

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


MINUTES OF THE MEETING ON

8/9/10

APPROVED ON

9/13/10

BY:



Douglas J. Preisse, Chairman



Michael F. Colley, Esq.




Kimberly E. Marinello



Zachary Manifold

ATTEST:



William A. Anthony, Jr., Director

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BEFORE THE BOARD OF ELECTIONS
OF FRANKLIN COUNTY, OHIO

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IN RE: :
Special Meeting :

- - - - -

Proceedings before Board Chair
Douglas J. Preisse and Board members
Michael F. Colley, Zachary E. Manifold,
and Kimberly E. Marinello with Executive
Director William A. Anthony, Jr., and
Deputy Director Matthew Damschroder,
taken at the Franklin County Board of
Elections, 280 East Broad Street,
Columbus, Ohio, on Monday, August 9, 2010,
at 3:20 o'clock p.m.

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1 APPEARANCES:
 2 Franklin County
 Board of Elections
 3 280 East Broad Street
 Columbus, Ohio 43215
 4 By Mr. Ben Piscitelli,
 5 On behalf of the Board.
 6 Office of Franklin County
 Prosecuting Attorney
 7 Civil Division
 373 South High Street
 8 Columbus, Ohio 43215
 By Mr. Anthony E. Palmer, Jr.,
 9 Assistant Prosecuting Attorney,
 10 On behalf of the State.
 11 ALSO PRESENT:
 12 Ms. Karen Cotton
 Ms. Ann Henkener
 13 Mr. Bill Hedrick
 Ms. Brenna Umbstaetter
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1 -----
 2 PROCEEDINGS
 3 -----
 4 DIRECTOR ANTHONY: Good
 5 afternoon everyone. We would like to call
 6 the Franklin County Board of Elections
 7 meeting to order with a roll call:
 8 Kimberly Marinello?
 9 MS. MARINELLO: Here.
 10 DIRECTOR ANTHONY: Zachary
 11 Manifold?
 12 MR. MANIFOLD: Here.
 13 DIRECTOR ANTHONY: Douglas
 14 Preisse?
 15 MR. PREISSE: Here.
 16 DIRECTOR ANTHONY: Michael
 17 Colley?
 18 MR. COLLEY: Here.
 19 DIRECTOR ANTHONY: All here and
 20 accounted for, Mr. Chair.
 21 The first item on the agenda, we
 22 will move to accept the minutes of the
 23 July 13th meeting.
 24 MS. MARINELLO: Mr. Chairman, I

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1 move that the minutes of the meeting of
 2 the Board held on July 13th, 2010 be
 3 approved as submitted.
 4 MR. COLLEY: Second.
 5 DIRECTOR ANTHONY: The motion
 6 has been made and seconded.
 7 All in favor, say aye.
 8 (Unanimous aye)
 9 DIRECTOR ANTHONY: The motion
 10 carries.
 11 The next item on the agenda, Mr.
 12 Chair, is for the Board to certify for the
 13 November 2nd, 2010 general election the
 14 following candidates: Allen S. Acker,
 15 Democrat Party Nominee for Judge of the
 16 Franklin County Probate Court; Robert
 17 Montgomery, Republican Party Nominee for
 18 Judge of the Franklin County Probate
 19 Court; Seth L. Gilbert, Republican Party
 20 Nominee for Judge of the Tenth District
 21 Court of Appeals, Full Term commencing
 22 January 2nd, 2011; William Buckel,
 23 write-in candidate for Representative to
 24 the 15th Congressional District; and

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<p>1 Jacqueline L. Thompson, write-in candidate 2 for member of the Ohio House of 3 Representatives, 20th District. 4 Are there any questions or 5 concerns on that? 6 (No audible response) 7 MS. MARINELLO: Mr. Chairman, I 8 move that the Board certify to the 9 November 2nd, 2010 general election ballot 10 the following candidates: Alan S. Acker, 11 Democrat Party Nominee for Judge of the 12 Franklin County Probate Court; Robert G. 13 Montgomery, Republican Party Nominee for 14 Judge of the Franklin County Probate 15 Court; Seth L. Gilbert, Republican Party 16 Nominee for Judge of the Tenth District 17 Court of Appeals, Full Term commencing 18 January 2nd, 2011; William L. Buckel, 19 write-in candidate for Representative to 20 Congress, 15th District; and Jacqueline L. 21 Thompson, write-in candidate for Member of 22 the Ohio House of Representatives, 20th 23 District. 24 DIRECTOR ANTHONY: Is there a</p>	<p>1 p.m. on August 4th, of which there were 2 about 2,700 signatures to be verified. 3 We did verify the signatures and 4 review the petitions. All of the 5 petitions were found to be valid and 6 complied, as well as having enough valid 7 signatures to get on the ballot except for 8 three. 9 The three that are on Exhibit B, 10 we are recommending that the Board not 11 certify to the ballot. That's City of 12 Columbus Ward 25, Precinct C, the 13 particular location, GFS Market, 2207 14 Parkwood Avenue. They didn't have enough 15 valid signatures. 16 Columbus 46, Precinct I, which 17 was the Jackson Riley, LLC, on Wagner 18 Road, that project also did not have 19 enough valid signatures. 20 In Ward 50, Precinct A, which is 21 the Shop and Save at 2950 Groveport Road, 22 that signature also fell short. We did go 23 over the petitions a second time, 24 attempting to find enough valid signatures</p>
<p>1 second? 2 MR. COLLEY: Second. 3 DIRECTOR ANTHONY: All those in 4 favor, signify by saying aye. 5 (Unanimous aye) 6 DIRECTOR ANTHONY: The motion 7 carries as well. 8 Mr. Chair, the next item on the 9 agenda is for the Board to certify the 10 November 2nd, 2010 general election 11 ballot. 12 I believe Karen will give a 13 presentation, Karen Cotton. 14 MS. COTTON: You have in your 15 folders an Exhibit A and Exhibit B. All 16 of the local questions and issues at the 17 top of Exhibit A are global questions and 18 issues filed by the various subdivisions 19 in Franklin County. 20 Toward the end of that second 21 page you will see Local Options 22 recommended for certification. We had a 23 total of 26 filings for Local Option 24 petitions on or about the deadline of 4:00</p>	<p>1 but were unable to do so. 2 As for the local questions and 3 issues that are on Exhibit A, the 4 Prosecuting Attorney's Office has reviewed 5 all the filings and found them to be 6 compliant as to form. And we are 7 recommending that the Board certify those 8 to the ballot. 9 DIRECTOR ANTHONY: Any questions 10 on Exhibit A or B -- or Exhibit A, I 11 should say? 12 (No audible response) 13 MR. MANIFOLD: I move that the 14 Board certify to the November 2nd, 2010 15 general election ballot the questions and 16 issues listed under Exhibit A. 17 DIRECTOR ANTHONY: Is there a 18 second? 19 MR. COLLEY: Second. 20 DIRECTOR ANTHONY: All those in 21 favor, say aye. 22 (Unanimous aye) 23 DIRECTOR ANTHONY: The motion 24 carries.</p>

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<p>1 For the next item on the agenda, 2 we will call Karen Cotton back again. 3 DEPUTY DIRECTOR DAMSCHRODER: Do 4 you want to do Exhibit B? 5 DIRECTOR ANTHONY: Yes. 6 MR. MANIFOLD: I move that the 7 Board deny certification to the November 8 2nd, 2010 general election ballot the 9 questions and issues listed under Exhibit 10 B. 11 MR. COLLEY: Second. 12 DIRECTOR ANTHONY: All in favor, 13 say aye. 14 (Unanimous aye) 15 DIRECTOR ANTHONY: The motion 16 carries. 17 DIRECTOR ANTHONY: Thank you. 18 Mr. Chair, the next item on the 19 agenda, I believe we have members in the 20 audience who would like to have a 21 discussion or at least give a presentation 22 as to ballot language for the City of 23 Columbus proposed charter amendment. I'll 24 let you take over from there, sir.</p>	<p>1 up and sending it to the Secretary. 2 This will be the second time in 3 my seven-year tenure that the Board has 4 actually been asked to exercise its 5 statutory authority to be the entity that 6 creates the ballot language. The last 7 time was in 2008 when in an attempt to 8 save funds and reduce the number of pages 9 for absentee ballots, the staff 10 recommended the Board shorten the bond 11 issues submitted by the City of Columbus 12 and also the Columbus Public School 13 District. Some of you were on the Board 14 at that time and remember that debate. 15 Here, again, because of various 16 individuals raising concern about the 17 language submitted by the City of 18 Columbus, we are asking the Board to vote 19 on this issue, which is its statutory duty 20 under 3505. 21 So that's the background for 22 this. I know the League of Women Voters 23 is here to provide input both on the City 24 of Columbus language, and they also have</p>
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<p>1 CHAIRMAN PREISSE: What's the 2 proper procedure, to have a discussion or 3 to go ahead and have the presentations? 4 DEPUTY DIRECTOR DAMSCHRODER: To 5 have some brief background. 6 Traditionally, the issue of the 7 language for questions and issues, they 8 are submitted to the Secretary of State 9 for approval and rarely ever comes before 10 the Board. That is usually a staff level 11 process where the bipartisan members of 12 our operation team led by Karen Cotton use 13 existing Secretary of State templates and 14 the templates in state law to create that 15 language. 16 When we talk about drafted 17 ballot language, it's not like Karen and 18 those folks are back in the room with 19 quill and pad wordsmithing out of thin 20 air. Usually the issues are just 21 fill-in-the-blank legal forms provided by 22 the Secretary of State where we take 23 millages and things of that nature and 24 filling in the blanks, and then typing it</p>	<p>1 some concerns about the Metropolitan 2 Library issue. 3 I know that representatives are 4 here from the City Attorney's Office to 5 provide input on behalf of the City. 6 There might be others as well in order to 7 hear that input from the public. 8 CHAIRMAN PREISSE: All right. 9 Why don't we avail ourselves to hear it. 10 League of Women Voters, we 11 invite representatives of the League to 12 come up. 13 MS. HENKENER: Thank you. We 14 appreciate that and are glad you recognize 15 the importance of doing that. 16 My name is Ann Henkener. I am 17 from the League of Women Voters of 18 Metropolitan Columbus. 19 I am on the Advocacy Committee. 20 One of the things we do is we get 21 information together for our Voters 22 Information Bulletin. 23 In looking at the ballot issues 24 I read the proposed language from both</p>

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<p>1 City Council and from the library and 2 thought I understood the issue fairly 3 well. Then I started reading some stuff 4 and decided I didn't understand it very 5 well from the language that was on the 6 ballot or other proposed ballot language. 7 We are really concerned about the 8 adequacy and clarity of information that 9 is being provided. When I first read the 10 ballot language, it said to me that we are 11 now making our meetings open to the 12 public. That's not really what is 13 happening, however. 14 Currently, the meetings are by 15 charter open to the public, absolutely, no 16 exceptions. What the City wants to do is 17 do what many of the municipalities in 18 Central Ohio have done, which is to 19 voluntarily use the standard that the 20 State has for its conditions of the state 21 agencies. And there are a number of 22 exceptions that the State can use to go 23 into an executive session, not to make a 24 decision, but at least discuss matters in</p>	<p>1 make up their mind in the voting booth. 2 For those people to have a fighting chance 3 and understand what they are voting on, I 4 think that language should be quite a bit 5 clearer and at least give them the idea 6 that first of all, meetings currently are 7 totally open and what the City wants are a 8 certain limited number of exceptions. 9 As long as those ideas are 10 transferred, then I think the language 11 will be very informative and helpful to 12 voters. It doesn't take a lot of words to 13 do that, so I don't think we will be 14 lengthening the ballot language. As a 15 poll worker I don't want real long ballot 16 language either. I want those voters in 17 and out. So I think it can be much more 18 clear without adding length to that. 19 My second concern is with the 20 Metropolitan Library levy. I read through 21 that and I read the stuff on the website 22 about the library and said, okay, 2.2 23 replacement mils and then .6 new millage. 24 They went on to describe for an average</p>
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<p>1 executive session. 2 Some of them are to discuss 3 personnel, which I think was actually the 4 motivating factor for the City, purchase 5 property for litigation, collective 6 bargaining, security. I don't know that 7 voters are going to have a lot of problems 8 with saying that security matters should 9 be discussed in private. 10 I don't know why that wouldn't 11 be a little more clear as to what the City 12 was wanting to do. What the City wants to 13 do is take a standard that says totally 14 open and make some limited exceptions on 15 it that are exactly the same as what the 16 State of Ohio has for its state agencies. 17 If you read the language 18 proposed by the City, I didn't get that 19 idea at all. I know voters should spend 20 hours and hours researching these issues. 21 I hope they look at the Voters Information 22 Bulletin that we put out, and it will be 23 clarified in there certainly. 24 But there are those voters who</p>	<p>1 home how much the new millage would add. 2 It was like 20 bucks or 30 bucks for a 3 hundred thousand valuation and that looked 4 fine. I look at my past records and see I 5 have been paying \$50 and they want \$20 6 more. Seventy bucks sounds like a deal. 7 The local library at 70 bucks is a 8 bargain. 9 But I kept chasing that down and 10 trying to understand what would really 11 happen. After discussions with the 12 Franklin County Auditor's Office, they 13 kind of knew what my new amount would be. 14 It's \$244 up from \$65. That to me was 15 pretty much of a shock when I compared it 16 to the ballot language. 17 Whether the library is worth 18 that much, I'm not here to say whether 19 we're supporting that levy or not 20 supporting that levy and whether that's 21 reasonable or not reasonable. My concern 22 is that while I think the language is 23 technically correct, a replacement levy of 24 2.2 mils, it is technically a new levy of</p>

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<p>1 .6 mils. 2 The big dollars are not in the 3 .6. The big dollars are in the 2.2, 4 because it's being collected at a .75 5 rate. You are kind of quadrupling that 6 first amount there. You are going from 7 .75 to 2.2. 8 The language is just kind of 9 innocuously saying, oh, it's a replacement 10 levy 2.2 sounding to a less than totally 11 informed voter and to most people, I 12 think, that the 2.2, that is what we have 13 always been paying. That is what it 14 says. 15 We haven't been paying that 16 though. We have been paying .75. It's 17 the way that millage gets collected in 18 Ohio. You can't collect any more dollars 19 in the last year of a levy than you 20 collected in the first year. 21 When the property values 22 inflate, then the percentage of the 23 millage goes down. This has been 24 happening as they have done renewal</p>	<p>1 the voting public and their elected 2 representatives is eroding. I think if 3 ballot language is more clear and people 4 can expect what they have voted for, there 5 is a connection between what they think is 6 going to happen and what they think they 7 voted for. I think that will go a long 8 way toward restoring trust. I'm happy to 9 answer any questions. 10 CHAIRMAN PREISSE: Thank you 11 very much for your presentation. 12 Are there any questions from the 13 Board? 14 MR. MANIFOLD: I'll ask it, Mr. 15 Chairman. 16 Is this an official position you 17 have taken on this too? 18 Have you taken a position? 19 Is it going forward to your next 20 vote? 21 MS. HENKENER: In September we 22 will take our positions on whether we 23 support or oppose both of these issues. 24 We have not done that yet. This is just</p>
<p>Page 19</p> <p>1 levies. 2 I think it stays at that same 3 dollar amount. When you do a replacement 4 levy, you up that figure. People's taxes 5 will go up by -- mine went up by 3.7 6 times, almost 4 times as much money. 7 I didn't get that sense from 8 reading the ballot language. Unless you 9 know the difference between a replacement 10 levy and a renewal levy, you will not get 11 the sense that the total dollars you are 12 going to be paying in your tax duplicate 13 is really going to increase quite a bit. 14 I think the language is 15 technically correct. I think those words 16 are all right. I'm not arguing that it is 17 inaccurate. But I do believe it could be 18 more informative for voters so they would 19 understand when their tax duplicates came 20 out and this increase landed on their 21 library line, they would have expected 22 that to happen if the levy would be 23 passed. 24 My closing line is trust between</p>	<p>Page 21</p> <p>1 saying we are not up to the point where we 2 are thinking these are good ideas or bad 3 ideas. 4 I just think at this point they 5 are unclear ideas. The Board has looked 6 at this. 7 MR. MANIFOLD: The other Central 8 Ohio municipalities have done this in the 9 recent past within the last year or two. 10 Has the Board ever raised any 11 concern with those issues? I have seen a 12 couple today in New Albany and Hilliard 13 where basically the only thing they said 14 was meetings in parenthesis; that was it. 15 They are changing the whole section, the 16 exact same section. All they put was 17 meetings. 18 MS. HENKENER: The 19 representative at the City Attorney's 20 Office was kind enough to show those to 21 me. While I think this is bad language, I 22 think that was really bad language. 23 Hopefully, the next time the League will 24 be a little bit more on top of it.</p>

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<p>1 MR. MANIFOLD: Thanks. 2 CHAIRMAN PREISSE: Any other 3 questions? 4 (No audible response) 5 CHAIRMAN PREISSE: Thank you 6 very much for your presentation. 7 Yes, sir? 8 MR. HEDRICK: Most of you know 9 me. I'm Bill Hedrick. I'm the Chief of 10 Staff for the Columbus City Attorney 11 Richard C. Pfeiffer, Jr. I am here 12 representing the City Attorney. 13 There was some discussion on the 14 City's original proposed ballot language. 15 I am going to present the Board members 16 with the latest proposed language the City 17 Attorney's Office has drafted. I will not 18 read it verbatim. You are all capable of 19 reviewing it. It is very concise. 20 We made these changes based on 21 feedback we got from both the letter and 22 information that was sent out from the 23 County Prosecutor's Office. We also 24 reviewed the suggestions made by the</p>	<p>1 The standards are quite clear. 2 There are three points that the ballot 3 language is clear and concise. It is 4 without argument and does not have any 5 kind of advocacy within it. And it is 6 descriptive of the substance of the 7 proposed amendment. 8 The amendment as presented 9 before you, meets all those requirements 10 and, again, sets a standard that is even 11 outside of what the Board has approved in 12 the past for voters, so the citizens of 13 Columbus can be better informed on what 14 they will be voting on. 15 I encourage -- and, again, this 16 has also met the approval. As the City 17 Attorney's Office it is our legal opinion 18 that this is legal language that meets all 19 state requirements. 20 We would ask the Board of 21 Elections to approve and put this as the 22 actual ballot language in the election for 23 November. Again, it meets the standards 24 for the citizens of the state and better</p>
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<p>1 League of Women Voters. We also made sure 2 we reviewed the standards of the Secretary 3 of State's Office on what would be legal 4 ballot language. 5 As was previously stated 6 concerning previous ballot language that 7 has been passed, such as New Albany and 8 Hilliard, in the past there has been 9 ballot language passed and approved by the 10 Board of Elections that only included the 11 word meetings. That was the only detailed 12 information that was included. 13 The proposal we have placed 14 before you today is probably actually on 15 the outside more detailed than the law 16 requires, so the citizens will have a 17 better opportunity to know what they are 18 voting for. 19 I am here today to argue what 20 the legal standards are for a ballot 21 amendment. This that has been presented 22 before you today meets the legal standards 23 of the state of Ohio and Secretary of 24 State's Office.</p>	<p>1 informs the citizens of Columbus what they 2 are voting for. 3 I strongly encourage you to 4 approve this ballot language and place it 5 on the ballot for November. 6 Questions? 7 CHAIRMAN PREISSE: Are there 8 questions for our representative from the 9 City Attorney's Office? 10 MR. MANIFOLD: Do you want to go 11 ahead and have him read it out loud? 12 MR. HEDRICK: I have no problem 13 doing that, so everyone can read. 14 "Shall Section 8 of the Charter 15 of the City of Columbus be amended to 16 permit counsel or its committees to 17 convene in the same manner as the general 18 law of Ohio pertaining to open meetings of 19 public bodies when discussing issues such 20 as personnel matters, purchase of 21 property, litigation, collective 22 bargaining, and security matters as 23 recommended by the charter review 24 committee.</p>

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<p>1 Shall the proposed charter 2 amendment as reported by the charter 3 commission of Columbus be adopted?" It is 4 a yes or no. 5 Anything else? 6 MR. MANIFOLD: Just thanks for 7 offering up the new language. I think 8 it's much better language than the 9 original submitted by the City. 10 MR. HEDRICK: We appreciate your 11 time. Thank you. 12 CHAIRMAN PREISSE: Thank you for 13 that testimony. 14 Any other comments on these 15 matters? 16 (No audible response) 17 CHAIRMAN PREISSE: If those are 18 the only two members of the public to 19 express an opinion, we can move on. 20 DIRECTOR ANTHONY: At this point 21 what is before you is the Board's 22 recommendation for the language that was 23 held in the motion. 24 CHAIRMAN PREISSE: I'm sorry,</p>	<p>1 today is simply what is consistent on the 2 lines of what we have done for other 3 municipalities: Shall the charter 4 amendment as recommended by the charter 5 review committee be adopted? 6 Very simply and consistent with 7 state law, the actual amendment would be 8 posted for all voting locations for the 9 City of Columbus so voters could read the 10 full resolution to avail themselves of 11 that. 12 I would say, partly because I 13 think this matter got blown completely out 14 of proportion in the news media partly as 15 a result of folks at the Board of 16 Elections and partly because of folks at 17 City Hall, there were accusations of 18 partisanship made that, following the past 19 practice of this agency in using very 20 basic language for charter amendments, was 21 somehow done for partisan gain. I think 22 that is unacceptable and raised the level 23 of rhetoric perhaps on both sides of High 24 Street, from City Hall and from this</p>
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<p>1 can you repeat that? We had a side bar 2 going on over here. 3 DIRECTOR ANTHONY: What is 4 before you, there are two issues before 5 you, from what I am understanding. 6 There is proposed language by 7 the staff; and then there is proposed 8 language by the City Attorney's Office, 9 which was just presented to us. 10 The Board could either take a 11 vote on those separately, or the Board 12 could agree to vote on one or the other. 13 CHAIRMAN PREISSE: Inasmuch as 14 we have had a professional and, I hope, a 15 bipartisan staff kind of do what they have 16 done in the past and prepare their 17 recommended ballot language, perhaps we 18 should hear that as well. 19 Do we have that before us in a 20 description of that? 21 DEPUTY DIRECTOR DAMSCHRODER: 22 The language that the staff put together 23 and that the Director and I reviewed last 24 week that we have agreed to submit to you</p>	<p>1 agency. In the past, as I mentioned, our 2 professional staff has simply created the 3 language based on what was given and 4 filling in the blanks with the legal 5 advice provided by the Secretary of 6 State's Office. 7 While I appreciate the efforts 8 by the City Attorney's Office and 9 Mr. Hedrick in providing language that is 10 certainly more responsive to the League of 11 Women Voters' position, I think it does 12 satisfy what Mr. Hedrick accurately 13 described as the requirements of the Board 14 in crafting language for the ballot. 15 I do think there is a growing 16 concern, at least on my part and maybe as 17 the lone voice crying in the wilderness, 18 that from time to time this agency, which 19 is a bipartisan board, is unduly 20 influenced from the outside and too often 21 cedes its statutory authority to other 22 bodies when you are the ones responsible 23 for making this decision. 24 Obviously, you will still do</p>

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1 that, but that is a growing concern that I
 2 have, which is why I have been so adamant
 3 in the last week since I came back from
 4 vacation. All this happened while I was
 5 out of town. I had no knowledge of any of
 6 it until I got a phone call from a
 7 reporter while sitting on the dock,
 8 looking at the sunset at Lake Erie.
 9 It is over the past week that I
 10 have been insistent, if for no other
 11 reason, not to embarrass our full-time
 12 professional bipartisan staff by
 13 abandoning past practice of this agency
 14 simply because the jurisdiction wants us
 15 to.
 16 CHAIRMAN PREISSE: I am very
 17 sympathetic. The proposers have a valid
 18 initiative seeking a position as favorable
 19 as possible from their perspective. I
 20 kind of reflect back on the words of our
 21 friends from the League of Women Voters,
 22 who suggest clarity of information and
 23 clarity of language.
 24 Of course language can be clear

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1 and still directing in a particular
 2 prescribed manner that the proposers might
 3 wish to achieve.
 4 I appreciate, Bill and Mr.
 5 Hedrick, your informative presentation and
 6 that of the League's as well. I also
 7 candidly appreciate that the original
 8 language that we sought to propose was
 9 indicative of the -- again, I appreciate
 10 the desire of the proposers of an
 11 amendment to seek to include persuasive
 12 language, which I think has been clearly
 13 done in a clear fashion. We may have
 14 differences of opinion as it relates to
 15 meeting our responsibilities and not going
 16 much farther here.
 17 Any other comments before we
 18 move on?
 19 (No audible response)
 20 DIRECTOR ANTHONY: No comment.
 21 Is there a motion in all this?
 22 MR. COLLEY: Mr. Chairman, I
 23 move that the Board accept the Operations
 24 Department recommendation for ballot

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1 language for the City of Columbus proposed
 2 charter amendment and instruct the
 3 Director and Deputy Director to forward
 4 said language to the Secretary of State
 5 for approval.
 6 CHAIRMAN PREISSE: I will second
 7 that.
 8 DIRECTOR ANTHONY: We'll do a
 9 roll call.
 10 Mr. Colley?
 11 MR. COLLEY: Yes.
 12 DIRECTOR ANTHONY: Mr. Preisse?
 13 CHAIRMAN PREISSE: Yes.
 14 DIRECTOR ANTHONY: Mr. Manifold?
 15 MR. MANIFOLD: No.
 16 DIRECTOR ANTHONY: Kim
 17 Marinello?
 18 MS. MARINELLO: No.
 19 DIRECTOR ANTHONY: We have a tie
 20 on that one.
 21 Is there another motion?
 22 MR. MANIFOLD: Yes.
 23 Mr. Chairman, I move that the
 24 Board accept the revised ballot language

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1 provided by the City of Columbus on
 2 Monday, August 9th, for its proposed
 3 charter amendment and instruct the
 4 Director and Deputy Director to forward
 5 said ballot language to the Secretary of
 6 State for approval.
 7 DIRECTOR ANTHONY: Is there a
 8 second?
 9 MS. MARINELLO: Second.
 10 DIRECTOR ANTHONY: We'll do a
 11 roll call vote.
 12 Kim Marinello?
 13 MS. MARINELLO: Yes.
 14 DIRECTOR ANTHONY: Zack
 15 Manifold?
 16 MR. MANIFOLD: Yes.
 17 DIRECTOR ANTHONY: Doug
 18 Preisse?
 19 CHAIRMAN PREISSE: No.
 20 DIRECTOR ANTHONY: Michael
 21 Colley?
 22 MR. COLLEY: No.
 23 DIRECTOR ANTHONY: We have two
 24 tie votes. According to the rules and

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<p>1 regulations, I guess, we need to send this 2 issue to the Secretary of State's Office. 3 Each side has to prepare something. 4 We would like to try to get this 5 done by this Friday to get a resolution of 6 the decision. 7 Does that work for everybody? 8 CHAIRMAN PREISSE: If that's 9 what we are supposed to do. 10 DIRECTOR ANTHONY: The next item 11 on the agenda is voter education. 12 DEPUTY DIRECTOR DAMSCHRODER: We 13 need to go back and approve all staff 14 recommendations for the rest of the 15 ballot. 16 DIRECTOR ANTHONY: Thanks, Matt. 17 DIRECTOR ANTHONY: We need to go 18 back and approve the other language. 19 MS. MARINELLO: Mr. Chairman, I 20 move that the Board accept the staff 21 recommendations for ballot language for 22 the balance of questions and issues having 23 previously certified to the ballot and 24 instruct the Director and Deputy Director</p>	<p>1 DEPUTY DIRECTOR DAMSCHRODER: I 2 think they are aware that the request is 3 forthcoming, but the formal request has 4 not been made yet. 5 DIRECTOR ANTHONY: We think this 6 would be a needed item, to inform voters 7 that there is an absentee window where 8 they could vote by mail or here in person. 9 We just thought it would behoove the Board 10 to get that information out. 11 Do you want to add anything 12 else? 13 DEPUTY DIRECTOR DAMSCHRODER: 14 No. 15 DIRECTOR ANTHONY: We are 16 looking at the cost of doing this. I 17 think the whole thing would be over 18 \$300,000. 19 DEPUTY DIRECTOR DAMSCHRODER: 20 About 370-. 21 DIRECTOR ANTHONY: That would be 22 the estimate of the cost. 23 MS. MARINELLO: Mr. Chairman, I 24 move that the Board instruct the Director</p>
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<p>1 to forward said ballot language to the 2 Secretary of State for approval. 3 DIRECTOR ANTHONY: Is there a 4 second? 5 MR. COLLEY: Second. 6 DIRECTOR ANTHONY: All those in 7 favor, say aye. 8 (Unanimous aye) 9 DIRECTOR ANTHONY: That motion 10 passes. 11 DEPUTY DIRECTOR DAMSCHRODER: 12 Now, we are looking at voter education. 13 DIRECTOR ANTHONY: A while back 14 we had talked to the Board members about 15 doing some voter education, promoting of 16 our absentee balloting initiatives, trying 17 to get more voters in Franklin County to 18 be aware of that. The absentee voting 19 period is a very finite period. 20 Matt and I have talked to a 21 Democrat and a Republican communications 22 firm to help put this information out. We 23 have also requested the Board of 24 Commissioners to take this as well.</p>	<p>1 and Deputy Director to request from the 2 Franklin County Board of Commissioners 3 \$205,750 for a voter education campaign 4 promoting absentee ending October 10th, 5 2010, and \$162,750 for a voter education 6 campaign promoting the necessity to bring 7 a valid form of identification to the 8 polls on Election Day, beginning October 9 25th, and that pending approval of the 10 funding request by the Commissioners that 11 the Director and Deputy Director engage 12 Don Spicer of Triumph Communications and 13 Don Lee of the Horizons Companies to 14 provide media consulting services for said 15 voter education campaigns. 16 DIRECTOR ANTHONY: Is there a 17 second? 18 MR. COLLEY: Second. 19 DIRECTOR ANTHONY: All those in 20 favor, say aye. 21 (Unanimous aye) 22 DIRECTOR ANTHONY: That motion 23 carries. 24 We are on fiscal matters.</p>

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1 DEPUTY DIRECTOR DAMSCHRODER: I 2 think we will skip the update of the 3 year-to-date financial reports. There is 4 a packet that we have available to 5 distribute to you that is through June 6 30th. 7 At a subsequent meeting, maybe 8 even later this week, we can do a more 9 detailed discussion of that along with 10 July 31st, the year to date. That is 11 there for your review if you want to take 12 a look. 13 Brenna is here if you have 14 questions. We can do a detailed review of 15 that later, since we have gone on for a 16 while. 17 We do, however, need to approve 18 our budget request to the County 19 Commissioners for Fiscal Year 2011. We 20 should probably do that today. There is a 21 packet in your stack of stuff so to 22 speak. 23 Brenna, why don't you give us 24 quick highlights of what we are	1 occurred year to date, and then the base 2 line and request for results portion of 3 the 2011 budget. 4 The other reports attached to 5 that are internal working documents that 6 we use to construct those figures. 7 Obviously, for some of the ongoing 8 operation type items related to the Board 9 being in existence and functioning day to 10 day such as phone, supplies, those figures 11 we generally calculate or estimate for 12 agency totals for the Board as a whole. 13 Then we go back through and by department 14 determine what the budget needs to be for 15 all the functions of each department, 16 absentees costs for that voting process 17 and voter registrations costs for any 18 consulting we need in their system. 19 As we are discussing all that 20 and quantifying everything, we do this 21 side by side, spread sheet, and keep notes 22 as to where our basis for different 23 figures have come from. That gives you 24 the detailed level if you are interested
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1 proposing. 2 MS. UMBSTAETTER: The top page 3 is a report format that may look familiar 4 to most of you. I believe this is the 5 basis of last year's budget discussion as 6 well. 7 Just a brief bit of background 8 as a reminder to everyone, our budget is 9 comprised of two portions. 10 One is referred to as a base 11 line, the current definition of which is 12 not to exceed the current years' approved 13 budget amount. If we were approved at \$6 14 million for 2010, we are limited to a base 15 line of \$6 million for 2011. 16 And then the second component is 17 individual requests for results packages, 18 which are basically any new initiatives 19 that are something new to our operation. 20 So what you see on the report is some 21 comparative numbers from actual 2009 22 performance and our current 2010 budget as 23 of July 31st, so that it includes all 24 changes to our appropriations that	1 in seeing what the numbers on the summary 2 are comprised of. 3 We have a second report that is 4 a recap of those request packages and also 5 reflects the ranking we put into the 6 budget system for those requests. So if 7 funds are not available for all the 8 requests, then that provides the 9 commissioners with an idea of how we have 10 prioritized those requests internally. 11 CHAIRMAN PREISSE: What 12 constitutes the jump in materials and 13 services totals principally? 14 Where do I find that? 15 MS. UMBSTAETTER: You are 16 looking at the \$3.2 million figure? 17 DEPUTY DIRECTOR DAMSCHRODER: 18 It's all the new requests, specifically 19 the absentee ballot application mailing, 20 the additional county server memory. Also 21 as a part of why it is even extra big, so 22 to speak, is that because the 2012 primary 23 election is so early, we have to begin 24 procurement for the 2012 primary election

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1 in November or December of 2011.
 2 If we are doing an absentee
 3 ballot application, actually we would have
 4 to drop it before Christmas. So the year
 5 before a presidential primary is always a
 6 little bit bigger, because we have 2012
 7 expenses that we have to figure into 2011.
 8 For comparison, Mr. Chairman,
 9 you would want to look at 2009, \$1.98,
 10 million compared to our base line request
 11 of \$1.89 million. And all the other
 12 special projects, which would be the three
 13 absentee application mailings, the
 14 primary '11, general '11, primary '12, as
 15 well as the other requests would be the
 16 \$1.3 million.
 17 MR. MANIFOLD: The only question
 18 I have, the only thing that's listed as
 19 zero, why do we list tuition reimbursement
 20 as zero?
 21 MS. UMBSTAETTER: From the
 22 Office of Management and Budget there are
 23 several line items that are included as
 24 zero in the budget process for a couple of

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1 reasons. Tuition reimbursement is one of
 2 several, most of which appear in the
 3 personal services category at the top of
 4 the report.
 5 Wellness payout at year end,
 6 termination payments of accrued leave to
 7 separated employees, all of those items
 8 are budgeted at zero with an eye toward
 9 finding existing appropriations elsewhere
 10 to cover them for the year.
 11 MR. MANIFOLD: I know that some
 12 of our employees use it.
 13 MS. UMBSTAETTER: What happens
 14 with all those items, as well as Workers'
 15 Compensation and unemployment compensation
 16 expense, is that in the fall commissioners
 17 pass an omnibus resolution that
 18 encompasses all of these areas that are
 19 budgeted as zero for the year to determine
 20 if additional appropriations are needed to
 21 meet those demands.
 22 DEPUTY DIRECTOR DAMSCHRODER:
 23 Other questions?
 24 (No audible response)

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1 DIRECTOR ANTHONY: Should we
 2 entertain a motion?
 3 MR. COLLEY: Mr. Chairman, I
 4 move that the Board of Elections approve
 5 as it's anticipated necessary and proper
 6 expenses of the Board the staff proposed
 7 budget for Fiscal Year 2011 in the amount
 8 of \$9,050,224.
 9 DIRECTOR ANTHONY: Is there a
 10 second?
 11 MR. MANIFOLD: I'll second.
 12 DIRECTOR ANTHONY: All in favor,
 13 say aye.
 14 (Unanimous aye)
 15 DIRECTOR ANTHONY: The motion
 16 carries.
 17 That's the end of the agenda.
 18 We probably should have another meeting
 19 this week if possible.
 20 What's a good time for the
 21 Board?
 22 DEPUTY DIRECTOR DAMSCHRODER: I
 23 think the consensus is, we want to do
 24 something Wednesday before noon, the

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1 earlier the better. The purpose of the
 2 Wednesday meeting is a couple of other
 3 items on today's noticed agenda, most
 4 notably the establishment of hours for
 5 in-person absentee balloting. If we wait
 6 a couple more days, we can probably get
 7 closer to a consensus on a number of
 8 issues and maybe not have to tie. That's
 9 the goal of deferring those decisions
 10 until Wednesday.
 11 DIRECTOR ANTHONY: We have some
 12 interns working. They may want to give a
 13 brief report.
 14 Is there a motion to adjourn?
 15 MS. MARINELLO: I so move.
 16 DIRECTOR ANTHONY: Is there a
 17 second?
 18 MR. MANIFOLD: Second.
 19 DIRECTOR ANTHONY: All in favor?
 20 (Unanimous aye)
 21 DIRECTOR ANTHONY: Meeting
 22 adjourned. Thank you.
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 24 Thereupon, the proceeding was

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concluded at 4:10 o'clock p.m.

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CERTIFICATE

I, Patricia W. White, Court Reporter and Notary Public in and for the State of Ohio, do hereby certify that I reported the foregoing proceedings and that the foregoing transcript of such proceedings is a full, true and correct transcript of my stenotypy notes as so taken.

I do further certify that I was called there in the capacity of a Court Reporter, and am not otherwise interested in this proceeding.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Columbus, Ohio, on this 12th day of August, 2010.

PATRICIA W. WHITE, Notary Public - State of Ohio.

My commission expires May 30, 2012.