

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

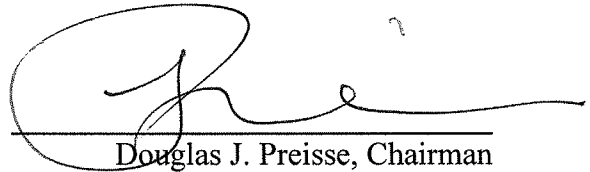
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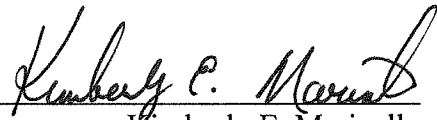
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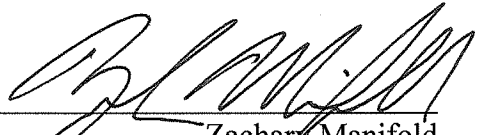
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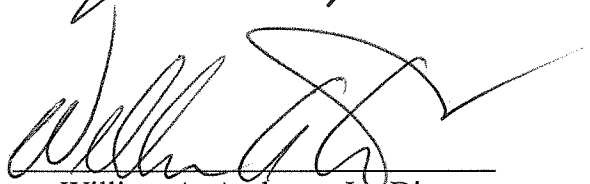

Douglas J. Preisse, Chairman

Michael F. Colley, Esq.


Kimberly E. Marinello


Zachary Manifold

ATTEST:


William A. Anthony, Jr., Director

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FRANKLIN COUNTY BOARD OF ELECTIONS

FRANKLIN COUNTY, OHIO

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IN RE: :

Board Meeting :

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Proceedings before Chairman Douglas J. Preisse; Director William A. Anthony, Junior; Deputy Director Matt M. Damschroder; and Board Members Michael F. Colley, Zachary E. Manifold and Kimberly E. Marinello; taken at the Franklin County Board of Elections, 280 East Broad Street, Columbus, Ohio, on Monday, May 3, 2010, at 3:14 o'clock p.m.

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1 APPEARANCES:

2 Franklin County Board of Elections
3 373 South High Street
4 Thirteenth Floor
5 Columbus, Ohio 43215
6 By Mr. Anthony E. Palmer, Junior
7 Franklin County Prosecuting
8 Attorney's Office,

9 On behalf of the Department.

10

11 ALSO PRESENT:

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13 Ben Piscitelli, PIO

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15 Suzanne Brown, Secretary

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17 Renae Chloe

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19 Michael McGrew

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P R O C E E D I N G S
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DEPUTY DIRECTOR DAMSCHRODER: I'll do a roll call.

Mr. Colley.

BOARD MEMBER COLLEY: Here.

DEPUTY DIRECTOR DAMSCHRODER:
Chairman Preisse?

CHAIRMAN PREISSE: Yes, here.

DEPUTY DIRECTOR DAMSCHRODER:
Mr. Manifold?

BOARD MEMBER MANIFOLD: Here.

DEPUTY DIRECTOR DAMSCHRODER:
Ms. Marinello?

BOARD MEMBER MARINELLO: Here.

DEPUTY DIRECTOR DAMSCHRODER: All right. All members are present.

The first item on the agenda is the approval of minutes from the April 5th meeting of the Board.

BOARD MEMBER COLLEY: Mr. Chairman, I move that the minutes of the April 5, 2010, meeting of the Franklin County Board of Elections be

1 approved as submitted.

2 BOARD MEMBER MANIFOLD: Second.

3 DEPUTY DIRECTOR DAMSCHRODER: All in
4 favor say aye?

5 BOARD MEMBERS: Aye.

6 DEPUTY DIRECTOR DAMSCHRODER: The
7 motion carries.

8 The next is we have three challenges of
9 right to vote that were filed. The first -- we'll
10 let Renae introduce these one by one, and then
11 we'll act on each one afterwards.

12 MS. CHLOE: The first one we have is
13 Elise Von Borries challenging Elise P. Von Borries.
14 Looking at the registration it looks like it was
15 taken right out of the phonebook. It just looks
16 like a bogus registration. They registered in '08,
17 have never voted. It's not the same person. The
18 signatures are different. My recommendation is to
19 go ahead and cancel them.

20 DEPUTY DIRECTOR DAMSCHRODER: So why
21 don't we do a vote on that one?

22 BOARD MEMBER MARINELLO: Mr. Chairman,
23 I move that the Board grant the challenge of right
24 to vote and correction of registration list filed

1 by Elise Von Borries of 3996 Foster Street against
2 Elise P. Von Borries, purportedly of 3996 Foster
3 Street, and order that Elise P. Von Borries'
4 registration be immediately canceled.

5 DEPUTY DIRECTOR DAMSCHRODER: Is there
6 a second?

7 BOARD MEMBER COLLEY: Second.

8 DEPUTY DIRECTOR DAMSCHRODER: All in
9 favor say aye?

10 BOARD MEMBERS: Aye.

11 DEPUTY DIRECTOR DAMSCHRODER: The
12 motion carries.

13 The next one, Renae?

14 MS. CHLOE: Is Michael A. McGrew is
15 challenging Ennis Brown. This person registered in
16 '08. Again, has never voted, does not reside at
17 that address. I recommend -- recommendation,
18 again, is to cancel this voter.

19 DEPUTY DIRECTOR DAMSCHRODER: And
20 Mr. McGrew is here?

21 UNKNOWN SPEAKER: Yes.

22 DEPUTY DIRECTOR DAMSCHRODER: Say
23 anything to the Board? You are certainly welcome
24 to if you'd like.

1 MR. MCGREW: Just what's written on the
2 form.

3 CHAIRMAN PREISSE: Did you get mail or
4 something?

5 MR. MCGREW: Junk mail. Anybody that
6 buys the mailing list from the Board of Elections
7 sends me stuff.

8 BOARD MEMBER MARINELLO: That's
9 irritating.

10 MR. MCGREW: And, of course, duplicates
11 for (inaudible) -- political stuff.

12 BOARD MEMBER MARINELLO: Mr. Chairman,
13 I move that the Board grant the challenge of right
14 to vote and correction of registration list filed
15 by Michael A. McGrew of 2596 Bryden Road against
16 Ennis Brown, purportedly of 2596 Bryden Road, and
17 order that Ennis Brown's registration be
18 immediately canceled.

19 BOARD MEMBER COLLEY: Second.

20 DEPUTY DIRECTOR DAMSCHRODER: All in
21 favor say aye?

22 BOARD MEMBERS: Aye.

23 DEPUTY DIRECTOR DAMSCHRODER: The
24 motion carries.

1 And the last one, Renae?

2 MS. CHLOE: The last one is, again,
3 Elise Von Borries is challenging B. Jewel Crooks.
4 She's saying that Mrs. Crooks is deceased.
5 Mrs. Crooks is in the purge cycle and is due to be
6 purged next year, and I would -- my recommendation,
7 she has been inactive for many years now, since
8 '07. My recommendation is let her to go through
9 the purge cycle and have her purged as we would
10 normally do.

11 DEPUTY DIRECTOR DAMSCHRODER: And we
12 did not receive a Notice of Death Record from the
13 Health Department, correct?

14 MS. CHLOE: Correct.

15 BOARD MEMBER MARINELLO: Mr. Chairman,
16 I move the Board deny the challenge of right to
17 vote and correction of registration as filed by
18 Elise Von Borries of 3996 Foster Street against B.
19 Jewel Crooks formerly of 3996 Foster Street.

20 DEPUTY DIRECTOR DAMSCHRODER: Is there
21 a second?

22 BOARD MEMBER COLLEY: Second.

23 DEPUTY DIRECTOR DAMSCHRODER: All in
24 favor say aye?

1 BOARD MEMBERS: Aye.

2 DEPUTY DIRECTOR DAMSCHRODER: That
3 concludes the -- that portion of the meeting.
4 Mr. McGrew, thank you for coming down.

5 MR. MCGREW: Thank you.

6 DEPUTY DIRECTOR DAMSCHRODER: You are
7 certainly welcome to stay for the balance of the
8 agenda if you'd like.

9 MR. MCGREW: Not if somebody can escort
10 me?

11 DEPUTY DIRECTOR DAMSCHRODER: All
12 right. Renae?

13 MS. CHLOE: I'd be delighted.

14 MR. MCGREW: Thank you.

15 DEPUTY DIRECTOR DAMSCHRODER: Thank
16 you. Thank you for coming down.

17 CHAIRMAN PREISSE: Thank you.

18 MR. MCGREW: Thank you.

19 CHAIRMAN PREISSE: Bye-bye.

20 DEPUTY DIRECTOR DAMSCHRODER: The next
21 item is a fiscal matter that we've discussed
22 previously. The Secretary of State is upgrading
23 the State Wide Voter Registration System. That is
24 requiring -- and they're -- they've done most of

1 the changes, I think, on their end of the system,
2 but it's requiring changes on the county ends of
3 the system with our individual software systems.

4 As you recall, the County took over the
5 source code of the Sequoia Voter Registration
6 System last year after Sequoia stopped supporting
7 the system, and we had in place a day-to-day
8 maintenance contract with Eddie Bernoski who is the
9 individual who used to work for Sequoia who
10 designed the system, and we asked Eddie for two
11 quotes for what it would cost to upgrade the system
12 to the new specifications set up by the Secretary
13 of State.

14 The first quote would be to just have
15 him do it completely and quickly, and that would
16 be -- and his quote came back at \$167,000.

17 He also -- we also asked him for a
18 quote of what it -- what he would charge us to just
19 kind of oversee the process and have us do it
20 ourselves, and his quote for that was -- both of
21 those documents are in your packets -- 69,750.

22 Given that the data center is changing
23 leadership -- Dana Hughes has resigned, and we're
24 kind of in the middle of an election cycle and we

1 don't have existing programming experience in
2 Sequoia, the learning curve would be too steep for
3 what is likely going to be a quick mandate from the
4 Secretary of State to get up and running early this
5 summer.

6 Staffs' recommendation is to go with
7 the larger amount and just have Eddie take care of
8 it and do it and be done with it, and so this
9 motion would -- because supplemental funding
10 requests to the County Commissioners -- or from the
11 County Commissioners for \$167,000 to pay the cost
12 of that -- of that necessary and proper expense,
13 the commissioners -- the previous director sent an
14 e-mail to Mr. Brown and Mr. Wilson on January 22nd
15 of this year notifying them that this was in the
16 pipeline, and at that time we didn't have the
17 quotes for what it would cost, but just kind of
18 give them a head's up that this was going to be an
19 unbudgeted expense for this year.

20 So if there's any questions? I don't
21 know exactly if you have any input at this time?
22 All right. No problem. Don't want to put you on
23 the spot, but since you're here, we can give you an
24 opportunity if you want.

1 Any questions from the Board?

2 BOARD MEMBER MANIFOLD: Mr. Chairman, I
3 move that the Board of Elections request \$167,000
4 in supplemental spending from the Franklin County
5 Commissioners to cover the unbudgeted, but
6 necessary and proper expenses of upgrading
7 components for the county owned Voter Registration
8 System to comply with new requirements of the
9 Secretary of State for the State Wide Voter
10 Registration System.

11 DEPUTY DIRECTOR DAMSCHRODER: Is there
12 a second?

13 BOARD MEMBER COLLEY: Second.

14 DEPUTY DIRECTOR DAMSCHRODER: All in
15 favor say aye?

16 BOARD MEMBERS: Aye.

17 DEPUTY DIRECTOR DAMSCHRODER: Great.
18 That motion carries and we will get that formal
19 request off to Don and the commissioners probably
20 Wednesday or Thursday of this week.

21 The next item is every year Harold buys
22 donuts for the folks at supply pick-up day, and we
23 ask for reimbursement for that under the auditing
24 rules from the State, and County Auditor requires a

1 Board vote for that authorization.

2 Also, this coming Saturday, we're going
3 to have a post-election -- kind of post-mortem with
4 the folks who were the poll-worker trainers. As
5 you know Barcy, this is her first election heading
6 that up, and so Barcy and Mary wanted to do a
7 post-election wrap up with them this Saturday, and
8 they're going to request that the Board approve
9 reimbursement for Barcy to buy, you know, donuts
10 and bagels and juice for them -- for that meeting
11 on Saturday.

12 BOARD MEMBER MANIFOLD: Mr. Chairman, I
13 move that the Board authorize the reimbursement of
14 Harold Fielder and Barcy McNeal for food expenses
15 incurred on behalf of the Board for student
16 volunteers on May 2nd and poll-worker trainers on
17 May 5th, respectively.

18 BOARD MEMBER MARINELLO: 8th.

19 BOARD MEMBER MANIFOLD: 8th. Sorry.
20 May 8th, respectively.

21 DEPUTY DIRECTOR DAMSCHRODER: Is there
22 a second?

23 BOARD MEMBER COLLEY: Second.

24 DEPUTY DIRECTOR DAMSCHRODER: All those

1 in favor say aye?

2 BOARD MEMBERS: Aye.

3 DEPUTY DIRECTOR DAMSCHRODER: The
4 motions carries.

5 And then the last one is we have one
6 matter to refer to the Prosecuting Attorney of what
7 appears to be another double voter from the '08
8 Presidential Election. So with this vote we'll --
9 Bill and I will send it over to the Prosecutor's
10 Office for further investigation and possible
11 criminal prosecution.

12 BOARD MEMBER MARINELLO: I move that
13 the Board refer one matter of possible voter
14 registration and voter fraud to the Franklin County
15 Prosecuting Attorney for additional investigation
16 and possible criminal prosecution.

17 BOARD MEMBER COLLEY: Second.

18 DEPUTY DIRECTOR DAMSCHRODER: All in
19 favor say aye?

20 BOARD MEMBERS: Aye.

21 DEPUTY DIRECTOR DAMSCHRODER: And
22 that's all of the public business that we have on
23 the agenda. We do need to talk about the schedule
24 for certification. We can either do that now or in

1 the coming days, but I think the -- the sense was
2 that -- trying to get things wrapped up before
3 Memorial Day was ideal, and so I would propose that
4 we begin canvas on the 15th, which is the first day
5 we're permitted to, complete the canvas on the
6 17th, and then do two certification meetings, the
7 first on May 18 to certify all the election results
8 for in-county and then to send our results to other
9 counties, then come back on the 25th and certify
10 all the elections that would come back to Franklin
11 County. So that would be like the 15th
12 Congressional, the 12th Congressional, Reynoldsburg
13 Schools, I think are the only three that were the
14 majority counting for.

15 So we don't have to take a formal vote
16 on that, but just if you guys want to take a look
17 at your calendars and get back with Bill and I.
18 We'd like to formalize that schedule before the end
19 of the week.

20 I'm seeing heads nodding. That's good.
21 All right. That's all.

22 Bill, anything?

23 DIRECTOR ANTHONY: The election is
24 running really, really well. This has been my

1 first election --

2 DEPUTY DIRECTOR DAMSCHRODER: As
3 Director.

4 DIRECTOR ANTHONY: As Director, yeah.
5 I will say that it ran as well when I was on the
6 Board. I'm not saying that it ran bad, now.
7 Strike that. I didn't -- everything ran well when
8 I was on the Board as well. Phew, get that right.
9 Next time I'm not going to say anything.

10 DEPUTY DIRECTOR DAMSCHRODER: That
11 should be -- should be smooth. Things are going
12 well for absentee. We scanned ballots yesterday,
13 so tomorrow the only ballots we'll have left to
14 scan are the ballots that came in the mail today
15 and tomorrow.

16 Poll worker training has gone very well
17 with Mary and Barcy at the helm, and Karen and
18 Harold have everything in place for tomorrow, so --

19 BOARD MEMBER MARINELLO: I hear that
20 that's a well-oiled machine down there at the
21 warehouse as usual.

22 DEPUTY DIRECTOR DAMSCHRODER: I'll tell
23 you that.

24 BOARD MEMBER MARINELLO: Zach got to

1 see -- see it and was very impressed.

2 BOARD MEMBER MANIFOLD: I went down
3 there on a Sunday. It was a great operation.

4 DIRECTOR ANTHONY: You need to come out
5 election night.

6 DEPUTY DIRECTOR DAMSCHRODER: Yeah,
7 come out and see the drive-thru.

8 DIRECTOR ANYTHONY, JUNIOR: Yeah,
9 see --

10 BOARD MEMBER MANIFOLD: How many
11 ballots been returned from absentee?

12 DEPUTY DIRECTOR DAMSCHRODER: It looks
13 like -- what were the numbers earlier today? 69
14 percent of the Republican ballots have been
15 returned, 67 percent of the Democrats, I think the
16 issues only were 70 percent, and interestingly
17 enough, the minor parties are at 55 percent.

18 CHAIRMAN PREISSE: You're talking
19 about?

20 DEPUTY DIRECTOR DAMSCHRODER: Absentee
21 return.

22 CHAIRMAN PREISSE: Of requests?

23 DEPUTY DIRECTOR DAMSCHRODER: Yes.

24 CHAIRMAN PREISSE: Below?

1 DEPUTY DIRECTOR DAMSCHRODER: Yes.

2 CHAIRMAN PREISSE: 69 percent and 67
3 are Republican/Democrat ballots respectively of
4 those requested?

5 DEPUTY DIRECTOR DAMSCHRODER: Uh-huh.

6 CHAIRMAN PREISSE: What do you -- what
7 do you ascribe to that lower --

8 DEPUTY DIRECTOR DAMSCHRODER: We all --

9 CHAIRMAN PREISSE: -- because it's so
10 easy to request that --

11 DEPUTY DIRECTOR DAMSCHRODER: We always
12 have a lower return rate for primaries than we do
13 for generals.

14 CHAIRMAN PREISSE: Okay.

15 DEPUTY DIRECTOR DAMSCHRODER: In the
16 Presidential Election in '08, we only got to 80
17 percent return rate for absentee.

18 CHAIRMAN PREISSE: In the primary?

19 DEPUTY DIRECTOR DAMSCHRODER: In the
20 primary. So I think it's one of those things where
21 people request them, they get it, they realize
22 there's nothing on here except for 20 out of 23
23 races are uncontested, you know. It's not worth my
24 time, but I think that's a -- obviously a false,

1 you know, view. Every vote is important even for
2 an uncontested --

3 UNKNOWN SPEAKER: Make sure you get
4 that down.

5 DEPUTY DIRECTOR DAMSCHRODER:
6 -- election. So I think that -- that plays into --

7 CHAIRMAN PREISSE: That -- but -- the
8 primary --

9 DEPUTY DIRECTOR DAMSCHRODER: Yeah, the
10 primary always has a lower response rate.

11 CHAIRMAN PREISSE: And the -- let's
12 see, you said the Republican return was higher than
13 the Democrat? Mathew is that --

14 DEPUTY DIRECTOR DAMSCHRODER: I did
15 mention that.

16 CHAIRMAN PREISSE: You did mention
17 that.

18 DEPUTY DIRECTOR DAMSCHRODER: Just --
19 just slightly. There were more Democratic return
20 requests than Republican.

21 CHAIRMAN PREISSE: Oh, all right.

22 DEPUTY DIRECTOR DAMSCHRODER: -- you
23 have to be even handed in that.

24 CHAIRMAN PREISSE: If so, they're

1 better intention, but less effective in the
2 follow-through, is it?

3 DIRECTOR ANTHONY: You're absolutely
4 right.

5 CHAIRMAN PREISSE: Okay.

6 DEPUTY DIRECTOR DAMSCHRODER: So what
7 we -- what we expect, we'll probably get 5 or 6,000
8 ballots tomorrow, and then, also, folks have -- if
9 it's post-marked today, they can have through the
10 14th to return it.

11 We also have a number of ballots, I
12 think it's 200, that are ballots that were
13 challenged -- absentee ballots that were challenged
14 where the voter either did not return any form at
15 all, or returned it inside the ID envelope that
16 those letters went out with new copies of the
17 challenge form asking them to come down to here --
18 to the Board of Elections or to mail the form back
19 before the 14th.

20 There's also a number of ballots, I
21 don't remember the exact number, where voters
22 didn't fill out the ID envelope properly or
23 completely, and they have until the 14th as well,
24 and we've sent them letters as well notifying them

1 to come down.

2 The growing issue that we see with
3 absentee -- and I think it's more this election, I
4 think, partially because of the challenge issue,
5 that we have almost 1,000 people that returned
6 their absentee ballots, but did not seal their
7 absentee ballot inside the ID envelope, and under
8 State Law that means the ballot can't be counted.
9 Even though there's only one ballot in the return
10 envelope, it's just not inside the ID envelope
11 where the envelope isn't sealed, so those ballots
12 can't be counted, and -- so I think that's --

13 CHAIRMAN PREISSE: And there's nothing
14 to be done about it, or we can --

15 DEPUTY DIRECTOR DAMSCHRODER: State Law
16 is pretty clear. In fact, I think, a couple years
17 ago --

18 CHAIRMAN PREISSE: Didn't we --

19 DEPUTY DIRECTOR DAMSCHRODER: -- Lucas
20 County asked permission. The --

21 CHAIRMAN PREISSE: Right.

22 DEPUTY DIRECTOR DAMSCHRODER:
23 -- Secretary said no state law is very clear, and
24 it is. Those ballots -- the ballot has to be

1 sealed inside the ID envelope in order to count. I
2 think that issue is a subject of both Senate Bill 8
3 and the House Bill 260, I can't remember, to be
4 addressed so that if it's returned outside the ID
5 envelope or the envelope wasn't sealed the ballot
6 could be counted, but neither of those bills have
7 been passed yet, so --

8 DIRECTOR ANTHONY: You know, I forgot,
9 do we have to officially open and close?

10 DEPUTY DIRECTOR DAMSCHRODER: No, the
11 Board doesn't officially --

12 DIRECTOR ANTHONY: Okay.

13 DEPUTY DIRECTOR DAMSCHRODER: -- open
14 the polls. The polls are set by statute. What we
15 will do is we'll set up adjourning. Here, we'll
16 just recess --

17 CHAIRMAN PREISSE: That's what I
18 wondered about, too.

19 DEPUTY DIRECTOR DAMSCHRODER:
20 -- subject to the call of the Chair and two members
21 of the Board tomorrow, that way we meet the
22 requirement of being continuously in session.

23 DIRECTOR ANTHONY: All right.

24 CHAIRMAN PREISSE: Subject to the call

1 of the Chair or two members of the Board?

2 DEPUTY DIRECTOR DAMSCHRODER: That's
3 the -- that's our Board's policy.

4 CHAIRMAN PREISSE: So everybody's
5 schedule is pretty much in my hand; is that right?

6 DEPUTY DIRECTOR DAMSCHRODER: That's
7 correct.

8 CHAIRMAN PREISSE: All right.

9 BOARD MEMBER MARINELLO: You just like
10 the power.

11 DEPUTY DIRECTOR DAMSCHRODER: So unless
12 there's --

13 CHAIRMAN PREISSE: All right.

14 DEPUTY DIRECTOR DAMSCHRODER:
15 -- anything more, is there a motion to recess?

16 BOARD MEMBER MARINELLO: So moved.

17 DEPUTY DIRECTOR DAMSCHRODER: Any
18 second?

19 BOARD MEMBER COLLEY: Second.

20 DEPUTY DIRECTOR DAMSCHRODER: All in
21 favor of recess?

22 BOARD MEMBERS: Aye.

23 DEPUTY DIRECTOR DAMSCHRODER: And we
24 are recessed. We'll come back tomorrow if needed.

1 Thank you all.

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3 Thereupon, the proceedings were
4 concluded at 3:38 o'clock p.m.

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CERTIFICATE

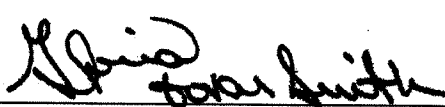
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The undersigned do hereby certify that the foregoing proceedings were digitally recorded, electronically transmitted, and transcribed via audible playback, and that the foregoing transcript of such proceedings is a full, true and correct transcript of the proceedings as so recorded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Columbus, Ohio, on this 18th day of May, 2010.



Michelle K. Salinas
Certified Digital Reporter
Notary Public - State of Ohio
My commission expires July 17, 2013.



GLORIA TOVAR SMITH
Certified Digital Transcriber