


FRANKLIN COUNTY BOARD OF ELECTIONS
280 EAST BROAD STREET
COLUMBUS, OHIO 43215
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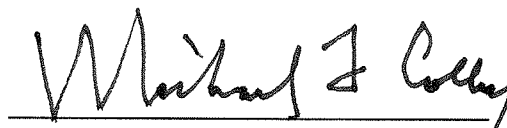
MINUTES OF THE MEETING ON

2/25/10


APPROVED ON 4/5/10

BY:



Douglas J. Preisse, Chairman


Michael F. Colley, Esq.


Kimberly E. Marinello


Zachary Manifold

ATTEST:


William A. Anthony, Jr., Director

BEFORE THE

FRANKLIN COUNTY BOARD OF ELECTIONS

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IN RE: :

Board Meeting :

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Proceedings before Chairman Douglas J. Preisse, Board Members Michael F. Colley, Kimberly E. Marinello, and Joseph L. Mas, Esq., and Deputy Director Matt Damschroder, taken at the offices of the Franklin County Board of Elections, 280 East Broad Street, Columbus, Ohio on Thursday, February 25, 2010, at 4:00 o'clock p.m.

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1 APPEARANCES:

2 Franklin County Prosecuting Attorney
3 373 South High Street
4 14th Floor
5 Columbus, Ohio 43215
6 By Mr. Anthony E. Palmer, Jr.,
7 Assistant Prosecuting Attorney,

8 On behalf of the Board.

9 ALSO PRESENT:

10 Ms. Karen Cotton, Manager of Elections
11 Operations
12
13 Mr. Ben Piscitelli, Public Information
14 Officer
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2 P R O C E E D I N G S

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4 MR. DAMSCHRODER: We're ready to call to
5 order.

6 CHAIRMAN PREISSE: Let's do it. Let's
7 vote.

8 MR. DAMSCHRODER: Roll call vote.

9 Mr. Colley.

10 MR. COLLEY: Here.

11 MR. DAMSCHRODER: Mr. Mas.

12 MR. MAS: here.

13 MR. DAMSCHRODER: Ms. Marinello.

14 MS. MARINELLO: Here.

15 MR. DAMSCHRODER: Chairman Preisse.

16 CHAIRMAN PREISSE: Here.

17 MR. DAMSCHRODER: The first item on the
18 agenda is the approval of the minutes.

19 MS. MARINELLO: Mr. Chairman, I move
20 that the Board accept as submitted the minutes of
21 the meetings of the Franklin County Board of
22 Elections held on February 1st and February 8th,
23 2010.

24 MR. DAMSCHRODER: Is there a second?

1 MR. COLLEY: Second.

2 MR. DAMSCHRODER: All in favor, say aye.

3 THE BOARD: Aye.

4 MR. DAMSCHRODER: The next series of or
5 resolutions authorizes the opening of purchase
6 orders for various vendors in order to pay for the
7 absentee ballot application mailing for the May 4,
8 2010 primary election.

9 On Tuesday of this week, the
10 Commissioners approved a transfer of
11 appropriations from their contingency to the Board
12 of Elections in the amount of \$427,650 to pay for
13 this.

14 Two additional ways -- as you'll recall
15 from our previous meeting, Michael and I had
16 described a series of cost-cutting
17 recommendations. The Commissioners requested that
18 we add an additional cost-cutting measure, that
19 being the household end of the mailing. So
20 instead of Matt and Carrie Damschroder getting two
21 separate envelopes, we'll get one envelope.

22 That did require us to outsource the
23 whole project, as opposed to doing it in-house.
24 But there was, I think we calculated, that savings

1 of about \$30,000 in postage, even after paying the
2 vendor.

3 The other thing that the Commissioners
4 decided to do was to back out of the initial
5 appropriation. Our estimated costs for labor for
6 processing the additional applications and
7 resulting ballots, with the pledge from the
8 Commissioners, based on my conversations with
9 staff there, that if we made a best efforts
10 approach to forming the personnel cost in our
11 current appropriation, that in the event that we
12 ran out of funds at the end of the year, there
13 would be an appropriation made to cover that
14 overage.

15 And then lastly, the Commissioners
16 decided that they wanted to pay the return postage
17 on the voted absentee ballots, so that's why it
18 got bumped back up a little bit over 400,000.

19 So the first three are individual
20 purchase orders for the printing of absentee
21 ballot applications and the outbound envelopes and
22 the return envelopes resolution for the mail house
23 service, and then the purchase order for postage.

24 Any questions on that series of actions?

1 Entertain the resolution.

2 MS. MARINELLO: Mr. Chairman, I move
3 that the Board authorize the fiscal officer to
4 open a purchase order in the amount of \$25,000 to
5 Central Ohio Graphics for the printing of absentee
6 ballot applications for the countywide mailing of
7 absentee ballot applications for the May 4, 2010
8 primary election.

9 MR. DAMSCHRODER: Is there a second?

10 MR. COLLEY: Second.

11 MR. DAMSCHRODER: All in favor, say aye.

12 THE BOARD: Aye.

13 MS. MARINELLO: And, Mr. Chairman, I
14 move that the Board authorize the fiscal officer
15 to open a purchase order in the amount of \$25,000
16 to Central Ohio Graphics for the printing of
17 carrier envelopes for the countywide mailing of
18 absentee ballot applications for the May 4th, 2010
19 primary election.

20 MR. DAMSCHRODER: Is there a second?

21 MR. COLLEY: Second.

22 MR. DAMSCHRODER: All in favor, say aye.

23 THE BOARD: Aye.

24 MR. DAMSCHRODER: Motion carries.

1 MS. MARINELLO: Mr. Chairman, I move the
2 Board authorize the fiscal Officer to open a
3 purchase order in the amount of \$25,000 to Central
4 Ohio Graphics for the printing of courtesy reply
5 envelopes for the countywide mailing of absentee
6 ballot applications for the May 4, 2010 primary
7 election.

8 MR. DAMSCHRODER: Is there a second?

9 MR. COLLEY: Second.

10 MR. DAMSCHRODER: All in favor, say aye.

11 THE BOARD: Aye.

12 MR. DAMSCHRODER: Motion carries.

13 MS. MARINELLO: Mr. Chairman, I move the
14 Board authorize the fiscal officer to open a
15 purchase order in the of \$25,000 to Dancor to
16 provide mailhouse services for the countywide
17 mailing of absentee ballot applications for the
18 May 4th, 2010 primary election.

19 MR. DAMSCHRODER: Second?

20 MR. COLLEY: Second.

21 MR. DAMSCHRODER: All in favor, say aye.

22 THE BOARD: Aye.

23 MS. MARINELLO: And, Mr. Chairman, I
24 move the Board authorize the fiscal officer to

1 open a purchase order in the amount of \$50,000 to
2 the United States Postal Service to be deposited
3 in standard bulk mail Account No. 65 held by
4 Executive Mailing for the countywide mailing of
5 absentee ballot applications for the May 4th, 2010
6 primary election.

7 MR. DAMSCHRODER: Second?

8 MR. COLLEY: Second.

9 MR. DAMSCHRODER: All in favor, say aye.

10 THE BOARD: Aye.

11 MR. DAMSCHRODER: Motion carries. Thank
12 you very much.

13 The next section is our certification of
14 to the ballot. The first exhibit that you have
15 before you is Exhibit A, which contains the list
16 of all of the candidates whose petitions were
17 found to be valid and sufficient, based on the
18 staff review. We would appreciate a motion on
19 accepting all of those as one group.

20 MR. MAS: Mr. Chairman, I move that the
21 Board of Elections certify to the May 4, 2010
22 primary election ballot those candidates appearing
23 on Exhibit A as having timely filed declarations
24 of candidacy and nominating petitions found by

1 staff to be sufficient and valid.

2 MR. DAMSCHRODER: Is there a second?

3 MR. COLLEY: Second.

4 MR. DAMSCHRODER: All in favor, say aye.

5 THE BOARD: Aye.

6 MR. DAMSCHRODER: And motion carries.

7 The next is Exhibit B, and it's the top
8 of the next. It's all stapled together. This is
9 the certification of Chairman Preisse to the
10 ballot as candidate for the State Central
11 Committee. So after a second, we'll do a roll
12 call vote on this, and Mr. Preisse can abstain.

13 MR. MAS: And it is a great privilege,
14 Mr. Chairman, to move that the Board of Elections
15 certify to the May 4, 2010 primary election the
16 candidacy of Douglas J. Preisse for Republican
17 State Central Committee, 15th Senate District, who
18 timely filed a declaration of candidacy and
19 nominating petition found by staff to be
20 sufficient and valid.

21 MR. DAMSCHRODER: Is there a second?

22 MR. COLLEY: Second.

23 MR. DAMSCHRODER: We'll do a roll call
24 vote.

1 Mr. Colley.

2 MR. COLLEY: Yes.

3 MR. DAMSCHRODER: Mr. Mas.

4 MR. MAS: Yes.

5 MR. DAMSCHRODER: Ms. Marinello.

6 MS. MARINELLO: Yes.

7 MR. DAMSCHRODER: Chairman Preisse.

8 CHAIRMAN PREISSE: I'll abstain.

9 MR. DAMSCHRODER: Motion carries.

10 CHAIRMAN PREISSE: Thank you for that.

11 MR. DAMSCHRODER: The next one is the
12 certification of Mr. Colley to the ballot for the
13 same office, different district.

14 MR. MAS: Thank you, Matthew.

15 And it is also a great privilege to move
16 that the Board of Elections certify to the May 4,
17 2010 primary election the candidacy of Michael F.
18 Colley for Republican State Central Committee,
19 16th Senate District, who timely filed a
20 declaration of candidacy and nominating petition
21 found by staff to be sufficient and valid.

22 MR. DAMSCHRODER: Is there a second?

23 CHAIRMAN PREISSE: Second.

24 MR. DAMSCHRODER: Roll call vote.

1 Mr. Colley.

2 MR. COLLEY: Abstain.

3 MR. DAMSCHRODER: Mr. Mas.

4 MR. MAS: Yes.

5 MR. DAMSCHRODER: Ms. Marinello.

6 MS. MARINELLO: Yes.

7 MR. DAMSCHRODER: Chairman Preisse.

8 CHAIRMAN PREISSE: Yes.

9 MR. DAMSCHRODER: Motion carries.

10 The next, Exhibit D, is the list of all
11 of the candidates whose petitions were found to
12 have some kind of deficiency, either because it
13 was filed after the 4 p.m. deadline -- there was
14 one petitioner that filed the next day -- or
15 petitions that had insufficient number of
16 signatures and failed to properly complete the
17 circulator statement and sign the declaration of
18 candidacy, et cetera.

19 The good news is that we feel pretty
20 comfortable that the online system that we
21 developed really helped candidates not run into
22 problems that we've seen in the past of failing to
23 put the proper office and some of those things
24 that we can help control.

1 But as I told our chairman earlier
2 today, you can lead a horse to water but you can't
3 make them drink category, there's still some
4 people who don't sign the declaration of candidacy
5 or don't do their circulator statements, so we
6 can't do everything for everybody.

7 So there's a number of candidates there,
8 but no -- most of them are County Central
9 Committee Candidates.

10 Any questions on those?

11 MR. COLLEY: Mr. Chairman, I move that
12 the Board deny certification to the candidates
13 appearing on Exhibit D on the basis that their
14 declarations of candidacy and nominating petitions
15 were either not timely filed or found by staff to
16 be invalid or insufficient.

17 MR. MAS: Second.

18 MR. DAMSCHRODER: All in favor, say aye.

19 THE BOARD: Aye.

20 MR. DAMSCHRODER: Motion carries.

21 The next one, which appears on Exhibit
22 E, is a unique situation that we have not
23 previously seen. The candidate, instead of --
24 this candidate certainly did his own petitions;

1 but instead of supplying the original signature on
2 the circulator statement, he photocopied
3 everything, which on one hand insures that all the
4 information is complete.

5 But in the staff's opinion, that
6 statement needs to be an original signature;
7 otherwise, we have no way of knowing whether he
8 photocopied them out and was handing them out
9 to his friends and said: Go bring them back with
10 signatures.

11 So our staff recommendation is against
12 certification for Mr. Gill. Any questions?

13 MR. COLLEY: Mr. Chairman, I move that
14 the Board deny certification to Christopher Gill,
15 Libertarian candidate for State Representative,
16 23rd House District, on the basis that the
17 circulator's signature appearing on each of the
18 part petitions is a photocopy and not an original
19 signature.

20 MS. MARINELLO: Second.

21 MR. DAMSCHRODER: All in favor, say aye.

22 THE BOARD: Aye.

23 MR. DAMSCHRODER: The next is to
24 recognize withdrawals that have been filed to

1 date. As the Board recalls, withdrawals are
2 self-effecting, don't require Board action to
3 accept, but we have made the practice of noting
4 them in the record for, if nothing else, posterity
5 purposes.

6 MR. COLLEY: Mr. Chairman, I move that
7 the Board memorialize the self-effecting
8 withdrawals of David Payne for Republican State
9 Central Committee, 3rd Senate District, and
10 Heather Mann and Kevin Bingle for Republican
11 County Central Committee, Columbus Ward 2.

12 MS. MARINELLO: Second.

13 MR. DAMSCHRODER: All in favor, say aye.

14 THE BOARD: Aye.

15 MR. DAMSCHRODER: And last, as you know,
16 for candidates who want -- often candidates want
17 their name to appear on the ballot in a manner
18 other than the way their name appears on the
19 petition.

20 It's state law that if it's a common
21 derivative of the person's registered name -- Matt
22 compared to Matthew, Mike compared to Michael --
23 that the Board isn't required to do any action.

24 But on occasion there are people who

1 want something else and that the Board
2 considers -- Richard Stage, who is known to
3 everyone by Ike Stage, always requests his name be
4 issued on the ballot as Ike, but he has not
5 appeared on the ballot as Ike --

6 CHAIRMAN PREISSE: He's been denied
7 before?

8 MR. DAMSCHRODER: Correct, as late as I
9 think last year or two years.

10 CHAIRMAN PREISSE: Ran for mayor.

11 MR. DAMSCHRODER: For mayor.

12 And then Andrew Zukowski prefers his
13 last name appear first, as opposed to the
14 statutory prescription for first name to appear
15 first.

16 MR. PREISSE: Can you explain the logic
17 in that?

18 MR. MAS: I don't know, but there is a
19 procedure for changing your name, if you wish.

20 MR. PREISSE: Yeah, sure.

21 MR. DAMSCHRODER: And a number of people
22 have. Good example would be Henry M. O'Neil, Jr.,
23 who had his name changed to include his legal
24 name, his commonly known name of Butch. So his

1 registration appears as Henry M. Butch O'Neil,
2 Jr., and that's how he will appear on the ballot.

3 MS. MARINELLO: That's what you have to
4 do.

5 Mr. Chairman, I move that the Board deny
6 the request filed by Richard L. Stage and Andrew
7 Zukowski for their names to appear on the May 4th,
8 2010 primary election ballot as Richard Ike Stage
9 and Zukowski, Andrew George respectively.

10 MR. DAMSCHRODER: Is there a second to
11 the motion?

12 MR. COLLEY: Second.

13 MR. DAMSCHRODER: All in favor, say aye.

14 THE BOARD: Aye.

15 MR. DAMSCHRODER: Next we move from
16 candidates to issues. Similar to the portion with
17 candidates, we'll do a resolution to approve all
18 of the issues, both tax questions and local
19 options that were found by staff to be timely
20 filed and valid and sufficient.

21 MR. MAS: Mr. Chairman, I move that the
22 Board of Elections certify to the May 4, 2010
23 special election ballot the issues appearing on
24 Exhibits G and H, which were timely filed and

