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BEFORE THE FRANKLIN COUNTY BOARD OF ELECTIONS

- - -

IN RE: :  
:  
REGULAR MEETING :

- - -

PROCEEDINGS

before Chairman Doug Preisse, Director Antone White, Deputy Director David Payne, and Board Members Michael Sexton, Kimberly E. Marinello, and Meredith Freedhoff, at the Franklin County Board of Elections, 1700 Morse Road, Columbus, Ohio, called at 3:00 p.m., on Tuesday, September 5, 2023.

- - -

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**APPEARANCES:**

**JEANINE HUMMER, Esquire  
JESSE ARMSTRONG, Esquire  
Assistant Prosecuting Attorney  
Franklin County Prosecutor's Office  
373 South High Street, 13th Floor  
Columbus, Ohio 43215,**

**On behalf of the Board of Elections.**

**Also present:**

**Erin Gibbons  
Jeff Mackey  
Matthew Kelly**

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Tuesday Afternoon Session  
September 5, 2023  
3:00 p.m.

- - -

DEPUTY DIRECTOR PAYNE: Looks like  
we have a quorum. I will go ahead and take roll.

Kimberly Marinello.

MEMBER MARINELLO: Here.

DEPUTY DIRECTOR PAYNE: Mike Sexton.

MEMBER SEXTON: Here.

DEPUTY DIRECTOR PAYNE: Doug

Preisse.

CHAIRMAN PREISSE: Here.

DEPUTY DIRECTOR PAYNE: And Meredith  
Freedhoff.

MEMBER FREEDHOFF: Here.

DEPUTY DIRECTOR PAYNE: We indeed do  
have a quorum.

- - -

APPROVAL OF MINUTES

- - -

DEPUTY DIRECTOR PAYNE: The first  
item on the agenda is the approval of minutes from  
the August 7, 2023, I believe, that Erin sent out  
all of the meeting minutes from that.

1                   MEMBER MARINELLO: I move that the  
2 Board approve the minutes of the August 7, 2023  
3 meeting of the Franklin County Board of Elections  
4 as submitted.

5                   CHAIRMAN PREISSE: Second.

6                   DEPUTY DIRECTOR PAYNE: It's been  
7 properly moved and seconded. All in favor of the  
8 motion, signify by saying aye.

9                   All opposed, same sign.

10                  Motion carries.

11                  (Vote taken; motion passed)

12   - - -

13                   PETITION CERTIFICATION RECONSIDERATION FOR THE  
14                   NOVEMBER 7TH GENERAL ELECTION

15   - - -

16                  DEPUTY DIRECTOR PAYNE: The next  
17 item on the agenda is the petition certification  
18 reconsideration for the November 7th General  
19 Election. And I believe this has to do with Donald  
20 Goldhardt.

21                  Mr. Goldhardt.

22                  MR. GOLDHARDT: Yes, sir.

23                  DEPUTY DIRECTOR PAYNE: Jeff Mackey,  
24 from petitions and filings, do you want to kind of

1 set this up or tee it up for us?

2 MR. MACKEY: Jeff Mackey, Manager,  
3 Petitioning and Campaign Finance.

4 I received a petition from  
5 Mr. Goldhardt, and at our August 21st meeting we  
6 decided not to certify his candidacy because we  
7 received 28 signatures on his petition, and staff  
8 was only able to validate 24 signatures. We needed  
9 25 valid signatures. I believe he presented a  
10 packet there, an affidavit from one of the  
11 signators of his petition indicating a mistake that  
12 he made. That if you decide to accept that, it  
13 would give him 25 signatures. But I will let him  
14 make his case.

15 MS. HUMMER: Mr. Chairman, if I may  
16 at least set the table for your process.

17 So this is an administrative  
18 hearing. You have received a correspondence from  
19 me over the weekend. I apologize for disturbing  
20 your weekend, but the e-mail and correspondence is  
21 to allow you to know how these hearings are  
22 conducted, which you have had them already. Your  
23 right to have a hearing or not is still within the  
24 Board's discretion. If you choose to move forward

1 with this hearing, all witnesses need to be sworn  
2 in, and you have your process for that. And I'm  
3 here to provide you with any answers to any legal  
4 questions you may have.

5 MEMBER FREEDHOFF: Thank you.

6 CHAIRMAN PREISSE: Okay. And  
7 Mr. Goldhardt is here.

8 MR. GOLDHARDT: Yes, sir.

9 CHAIRMAN PREISSE: Yes. And would  
10 you like to address the Board?

11 MR. GOLDHARDT: Please. Thank you.

12 - - -

13 DONALD GOLDHARDT,

14 being by me first duly sworn, as hereinafter

15 certified, and says as follows:

16 MR. GOLDHARDT: Thank you for  
17 allowing me to reconsider this. I appreciate it.

18 When we circulated the petition, I  
19 circulated the petition, I was pretty clear with  
20 each of the people who signed, are you a registered  
21 voter. This gentleman that had signed, this August  
22 was his first election. He lives on a farm that  
23 two homes are adjacent. His mother and he had just  
24 purchased the home right next door, which was his

1 great grandmother's, from the estate, and they  
2 haven't quite all the way moved in. He wrote in  
3 the new address, which is what they have been using  
4 until they get the house finished rather than the  
5 house next door, which is where he was residing.  
6 So I thought that that might be an error that could  
7 be overlooked. Even though I know it's technically  
8 a problem.

9 CHAIRMAN PREISSE: Questions for  
10 Mr. Goldhardt?

11 You are one signature short; is that  
12 correct?

13 MR. GOLDHARDT: Yes, sir.

14 CHAIRMAN PREISSE: I'm trying to  
15 recall previous guidance on this, but I'm not  
16 recalling it.

17 DEPUTY DIRECTOR PAYNE: I was just  
18 going to say it's entirely to the Board's  
19 discretion as to whether we hear it or not. I  
20 mean, I guess I could go back to the Louis Gill  
21 situation where he was one signature shy, and we  
22 heard that, and he made not the exact same, but he  
23 was one signature shy so we granted that.

24 MS. HUMMER: And I will add, the



1 facts of that one were different than the facts of  
2 this one because there was apparently a clerical --  
3 more of a clerical error with him than a direct not  
4 correctly providing an address. That's my memory.

5 In any case, we have provided  
6 previous guidance on de minimus mistakes versus  
7 substantial mistakes. The Board has discretion of  
8 whether or not to consider this de minimus or not.  
9 There is a standard of the 25 signatures. And what  
10 we always stress to the Board is that that standard  
11 is there for a reason. That it should be correct.  
12 So that you submit, knowing that each and every  
13 signature -- if you submit only 25, all 25 have to  
14 be correct. So it is again within your discretion  
15 to, one, have a hearing, which you have by virtue  
16 of swearing this person in, you answered that  
17 question.

18 The second is does the mistake rise  
19 to de minimus, and whether or not that will set a  
20 precedent for the future that you can submit 25,  
21 and if you miss one you can come back and get it  
22 corrected.

23 MEMBER SEXTON: Mr. Chairman, seeing  
24 Kolin Henricks was a registered voter at 8840

1 Alkire Road, his grandparents' home. And then he  
2 recently moved.

3 MR. GOLDHARDT: Yes, sir, right next  
4 door.

5 MEMBER SEXTON: So he signed at 8840  
6 Alkire Road originally?

7 CHAIRMAN PREISSE: Well, I think he  
8 signed the petition 8900.

9 MR. GOLDHARDT: He signed 8900, sir.

10 MEMBER SEXTON: Signed 8900. Okay.

11 CHAIRMAN PREISSE: But he's still  
12 registered at 8840.

13 MEMBER SEXTON: He's still  
14 registered there. Since this do we know if he's  
15 registered at his new --

16 MR. GOLDHARDT: To my knowledge, I  
17 believe he voted in the August election, yes, sir.

18 MEMBER SEXTON: Do we know if staff  
19 can verify that?

20 MR. MACKEY: I don't think his  
21 registration has changed yet.

22 MEMBER SEXTON: Okay. So then he  
23 would still be at 8840 Alkire Road?

24 MR. MACKEY: Yes, sir.

1                   CHAIRMAN PREISSE: I don't have any  
2 more questions. Do you all?

3                   MEMBER MARINELLO: No.

4                   MEMBER SEXTON: No.

5                   MEMBER FREEDHOFF: There are no  
6 opponents?

7                   CHAIRMAN PREISSE: Nobody else wants  
8 to speak to this issue?

9                   MEMBER FREEDHOFF: After considering  
10 all of the evidence and arguments presented  
11 regarding the validity of the signatures previously  
12 ruled invalid by the Board of Elections, I would  
13 move that Donald Goldhardt has demonstrated that a  
14 sufficient number of signatures were filed;  
15 therefore, the name of Donald Goldhardt is  
16 certified to the November 7, 2023 ballot as a  
17 candidate for Pleasant Township Trustee.

18                   MR. GOLDHARDT: Fiscal officer.

19                   MEMBER SEXTON: I will second.

20                   DEPUTY DIRECTOR PAYNE: It's been  
21 properly moved and seconded. All those in favor of  
22 the motion, signify by saying aye.

23                   All opposed, same sign.

24                   Motion carries.

1 (Vote taken; motion passed)

2 MR. GOLDHARDT: Thank you.

3 MR. MACKEY: If we can amend that  
4 motion, she said trustee, it's fiscal officer.

5 MEMBER FREEDHOFF: Pleasant Township  
6 Fiscal Officer? Thank you.

7 CHAIRMAN PREISSE: It says trustee  
8 on here.

9 - - -

10 PROTEST OF CANDIDACY AGAINST AMY MESSICK FOR  
11 DUBLIN BOARD OF EDUCATION

12 - - -

13 DEPUTY DIRECTOR PAYNE: The next  
14 item on the agenda is the protest of candidacy  
15 against Amy Messick for Dublin Board of Education.

16 I will turn it over again to Jeff  
17 Mackey to tee it up for us.

18 MR. MACKEY: Amy Messick was  
19 certified as a candidate for Dublin City Board of  
20 Education at our August 21st Board meeting.  
21 Subsequent to that, we received a protest from  
22 Ms. Lykins, I believe that's all in your packet  
23 there.

24 CHAIRMAN PREISSE: Repeat what you

1 just said.

2 MR. MACKEY: She's a certified  
3 candidate, certified her at the August 21st meeting  
4 for Dublin Board of Education. In between that  
5 time and prior to deadline for filing a protest, we  
6 received a protest from Ms. Lykins, which I believe  
7 is in your packet there.

8 MS. HUMMER: The issue before the  
9 Board is regarding the certification of the  
10 petitions and whether or not they were properly  
11 certified.

12 CHAIRMAN PREISSE: Okay.

13 MS. HUMMER: You have previously  
14 received a legal opinion regarding the standards  
15 for that and the burden.

16 CHAIRMAN PREISSE: Is the protester  
17 here?

18 Would you like to address the Board?

19 - - -

20 KAREN LYKINS,  
21 being by me first duly sworn, as hereinafter  
22 certified, and says as follows:

23 CHAIRMAN PREISSE: Hi. Tell us who  
24 you are, please.

1 MS. LYKINS: I'm Karen Lykins. Also  
2 I go by Kari Lykins. And I am the one that filed  
3 the protest.

4 CHAIRMAN PREISSE: Okay. Do you  
5 want to walk us through.

6 MS. LYKINS: Sure.

7 Back on July 30th of 2023, I  
8 received, as you can see in Exhibit 1 from the  
9 Diversity for Dublin City Schools. Mrs. Allen, if  
10 you can see on your -- Mrs. Allen here, right in  
11 this -- I would like to draw your attention just to  
12 this portion right here. When Mrs. Allen says --  
13 well, first let me back up.

14 Ms. Messick was not -- she didn't  
15 decide to run --

16 MEMBER MARINELLO: Can you speak up  
17 a little bit?

18 MS. LYKINS: Sure.

19 She didn't decide to run until the  
20 last minute. She came in with five days left or  
21 something. She might be able to correct me if I'm  
22 wrong. And so they were hurrying up to get all of  
23 these signatures. Right. So Mrs. Allen says: And  
24 we need to make sure those signatures are valid.

1 So we really have no time to lose so we can check  
2 them before that. I have petitions in the bin on  
3 my front porch. Many of those -- or many of you  
4 who are familiar with the drill, as we've done this  
5 before, please stop by my house, 6308 Valley Stream  
6 Drive, ASAP to sign the petition for the county you  
7 live in. I have all three. You must reside in  
8 Dublin City Schools to sign the petition.

9 So that day I decided -- oh, wait.  
10 Let me go back.

11 Exhibit 2, another Facebook group  
12 post that states by Mrs. Allen: She is closing in  
13 on 150 signatures. Impressive, considering she  
14 decided to run five days ago. On her way to 250 by  
15 August 7th. Can you please help by signing her  
16 petition. Contact Stephanie Thompson-Pyser or me.  
17 We have them in the bin on each of our porches.  
18 I'm near Coffman and Stephanie is near Jerome.

19 Okay. Alarm bells for me. Right.  
20 Because my moral compass said that's cheating. So  
21 what I decided to do was drive by. When I  
22 approached Mrs. Allen's home, I could see with my  
23 eyes the gray bin sitting on her front porch on the  
24 right side of her porch. We have also included

1 video of the bin and the fact nobody was there to  
2 witness any of the signatures. We were able to  
3 walk up, we were able to open the bin, we were able  
4 to see some of the signatures have been signed,  
5 some weren't. The whole bin was filled. Filled  
6 with clipboards, filled with signatures with blank  
7 lines. We've also -- we also -- so all of those  
8 are in your Exhibits 3 through 9. But the most  
9 damning evidence, I would say, would be the video  
10 of the fact that the bins were sitting on the porch  
11 with nobody there to witness a signature.

12 Now, let me pull this up, not in our  
13 exhibits; however, I would like to show the  
14 nominating petition and statement of candidacy that  
15 was signed by Ms. Messick. It says: Whoever  
16 commits election falsification is guilty of a  
17 felony in the fifth degree. I take this as a very  
18 serious act. And I hope that you guys will see it  
19 the same way.

20 MEMBER FREEDHOFF: Thank you.

21 CHAIRMAN PREISSE: Questions from  
22 the Board?

23 MEMBER SEXTON: I have a few.

24 So you're stating that starting on



1 Exhibit 1 that there's Facebook post that goes out.  
2 And 2, the signature drive is coming to an end. On  
3 this 3, you're saying that we walked up to her  
4 house?

5 MS. LYKINS: Yes.

6 MEMBER SEXTON: Okay. And who is  
7 we?

8 MS. LYKINS: The other person is not  
9 going to be a part of it. Does not want to be a  
10 part of it. Has decided not to participate.

11 MEMBER SEXTON: So you and another  
12 person you are not willing to name?

13 MS. LYKINS: That's correct.

14 MEMBER SEXTON: So you and another  
15 person walked up --

16 MS. LYKINS: I was in my vehicle --

17 MEMBER SEXTON: Okay.

18 MS. LYKINS: Uh-huh. And she walked  
19 up and she videoed, and I videoed at the same time  
20 so that our videos overlapped. You can see this  
21 person walking to the front door through my video,  
22 her video then takes over and shows her being able  
23 to sign the petition. And it shows all of the  
24 petitions that are unattended on the porch. So our

1 videos line up perfectly.

2 MEMBER SEXTON: So you stayed in the  
3 car and took a video?

4 MS. LYKINS: Correct. Yes.

5 MEMBER SEXTON: This other person  
6 walked up to the house --

7 MS. LYKINS: That's correct.

8 MEMBER SEXTON: -- examined  
9 everything that was in this box.

10 MS. LYKINS: That's correct.

11 MEMBER SEXTON: And took a video of  
12 what was in the box.

13 MS. LYKINS: That's correct.

14 MEMBER SEXTON: Okay. She's not  
15 willing to be a part of this hearing, you say?

16 MS. LYKINS: Nope.

17 MEMBER SEXTON: So -- okay.

18 CHAIRMAN PREISSE: So you can attest  
19 to one signature, yours, that was not witnessed by  
20 the petitioner?

21 MS. LYKINS: No, nobody signed it.  
22 We did not sign the petition.

23 CHAIRMAN PREISSE: Oh, you did not  
24 sign it?

1 MS. LYKINS: Nope. We did not sign  
2 that petition.

3 CHAIRMAN PREISSE: So you didn't see  
4 anybody sign any of these petitions?

5 MS. LYKINS: Of course we did not.  
6 But the box was unattended with -- everybody could  
7 have walked up and signed that. I could have  
8 signed it. She could have signed it. We did not  
9 sign it. But the bin was unattended with all of  
10 the petitions in the bin unattended. And the  
11 Facebook post that says, which is really the worst  
12 part of the Facebook post is, you know the drill,  
13 we've done it before. That calls into question  
14 anybody else that has worked with -- have they --  
15 how many other unattended bins have been on porches  
16 and not witnessed any signatures. So --

17 MEMBER FREEDHOFF: Well, the paper  
18 that you provided that she signed says that the  
19 circulator shall indicate the number of signatures  
20 and shall sign the statement made under penalty of  
21 election falsification, that the circulator  
22 witnessed the affixing of every signature.

23 MS. LYKINS: I can say that my  
24 husband has worked his behind off obtaining the

1 signatures himself, standing in front of the  
2 library, knocking on doors. I know the other,  
3 Heather Tubbs Cooley, I've seen her out getting  
4 registrations. I've seen Ms. Messick once, at a  
5 soccer field. But the bins unattended, that they  
6 know the drill, that tells me that this has been  
7 done before, and the fact is it's cheating.

8 MEMBER SEXTON: Okay. And you  
9 mentioned your husband, how's he --

10 MS. LYKINS: Yes. He's running for  
11 Dublin School Board.

12 MEMBER SEXTON: Oh, he's running for  
13 the seat?

14 MS. LYKINS: Uh-huh.

15 MEMBER SEXTON: Okay. So let me be  
16 clear. You never saw -- you are alleging that  
17 Sandi Allen signed these petitions?

18 MS. LYKINS: No, I'm not alleging  
19 that. I'm alleging that I saw on the porch the bin  
20 of unattended petitions.

21 MEMBER SEXTON: Okay.

22 MS. LYKINS: Unattended, with the  
23 Facebook post that said these bins are on my front  
24 porch. My moral compass is saying this is not

1 right. I don't care what party affiliation you  
2 are, it's not right. You don't leave unattended  
3 petitions without being witnessed on your front  
4 porch. It doesn't matter.

5 MEMBER SEXTON: Okay. For the  
6 record, you never approached the porch?

7 MS. LYKINS: I did not.

8 MEMBER SEXTON: You never saw these  
9 petitions in a --

10 MS. LYKINS: No.

11 MEMBER SEXTON: -- Drop box?

12 MS. LYKINS: But the video, the  
13 video shows it.

14 MEMBER SEXTON: I understand. I  
15 heard about the video. But you personally are  
16 filing this protest --

17 MS. LYKINS: I witnessed the box on  
18 the porch --

19 MEMBER SEXTON: But the burden of  
20 proof is on you. And you're saying you never saw  
21 anything --

22 MS. LYKINS: I saw the bin --

23 MEMBER SEXTON: -- other than what  
24 you viewed from the sidewalk --

1 MS. LYKINS: That's correct.

2 MEMBER SEXTON: -- and from the  
3 video?

4 MS. LYKINS: I didn't expect it to  
5 be a box of puppies or a box of fresh fruit or  
6 vegetables from her garden. So, yes, absolutely,  
7 from all of this evidence I saw that bin unattended  
8 on the porch. I saw it with my own eyes, the bin  
9 unattended. That should be enough, in my opinion,  
10 to say that bin was there, nobody was outside. We  
11 were able to walk up, open the bin, and sign the  
12 petition.

13 CHAIRMAN PREISSE: But you didn't  
14 sign it.

15 MS. LYKINS: Right, we did not.

16 CHAIRMAN PREISSE: Any other  
17 questions?

18 MEMBER MARINELLO: And we're sure  
19 that the petitions weren't there just to pick up as  
20 a circulator?

21 MS. LYKINS: Let me read it again.

22 MEMBER MARINELLO: Okay.

23 MS. LYKINS: And we need to make  
24 sure those signatures are valid. So we really have

1 no time to lose so we can check them before that.  
2 I have petitions in a bin on my porch. Many of you  
3 are familiar with the drill as we've done this  
4 before. Please stop by my house at 6308 Valley  
5 Stream Drive ASAP to sign the petition for the  
6 county you live in. I have all three.

7 MEMBER FREEDHOFF: So there's no  
8 Facebook post asking to come and pick up petitions  
9 to walk --

10 MS. LYKINS: That's correct.

11 MEMBER FREEDHOFF: -- or take  
12 somewhere else?

13 MS. LYKINS: The second Facebook  
14 post is: Can you help by signing her petitions.  
15 Contact Stephanie Thompson-Pyser or me. We have  
16 them in the bin on each of our porches. I live  
17 near Dublin and Stephanie is near Jerome.

18 DIRECTOR WHITE: Chairman Preisse,  
19 am I permitted to ask a question?

20 CHAIRMAN PREISSE: Yes.

21 DIRECTOR WHITE: Ms. Lykins, did you  
22 actually witness anybody sign an unattended  
23 petition?

24 MS. LYKINS: We could have signed.

1 I witnessed my friend, who tried to write, as in  
2 the video, she could have signed that no questions  
3 asked.

4 DIRECTOR WHITE: Did you witness  
5 anyone else --

6 MS. LYKINS: No, I did not witness  
7 anyone else.

8 DIRECTOR WHITE: Okay.

9 CHAIRMAN PREISSE: Any other  
10 questions from the Board?

11 MEMBER SEXTON: No.

12 CHAIRMAN PREISSE: Is there anyone  
13 else who wishes to address the Board on the matter?

14 Okay. Could you please approach the  
15 podium and get sworn in, and tell us who you are.

16 - - -

17 CURTIS LYKINS,  
18 being by me first duly sworn, as hereinafter  
19 certified, and says as follows:

20 MR. LYKINS: My name is Curtis  
21 Lykins. I'm running for Dublin City School Board.  
22 I just want to ask the Board, have you viewed the  
23 two videos that were part of the affidavit?

24 CHAIRMAN PREISSE: I haven't seen a



1 video.

2 MEMBER SEXTON: I haven't seen a  
3 video either.

4 MS. HUMMER: Was it presented? Was  
5 it part of the packet?

6 MR. LYKINS: Yes.

7 MS. LYKINS: Exhibit 10A and B.

8 MS. HUMMER: We can only allow you  
9 to look at that before you rule on this.

10 MEMBER SEXTON: We don't have  
11 Exhibit 10.

12 MR. LYKINS: I asked that because I  
13 think it's pretty important evidence of the events  
14 as they were observed. So that's all I want to  
15 say. I appreciate it.

16 MS. HUMMER: We will make sure you  
17 have that before any ruling by the Board.

18 MEMBER FREEDHOFF: Thank you.

19 CHAIRMAN PREISSE: Okay. Does  
20 anyone else wish to address the Board?

21 Yes, ma'am.

22 - - -

23 AMY MESSICK,

24 being by me first duly sworn, as hereinafter

1 certified, and says as follows:

2 MS. MESSICK: I'm Amy Messick. So  
3 I'm the candidate in question. And it was about  
4 12 days before the filing deadline that I decided  
5 to run. And so we did have some time. We don't  
6 have to collect that many signatures. Dublin is  
7 pretty big, a lot of people. And so we were able  
8 to collect well over the minimum necessary. I  
9 believe I turned in 343 signatures, and I know some  
10 got returned.

11 I do want to say that I do have the  
12 petition in question that they went up and saw that  
13 is in the video. And they actually did try to sign  
14 it. You can actually see in the video that they  
15 tried to sign it. We crossed it off ourselves and  
16 did not count it as one of the signatures. So just  
17 so you know that that was not counted in. And  
18 Sandi will speak for herself, but she did not  
19 witness it; so she crossed it out herself. So when  
20 she put in her final total down here, 14, you can  
21 see that there is actually 15 names on the list  
22 with the one crossed out of the person who had  
23 walked up to her front porch.

24 MEMBER MARINELLO: What was the

1 process for the ones that were in the bin then?

2 MS. MESSICK: So the -- from my  
3 understanding, and Sandi might be able to speak  
4 better to this, as she has done in the past. Due  
5 to COVID there was a lot of restrictions put in  
6 place that they wanted to be sure of. There's many  
7 people that are in this private group, it was a  
8 private Facebook group that this post was put into.  
9 I actually wasn't even privy to it because I'm not  
10 in that Facebook group. However, in that private  
11 Facebook group they are used to signing these. The  
12 process, as I am understanding it, is they are to  
13 walk up to the door or call ahead of time. Hence,  
14 why in the second one it says please contact us.  
15 Walk up to the door, knock on the door, ring the  
16 doorbell, and then through the screen, if they  
17 don't want us to come out or someone to come out,  
18 they open the bin, take out the one that they have  
19 and sign it. In the video you will see that nobody  
20 knocked on the door or rang the doorbell. So it  
21 says you know the drill. They did not follow the  
22 drill that is known in this private group as to --

23 MEMBER MARINELLO: And that's the  
24 one that got crossed out?

1 MS. MESSICK: The one that got  
2 crossed out here.

3 MEMBER SEXTON: Can we see that?

4 MS. MESSICK: Absolutely. It's not  
5 a full signature, but you can see they scribbled on  
6 it, and you can see in the video that's exactly  
7 what they scribbled.

8 MEMBER FREEDHOFF: Do you have other  
9 sheets to present of others that were crossed out  
10 that Sandi wasn't available to witness?

11 MS. MESSICK: She did not cross any  
12 others out. Like she said, this was a private  
13 group that does not have that many members and if  
14 she --

15 MEMBER FREEDHOFF: This isn't a  
16 signature.

17 MS. MESSICK: It's not a full  
18 signature.

19 MEMBER FREEDHOFF: And it's not an  
20 address, not a city, not a state.

21 MS. MESSICK: No.

22 MEMBER FREEDHOFF: That's obviously  
23 crossed out.

24 MS. MESSICK: We crossed it out.

1 They did not cross it out. They scribbled on it,  
2 but they did not follow the drill, as stated in the  
3 Facebook post that they referenced.

4 DIRECTOR WHITE: Chairman Preisse,  
5 there's a reference to a video in the original  
6 correspondence on this protest. I'm not sure we  
7 received a video. I see the pdf packet of the  
8 information presented to the Board, but there was  
9 no videos attached to that. So I'm not sure how  
10 Ms. Lykins submitted that or if Jeff Mackey is  
11 aware.

12 MS. LYKINS: I used a flash drive.  
13 It was sealed in an envelope and presented --

14 MR. MACKEY: I have it.

15 DIRECTOR WHITE: Okay. Thank you.

16 CHAIRMAN PREISSE: Do you want to  
17 see the video?

18 Meredith would like to see the  
19 video.

20 Do you?

21 MEMBER SEXTON: Yes.

22 MEMBER MARINELLO: Yes.

23 MS. HUMMER: I have a question if I  
24 may for clarification purposes.

1                   So you were a person -- one of the  
2 people attesting to the signatures on the petition?

3                   MS. MESSICK: I did not attest to  
4 hers. I am the candidate, yes. So when I got -- I  
5 have my own petitions that I circulated and I  
6 witnessed, yes. And I have numerous, so.

7                   MS. HUMMER: Okay. So my question  
8 to you directly is for every signature on the  
9 petitions you submitted, did you observe those  
10 signatures, every single one where you signed?

11                  MS. MESSICK: That I signed the  
12 petition, absolutely.

13                  MS. HUMMER: So every single one.  
14 So if someone had gone up to your home and didn't  
15 follow the protocol, they just saw the Facebook  
16 page and wanted --

17                  MS. MESSICK: If I didn't know who  
18 they were -- oh, I'm sorry.

19                  MS. HUMMER: If someone came to your  
20 home, didn't see the protocol process, and signed,  
21 and then seven other people come in, and followed  
22 the protocol, now you have one signature on there  
23 that -- did you go through and cross out any other,  
24 or did every single person that came to touch the

1 bin follow the protocol?

2 MS. MESSICK: I did not have a bin.  
3 So that would be something Sandi would have to  
4 answer to. I personally witnessed every one I had  
5 signed. But I know that Sandi has done that in the  
6 past because people with the COVID protocol have  
7 requested not even to open the door, but to have  
8 those petitions available to reach.

9 MS. HUMMER: And I understand the  
10 COVID protocols, but those protocols are not in  
11 place.

12 MS. MESSICK: Right. Those aren't  
13 in place anymore. However, because this is a group  
14 and she has been doing it since COVID, people know  
15 that drill.

16 CHAIRMAN PREISSE: Any other  
17 questions from the Board?

18 MS. HUMMER: I just want to make  
19 sure the Board is aware for purposes of the  
20 legality, if one signature is not observed and it's  
21 been certified, it wipes out the entire circulation  
22 page. So it doesn't just --

23 MEMBER SEXTON: Just that page?

24 MS. HUMMER: Just that page.

1                   MEMBER SEXTON: So there's 20  
2 signatures on one page, wipes out that page, not  
3 the entire petition, right?

4                   MS. HUMMER: What you do is go  
5 petition by petition.

6                   MEMBER FREEDHOFF: Do you have your  
7 other petitions that were in the bin?

8                   MS. MESSICK: So the only ones that  
9 are shown are in the video is one other, I believe,  
10 other than that one that had a total of three  
11 signatures on it. And I have that one. As well as  
12 one that was submitted and they used the box to  
13 drop off. And it's a full completed one with 20  
14 signatures that was done by somebody else. And so  
15 all she had done was drop off a completed --

16                  MEMBER FREEDHOFF: So you don't have  
17 any petitions from the bin on --

18                  MS. MESSICK: I do. I have the one  
19 that you have, which I just handed. And then this  
20 one is the other one we were able to identify from  
21 the video and pictures, and it has a total of three  
22 signatures on it.

23                  MEMBER FREEDHOFF: So then the  
24 petitions in Sandi's bin --



1 MS. MESSICK: Yes. And Sandi is  
2 here.

3 MEMBER FREEDHOFF: And Stephanie  
4 Thompson-Pyser.

5 MS. MESSICK: Stephanie is here as  
6 well.

7 MEMBER FREEDHOFF: So do you have  
8 the petitions that were in their bins?

9 MS. MESSICK: Stephanie did not have  
10 a bin.

11 MS. PYSER: There was no bin.

12 MEMBER MARINELLO: Who had the bin  
13 that we are --

14 MS. MESSICK: Sandi.

15 MEMBER MARINELLO: Do you know how  
16 many petitions were in there?

17 MS. MESSICK: All we know of is  
18 these two and the one that was dropped off by  
19 Betty.

20 MEMBER FREEDHOFF: So this Facebook  
21 post says we have them on our porches; so you are  
22 saying that's incorrect?

23 MS. MESSICK: Stephanie did not.  
24 She actually did the drive-thru instead of --

1 MEMBER FREEDHOFF: The drive-thru?

2 MS. MESSICK: Yes. So one of those  
3 pictures is of me standing there, that was where  
4 people came in and signed with me, and with  
5 Stephanie.

6 MEMBER FREEDHOFF: So then Stephanie  
7 didn't circulate any petitions?

8 MS. ALLEN: Do you want me to get up  
9 and answer?

10 MEMBER FREEDHOFF: I think Sandi  
11 needs to be the person we need to talk to first.

12 MS. HUMMER: Whoever had the bin.  
13 Who had the bin?

14 MS. ALLEN: I did.

15 MEMBER FREEDHOFF: You had the  
16 petition in the bin at Sandi's house?

17 MS. HUMMER: She needs to testify as  
18 to what petitions were in her bin.

19 MEMBER FREEDHOFF: Right. How many  
20 and that kind of thing.

21 - - -

22 SANDRA ALLEN,

23 being by me first duly sworn, as hereinafter

24 certified, and says as follows:

1 THE REPORTER: State your name.

2 MS. ALLEN: Sandra Allen.

3 CHAIRMAN PREISSE: Yes, please  
4 proceed.

5 MS. ALLEN: Okay. What is the  
6 question?

7 CHAIRMAN PREISSE: We can ask you  
8 questions or --

9 MEMBER FREEDHOFF: I have a  
10 question.

11 This wasn't in a bin, because it  
12 says Bette Feist circulated it.

13 MS. ALLEN: It was in the bin.  
14 She -- like, she was returning it because I was on  
15 an errand that day.

16 CHAIRMAN PREISSE: So she dropped it  
17 off?

18 MEMBER MARINELLO: That was a  
19 completed one?

20 MS. ALLEN: She was circulating on  
21 her own, so.

22 You can probably tell by the  
23 pictures that the bin is used for many different  
24 things. It says canvas materials on top of it. I

1 distributed blank petitions to people from it, and  
2 collected full returned petitions as well. It's  
3 just kind of like a catchall box. And because I  
4 wasn't there, she was dropping it off when I wasn't  
5 going to be home, so.

6 MEMBER FREEDHOFF: Did you know that  
7 when you asked people, please stop by my house,  
8 6308 Valley Stream, to sign the petition for the  
9 county you live in. And I have all three. Did you  
10 know that you may not be there to witness  
11 signatures?

12 MS. ALLEN: Well, typically, the bin  
13 isn't out there 24/7. So it's there to -- when  
14 people are going to be contacting me and saying  
15 they are going to be there.

16 MEMBER FREEDHOFF: In this post you  
17 don't ask anybody to contact you.

18 MS. ALLEN: That's part of the  
19 drill, the private Facebook group.

20 MEMBER FREEDHOFF: How many people  
21 are on this Facebook group?

22 MS. ALLEN: Maybe a couple hundred.

23 MEMBER MARINELLO: How many?

24 MS. ALLEN: Maybe a couple hundred.

1                   MEMBER MARINELLO: That's a big  
2 group.

3                   MS. ALLEN: But again, because of  
4 COVID in the past we kind of established these  
5 drills wanting to make sure that signers are not  
6 infected by me and me not infected by signers. We  
7 just kind of kept those protocols in place. With  
8 COVID on the rise in the summer, we just kept it.  
9 Because that's what people were familiar with.

10                  MEMBER FREEDHOFF: But you signed  
11 the signatures -- the signature that you would be a  
12 witness to every signature.

13                  MS. ALLEN: Right. I opened the  
14 door and watched them sign it.

15                  MEMBER FREEDHOFF: Every signature  
16 you saw?

17                  MS. ALLEN: Correct.

18                  MEMBER FREEDHOFF: So on all of the  
19 petitions you submitted you saw every single  
20 signature?

21                  MS. ALLEN: Uh-huh.

22                  MEMBER FREEDHOFF: And how many of  
23 these did you sign?

24                  MS. ALLEN: I don't know. Six

1 maybe. I circulated some by canvas, I circulated  
2 some from my porch, so.

3 MEMBER FREEDHOFF: Do you know where  
4 the other six are or the other five? Because this  
5 is only one.

6 MS. ALLEN: They were submitted --

7 MEMBER FREEDHOFF: So that was the  
8 only one on your porch you are saying?

9 MS. ALLEN: The petitions, the  
10 picture showed that there were two in the bin.

11 MEMBER FREEDHOFF: Okay.

12 MEMBER SEXTON: Just to reiterate,  
13 you witnessed every signature?

14 MS. ALLEN: Not the one that was  
15 crossed out, because obviously I wasn't there.

16 MEMBER SEXTON: But you -- okay.

17 MEMBER FREEDHOFF: So it wasn't a  
18 signature crossed out. Just to be clear, it's just  
19 a scribble, there's no address, there's no date on  
20 it.

21 MS. ALLEN: A lot of signatures look  
22 like scribbles really. It's hard to tell.

23 MEMBER FREEDHOFF: With no address  
24 or anything?

1 MS. ALLEN: That's what was left,  
2 so, like, I thought it looked weird; so I crossed  
3 it off because I didn't want it to be counted for  
4 something that was valid because I knew it wouldn't  
5 be.

6 MEMBER FREEDHOFF: Yeah.

7 MS. HUMMER: Members of the Board, I  
8 think an additional piece of information that you  
9 need is even if you invalidate, take the protester,  
10 and approve the protest, based on the testimony do  
11 you have enough signatures based on the candidate  
12 circulation that did not involve the bin, that did  
13 not -- knowing that answer will also help you.

14 CHAIRMAN PREISSE: I think we know  
15 that answer. Do we not?

16 MEMBER FREEDHOFF: No, because we  
17 don't have the other person here. Do we?

18 MS. HUMMER: We should have it from  
19 Mr. Mackey.

20 CHAIRMAN PREISSE: Jeff, can you  
21 answer that question?

22 MEMBER MARINELLO: If we get rid of  
23 the bin part --

24 MEMBER SEXTON: So these would just

1 be the ones, only the ones --

2 MS. HUMMER: I just think for the  
3 Board's -- and whether the Board accepts or doesn't  
4 accept the protest, I want to make sure the Board  
5 understands whether the question before the Board  
6 is moot, because if you accept the number of  
7 signatures based on those who actually circulated,  
8 and not those that were involved or touched the  
9 bin, does the person have enough?

10 MR. MACKEY: So that's a list of the  
11 petitions, part petitions that were circulated by  
12 circulator name, the number of valid signatures  
13 indicated, and total is at the bottom.

14 MEMBER FREEDHOFF: So the only bins  
15 were Sandi and Stephanie, those would be the bins  
16 we would not consider?

17 MS. MESSICK: Stephanie is here.  
18 She can testify to her own --

19 MS. PYSER: There was only one bin.

20 MEMBER FREEDHOFF: Which was Sandi's  
21 bin?

22 MR. MACKEY: I don't know if those  
23 were in the bin. Those are just the petitions that  
24 were circulated by Ms. Allen and Ms. Pyser.



1           MEMBER SEXTON: Do we know -- Jeff,  
2 do we know how many signatures are effected by this  
3 protest?

4           MEMBER FREEDHOFF: Here you go.

5           MEMBER MARINELLO: 112?

6           MS. HUMMER: No. I believe it's  
7 only Sandi and Linda who had --

8           MEMBER FREEDHOFF: That's 112. Not  
9 112.

10          MR. MACKEY: You would have to do  
11 your own math there.

12          MEMBER SEXTON: Well, which ones do  
13 we want to do away with?

14          MS. HUMMER: So all the way from  
15 856, 855, 859, 860, 865, 866, 876 and 887 are the  
16 ones --

17          DIRECTOR WHITE: 75.

18          MS. HUMMER: 75.

19          CHAIRMAN PREISSE: That is 75  
20 signatures?

21          MR. MACKEY: Valid signatures.

22          CHAIRMAN PREISSE: That could have  
23 been in the bin?

24          MS. HUMMER: That could have been in

1 the bin.

2 DIRECTOR WHITE: That's just what  
3 she submitted as a circulator. We don't know what  
4 was in the actual bin.

5 MEMBER FREEDHOFF: So then you're  
6 still at 210 valid signatures if you take those  
7 out. And you need 150 valid signatures required.

8 MEMBER MARINELLO: So it is moot.

9 MS. HUMMER: If you even accept the  
10 protest.

11 CHAIRMAN PREISSE: Let's look at the  
12 protest.

13 MS. GIBBONS: Our IT Director has  
14 the USB stick right now.

15 DEPUTY DIRECTOR PAYNE: We are  
16 trying to find an off-network computer. Because  
17 the Secretary of State doesn't allow us to put  
18 a thumb drive or --

19 CHAIRMAN PREISSE: Any more  
20 questions?

21 MEMBER FREEDHOFF: Thank you.

22 MS. ALLEN: Thank you.

23 MS. HUMMER: So I think we have one  
24 other witness that you probably need to ask

1 questions regarding whether or not there was a bin  
2 involved.

3 MEMBER FREEDHOFF: I don't have any  
4 questions.

5 CHAIRMAN PREISSE: Go ahead. Let's  
6 get it on the record.

7 - - -

8 STEPHANIE PYSER,  
9 being by me first duly sworn, as hereinafter  
10 certified, and says as follows:

11 CHAIRMAN PREISSE: State your name,  
12 please.

13 MS. PYSER: Stephanie Pyser.

14 CHAIRMAN PREISSE: Okay.

15 MS. PYSER: I run the group  
16 Positively Blue, which we also posted information  
17 about collecting signatures. We did a drive-thru.  
18 We didn't -- I didn't have a bin on my front porch.  
19 Sandi didn't know that. But I didn't need to  
20 because we did a drive-thru. And Mr. Lykins knows  
21 that because he came to the drive-thru and was in  
22 his car watching, and then came and addressed us.  
23 So he knows that Amy was there, I was there with  
24 the petitions, and we had signatures going on that

1 day. So there was no need for me to have a bin  
2 because I wasn't collecting and dropping off. I  
3 just had my own.

4 CHAIRMAN PREISSE: And you witnessed  
5 all of the signatures?

6 MS. PYSER: All of them, yes. I  
7 have three packets, one for each county. They were  
8 with me all the time at the drive-thru. And then  
9 at my house, where I had neighbors that I  
10 witnessed, that I went to their house and had them  
11 sign them, and that was it. There were three  
12 packets that I --

13 CHAIRMAN PREISSE: Have you had a  
14 bin or that kind of thing on your porch before?

15 MS. PSYER: Maybe in the years past,  
16 if we were doing major collections for people to  
17 drop off finished petition packets, but not  
18 recently. And I didn't for this. And they  
19 probably know that, because they probably drove  
20 past my house to look and find it, and there  
21 wasn't. Because my husband felt like he saw them  
22 go by my house.

23 CHAIRMAN PREISSE: All right. Any  
24 further questions?

1                   MEMBER SEXTON: And then so we are  
2 clear, all of the signatures that you collected --

3                   MS. PSYER: Yes.

4                   MEMBER SEXTON: -- you witnessed?

5                   MS. PSYER: 100 percent.

6                   MEMBER SEXTON: Thank you.

7                   MS. PSYER: Those packets were with  
8 me all the time.

9                   MEMBER FREEDHOFF: Thank you for  
10 doing that, because that's the appropriate way to  
11 petition.

12                   MS. PSYER: That's how we almost  
13 always do it.

14                   MEMBER FREEDHOFF: It should be in  
15 people's possession all the time. I was a  
16 candidate at one time myself, and made everyone  
17 aware circulating them, they never were to leave  
18 their possession. I think the bin thing is not a  
19 good idea.

20                   MS. PSYER: There have been times  
21 people can drop off their finished packets when  
22 they're completed and signed if, you know, they're  
23 done with them, and there's one person collecting.  
24 I know that that has happened in the past.

1                   MEMBER FREEDHOFF: That's a much  
2 better idea.

3                   MS. PSYER: And I would like to make  
4 note that these are private pages that they  
5 infiltrated to get information about our drive-thru  
6 and what was going on. So I find it interesting  
7 that they even made such an effort to get into a  
8 private group to get this information to try and  
9 catch people doing something wrong.

10                  MEMBER FREEDHOFF: You have 200  
11 people in that group, you don't think other people  
12 will find out about that? That goes both ways.  
13 Everybody looks at everybody's group.

14                  MS. PSYER: Yeah, but there's a  
15 whole process they went through to find out, which  
16 I could show evidence of, but we don't need to go  
17 there.

18                  MS. HUMMER: I have it up.

19                               For the record, we are going to be  
20 playing the video that was presented as evidence in  
21 the protest hearing.

22                               (Video played.)

23                  MS. HUMMER: Okay. There is another  
24 video.

1                   MEMBER SEXTON: Show that one more  
2 time.

3                   MS. HUMMER: Sure.

4                   (Video played.)

5                   MS. HUMMER: The person at the table  
6 is the unknown person.

7                   DIRECTOR WHITE: Okay.

8                   MS. HUMMER: We will go to the  
9 second video.

10                  (Video played.)

11                  MEMBER FREEDHOFF: Thank you.

12                  CHAIRMAN PREISSE: Thank you.

13                  Anybody else want to address the  
14 Board on the matter?

15                                 - - -

16                                 JULIA FIX,

17                   being by me first duly sworn, as hereinafter  
18                   certified, and says as follows:

19                                 - - -

20                   MS. FIX: My name is Julia Fix. I'm  
21 an attorney. I notarized the affidavit that Kari  
22 Lykins signed. And I just wanted to let you guys  
23 know that there's been an attempt to kind of  
24 demonize Kari a little bit. And I just wanted to

1 say that I urged her to report this to you today.  
2 After she showed me the pictures and I saw the  
3 photo of the petition that was circulated by Bette  
4 Feist that was actually also in the bin, I realized  
5 it wasn't just one petition circulator who had  
6 potentially done this. I don't know for sure. But  
7 when I realized it was many petition circulators  
8 that had potentially been taking part in this, I  
9 urged her to report it today.

10 And just to let you know, I also  
11 reported it to the Ohio Attorney General's office.  
12 I'm under an ethical obligation as an attorney to  
13 report this. So I just wanted to give you a heads  
14 up that it has also been reported to the Ohio  
15 Attorney General's office.

16 CHAIRMAN PREISSE: And when you say  
17 to report this, what is this?

18 MS. FIX: Just the potential of the  
19 commission of the fifth degree felony by the  
20 petition circulators.

21 CHAIRMAN PREISSE: So you didn't  
22 witness any petitions being signed?

23 MS. FIX: I did not. Kari brought  
24 me the evidence, and that's what I based my



1 reporting on.

2 CHAIRMAN PREISSE: And the evidence  
3 is photographs and video.

4 MS. FIX: Correct.

5 CHAIRMAN PREISSE: And the  
6 eyewitness inspection of one bin.

7 MS. FIX: Correct.

8 CHAIRMAN PREISSE: And several  
9 petitions. Okay.

10 MEMBER SEXTON: So this was reported  
11 to the Attorney General by yourself over that --

12 MS. FIX: Yes.

13 MEMBER SEXTON: -- small lack of  
14 evidence, which really isn't -- I mean, I saw the  
15 video. I mean somebody came up and signed it  
16 and --

17 MS. FIX: Well, I didn't conduct an  
18 investigation. All I did was look at the Facebook  
19 post that said please come sign these petitions  
20 that are in the bin on my front porch. And we  
21 know -- I know that you can't attest to a signature  
22 that you didn't witness. And then there are --  
23 there are signatures by the petition circulator on  
24 the petitions that are in the bin that have

1 potentially not been witnessed.

2 MEMBER SEXTON: So you didn't --

3 MS. FIX: So that's what I based it  
4 on.

5 MEMBER SEXTON: You didn't observe  
6 that that signature was crossed out?

7 MS. FIX: I did not see any crossing  
8 out, no, I did not. I did not see anything like  
9 that.

10 MEMBER SEXTON: Okay. Thank you.

11 CHAIRMAN PREISSE: To be clear, the  
12 protest involves not the candidacy, but the  
13 validity of these isolated petitions.

14 MS. HUMMER: The question before you  
15 is whether the protest that is before you should be  
16 approved based on a clear and convincing evidence  
17 standard that would negate the signatures as  
18 provided based on the testimony. And that would be  
19 based on your own questioning of the only  
20 individual that had indicated that there was a bin  
21 was, I believe, Sandi Allen. So that is a question  
22 that needs to be, by motion, addressed no matter  
23 what irrespective of the moot aspect. And you  
24 still need to rule on whether or not the protest

1 has met its burden of clear and convincing  
2 evidence.

3 MEMBER FREEDHOFF: So if we accept  
4 the protest and negate the signatures, she will  
5 still have enough signatures to be on the ballot?

6 MS. HUMMER: Yes. And it would be  
7 based on a clear and convincing evidence here.

8 CHAIRMAN PREISSE: So this states  
9 that draft motions are not reflective of that.  
10 Well, the second draft is not reflective of that  
11 approach. But can be verbally amended depending on  
12 the pleasure of the Board, did I get that wrong,  
13 Kim?

14 MS. HUMMER: You can, again, go into  
15 an executive session to discuss any of these rules  
16 based on this is an administrative hearing. I  
17 always tell you that whether you need it or not,  
18 but it's up to you. You do have that right.

19 CHAIRMAN PREISSE: Yeah, let's go  
20 into executive session.

21 MS. HUMMER: So it would be a motion  
22 to go into executive session for purposes of  
23 discussing the pending litigation and the matter  
24 before you.

1 CHAIRMAN PREISSE: I will move to go  
2 into executive session for the sole purpose of  
3 discussing the matter before us.

4 MEMBER SEXTON: Second.

5 DEPUTY DIRECTOR PAYNE: It's been  
6 properly moved and seconded. I will take roll  
7 call.

8 Kimberly Marinello.

9 MEMBER MARINELLO: Yes.

10 DEPUTY DIRECTOR PAYNE: Mike Sexton.

11 MEMBER SEXTON: Yes.

12 DEPUTY DIRECTOR PAYNE: Doug

13 Preisse.

14 CHAIRMAN PREISSE: Yes.

15 DEPUTY DIRECTOR PAYNE: And Meredith  
16 Freedhoff.

17 MEMBER FREEDHOFF: Yes.

18 DEPUTY DIRECTOR PAYNE: It's up to  
19 you to decide who --

20 CHAIRMAN PREISSE: Let's start with  
21 the four Board members, if we may.

22 (Executive Session.)

23 CHAIRMAN PREISSE: We are back in  
24 regular session, and we've had a little discussion.

1 And we may have a motion.

2 MEMBER MARINELLO: After considering  
3 all of the evidence and arguments presented  
4 regarding the validity of the signatures previously  
5 ruled valid by the Board of Elections, I move to  
6 deny the protest, and Amy Messick's name shall  
7 appear on the November 7, 2023 General Election  
8 ballot.

9 CHAIRMAN PREISSE: I second the  
10 motion, and ask for discussion.

11 MEMBER FREEDHOFF: While I  
12 appreciate that motion, I will be voting that I  
13 accepted the protest in that of the bins, but  
14 accepting the candidate on the ballot because the  
15 candidate has the signatures to be on the ballot  
16 without the bin.

17 And I was a candidate before, and I  
18 just wanted to ask, it's a very bad idea to leave  
19 petitions unattended. And it could have put you in  
20 a lot of risk. You could have -- you know, if they  
21 had someone actually going to the bin and signing  
22 that bin unattended, you would not be on the  
23 ballot. And I think that's a bad thing to have  
24 happen to a candidate. And I wouldn't want that to

1 happen to a candidate. So I will be voting no on  
2 that. Just so you know, and we discussed it. And  
3 I think we are in agreeance.

4 CHAIRMAN PREISSE: Yes. The way the  
5 motion has been made, we will have one vote. A  
6 vote no will be to deny the protest, and to  
7 continue to permit Amy Messick's name to appear on  
8 the ballot.

9 MEMBER FREEDHOFF: Right. So I  
10 just wanted to be on the record that your name  
11 should be on the ballot. You have enough  
12 signatures to be on the ballot. However, I do not  
13 support the bins, unguarded petitions. It's  
14 dangerous for the candidate. It puts you at risk  
15 actually. So that's why I will be voting no. And  
16 I just want it on the record that it has nothing to  
17 do with your candidacy, it has to do with the  
18 method of it.

19 MS. MESSICK: Thank you.

20 MS. HUMMER: So the motion on the  
21 table is to deny the protest, and there was a  
22 second. So a yes vote would be to deny the  
23 protest.

24 CHAIRMAN PREISSE: And to permit the

1 candidacy.

2                   MEMBER FREEDHOFF: I just didn't  
3 like them being one part. Because I want to  
4 deny -- I accept the protest, I think it's a very  
5 bad practice. But I want to accept the candidate  
6 because she has enough signatures. So I just  
7 wanted them to be two different things; however,  
8 they aren't written that way. So I just wanted it  
9 on the record that I support the 210 signatures.  
10 She had enough anyway.

11                   CHAIRMAN PREISSE: Right. And I am  
12 going to echo what Meredith said. Unattended  
13 petitions are a bad idea. So stay away from it.

14                   And any more discussion?

15                   MEMBER SEXTON: No, not by me.

16                   CHAIRMAN PREISSE: Do the roll call.

17                   DEPUTY DIRECTOR PAYNE: It's been  
18 properly moved and seconded. I will take roll.

19                   Kim Marinello.

20                   MEMBER MARINELLO: Yes.

21                   DEPUTY DIRECTOR PAYNE: Mike Sexton.

22                   MEMBER SEXTON: Yes.

23                   DEPUTY DIRECTOR PAYNE: Doug

24 Preisse.

1 CHAIRMAN PREISSE: Yes.

2 DEPUTY DIRECTOR PAYNE: And Meredith  
3 Freedhoff.

4 MEMBER FREEDHOFF: No.

5 DEPUTY DIRECTOR PAYNE: Okay.

6 Motion carries.

7 (Vote taken; motion passed)

8 - - -

9 CERTIFICATION OF WRITE-IN CANDIDATES FOR THE  
10 NOVEMBER 7th GENERAL ELECTION BALLOT

11 - - -

12 DEPUTY DIRECTOR PAYNE: The next  
13 item on the agenda is the certification of write-in  
14 candidates for the November 7th General Election  
15 ballot.

16 Do you have a -- do you want to  
17 present that Exhibit A, Jeff?

18 MR. MACKEY: Before you, you have an  
19 exhibit of a list of write-in candidates whose  
20 declaration to be a write-in candidate came in  
21 after the Monday, August 21st Board meeting. Staff  
22 has reviewed those declarations and found them to  
23 be timely filed, valid and sufficient.

24 CHAIRMAN PREISSE: No questions from



1 me.

2 MEMBER FREEDHOFF: Me either.

3 MEMBER SEXTON: Mr. Chairman, I move  
4 that the Board certify the candidates listed on  
5 Exhibit A as valid write-in candidates for the  
6 offices they are seeking on the November 7, 2023  
7 General Election ballot.

8 CHAIRMAN PREISSE: Second.

9 DEPUTY DIRECTOR PAYNE: It's been  
10 properly moved and seconded. All those in favor of  
11 the motion, signify by saying aye.

12 All opposed, same sign.

13 Motion carries.

14 (Vote taken; motion passed)

15 - - -

16 CANDIDATE WITHDRAWALS

17 - - -

18 DEPUTY DIRECTOR PAYNE: The next  
19 item on the agenda is candidate withdrawals.  
20 There's been a number of candidate withdrawals. I  
21 presume that we either received e-mails from these  
22 candidates or they came in in person or they sent  
23 letters --

24 MR. MACKEY: Yes, we received

1 written notification of their withdrawal.

2 DEPUTY DIRECTOR PAYNE: Okay. And  
3 there are a number of those candidates.

4 CHAIRMAN PREISSE: Any questions for  
5 Jeff?

6 MEMBER MARINELLO: No.

7 MEMBER SEXTON: Mr. Chairman, I move  
8 that the Board accept the requests of Scott Melody  
9 to withdraw as a candidate for Washington Township  
10 Trustee, Josh Hickman to withdraw as a candidate  
11 for Worthington City School District Board of  
12 Education, Tim Roberts to withdraw as a candidate  
13 for Norwich Township Trustee, James Merchant to  
14 withdraw as a candidate for Gahanna City Council,  
15 Tom Sussi to withdraw as a candidate for Columbus  
16 City Mayor, Patrick King to withdraw as a candidate  
17 for Bexley Board of Education, and Jessica Haglund  
18 as a candidate for Worthington City School District  
19 Board of Education, and that their names shall not  
20 appear on the November 7, 2023 General Election  
21 ballot.

22 CHAIRMAN PREISSE: Second.

23 DEPUTY DIRECTOR PAYNE: It's been  
24 properly moved and seconded. All those in favor of

1 the motion, signify by saying aye.

2 All opposed, same sign.

3 Motion carries.

4 (Vote taken; motion passed)

5 - - -

6 ENVELOPE PURCHASE ORDER

7 - - -

8 DEPUTY DIRECTOR PAYNE: The next  
9 item on the agenda is the purchase of election  
10 envelopes. And I will turn that over to Matt  
11 Kelly, who is our manager of the absentee  
12 department.

13 MR. KELLY: Good afternoon, Mr.  
14 Chairman, Members of the Board.

15 I believe you have in front of you a  
16 purchase order that is above the threshold of  
17 \$25,000; so it does require Board approval. We are  
18 asking for a total of \$48,930 to purchase the three  
19 envelopes that are needed to send out in our ballot  
20 packets. That would include our ballot ID  
21 envelope, and our ballot return envelope, and the  
22 carrier envelope that will carry both of these two  
23 envelopes and the ballot with instructions. We are  
24 placing an order of 200,000 each of these, that way

1 we can have an inventory of close to two and a  
2 half -- 250,000 of each envelope, that should be  
3 able to carry us through, not this next election,  
4 but the next election and the May Primary provided  
5 we don't get overwhelmed in both.

6 CHAIRMAN PREISSE: March.

7 MR. KELLY: I'm sorry. The March  
8 Primary. So I would ask for approval of this  
9 purchase order.

10 MEMBER MARINELLO: I move that the  
11 Board approve the purchase of 200,000 ID envelopes,  
12 200,000 return envelopes, and 200,000 outbound  
13 ballot carrier envelopes from Envelope Solutions in  
14 the amount of \$48,930.

15 CHAIRMAN PREISSE: Second.

16 DEPUTY DIRECTOR PAYNE: It's been  
17 properly moved and seconded. All those in favor of  
18 the motion, signify by saying aye.

19 All opposed, same sign.

20 Motion carries.

21 (Vote taken; motion passed)

22 DEPUTY DIRECTOR PAYNE: I don't see  
23 any other items on the agenda.

24 MEMBER MARINELLO: I move to

1 adjourn.

2 MEMBER SEXTON: Second.

3 DEPUTY DIRECTOR PAYNE: We are  
4 adjourned.

5 - - -

6 Thereupon, the proceeding adjourned at  
7 approximately 4:19 p.m.

8 - - -

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C E R T I F I C A T E

- - -

THE STATE OF OHIO:

SS:

COUNTY OF FRANKLIN:

I, Angela S. Moore, a Professional Reporter and Notary Public in and for the State of Ohio, do hereby certify that the foregoing is a true, correct, and complete written transcript of the proceedings in this matter;

That the foregoing was taken by me stenographically and transcribed by me with computer-aided transcription;

That the foregoing occurred at the aforementioned time and place;

That I am not an attorney for or relative of either party and have no interest whatsoever in the event of this litigation.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal of office at Columbus, Ohio, this 29th day of September, 2023.

\_\_\_\_\_  
/s/Angela S. Moore  
Notary Public, State of Ohio

My Commission Expires: February 28, 2026.

- - -

# EXHIBIT A

## Write-in Candidates Recommended for Certification for the November 7, 2023 General Election

Lori Runyon – Brice Mayor

Michelle Stayrook – Brown Township Trustee

Maria Varney – Hamilton Township LSD Board of Education

Allison Willford – Columbus Mayor

RECEIVED

2023 AUG 21 PM 4:51  
RECEIVED  
FRANKLIN COUNTY BOARD OF ELECTIONS

TO THE FRANKLIN COUNTY BOARD OF ELECTIONS

IN RE: CANDIDATE AMY MESSICK FOR DUBLIN CITY SCHOOL BOARD

AUGUST 21, 2023

AFFIDAVIT

STATE OF OHIO,  
COUNTY OF FRANKLIN, §:

I, Karen M. Lykins, after being duly cautioned and sworn according to law, state the following:

1. My name is Karen M. Lykins, and I am a resident of the City of Dublin, Ohio. My address is 6929 Pilar Ct., Dublin, OH 43017.
2. On July 30, 2023, Sandi Pevonka Allen, a City of Dublin resident, posted on Facebook that she was collecting nominating petition signatures for Amy Messick to run for Dublin City School Board by leaving petition signature sheets unattended on her front porch. She stated, "I have petitions in the bin on my front porch. Many of you are familiar with the drill as we've done this before. Please stop by my house at 6308 Valley Stream Dr ASAP to sign the petition for the county you live in. (I have all three)." I have attached a screenshot of her Facebook post hereto as Exhibit 1.
3. In a second Facebook post, referencing candidate Amy Messick, Sandi Pevonka Allen stated "Can you help by signing her petition? Contact Stephanie Thompson-Pyser or me. We have them in the bin on each of our porches. I'm near Coffman and Stephanie is near Jerome." I have attached a screenshot of her Facebook post hereto as Exhibit 2.
4. On July 30, 2023, I drove to Sandi Pevonka Allen's home located at 6308 Valley Stream Dr., Dublin, OH 43017, the same address referenced in the Facebook post. I personally witnessed the bin of petition signature sheets unattended on the front porch. All of the petition sheets in the unattended bin were for candidate Amy Messick. Some sheets were full of signatures, and others were not. Some of the sheets have the name and signature of the petition circulator, and others had those spaces left blank. I have attached 7 photographs of the petition sheets that were found in the unattended bin hereto, marked as Exhibits 3 – 9.



5. I have attached 2 video recordings of the unattended bin located at 6308 Valley Stream Dr., Dublin, OH 43017 showing the ability of any person to access the petition sheets and sign them outside the presence of any attesting circulator. The video recordings are saved on a thumb drive which is enclosed in an envelope and attached hereto as Exhibit 10.

6. Ohio Revised Code §3501.38, titled "Declaration of candidacy, nominating petition, and other petition requirements; withdrawal of declaration of candidacy or petition" provides: "All declarations of candidacy, nominating petitions, or other petitions presented to or filed with the secretary of state or a board of elections or with any other public office for the purpose of becoming a candidate for any nomination or office or for the holding of an election on any issue shall, in addition to meeting the other specific requirements prescribed in the sections of the Revised Code relating to them, be governed by the following rules: . . .

(E)(1) On each petition paper, the circulator shall indicate the number of signatures contained on it, and shall sign a statement made under penalty of election falsification that the circulator witnessed the affixing of every signature, that all signers were to the best of the circulator's knowledge and belief qualified to sign, and that every signature is to the best of the circulator's knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code. . . ."

7. Ohio Revised Code §3599.36, titled "Election falsification," states: "No person, either orally or in writing, on oath lawfully administered or in a statement made under penalty of election falsification, shall knowingly state a falsehood as to a material matter relating to an election in a proceeding before a court, tribunal, or election official, or in a matter in relation to which an oath or statement under penalty of election falsification is authorized by law, including a statement required for verifying or filing any declaration of candidacy, declaration of intent to be a write-in candidate, nominating petition, or other petition presented to or filed with the secretary of state, a board of elections, or any other public office for the purpose of becoming a candidate for any elective office, including the office of a political party, for the purpose of submitting a question or issue to the electors at an election, or for the purpose of forming a political party.

Whoever violates this section is guilty of election falsification, a felony of the fifth degree. . . ."

Further, affiant sayeth naught.

Karen M. Lykins  
Karen M. Lykins

On this 21<sup>st</sup> day of August, 2023, before me, the undersigned Notary Public, Karen M. Lykins personally appeared and affixed her signature hereto under penalty of perjury.

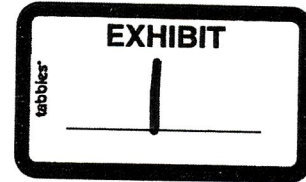


(SEAL)




Julia K. Fix, Attorney At Law  
NOTARY PUBLIC - STATE OF OHIO  
My commission has no expiration date  
Sec. 147.03 R.C.



[Signature]  
Notary Public

My Commission Expires: N/A



6:55


<  Diversity for Dublin City Sc...  




 **Sandi Pevonka Allen** 3d · 

Ok friends, BIG ASK here: Amy Niksa Messick is running for school board and she is an AP Government teacher in Hilliard City Schools. She is passionate about serving students and will stand up for teachers and the professionalism and care which they bring to the job everyday. She has two sons, one is a junior at Coffman HS, and the other is a sophomore at OSU and one of the 120 valedictorians from his Coffman class. She has a masters in Educational Leadership and is working on her second masters in American History and Government She wants to make sure our policies and procedures are on point with what will propel our students into their futures. She is opposed to cutting social workers in favor of more police in schools as she listens to the statistics that prove that doesn't keep us safer. I think she brings a unique perspective to the school board and I couldn't be more excited to support her.

Here's my ask: she needs to collect 250 signatures to get on the ballot and only has until Aug 9 to do it. And we need to make sure those signatures are valid so we really have no time to lose so we can check them before that. I have petitions in the bin on my porch. Many of you are familiar with the drill as we've done this before. Please stop by my house at 6308 Valley Stream Dr ASAP to sign the petition for the county you live in (I have all 3). You MUST reside in Dublin City Schools to sign the petition.

Thank you in advance for helping her get on the ballot. If you can help circulate petitions, we need that too! Let me know!!

 7 7 comments

 Like  Comment  Send







 Home  Friends  Watch  Marketplace  Notifications  Menu

EXHIBIT  
2

Facebook Screenshot #2



Photo #1

Front of unattended Amy Messick petition sheet for Franklin County

As prescribed by the Chief Secretary of State (OS-17)  
**Nominating Petition and Statement of Candidacy**  
 Member of the Board of Education - City, Local or Exempted Village School District  
 to filed with the Board of Elections not later than 4 p.m. of the 90th day before the general election.  
 38791 24, 3813 254, 3813 261, 3813 263

**Statement of Candidacy**  
 NOTE - The candidates must fill in, sign and date this statement of candidacy before the signatures of electors are filed.

I, Amy Messick, the undersigned, hereby declare under penalty of election falsification that my voting residence address is 7667 Worley Pl, Dublin, Ohio 43017 and I am a qualified elector in the school district.

I further declare that I desire to be a candidate for election to the office of Member of the Board of Education of the Dublin City School District in Franklin County, Ohio, for the  full term or  unexpired term ending 2023 at the general election to be held on the 7 day of November 2023.

I further declare that I am an elector qualified to vote for the office I seek.

Dated this 25 day of July, 2023 Amy S. Messick  
 Signature of Candidate

**WHOMEVER COMITS ELECTION FALSIFICATION IS CRIMINAL OFFENSE OF THE FIFTH DEGREE**

**Nominating Petition**  
 We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township set opposite our names, hereby nominate Amy Messick as a candidate for election to the office of Member of the Board of Education of the Dublin City School District for the  full term or  unexpired term ending 2023 to be voted for at the next general election, and certify said person is, in our opinion, well qualified to perform the duties of the office or position to which the person desires to be elected.

Signatures on this petition must be from only one county and must be written in ink.

Signature	Voting Residence Street Number and Address	City, Village, or Township	County	Date of Signing
<u>[Signature]</u>	<u>7445 CHINA ROAD SW</u>	<u>Dublin</u>	<u>Franklin</u>	<u>7/28/23</u>
<u>[Signature]</u>	<u>7545 TULLamore Dr</u>	<u>Dublin</u>	<u>Franklin</u>	<u>7/28/23</u>
<u>[Signature]</u>	<u>6943 Messick Ct</u>	<u>Dublin</u>	<u>Franklin</u>	<u>7/28/23</u>

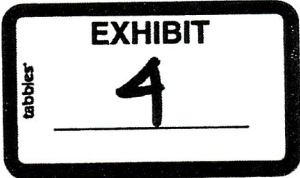


Photo #2

Front of another unattended Amy Messick petition sheet for Franklin County

Prescribed by the Ohio Secretary of State (70-17)

### Nominating Petition and Statement of Candidacy

**For Member of the Board of Education - City, Local or Exempted Village School District**  
 To be filed with the Board of Elections not later than 4 p.m. of the 50<sup>th</sup> day before the general election.  
 R.C. 3601.30, 3613.254, 3313.201, 3313.283

**Statement of Candidacy**  
**NOTE - The candidate must fill in, sign and date this statement of candidacy before the signatures of electors are affixed.**

I, Amy Messick, the undersigned, hereby declare under penalty of election falsification that my voting residence address is 7687 Wansley Pl, Dublin, Ohio 43017 and I am a qualified elector in the school district.

I further declare that I desire to be a candidate for election to the office of Member of the Board of Education of the Dublin City School District in Franklin County, Ohio, for the:  full term or  unexpired term ending 2023 at the general election to be held on the 7 day of November.

I further declare that I am an elector qualified to vote for the office I seek.  
 Dated this 25 day of July, 2023 Amy Messick  
 Day Month Year Signature of Candidate

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE**

I, Amy Messick, hereby designate the persons named below as a committee to represent me:

Name	Residence

**Nominating Petition**  
 We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township set opposite our names, hereby nominate Amy Messick as a candidate for election to the office of Member of the Board of Education of the Dublin City School District for the:  full term or  unexpired term ending 2023 to be voted for at the next general election, and certify said person is, in our opinion, well qualified to perform the duties of the office or position to which the person desires to be elected.

Signatures on this petition must be from only one county and must be written in ink.

Signature	Voting Residence Street Number and Address	City, Village, or Township	County	Date of Signing
<u>[Signature]</u>	<u>6144 Pleasant...</u>	<u>Dublin</u>	<u>Franklin</u>	<u>7-25-23</u>
<u>[Signature]</u>	<u>7200 Schoolcraft Dr</u>	<u>Dublin</u>	<u>Franklin</u>	<u>7-25-23</u>
<u>[Signature]</u>	<u>7214 Snowden</u>	<u>Dublin</u>	<u>Franklin</u>	<u>7-26-23</u>

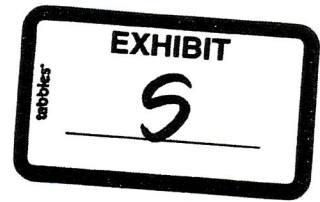


Photo #3

Back of unattended Amy Messick petition sheet for Franklin County, the circulator information at the bottom of the sheet is blank

Signature	Voting Residence Street Number and Address	City, Village, or Township	County	Date of Signing
<i>[Signature]</i>	6743 Mesquite Ct.	Dublin	Franklin	7/28/23
<i>[Signature]</i>	6743 MESQUITE CT	DUBLIN	FRANKLIN	7/28/2023
<i>[Signature]</i>	7595 Tullymore Dr	Dublin	Franklin	7/29/2023
Asma Dajani	6260 post Rd	Dublin	Franklin	7/29/2023
<i>[Signature]</i>	6722 MIDCOS PL W	Dublin	Franklin	7/29/2023
<i>[Signature]</i>	6411 Moushon Dr	Dublin	Franklin	7/30/2023
<i>[Signature]</i>	6411 Moushon Dr	Dublin	Franklin	7/30/2023

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

**Circulator Statement**  
Must be completed and signed by the circulator.

I, \_\_\_\_\_, declare under penalty of election falsification that I reside at the address appearing below my signature, that I am the circulator of the foregoing petition containing \_\_\_\_\_ signatures, that I witnessed the affixing of every signature, that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.362 of the Revised Code.

\_\_\_\_\_  
Signature of Circulator

\_\_\_\_\_  
Printed Name of Circulator

\_\_\_\_\_  
City or Village

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

Photo #4

Ability to sign Amy Messick petition sheet for Franklin County Sheet in unattended bin

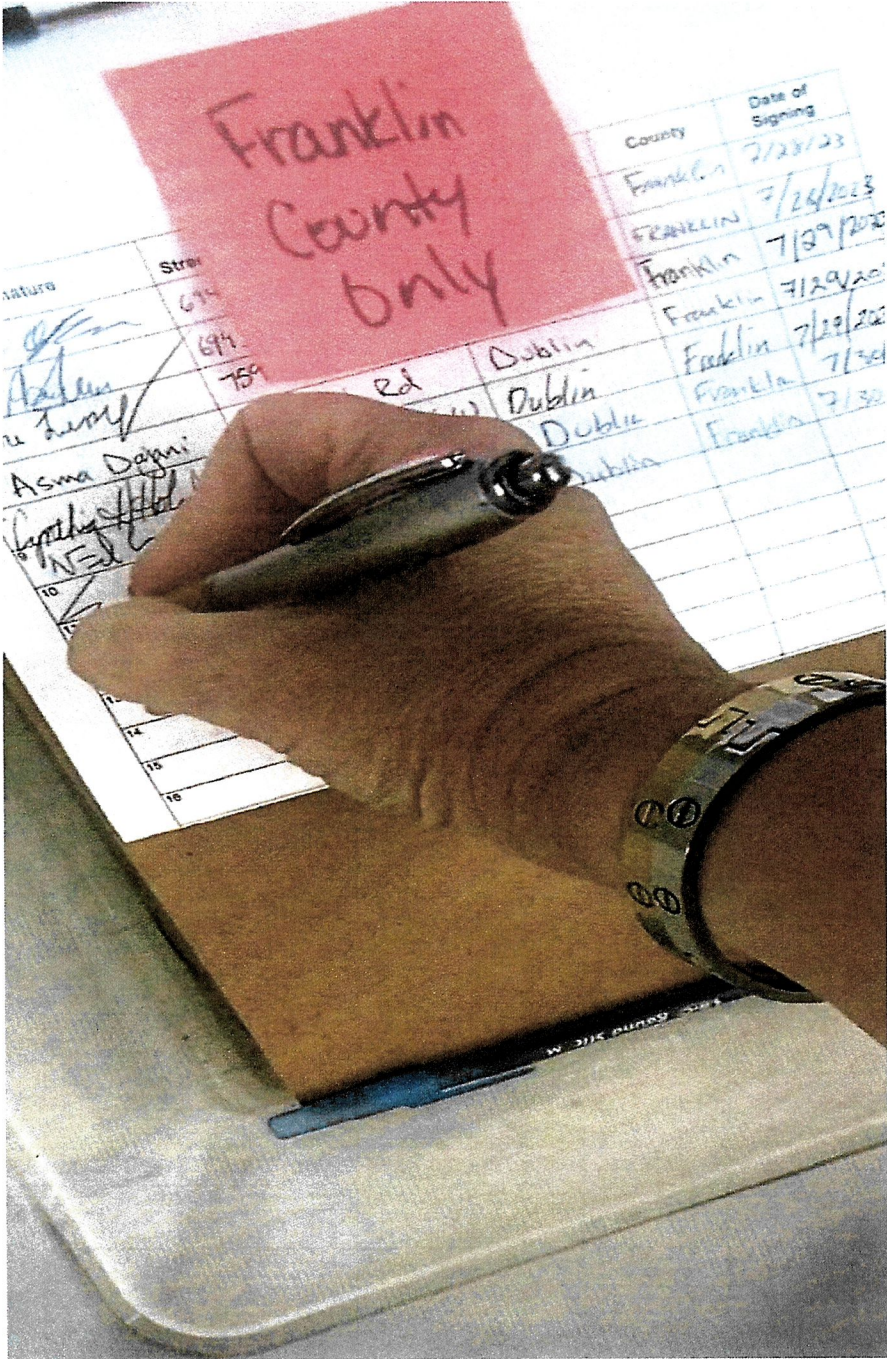




Photo #5

Amy Messick petition sheet for Delaware County in unattended bin

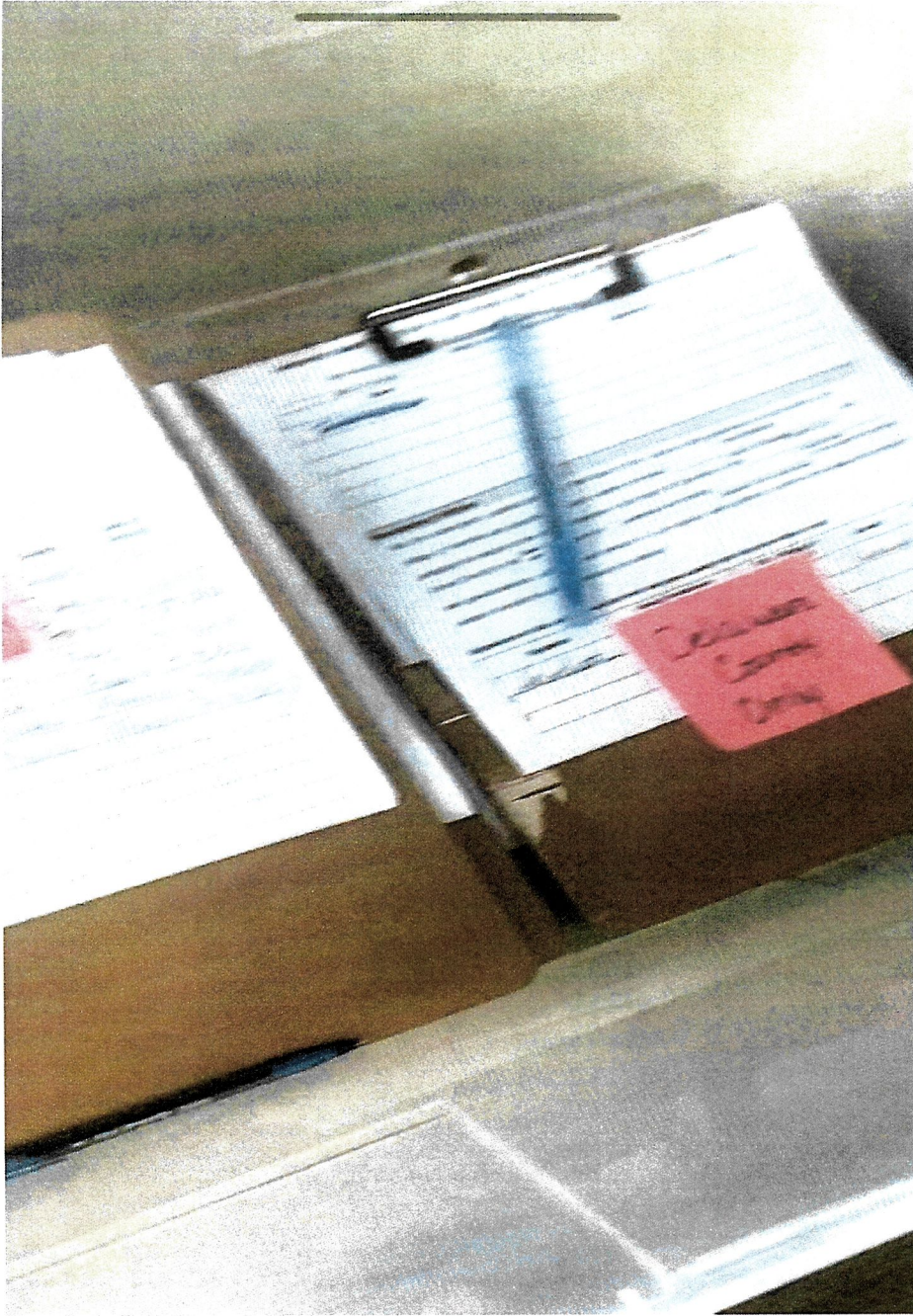


Photo #6

More Amy Messick petition sheets for Franklin County sheet in unattended bin

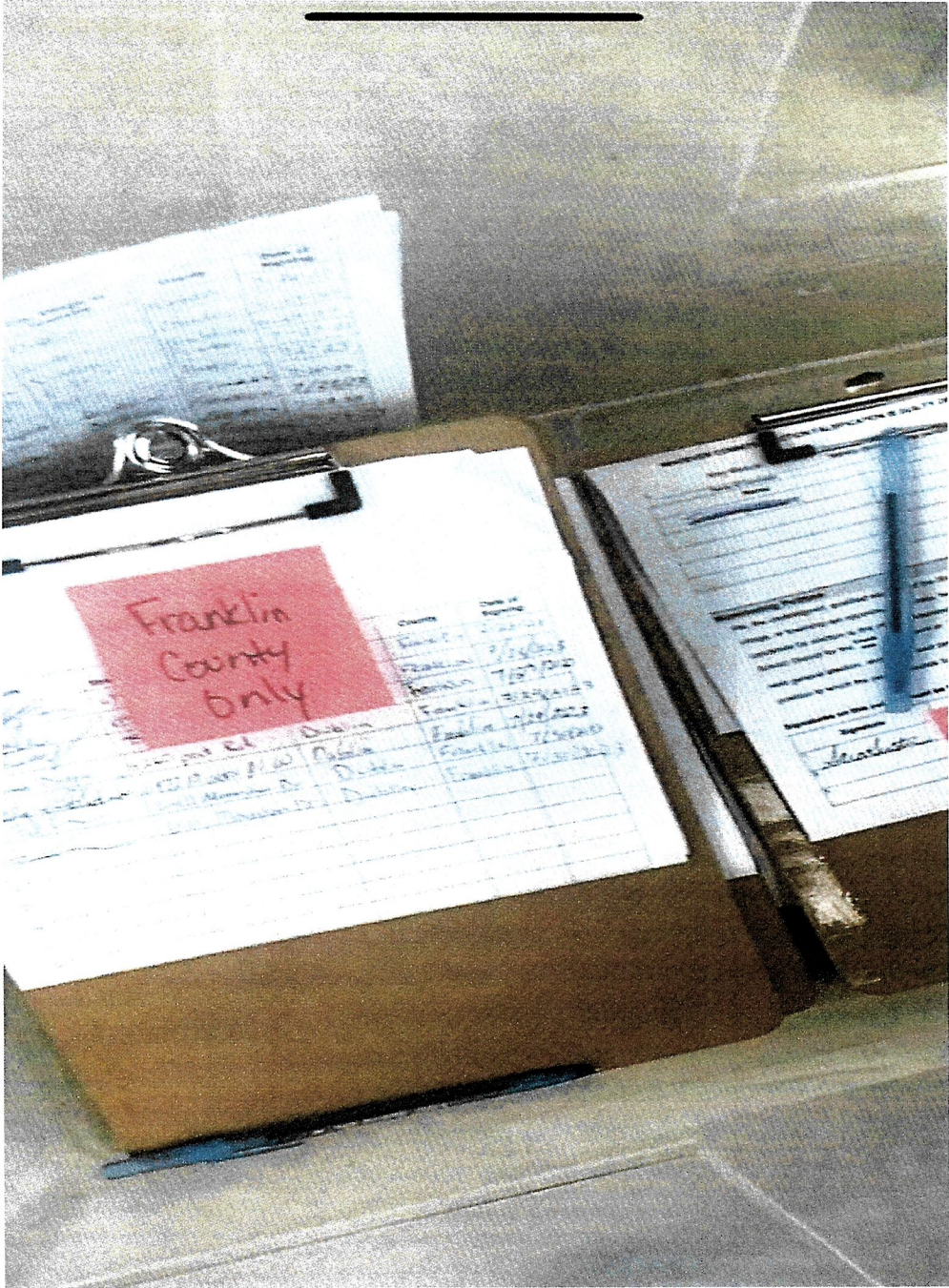


Photo #7

Amy Messick petition sheet for Franklin County in unattended bin, witnessed (?) by circulator Bette Feist

Hopper	7188 Schoolcraft Dr	Dublin	Franklin
Hopper	7198 Schoolcraft Dr	Dublin	Franklin
M Hopper	7188 Schoolcraft Dr	Dublin	Franklin
Donna	7180 Schoolcraft Dr	Dublin	Franklin
Donna	7180 Schoolcraft Dr	DUBLIN	FRANKLIN
Conley	7308 Schoolcraft Dr	DUBLIN	FRANKLIN
Conley	7208 Schoolcraft Dr	Dublin	Franklin
Conley	7220 Schoolcraft Dr	Dublin	Franklin
Messick	7220 Schoolcraft Dr	Dublin	Franklin
Bandy	7091 Wichita Ct	Dublin	Franklin
Bandy	7091 Wichita Ct	Dublin	Franklin
Bandy	7071 Wichita Ct	Dublin	Franklin
Feist	7175 Schoolcraft	Dublin	Franklin
Feist	5949 Sackan Ct	Dublin	Franklin
Feist	5949 Sackan Ct	Dublin	Franklin

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE

**Circulator Statement**  
Must be completed and signed by the circulator.

I, Bette E Feist, declare under penalty of election falsification that I am the circulator of the foregoing petition containing \_\_\_\_\_ appearing below my signature, that I am the circulator of the foregoing petition containing \_\_\_\_\_ that I witnessed the affixing of every signature; that all signers were to the best of my knowledge qualified to sign and that every signature is to the best of my knowledge and belief the signature of one signature I purport to be or of an attorney in fact acting pursuant to section 3501.34

Bette E Feist  
 Signature of  
 7200 Schoolcraft  
 Permanent Resident  
 Dublin  
 City or Village