 others, then . . .

20 (Board members reviewing ballot.)

21 MEMBER HAAS: I move that we not count
22 the issue votes on Ballot No. 7.

23 MEMBER SINNOTT: Second.

24 DEPUTY DIRECTOR PAYNE: All those in
25 favor, signify by saying aye.

1 (Vote taken.)

2 DEPUTY DIRECTOR PAYNE: All those
3 opposed, same sign.

4 Motion carries

5 MR. MANIFOLD: The next one is similar to
6 what you were seeing, the switching back and forth
7 between the bubble and the lines.

8 MEMBER SINNOTT: If there is a
9 double-vote in a particular race where there can be
10 only one vote cast, we don't need to give you any
11 instruction on that.

12 MR. MANIFOLD: Correct.

13 MEMBER SINNOTT: You know what to do with
14 it.

15 MR. MANIFOLD: Correct.

16 MEMBER SINNOTT: I am marking this one
17 No. 8.

18 CHAIRMAN PREISSE: Double-vote here that
19 just won't count.

20 MR. MANIFOLD: Hold on a second. We
21 could -- I was going to say we could group. Let's do
22 one more. You want to add another? Same deal, so
23 you can do two at once.

24 DEPUTY DIRECTOR PAYNE: Wait a second.
25 This is ballot 8? What is this?

1 MR. MANIFOLD: They're doing the same
 2 thing. Do you want to do an 8 and 9 just to speed it
 3 up?

4 DEPUTY DIRECTOR PAYNE: I don't care.

5 MEMBER SINNOTT: We'll be finished in 5
 6 minutes.

7 MR. MANIFOLD: That's okay.

8 CHAIRMAN PREISSE: With the next group if
 9 it's logical, but let's stick to this methodology.

10 (Board members reviewing ballot.)

11 MEMBER HAAS: I move that all marks be
 12 counted with the exception of the double-vote on
 13 Ballot No. 8.

14 MEMBER SINNOTT: Second.

15 DEPUTY DIRECTOR PAYNE: All those in
 16 favor, signify by saying aye.

17 (Vote taken.)

18 DEPUTY DIRECTOR PAYNE: All opposed, same
 19 sign.

20 MR. MANIFOLD: There you go. It's the
 21 same switching back and forth.

22 MEMBER SINNOTT: Marking this one No. 9
 23 in the right-hand corner.

24 (Board members reviewing ballot.)

25 MEMBER HAAS: I move Ballot No. 9, that

1 the marks be counted.

2 MEMBER SINNOTT: Second.

3 DEPUTY DIRECTOR PAYNE: All those in
4 favor, signify by saying aye.

5 (Vote taken.)

6 DEPUTY DIRECTOR PAYNE: All those
7 opposed, same sign.

8 Motion carries.

9 MR. MANIFOLD: All right. So this one
10 we're looking for direction in that United States
11 Senate race.

12 MEMBER SINNOTT: I'm marking this one
13 No. 10. It's a double-vote.

14 (Board members reviewing ballot.)

15 CHAIRMAN PREISSE: Oh, I see what you're
16 saying. Yeah, it's a double-vote.

17 MEMBER HAAS: Yeah. I move that the
18 Senate vote not be counted on Ballot No. 10 because
19 of a double-vote.

20 MEMBER SINNOTT: Second.

21 DEPUTY DIRECTOR PAYNE: All those in
22 favor, signify by saying aye.

23 (Vote taken.)

24 DEPUTY DIRECTOR PAYNE: All those
25 opposed, same sign. And that's a U.S. Senate vote?

1 MEMBER SINNOTT: Yes.

2 MR. MANIFOLD: We're looking at State
3 Representative, 25th District; and then Court of
4 Common Pleas, January 4, up here.

5 MEMBER SINNOTT: I will mark this ballot
6 in the upper right-hand corner No. 11.

7 (Board members reviewing ballot.)

8 MEMBER HAAS: I move that the State
9 Representative 25th District vote not be counted on
10 ballot No. 11; and that the Judge of Court of Common
11 Pleas, term commencing 1/4/17 not be counted.

12 CHAIRMAN PREISSE: Second.

13 DEPUTY DIRECTOR PAYNE: All those in
14 favor, signify by saying aye.

15 (Vote taken.)

16 DEPUTY DIRECTOR PAYNE: And both of those
17 were not counted.

18 MEMBER HAAS: Not counted.

19 MR. MANIFOLD: Just what to do in these
20 races with the -- I don't think there's any on the
21 back.

22 DEPUTY DIRECTOR PAYNE: Is that 12?

23 MEMBER SINNOTT: I'm marking in the upper
24 right-hand corner that ballot is No. 12.

25 (Board members reviewing the ballot.)

1 MEMBER HAAS: This is one where you got
 2 to guess, right, that the voter intent is to withdraw
 3 those votes?

4 CHAIRMAN PREISSE: Want to take a stab at
 5 it, Brad, or does anybody else?

6 MEMBER SINNOTT: I move that votes not be
 7 counted in the 16th State Senate, 23rd Ohio House,
 8 the two County Commissioner, the Prosecuting
 9 Attorney, and the County Recorder races on the ground
 10 that it's impossible to discern what was the intent
 11 of this voter.

12 MEMBER HAAS: Second.

13 DEPUTY DIRECTOR PAYNE: All those in
 14 favor, signify by saying aye.

15 (Vote taken.)

16 DEPUTY DIRECTOR PAYNE: Same sign.

17 Motion carries.

18 Just for clarification, the 16th, the
 19 23rd, two County Commissioner races, a Prosecutor,
 20 and a Recorder, not counted.

21 MR. MANIFOLD: The second one we're going
 22 to look at is 6th District State Board of Education.
 23 They filled in all the bubbles and then in that race
 24 that kind of half-filled in two bubbles.

25 MEMBER SINNOTT: I've marked this ballot

1 No. 13 in the upper right-hand corner.

2 (Board members reviewing ballot.)

3 MEMBER HAAS: I move that Ballot 13, that
4 the vote for State Board of Education, 6th District,
5 not be counted because of a double-vote.

6 MEMBER SINNOTT: Second.

7 DEPUTY DIRECTOR PAYNE: All those in
8 favor, signify by say aye.

9 (Vote taken.)

10 DEPUTY DIRECTOR PAYNE: All those
11 opposed.

12 Motion carries.

13 MR. MANIFOLD: What number is this?

14 MEMBER SINNOTT: This is 14. I will mark
15 this No. 14 in the upper right-hand corner. Zach,
16 what's the issue?

17 MR. MANIFOLD: The back side. We're
18 looking -- we're looking for the judicial races here.
19 Trying to get a feel for what -- what vote should
20 count in those races.

21 CHAIRMAN PREISSE: In which ones?

22 MEMBER SINNOTT: All of these.

23 CHAIRMAN PREISSE: That's a unique mark.
24 Looks like they were using X's and then they changed
25 their mind because it was misleading somehow.

1 They're consistent methodology is an X, right?

2 MEMBER SINNOTT: Looks like it, yeah.

3 (Board members reviewing ballot.)

4 MEMBER HAAS: I don't know.

5 MEMBER SINNOTT: I think there are only
6 four --

7 MEMBER HAAS: Right.

8 MEMBER SINNOTT: -- unopposed contests in
9 question.

10 MEMBER MARINELLO: That's probably what
11 it meant, misleading or something.

12 CHAIRMAN PREISSE: They voted using the
13 X, it would appear, and then somehow decided they
14 didn't understand what they did and it was
15 misleading. So whether they wanted to blot out -- it
16 appears they wanted to blot out -- perhaps they
17 wanted to blot out what they had done.

18 MEMBER HAAS: Right.

19 MEMBER MARINELLO: Yeah, because it was
20 misleading. I move on ballot No. 14 not to be
21 counted the Judge of the Court of Appeals, Tenth
22 District, Jennifer Brunner; not to be counted the
23 Judge for Court of Appeals, Tenth District, Julia
24 Dorrian; not to be counted Judge for Court of
25 Appeals, Susan D. Brown; and not to be counted, Court

1 of Appeals, William A. Klatt.

2 MEMBER SINNOTT: Second.

3 DEPUTY DIRECTOR PAYNE: All those in
4 favor, signify by saying aye.

5 (Vote taken.)

6 DEPUTY DIRECTOR PAYNE: All those
7 opposed, same sign.

8 Motion carries.

9 MR. MANIFOLD: All right. We're looking
10 for direction, this is No. 15, and we're looking for
11 direction in the Presidential race.

12 MEMBER SINNOTT: I'm marking this one in
13 the upper right-hand corner No. 15.

14 (Board members reviewing ballot.)

15 MEMBER HAAS: I move that the vote for
16 President on Ballot No. 15 not be counted.

17 MEMBER SINNOTT: Second.

18 DEPUTY DIRECTOR PAYNE: All those in
19 favor, signify by saying aye.

20 (Vote taken.)

21 DEPUTY DIRECTOR PAYNE: All those
22 opposed.

23 Motion carries.

24 MR. MANIFOLD: All right. No. 16. So in
25 this one the voter has filled in the bubbles and then

1 it appears that they've crossed out certain races
2 with an X, but they hit certain bubbles, so it was
3 kind of reading them as votes. And then it's reading
4 a bunch of overvotes. If you see on the back, they
5 continue to mark through multiple races. So we're
6 looking for some direction on what to do with the
7 X's.

8 MEMBER SINNOTT: I've marked this ballot
9 No. 16 in the upper right-hand corner.

10 (Board members reviewing ballot.)

11 MEMBER HAAS: I move that on ballot
12 No. 16 --

13 MEMBER MARINELLO: Let me see.

14 MEMBER HAAS: I'm sorry.

15 I move that on Ballot No. 16 that the
16 bubbles be counted, but the X's not be counted.

17 MEMBER SINNOTT: Second.

18 DEPUTY DIRECTOR PAYNE: All those in
19 favor, signify by saying aye.

20 (Vote taken.)

21 DEPUTY DIRECTOR PAYNE: All those
22 opposed, same sign.

23 Motion carries.

24 MR. MANIFOLD: All right. The last one,
25 No. 17. On the back, this one I think is pretty

1 easy. They've filled in two bubbles and they circled
2 a candidate.

3 MEMBER SINNOTT: I've marked this as
4 ballot No. 17 in the upper right-hand corner.

5 (Board members reviewing ballot.)

6 MEMBER MARINELLO: I move that on Ballot
7 No. 17, the vote for Judge of Court of Common Pleas
8 should be determined as a vote for Richard Frye.

9 CHAIRMAN PREISSE: Second.

10 DEPUTY DIRECTOR PAYNE: All those in
11 favor, signify by saying aye.

12 (Vote taken.)

13 DEPUTY DIRECTOR PAYNE: All those
14 opposed, same sign.

15 Motion carries.

16 Is that it for the voter intent?

17 MR. MANIFOLD: That's all for absentee.

18 DEPUTY DIRECTOR PAYNE: Am I correct we
19 don't have voter intent for Election Day paper?

20 MR. MANIFOLD: Correct.

21 DEPUTY DIRECTOR PAYNE: So we'll move to
22 the remaking of Election Day paper by choice ballots.

23 MR. MACKEY: There are 10 ballots that,
24 for one reason or another, did not scan, so we're
25 asking permission to remake those. You can see them;

1 I've got them.

2 CHAIRMAN PREISSE: I don't need to see
3 them.

4 MEMBER HAAS: I don't need to see them.

5 DEPUTY DIRECTOR PAYNE: Do you have them?

6 MR. MACKEY: I do have them.

7 MEMBER MARINELLO: Where are we?

8 DEPUTY DIRECTOR PAYNE: Remaking of
9 Election Day paper by choice ballots.

10 CHAIRMAN PREISSE: Jeff has them if
11 anybody wants to see them, but I don't need to see
12 them.

13 MEMBER MARINELLO: I move that the Board
14 authorize the staff to remake 10 Election Day paper
15 by choice ballots and that these remade ballots shall
16 be tabulated and included in the official canvass of
17 results for the November 8th, 2016, General Election.

18 CHAIRMAN PREISSE: Second.

19 DEPUTY DIRECTOR PAYNE: All those in
20 favor, signify by saying aye.

21 (Vote taken.)

22 DEPUTY DIRECTOR PAYNE: All those
23 opposed, same sign.

24 Motion carries.

25 All right. Provisional ballots for

1 consideration.

2 MR. MANIFOLD: All right. They're ready
3 for you.

4 MS. HEALY: Good morning.

5 CHAIRMAN PREISSE: Good morning.

6 MEMBER SINNOTT: Good morning. Do we
7 have a copy of this?

8 MS. HEALY: Yes, you should have a copy.

9 So what you have before you are the
10 provisional ballots that were accepted was 17,400 and
11 the rejected ballots were 3,420. And we still have
12 some things to be resolved, that's 550. That gives
13 us a total ballot count of 21,370.

14 DEPUTY DIRECTOR PAYNE: What you're
15 looking for then is a motion for approval of 17,400?

16 MS. HEALY: Yes.

17 DEPUTY DIRECTOR PAYNE: And a rejection
18 of 3,420?

19 MS. HEALY: Yes.

20 DEPUTY DIRECTOR PAYNE: Is that correct?

21 MS. HEALY: Yes.

22 MEMBER SINNOTT: 3,320?

23 MS. HEALY: 3,420.

24 MEMBER SINNOTT: And this is the
25 recommendation of bipartisan staff, correct?

1 DEPUTY DIRECTOR PAYNE: That is correct.

2 MS. HEALY: Correct.

3 MEMBER HAAS: I move the Board approve
4 the counting of 17,400 provisional ballots and the
5 rejection of 3,420 provisional ballots and that all
6 provisional ballots deemed valid will be counted and
7 included in the official canvass results for the
8 November 8th, 2016 General Election.

9 MEMBER MARINELLO: Second.

10 DEPUTY DIRECTOR PAYNE: All those in
11 favor, signify by saying aye.

12 (Vote taken.)

13 DEPUTY DIRECTOR PAYNE: All those
14 opposed, same sign.

15 Motion carries.

16 And we're ready to begin opening -- we're
17 ready to begin opening the provisional ballots. I
18 saw we had a bunch of employees ready.

19 MEMBER SINNOTT: I move that the Board
20 authorize the staff to extract the approved
21 provisional ballots.

22 CHAIRMAN PREISSE: Second.

23 DEPUTY DIRECTOR PAYNE: All those in
24 favor, signify by saying aye.

25 (Vote taken.)

1 DEPUTY DIRECTOR PAYNE: All those
2 opposed, same sign.

3 Motion carries.

4 And the remaking of provisional ballots.

5 MEMBER HAAS: I move that the Board
6 authorize the staff to remake provisional ballots and
7 that these remade ballots shall be tabulated and
8 included in the official canvass of results for the
9 November 8th, 2016 General Election, with a report to
10 be made to the Board later.

11 MEMBER MARINELLO: Second.

12 DEPUTY DIRECTOR PAYNE: All those in
13 favor, signify by saying aye.

14 (Vote taken.)

15 DEPUTY DIRECTOR PAYNE: All those
16 opposed, same sign.

17 Motion carries. I believe that's it for
18 today.

19 MR. MANIFOLD: So we will have county to
20 county, that number, when we come back tomorrow. We
21 mentioned I think on -- when did we meet last? I
22 think last week, Thursday, that we will have -- we
23 still have some outstanding -- that number -- this
24 number today doesn't include the county to county
25 total, because we're still talking to other counties

1 and they're still sending back whether somebody voted
2 in their old county. So we'll have an update
3 tomorrow.

4 DIRECTOR LEONARD: Right. And there
5 should be resolved categories at the bottom of their
6 sheet they were given, the Members were given, those
7 will be resolved. The 13 to be reviewed by the
8 Board.

9 MS. HEALY: Yes, today.

10 MR. MANIFOLD: Yeah, we have the review
11 ones still. Do you guys have that on there?

12 DEPUTY DIRECTOR PAYNE: No, we don't, but
13 what are we looking for?

14 CHAIRMAN PREISSE: These are the ones
15 you're opening?

16 MEMBER HAAS: This is the -- there are 13
17 ballots for Board review and in the "To Be Resolved"
18 category. Is that something we do today or do we do
19 that at the meeting tomorrow?

20 MS. HEALY: We can do it today, because
21 we will have additional tomorrow, intent.

22 MEMBER SINNOTT: Okay.

23 MS. HEALY: Okay, we're ready?

24 MR. MANIFOLD: Do you want me to pass
25 them out?

1 MS. HEALY: Yeah.

2 MR. MANIFOLD: We'll do the same thing we
3 just did?

4 MEMBER SINNOTT: So these are 13
5 provisional voter intent questions.

6 MS. HEALY: The first two will be the
7 in-house.

8 MR. MANIFOLD: Not voter intent. This is
9 the -- this is something with the provisional ballot
10 affirmation. There's an issue with determining the
11 status of whether it's good or bad.

12 This one here, as you can see this
13 note -- did we copy --

14 MS. HEALY: They wrote the Social
15 Security number in the driver's license field which
16 is the last four we have on the system. And then
17 what was written in the Social Security field is
18 incorrect, but everything else on it is correct.

19 MEMBER SINNOTT: I will mark the envelope
20 No. 14 in the upper right-hand corner. No, I won't.
21 I will mark that No. 18 in the upper right-hand
22 corner. And what you're saying is that on the line
23 where the voter is asked to put in the last four
24 digits of the Social Security number --

25 MS. HEALY: That is incorrect.

1 MR. MANIFOLD: Yeah, that's not their --

2 MEMBER SINNOTT: The four digits are
3 wrong.

4 MR. MANIFOLD: Correct.

5 MS. HEALY: Yes.

6 MEMBER SINNOTT: But was the driver's
7 license number correct?

8 MS. HEALY: That they had the last four
9 of the Social in the driver's license field.

10 CHAIRMAN PREISSE: Including the entire
11 Social.

12 MS. HEALY: Yes.

13 MR. MANIFOLD: It appears they wrote
14 their entire Social in the driver's license field.

15 MEMBER MARINELLO: And it's correct.

16 MS. HEALY: The last four is correct.

17 MEMBER SINNOTT: I'm not following the
18 explanation.

19 CHAIRMAN PREISSE: They could give the
20 driver's license number or Social; instead, they gave
21 the complete Social in the driver's license number;
22 and this is incorrect, but it's -- this is probably
23 the last four of their driver's license.

24 MEMBER SINNOTT: Okay. So what you're
25 saying is that --

1 MS. HEALY: We do not have the driver's
2 license number, so we can't say that it was the last
3 four of the driver's license.

4 MEMBER SINNOTT: But relative to the
5 driver's license number space, this is a full and
6 complete Social Security number that's been entered.

7 DIRECTOR LEONARD: The last four.

8 MR. MANIFOLD: We were -- we were able to
9 match up the last four --

10 MS. HEALY: The last four --

11 MR. MANIFOLD: -- because we don't keep
12 the whole thing.

13 MS. HEALY: But everything else, the
14 signature, the date of birth, everything else is
15 correct on it.

16 (Board members reviewing envelope.)

17 MEMBER HAAS: I move that Ballot No. 18
18 be counted as the Social Security number is complete.

19 MEMBER SINNOTT: Second.

20 DEPUTY DIRECTOR PAYNE: All those in
21 favor, signify by saying aye.

22 (Vote taken.)

23 DEPUTY DIRECTOR PAYNE: Opposed.

24 Motion carries.

25 MR. MANIFOLD: All right.

1 MS. HEALY: So the next person wrote the
2 last name in the required field of the last name, but
3 when they signed, they signed a different name in the
4 signature field. But on the system we have the name
5 as Omar, which is not what they wrote or what they
6 signed.

7 MEMBER SINNOTT: Is there any -- is there
8 any Social -- I'm sorry. Is there any Secretary of
9 State Directive on this?

10 MS. HEALY: It would be considered a
11 mismatch. It could be considered a mismatch. But we
12 do have both last names on file.

13 MR. MANIFOLD: Yeah, the sticker here,
14 this is actually what we have on file for that voter.

15 CHAIRMAN PREISSE: So --

16 MEMBER SINNOTT: And everything else
17 checks out?

18 MS. HEALY: Correct.

19 CHAIRMAN PREISSE: I think he has three
20 names and he ran out of --

21 MEMBER SINNOTT: Uh-huh.

22 CHAIRMAN PREISSE: -- it may be sort
23 of --

24 MEMBER SINNOTT: I've marked this
25 envelope No. 19 in the upper right-hand corner.

1 (Board members reviewing envelope.)

2 MEMBER HAAS: I move that Ballot No. 19
3 be counted.

4 MEMBER SINNOTT: Second.

5 DEPUTY DIRECTOR PAYNE: All those in
6 favor, signify by saying aye.

7 (Vote taken.)

8 DEPUTY DIRECTOR PAYNE: All those
9 opposed, same sign.

10 Motion carries.

11 MS. HEALY: The next will be the Election
12 Day. The first voter wrote the Social Security
13 number in the driver's license field, similar to the
14 one we had before, for the in-house one. But the
15 Social Security field is incorrect, but the driver's
16 license, it appears they wrote the full Social
17 Security number in the driver's license spot.

18 MEMBER SINNOTT: First I'm going to mark
19 the envelope No. 20 in the upper right-hand corner.
20 You're saying that again on the driver's license
21 line, a correct Social Security number has been
22 entered.

23 MS. HEALY: The last four, that is
24 correct.

25 MEMBER SINNOTT: It's also true that the

1 last four of the Social Security number have been
2 entered correctly on the Social Security line.

3 MR. MANIFOLD: No, it's four -- oh, I
4 guess it could be.

5 (Board members reviewing envelope.)

6 MEMBER HAAS: I move that ballot No. 20
7 be counted.

8 MEMBER SINNOTT: Second.

9 DEPUTY DIRECTOR PAYNE: All those in
10 favor, signify by saying aye.

11 (Vote taken.)

12 DEPUTY DIRECTOR PAYNE: All those
13 opposed, same sign.

14 Motion carries.

15 MS. HEALY: So the next voter wrote "Half
16 Lane" as the address which we do have in the system,
17 but we did -- we found Half Moon Lane in our system,
18 and basically the ballot that was cast was in the
19 right location.

20 MEMBER SINNOTT: I'll mark this one 21 in
21 the upper right-hand corner. So, Alicia, this voter
22 is registered to Half Moon Lane.

23 MS. HEALY: Correct.

24 MEMBER SINNOTT: Wrote on the envelope
25 the correct street number, but Half Lane.

1 MS. HEALY: Yes.

2 MEMBER SINNOTT: Everything else about
3 the voter checks out.

4 (Board members reviewing envelope.)

5 MEMBER HAAS: I move that ballot No. 21
6 be counted.

7 MEMBER MARINELLO: Second.

8 DEPUTY DIRECTOR PAYNE: All those in
9 favor, signify by saying aye.

10 (Vote taken)

11 DEPUTY DIRECTOR PAYNE: All those
12 opposed, same sign.

13 Motion carries.

14 MS. HEALY: All right. So the next voter
15 wrote the street number 165 above the street number
16 where they originally had 6 -- 1651 which is an
17 invalid number. The 1651 is an invalid number. But
18 it appeared they didn't cross out the 1651, but above
19 it they wrote 165.

20 MEMBER MARINELLO: And that's a good
21 address?

22 MS. HEALY: Which is a good address.

23 MEMBER SINNOTT: Okay. I've marked this
24 envelope No. 21 in the upper right-hand corner.

25 DIRECTOR LEONARD: That would be No. 22.

1 MEMBER SINNOTT: 22. Forgive me. I've
 2 marked it 22 now. And, Alicia, you're saying the 165
 3 street number is correct?

4 MS. HEALY: The 165, yes.

5 MEMBER SINNOTT: Everything else checks
 6 out?

7 MS. HEALY: Yes.

8 CHAIRMAN PREISSE: Okay.

9 (Board members reviewing envelope.)

10 MEMBER MARINELLO: I move that ballot
 11 No. 22 be counted.

12 CHAIRMAN PREISSE: Second.

13 DEPUTY DIRECTOR PAYNE: All those in
 14 favor, signify by saying aye.

15 (Vote taken.)

16 DEPUTY DIRECTOR PAYNE: All those
 17 opposed, same sign.

18 Motion carries.

19 MS. HEALY: So the next voter on the
 20 system, the Social Security number doesn't match, but
 21 on the -- he had sent in three different
 22 registrations. On the first registration the Social
 23 matches what we have on the system, but they, in
 24 turn, filled out a couple more registrations. And
 25 the Social Security number that they have on the

1 provisional ballot actually matches the last four of
2 the Social on the registration.

3 MR. MANIFOLD: So this one was
4 submitted --

5 MS. HEALY: So the first one has what we
6 have on the system, but the next two has what he has
7 on the provisional envelope.

8 MR. MANIFOLD: So this is from '03 and he
9 wrote his full. And then this is from '04 and he
10 wrote this number which actually does match the
11 envelope.

12 CHAIRMAN PREISSE: It does?

13 MR. MANIFOLD: It does; the one from '04.

14 MEMBER SINNOTT: Do we have the ability
15 to confirm the last four of the Social Security
16 number?

17 MS. HEALY: We cannot use any outside
18 sources at this point based on the directive that was
19 given. In the past we would have been able to do
20 that.

21 CHAIRMAN PREISSE: I'm not quite
22 following. This is the -- here's the ballot and he's
23 filled in these -- 7406 on the Social identification
24 line. And these are two registration cards, right?

25 MR. MANIFOLD: Uh-huh.

1 CHAIRMAN PREISSE: And which is the
2 current registration card on file here?

3 MR. MANIFOLD: This would have been
4 newer than -- this was '03 and this was '04. And the
5 newer one from '04 does have this. But for some
6 reason we do have -- this is what we have on our
7 record.

8 CHAIRMAN PREISSE: This is what we have
9 in our electronic record?

10 MR. MANIFOLD: Yeah. Our electronic
11 record has the '03.

12 CHAIRMAN PREISSE: And where did this
13 document come from? We have it on file?

14 MR. MANIFOLD: We have it on file.

15 CHAIRMAN PREISSE: And it's a more recent
16 document.

17 MR. MANIFOLD: Yeah.

18 CHAIRMAN PREISSE: All right. Well, it
19 sounds like --

20 DIRECTOR LEONARD: And this would be
21 ballot No. 23.

22 MEMBER SINNOTT: No. 23, yes. Thanks,
23 Ed. Upper right-hand corner.

24 (Board members reviewing envelope.)

25 MEMBER HAAS: I move ballot No. 23 be

1 counted.

2 MEMBER SINNOTT: Second.

3 DEPUTY DIRECTOR PAYNE: All those in
4 favor, signify by saying aye.

5 (Vote taken.)

6 DEPUTY DIRECTOR PAYNE: All those
7 opposed, same sign.

8 Motion carries.

9 MS. HEALY: All right. So the next two
10 voters did not write their last name in the last name
11 field, but we were able to match them both up by the
12 driver's license number and everything else checks
13 out.

14 DEPUTY DIRECTOR PAYNE: Are we looking at
15 ballot 24 and 25?

16 MS. HEALY: Yes. I think we can do those
17 together if you like.

18 MEMBER SINNOTT: I think we can. They're
19 the same issue. I'm marking one No. 24 and the other
20 No. 25. Is there any Social -- I'm sorry -- is there
21 any Secretary of State Directive on this?

22 CHAIRMAN PREISSE: Did we check the
23 signatures?

24 MS. HEALY: Yeah, everything else matched
25 up. Normally they say with the date of birth, if

1 everything else matches up, they would accept it.

2 MEMBER SINNOTT: But there's nothing that
3 speaks to the absence of a last name on the envelope,
4 correct?

5 MR. MANIFOLD: Correct.

6 MS. HEALY: It could be written as --

7 CHAIRMAN PREISSE: And the red check to
8 the right of the signature box suggests that a Board
9 staffer looked at the signature on file and the
10 signatures here and determined that they matched.

11 MS. HEALY: Yes.

12 (Board members reviewing envelopes.)

13 MEMBER HAAS: I move that ballot 24 and
14 25 be counted.

15 MEMBER SINNOTT: Second.

16 DEPUTY DIRECTOR PAYNE: All those in
17 favor, signify by saying aye.

18 (Vote taken.)

19 DEPUTY DIRECTOR PAYNE: All those
20 opposed, same sign.

21 Motion carries.

22 MS. HEALY: So the next voter has a
23 different first and middle name than what we have on
24 the system. So we don't know if there was a name
25 change. But the signature, just the "m" in the

1 signature matches what we have on file.

2 MEMBER SINNOTT: This is now No. 26.

3 DEPUTY DIRECTOR PAYNE: Correct.

4 MEMBER SINNOTT: Marking No. 26 in the
5 upper right-hand corner of the envelope.

6 CHAIRMAN PREISSE: The suggestion is it's
7 a different middle name.

8 MR. MANIFOLD: First and middle.

9 MS. HEALY: First and middle.

10 CHAIRMAN PREISSE: I'm guessing Múuse is
11 Moses in Somali. It's what I'm guessing.

12 MEMBER SINNOTT: Is there any Secretary
13 of State Directive on this?

14 MS. HEALY: We can't use any outside
15 sources, but the name doesn't match.

16 MEMBER SINNOTT: So what does the
17 Secretary of State's Directive say if the name
18 doesn't match?

19 MR. MANIFOLD: Well, we do have name
20 changes all the time.

21 MS. HEALY: So it could be a name change;
22 that could have been the reason why he was doing the
23 provisional.

24 MEMBER SINNOTT: Okay.

25 MS. HEALY: Normally it's the last name

1 that changes, but in this particular case it's the
 2 first and the middle.

3 MEMBER SINNOTT: So what's the directive
 4 if there's a name change?

5 MS. HEALY: They normally accept a name
 6 change.

7 MR. MANIFOLD: You see it quite often
 8 with obviously married.

9 MEMBER SINNOTT: Married.

10 MEMBER HAAS: The signature matches.

11 CHAIRMAN PREISSE: Well, same style.

12 MEMBER HAAS: I see what you mean.

13 (Board members reviewing envelope.)

14 MEMBER HAAS: I move that ballot 26 be
 15 counted.

16 MEMBER SINNOTT: Second.

17 DEPUTY DIRECTOR PAYNE: All those in
 18 favor, signify by saying aye.

19 (Vote taken.)

20 DEPUTY DIRECTOR PAYNE: All opposed, same
 21 sign.

22 Motion carries.

23 MS. HEALY: Okay. So the next voter has
 24 his first name written outside the field, right in
 25 the --

1 MEMBER SINNOTT: What number is this?

2 DEPUTY DIRECTOR PAYNE: 27.

3 MS. HEALY: 27.

4 MEMBER SINNOTT: I'm marking this
5 envelope No. 27 in the upper right-hand corner.

6 MS. HEALY: So it's in the left margin,
7 the first name. And then he has his last name
8 written in the first name field. But everything else
9 matches up.

10 CHAIRMAN PREISSE: Quite a signature.

11 MEMBER SINNOTT: Uh-huh.

12 If I didn't say so earlier, I marked this
13 No. 27 in the upper right-hand corner.

14 (Board members reviewing envelope.)

15 MEMBER MARINELLO: I move that ballot
16 No. 27 be counted.

17 MEMBER HAAS: Second.

18 DEPUTY DIRECTOR PAYNE: All those in
19 favor, signify by saying aye.

20 (Vote taken.)

21 DEPUTY DIRECTOR PAYNE: All those
22 opposed, same sign.

23 Motion carries.

24 MS. HEALY: So the next voter wrote a
25 different first name than what we have on the system,

1 but the first registration that they filled out is
2 actually that name, but they filled out another
3 registration that has a different first name. We
4 should have copies of those registrations there.

5 MEMBER MARINELLO: So it's just the first
6 name that's in question?

7 MS. HEALY: Yes.

8 MR. MANIFOLD: So this was in '04, they
9 went by that first name, and then they went by this
10 name. In 2008 they switched to this. And now
11 they're backed to this.

12 MEMBER SINNOTT: This is No. 28?

13 DEPUTY DIRECTOR PAYNE: Correct.

14 MEMBER SINNOTT: I have put No. 28 on the
15 upper right-hand corner of the envelope.

16 (Board members reviewing envelope.)

17 MEMBER HAAS: I move that ballot No. 28
18 be counted.

19 CHAIRMAN PREISSE: Second.

20 DEPUTY DIRECTOR PAYNE: All those in
21 favor, signify by saying aye.

22 (Vote taken.)

23 DEPUTY DIRECTOR PAYNE: All those
24 opposed, same sign.

25 Motion carries.

1 MS. HEALY: So the last two, we'll still
2 do them separately, but it's pretty much -- they're
3 two provisional ballots that were possibly cast. We
4 would just need to open and see which one we should
5 count because everything on the provisional is the
6 same on both.

7 CHAIRMAN PREISSE: So they cast two
8 provisional ballots.

9 MS. HEALY: We're not sure.

10 MR. MANIFOLD: At the -- at the same
11 location.

12 MS. HEALY: It appears that way, but we
13 don't know once we open it if it's going to be one
14 blank or one was filled in, but we would like to
15 accept the one that was filled in.

16 MEMBER HAAS: Just move to let them open
17 it, right?

18 CHAIRMAN PREISSE: I think that's right.

19 MEMBER SINNOTT: Do we know under what
20 circumstance two ballots were submitted?

21 MS. HEALY: They didn't have anything in
22 the Problems and Corrections pages about it.

23 MEMBER SINNOTT: I'm going to mark these
24 two envelopes No. 29 and 30 in the upper right-hand
25 corner. So we open them and then see if we count

1 them or don't count them.

2 MEMBER MARINELLO: Just permission to
3 open.

4 CHAIRMAN PREISSE: I move that the Board
5 staff open ballots -- envelopes 29 and 30, and engage
6 in necessary scrutiny to determine which, if either,
7 should be counted.

8 MEMBER HAAS: Second.

9 CHAIRMAN PREISSE: Does that make sense,
10 Brad? He's shaking his head "no."

11 MEMBER SINNOTT: I'm not sure. I think
12 what it is that we want to tell them to do is if the
13 two ballots match, count one of them; if they don't
14 match, don't count either of them.

15 DEPUTY DIRECTOR PAYNE: I think, in the
16 past, the Board has probably opened these at this
17 point.

18 CHAIRMAN PREISSE: I like that even
19 better.

20 MEMBER HAAS: That's a good idea.

21 DIRECTOR LEONARD: I don't think we even
22 need to --

23 MEMBER SINNOTT: We usually count on Kim
24 to do the heavy lifting.

25 MEMBER MARINELLO: I've got a cold.

1 (Laughter.)

2 CHAIRMAN PREISSE: Okay. Why don't we
3 open them.

4 MEMBER SINNOTT: I'll open 30 and you
5 open 29.

6 CHAIRMAN PREISSE: And we'll make sure to
7 keep them separate.

8 MR. MANIFOLD: Mystery.

9 CHAIRMAN PREISSE: And then when you open
10 these, normally don't you turn these upside down?

11 MS. HEALY: Yes.

12 DEPUTY DIRECTOR PAYNE: Yes.

13 CHAIRMAN PREISSE: So this is over here.

14 MEMBER SINNOTT: I have a Voter Transfer
15 Form in mine.

16 CHAIRMAN PREISSE: You have a what?

17 MEMBER SINNOTT: A Voter Transfer Form.

18 CHAIRMAN PREISSE: I have what appears to
19 be a ballot completed properly; I think a completed
20 ballot. What's a Voter Transfer Form?

21 MEMBER SINNOTT: Let's keep these
22 separate.

23 What is a Voter Transfer Form, Zach?
24 When is that used?

25 MR. MANIFOLD: Somebody else is going to

1 have to answer that one.

2 MS. HEALY: It tells a voter where
3 they're supposed to go; which polling location they
4 should go to.

5 CHAIRMAN PREISSE: That's a document that
6 was sent to this voter from the Board?

7 MR. MANIFOLD: It's signed by the voter
8 and the paper ballot judge, telling them that they
9 need to go to Eastview United Methodist Church.

10 MS. HEALY: Apparently they were in the
11 wrong location.

12 MEMBER HAAS: They voted in one location
13 and then they voted in another location?

14 DEPUTY DIRECTOR PAYNE: Is it possible
15 that they were sent to the wrong -- I mean, that they
16 were told they needed to go to this location,
17 realized it was not the correct location, came back,
18 and voted that second ballot?

19 MS. HEALY: I'll have to look at it.

20 MEMBER SINNOTT: You're welcome to come
21 up here.

22 MS. HEALY: Is it the same LID number?

23 CHAIRMAN PREISSE: What's the LID on that
24 one?

25 MS. HEALY: 2207.

1 CHAIRMAN PREISSE: And what's the --

2 MR. MANIFOLD: Ballot style 312.

3 CHAIRMAN PREISSE: -- what's the Columbus
4 Ward?

5 MS. HEALY: 47C1.

6 CHAIRMAN PREISSE: Yeah, that's the same.

7 MEMBER SINNOTT: Well, as to the matter
8 at hand, though, these two ballots have not been
9 completed in the same way.

10 MEMBER MARINELLO: They have not?

11 MEMBER SINNOTT: They have not. They
12 don't match.

13 CHAIRMAN PREISSE: Yeah, I notice on one
14 instance they didn't look at them closely. On one or
15 any more than that they're not the same.

16 MEMBER SINNOTT: If they don't match, I
17 wouldn't count either.

18 CHAIRMAN PREISSE: I think that's what I
19 would be compelled to do, too.

20 (Board members reviewing ballots.)

21 MEMBER HAAS: I move that ballot 29 and
22 30 not be counted.

23 MEMBER SINNOTT: Second.

24 DEPUTY DIRECTOR PAYNE: All those in
25 favor, signify by saying aye.

1 (Vote taken.)

2 DEPUTY DIRECTOR PAYNE: Same sign -- or,
3 everybody -- anybody opposed, same sign.

4 Motion carries.

5 MR. MANIFOLD: Then we have the same
6 thing happened here.

7 MEMBER SINNOTT: Okay. So Nos. 31 and
8 32, affixed to the upper right-hand corner, present
9 the same issue as 29 and 30?

10 MR. MANIFOLD: It looks like the paper
11 judge did fill it out on this one, and they were in
12 the right location. This one does not -- they did
13 not fill out -- the paper judge did not fill anything
14 out, so we don't know where this one was cast.

15 MEMBER SINNOTT: So we have two
16 provisional ballots, perhaps cast in two different
17 locations, but by the same voter.

18 MS. HEALY: Yes.

19 MEMBER SINNOTT: Well, Doug, would you
20 like to take No. 31 and I'll take No. 32?

21 CHAIRMAN PREISSE: Let me ask, Brad,
22 before we open them, this: The box at the bottom
23 that the voter fills out and then the Board confirms
24 the --

25 MR. MANIFOLD: The paper judge fills that

1 out on the left and then the Board -- the red on the
2 right is the Board confirming.

3 CHAIRMAN PREISSE: So when the
4 provisional voter hands this envelope in, the paper
5 judge fills in the left of this box?

6 MR. MANIFOLD: Correct.

7 CHAIRMAN PREISSE: And then this is
8 internal?

9 MR. MANIFOLD: Internal.

10 CHAIRMAN PREISSE: I'm just trying to
11 determine whether this is sufficient additional
12 information on 31, Brad, that we don't need to open
13 both. It could be because this envelope 31 was
14 processed at the polling place and internally here.

15 MEMBER SINNOTT: Under what circumstance
16 would a provisional ballot be put into the bag in the
17 absence of the paper ballot official completing --

18 MR. MANIFOLD: We do have locations
19 where somebody -- where a paper judge -- that's
20 actually the 600s, the possible remakes from earlier,
21 this 500, it does happen where people -- the judge
22 doesn't fill it out.

23 MEMBER SINNOTT: So as to No. 32, I'll
24 address 32, standing alone, you wouldn't reject this
25 from counting simply because the paper ballot judge

1 had not completed his or her portion of the envelope.

2 MS. HEALY: We would not.

3 MEMBER SINNOTT: Okay. I think we got to
4 open them.

5 CHAIRMAN PREISSE: Yeah, under those
6 circumstances, yeah, I think we ought to.

7 MR. MANIFOLD: What's the ballot style?

8 CHAIRMAN PREISSE: Where's the ballot
9 style?

10 MR. MANIFOLD: Down at the bottom in the
11 middle. 641. That's not the right ballot style.

12 MEMBER SINNOTT: So this person was given
13 two different provisional ballot styles? I wonder if
14 there's any substantive difference.

15 CHAIRMAN PREISSE: That is Columbus Ward
16 78 and that is we don't know.

17 MR. MANIFOLD: Yeah, I wonder if they
18 realized they gave them the wrong precinct or ballot
19 style and then gave them the correct one.

20 CHAIRMAN PREISSE: So can we just check
21 what Ward this gentleman lives in?

22 MR. MANIFOLD: Well, that would be when
23 we confirmed -- so that red writing down there would
24 be what we had.

25 CHAIRMAN PREISSE: Oh, right here, that

1 he does live in 78.

2 MEMBER SINNOTT: 641.

3 MR. MANIFOLD: So that is the correct
4 precinct and correct ballot style; this one is not.

5 DIRECTOR LEONARD: What you have, Brad,
6 is not the correct ballot style for that.

7 MEMBER SINNOTT: That is true.

8 CHAIRMAN PREISSE: For Ward 78, that
9 precinct. All right. It stands to reason --

10 MEMBER SINNOTT: Is there any substantive
11 difference in the ballots?

12 DIRECTOR LEONARD: Alicia, the correct
13 process then would be to void the incorrect ballot,
14 not -- not to not count it, but to void the incorrect
15 ballot and count the correct one; is that correct?

16 MS. HEALY: Correct, you can do that.
17 Basically what we did on the previous; accept one
18 and --

19 MEMBER SINNOTT: No, this one is
20 different than the last one. Ed's suggestion was
21 that we, as a matter of course, count the one that is
22 the correct ballot style and not count the other.

23 DIRECTOR LEONARD: Correct. And that it
24 was never cast; just void it.

25 MEMBER SINNOTT: Is there Secretary of

1 State Directive on that?

2 MS. HEALY: I don't think there's a
3 directive on that. I'll have to check.

4 MEMBER SINNOTT: I notice that there is
5 at least one difference --

6 CHAIRMAN PREISSE: Two that I noticed.

7 MEMBER SINNOTT: Two, you noticed.

8 CHAIRMAN PREISSE: So if a provisional
9 voter casts a provisional ballot --

10 MR. MANIFOLD: If that one was cast at
11 the wrong -- we have to look and see what ballot
12 styles were at that location. If that's at the wrong
13 location that wouldn't be counted.

14 CHAIRMAN PREISSE: It wouldn't count
15 anyway.

16 MR. MANIFOLD: Yeah. But if it was at
17 the right location and we just gave them the wrong
18 precinct, we would remake that. That would be a 600
19 and we would remake that to be the proper.

20 CHAIRMAN PREISSE: But we have the right
21 ballot style in the right precinct.

22 MR. MANIFOLD: Correct.

23 CHAIRMAN PREISSE: And then we have the
24 wrong ballot style --

25 MR. MANIFOLD: And we don't know where

1 they cast.

2 CHAIRMAN PREISSE: No precinct.

3 DIRECTOR LEONARD: Well, would you know
4 from the ballot style -- now that you know the ballot
5 style, could you determine where they --

6 MEMBER HAAS: But there's major
7 differences in the votes.

8 CHAIRMAN PREISSE: Yeah.

9 MS. HEALY: You could determine based on
10 the ballot style.

11 DIRECTOR LEONARD: In particular, if you
12 look at the issues --

13 CHAIRMAN PREISSE: I would be inclined to
14 presume some mix-up.

15 MEMBER MARINELLO: Which one was the
16 right Ward?

17 (Board members reviewing envelope.)

18 CHAIRMAN PREISSE: You're telling us we
19 have a version -- we have a version -- we have a
20 ballot which is of a circumstance that we would
21 reject anyway because it's wrong --

22 DIRECTOR LEONARD: Ballot style --

23 CHAIRMAN PREISSE: -- wrong ballot style,
24 indeterminate location of submission because the
25 outside isn't filled in.

1 MS. HEALY: So what we would first
2 determine is did the poll worker not fill out the
3 information which we see that the poll worker didn't.

4 CHAIRMAN PREISSE: Right.

5 MS. HEALY: If it was in the right LID
6 but a different ballot style, we would remake it.

7 CHAIRMAN PREISSE: Okay. But we know
8 it's in --

9 MS. HEALY: But because -- we would have
10 to determine, based on the ballot style, which LID it
11 was in.

12 CHAIRMAN PREISSE: Don't we know it's in
13 the wrong location? The style is --

14 MS. HEALY: We would have to --

15 MR. MANIFOLD: We have to look at what
16 styles are at each location.

17 MS. HEALY: We have more than one ballot
18 style at one location.

19 MR. MANIFOLD: They do have different
20 styles at each.

21 MEMBER SINNOTT: Is there any substantive
22 difference between the two styles?

23 CHAIRMAN PREISSE: Between the two
24 styles? Well, we can look at them right here.

25 MEMBER SINNOTT: Yeah.

1 MEMBER HAAS: Yeah, the order -- the
2 ballot order is.

3 CHAIRMAN PREISSE: Well, other than
4 ballot order. In other words, legislative races,
5 U.S. Senate, Congress is the same seat, right? State
6 Senator is the same seat. State Rep is the same
7 seat. Commissioner would be the same. Same. Same.
8 All the rest would be the same, wouldn't they?

9 MEMBER HAAS: Yeah.

10 CHAIRMAN PREISSE: What about this, is
11 that the same?

12 MEMBER HAAS: Yeah. Different vote, but
13 the same.

14 MR. MANIFOLD: The issues could change
15 maybe.

16 MEMBER SINNOTT: I don't think they do.

17 MR. MANIFOLD: Or they're the same?

18 CHAIRMAN PREISSE: This looks like a
19 liquor issue or something. I don't see a local
20 option. So it may, again, be the right style, but
21 the wrong location.

22 I don't know. I'm still inclined to
23 presume some kind of confusion. We have one ballot
24 that appears to be in order in every sense of the
25 quality of the execution of the process there.

1 MEMBER HAAS: Yeah.

2 MEMBER MARINELLO: That's 31?

3 MEMBER HAAS: That's 31.

4 DIRECTOR LEONARD: Err in the favor of
5 the voter, correct, if there's an error in terms of
6 the --

7 MR. MANIFOLD: Poll worker error.

8 MEMBER HAAS: I move that we count ballot
9 31 and not count 32.

10 MEMBER MARINELLO: Is it not count or
11 void?

12 CHAIRMAN PREISSE: Second.

13 DIRECTOR LEONARD: The question was
14 voiding it. You had mentioned in a previous
15 conversation --

16 MS. HEALY: We can void it.

17 DIRECTOR LEONARD: -- that if you had two
18 for the same person, you really can't have that.

19 MS. HEALY: You can't have two.

20 DIRECTOR LEONARD: Count one and void the
21 other.

22 MS. HEALY: Yes.

23 MEMBER HAAS: Okay. Amend my --

24 DEPUTY DIRECTOR PAYNE: Did we have a
25 second on that?

1 CHAIRMAN PREISSE: Well, we did, but I'll
2 withdraw the second because he's amending his motion.

3 MEMBER HAAS: I'll amend it. We count
4 ballot 31 and we void ballot 32.

5 MEMBER MARINELLO: Second.

6 CHAIRMAN PREISSE: Second.

7 DEPUTY DIRECTOR PAYNE: All those in
8 favor, signify by saying aye.

9 (Vote taken.)

10 DEPUTY DIRECTOR PAYNE: All those
11 opposed, same sign.

12 Motion carries.

13 I believe that's the agenda for today. I
14 will add these numbers to the original numbers that
15 you approved, meaning that there were 17,400 approved
16 provisional ballots and 3,420 rejected, so I will add
17 the numbers of these ballots to that.

18 MEMBER SINNOTT: Okay. I move we
19 adjourn.

20 MEMBER HAAS: Second.

21 DEPUTY DIRECTOR PAYNE: All those in
22 favor, signify by saying aye.

23 (Vote taken.)

24 DEPUTY DIRECTOR PAYNE: Opposed, same
25 sign.

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We are adjourned.

(Thereupon, the meeting concluded at
10:56 a.m.)

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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, November 21, 2016, and carefully compared with my original stenographic notes.

Carolyn M. Burke
Carolyn M. Burke, Registered Professional Reporter, and Notary Public in and for the State of Ohio.

My commission expires July 17, 2018.

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