

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

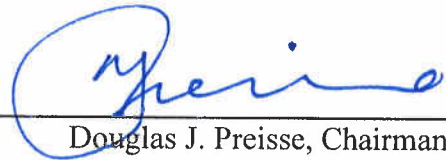
MINUTES OF THE MEETING ON

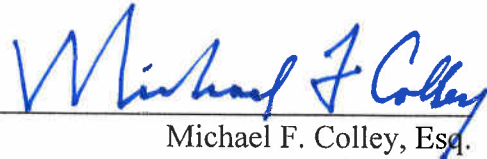
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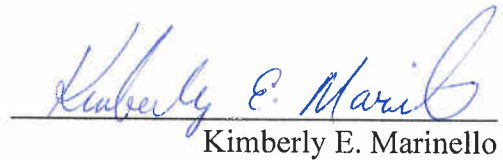
APPROVED ON

12/15/2010

BY:


  
Douglas J. Preisse, Chairman

  
Michael F. Colley, Esq.

  
Kimberly E. Marinello

  
Zachary Manifold

ATTEST:

  
~~William A. Anthony, Jr., Director~~  
MATTHEW M. DAMSCHRODER  
DEPUTY DIRECTOR

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FRANKLIN COUNTY BOARD OF ELECTIONS

FRANKLIN COUNTY, OHIO

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IN RE: :

Special Meeting :

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Proceedings before Chairman Douglas J. Preisse; Director William A. Anthony, Junior; Deputy Director Matt M. Damschroder; and Board Members Zachary E. Manifold and Kimberly E. Marinello; taken at the Franklin County Board of Elections, 280 East Broad Street, Columbus, Ohio, on Friday, November 19, 2010, at 3:12 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:

12

13 Suzanne Brown, Secretary

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15 Renee Klco - Manager, Voter Services

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17 Ben Piscitelli - Media Relations

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19 Charles Traylor - Liaison

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P R O C E E D I N G S  
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DIRECTOR ANTHONY: I would like to call the Franklin County Board of Elections meeting to order. I'll do a roll call.

Kim Marinello?

BOARD MEMBER MARINELLO: Here.

DIRECTOR ANTHONY: Zachary Manifold?

BOARD MEMBER MANIFOLD: Here.

DIRECTOR ANTHONY: Doug Preisse?

CHAIRMAN PREISSE: Here.

DIRECTOR ANTHONY: All right. Mike Colley?

DEPUTY DIRECTOR DAMSCHRODER: Mr. Colley is out of the state today.

DIRECTOR ANTHONY: Oh, okay.

DEPUTY DIRECTOR DAMSCHRODER: I'm going to be joining us.

DIRECTOR ANTHONY: So we do have a quorum.

The first order of business is the approval of the minutes from the last meeting.

BOARD MEMBER MARINELLO: Mr. Chairman,

1 I move that the minutes of the meeting of the Board  
2 held on November 1st, 2010, be approved as  
3 admitted.

4 DIRECTOR ANTHONY: Is there a second?

5 BOARD MEMBER MANIFOLD: Second.

6 DIRECTOR ANTHONY: All those in favor  
7 say aye?

8 BOARD MEMBERS: Aye.

9 DIRECTOR ANTHONY: The next item is the  
10 provisional ballots. Matt, did you want to talk  
11 about that?

12 DEPUTY DIRECTOR DAMSCHRODER: Sure. We  
13 have four motions for the Board to consider. The  
14 first three are kind of categories that are -- the  
15 staff considers to be exceptions from the normally  
16 accepted rules of validating provisionals that  
17 require a little bit of review.

18 The normally accepted categories would  
19 be, for instance, return of voter absentee ballot  
20 and voted a provisional as well so that provisional  
21 wouldn't count, et cetera, not a registered voter.

22 So the first category is a -- is a  
23 series of 83 provisional ballots where the  
24 provisional ballot was cast in the wrong precinct

1 as evidenced by the name of the precinct written on  
2 the envelope by the poll worker and/or the ballot  
3 style and contained inside the envelope, but the  
4 ballot was the -- the provisional ballot was cast  
5 in the correct voting location, so it's the right  
6 church, wrong pew issue.

7 Under the directive issued by the  
8 Secretary of State earlier this year following the  
9 Necho consent order, the Secretary of State has  
10 indicated that we're not permitted to invalidate a  
11 provisional ballot that is in this right church,  
12 wrong pew category if the error is attributable to  
13 a poll worker mistake.

14 Unfortunately, the Court in its  
15 infinite wisdom did not decide to define what poll  
16 worker error is, and there is no evidence before  
17 this Board, or at least the staff, that any of  
18 these provisionals are the result of provisional --  
19 or of poll worker error. There is also no evidence  
20 before the Board that it isn't a result of poll  
21 worker error.

22 Even before the Necho decision, this  
23 Board has taken a very broad approach in favor of  
24 voter and franchise and have counted such ballots,

1 and so even though other counties are interpreting  
2 the directive to say that because there's no  
3 evidence -- there's no affirmative evidence that  
4 there was poll worker error and rejecting those  
5 ballots, our staff recommendation is that we go  
6 ahead and count those ballots.

7 BOARD MEMBER MARINELLO: What would be  
8 an example of a voter error in that? How could  
9 they do that wrong?

10 DEPUTY DIRECTOR DAMSCHRODER: In  
11 particularly -- and part of the reason why we do it  
12 in this county is because with our consolidated  
13 voting location approach where there's a single  
14 table and a single set of poll workers assigned to  
15 the task of provisional ballots for all the  
16 precincts in a location, it would be pretty  
17 difficult in this county to conceive of a situation  
18 where it would be a voter error.

19 But, again, there's -- there's --  
20 absent of a definition of poll worker error from  
21 the Secretary of State or the Court, there's no  
22 evidence before the Board that there is or there  
23 isn't, so we're just giving our unique practices  
24 here taking the guess that it is poll worker error,

1 although it might not be.

2 BOARD MEMBER MANIFOLD: How are we  
3 doing overall with the past year results, and it  
4 looks like we're looking at somewhere -- 90 percent  
5 acceptance.

6 And, in particular, how about the -- I  
7 know it was contentious before, I think the printed  
8 name on the envelope? I think we had that issue in  
9 the past. Is that down? That looks like it's  
10 pretty far down, I think, from maybe what it was in  
11 the past.

12 DEPUTY DIRECTOR DAMSCHRODER: I'll let  
13 Renee speak to it a little bit, also, but I think  
14 it's this; Franklin County has traditionally, among  
15 our sister urban counties, had a higher rate of  
16 validation of provisionals than, again, our sister  
17 urban counties, and I think this is even higher  
18 than we've seen in the past.

19 MS. KLCO: This is the highest we've  
20 had for accepting provisional ballots. The one  
21 category that went down considerably is voting in  
22 the wrong precinct, at 5.66 percent, and all the  
23 other county categories were down as well, and I  
24 attribute a lot of that to the intense poll worker



1 training.

2 DEPUTY DIRECTOR DAMSCHRODER: So if you  
3 see Mary Hackett or Barcey McNeal, let them know  
4 that their work is paying off in terms of poll  
5 worker training.

6 I think the new training manual, the  
7 new approach to training that Mary and Barcey put  
8 together this summer, I think has really, really,  
9 helped, so if you see them, give them -- give them  
10 our thanks.

11 BOARD MEMBER MANIFOLD: Do we -- after  
12 the election, this election, do we, like -- I'd  
13 assume that we do -- do we take these, like -- do  
14 we look for certain areas or locations where  
15 there's issues or possibly there's, like, a spike,  
16 like, you know, maybe the presiding judge of that  
17 location isn't?

18 MS. KLCO: And we report the location,  
19 and I would -- whether or not it's the paper ballot  
20 judge or the roster judge who's sending people to  
21 the wrong places, we report all those to Mary  
22 Hackett so she can deal with that poll worker that  
23 she sees -- sees fit.

24 We also read all the problems and

1 correction pages from all the different workbooks  
2 and, also, recommend to Mary which poll workers  
3 we'd like to keep, which ones we want cloned, and  
4 which ones we really don't want to work with  
5 anymore.

6 BOARD MEMBER MANIFOLD: You guys are  
7 doing a great job.

8 MS. KLCO: Uh-huh.

9 ATTORNEY PALMER: I need to jump in on  
10 the issue that was raised about the provisional  
11 ballots and poll worker error specifically.

12 I know in the Secretary of State  
13 directives, poll worker error is not presumed. It  
14 must be demonstrated through evidence.

15 I know that the Supreme Court of Ohio  
16 had weighed in on that in State versus Skaggs, and  
17 said that, you know, if there's -- if there is  
18 evidence that poll workers failed to perform their  
19 statutorily required duties, then -- you know, then  
20 you could reverse it.

21 But the poll workers are going to be  
22 presumed to have properly performed their duties  
23 absent evidence of the contrary.

24 DIRECTOR ANTHONY: Any other discussion

1 on this or --

2 BOARD MEMBER MARINELLO: So does this  
3 change anything? No?

4 Mr. Chairman, I move that the Board  
5 accept as valid those provisional ballots cast in  
6 the wrong precinct but within the correct voting  
7 location so long as the remaining, required  
8 information is provided on the provisional ballot  
9 envelope.

10 BOARD MEMBER MANIFOLD: I'll second it.

11 DIRECTOR ANTHONY: Is there a second?  
12 All those in favor?

13 BOARD MEMBERS: Aye.

14 Should we do a --

15 CHAIRMAN PREISSE: I didn't vote.

16 DIRECTOR ANTHONY: You didn't vote,  
17 so --

18 CHAIRMAN PREISSE: I wanted to vote in  
19 the negative.

20 DIRECTOR ANTHONY: In the negative?  
21 Okay. So should I do a voice vote?

22 CHAIRMAN PREISSE: No, you can just --  
23 you just say those against.

24 DIRECTOR ANTHONY: Those against?

1 CHAIRMAN PREISSE: No.

2 DIRECTOR ANTHONY: All right. The  
3 motion carries.

4 The next item on the agenda, it has to  
5 do with -- we had a couple of ballots or some  
6 concern about -- in a poll book we had, it had the  
7 little stop sign in the poll book and it had a  
8 three on it. And there was two precincts that --  
9 that we had a lot of discussion with on election  
10 night, that it was felt that they shouldn't have  
11 been stopped, because that meant that if they had  
12 stop three on it, they had to show identification  
13 because we had sent them in the mail vote  
14 verification, and it came back as undeliverable.

15 And so when they showed that to a poll  
16 worker on election day, they were required to show  
17 identification that they did live at their current  
18 address.

19 And there was two precincts out there  
20 that we had those -- or these two -- two areas, the  
21 Ohio Union and then Indianola Church of Christ  
22 that -- that there was some concern that there was  
23 an inordinate number of folks that the stop  
24 three -- or that had received notification that

1 they had to verify their -- their address when they  
2 went to the polls.

3 And we got a ruling, or at least an  
4 advisory statement, from the Secretary of State  
5 that said we shouldn't have sent that out, and so,  
6 at that point, we decided to go back and see how  
7 many -- how many folks were impacted by that.

8 And upon discovery we found that there  
9 were a total of 30 -- 38 of them; is that right?  
10 Thirty-eight of them -- folks were impacted by  
11 that. And so what we would like to do is just not  
12 count those as provisional, but count them as -- as  
13 a regular ballot. So I guess that's what that  
14 motion is.

15 I know I kind of rambled on that.  
16 Anybody want to add anything to it?

17 CHAIRMAN PREISSE: So the 38 folks from  
18 two --

19 DEPUTY DIRECTOR DAMSCHRODER: It's  
20 actually just from one. The 38 are from Ohio  
21 Union. There were -- there were none --

22 DIRECTOR ANTHONY: None in the --

23 DEPUTY DIRECTOR DAMSCHRODER: -- from  
24 Indianola Church of Christ, despite the human cry

1 that came up on election night from ODP.

2 DIRECTOR ANTHONY: And I might add  
3 that -- I forget how many total provisional ballots  
4 were cast, and the area -- the area where we found  
5 the 38 was in the Ohio Union; and, Renee, how many  
6 provisional ballots were there?

7 MS. KLCO: I'm sorry. I don't  
8 remember.

9 DIRECTOR ANTHONY: You don't remember?  
10 I think it was something like 80 some provisional  
11 ballots.

12 MS. KLCO: It was more than that.

13 DIRECTOR ANTHONY: Yeah, I thought it  
14 was 100.

15 DEPUTY DIRECTOR DAMSCHRODER: It was  
16 300 or something. It was a bunch.

17 CHAIRMAN PREISSE: These people -- so  
18 describe for me again the circumstance in which  
19 these people find themselves under.

20 DEPUTY DIRECTOR DAMSCHRODER: It's been  
21 the long time practice of this Board, when -- when  
22 a -- when we mail -- when a person registers to  
23 vote, then we send a voter acknowledgement card.  
24 If that card comes back as undeliverable, under

1 state law that person has to be flagged in the poll  
2 book as -- as having a voter provisional ballot,  
3 and we send a confirmation card to them asking them  
4 to update their address.

5 We follow the same procedure if we  
6 change a person's voting location. We send an  
7 acknowledgement card letting them know their new  
8 voting location. If that comes back as  
9 undeliverable, we set them to inactive status, send  
10 them a confirmation card asking them to update  
11 their address, and we put them in the poll -- find  
12 them in the poll book as having to cast a  
13 provisional ballot because we have information with  
14 the post office that they no longer live at the  
15 address that they say they live at.

16 That long time practice was challenged  
17 election night, and so I think it's going to be a  
18 staff recommendation at a future meeting that the  
19 Board ask the Prosecuting Attorney's Office for a  
20 written opinion on whether our practice is within  
21 the Board's discretion under Title 35, or if it's  
22 outside that, our discretion, and, therefore, we  
23 have to change that practice.

24 But ODP only raised concerns about

1 these two voting locations, so we looked at them  
2 carefully. On election night they wanted us to go  
3 through all the provisionals in the whole county,  
4 find all of them that were in this category and  
5 just count them as regular ballots, but they --  
6 they dropped that objection later in the evening.

7 So we looked at just these two  
8 locations and, again, the 38 from Ohio Union are  
9 all people who were flagged in the poll book as  
10 having no provisional because they are -- the  
11 address came back as not the address at which  
12 they -- they lived.

13 BOARD MEMBER MANIFOLD: Do you know,  
14 did we -- did we go ahead and -- of the 38, would  
15 they have already -- would they already -- even  
16 just bringing the stop three, which, I think, is  
17 the motion here, right? Is -- is it -- it would be  
18 counted anyway, right?

19 DEPUTY DIRECTOR DAMSCHRODER: Yeah.

20 BOARD MEMBER MANIFOLD: There wasn't  
21 anything wrong? None of the --

22 DEPUTY DIRECTOR DAMSCHRODER: All of  
23 the information was contained on the envelopes.

24 BOARD MEMBER MANIFOLD: Say, even if --



1 MS. KLCO: I would have counted them  
2 anyway.

3 BOARD MEMBER MANIFOLD: So they're  
4 all -- 38, they're getting -- they're all -- yeah,  
5 38, there's nothing wrong with any of them?

6 MS. KLCO: No.

7 DEPUTY DIRECTOR DAMSCHRODER: No.

8 DIRECTOR ANTHONY: No.

9 BOARD MEMBER MANIFOLD: Okay.

10 DIRECTOR ANTHONY: It means moving from  
11 a provisional status to a non-provisional status.

12 CHAIRMAN PREISSE: Why are we counting  
13 them?

14 DEPUTY DIRECTOR DAMSCHRODER: Well, no,  
15 we're actually still counting them as provisionals.

16 DIRECTOR ANTHONY: Oh, okay.

17 DEPUTY DIRECTOR DAMSCHRODER: We're not  
18 making them regular ballots.

19 DIRECTOR ANTHONY: Right.

20 DEPUTY DIRECTOR DAMSCHRODER: We're  
21 counting -- we're voting to count their -- count  
22 those provisional ballots.

23 BOARD MEMBER MANIFOLD: So do we even  
24 need the motion, because if they get counted --

1                   DEPUTY DIRECTOR DAMSCHRODER: I think  
2 the concern was given the unique issue that was  
3 raised on election night. We wanted to keep --  
4 keep them out and handle them separately so that  
5 there was no confusion.

6                   BOARD MEMBER MANIFOLD: Okay.

7                   DEPUTY DIRECTOR DAMSCHRODER: After the  
8 fact for when folks want to know what we did --

9                   BOARD MEMBER MANIFOLD: Okay.

10                  DEPUTY DIRECTOR DAMSCHRODER: -- to  
11 respond to concerns that were raised at 7:20 p.m.  
12 election night.

13                  CHAIRMAN PREISSE: So we will -- we're  
14 going to count them anyway?

15                  DEPUTY DIRECTOR DAMSCHRODER: Yeah.

16                  CHAIRMAN PREISSE: But even if they've  
17 been set aside?

18                  DEPUTY DIRECTOR DAMSCHRODER: Yeah.

19                  BOARD MEMBER MARINELLO: Okay. Ready?

20                  Mr. Chairman, each having all the  
21 information otherwise required for a provisional  
22 ballot to be counted, I move that the Board accept  
23 as valid those provisional ballots cast at the Ohio  
24 Union (LID 3002) and Indianola Church of Christ

1 (LID 3028) by voters who were flagged in the  
2 signature poll books for reason number three.

3 DIRECTOR ANTHONY: Is there --

4 BOARD MEMBER MANIFOLD: Second. I'll  
5 second the motion.

6 DIRECTOR ANTHONY: Okay. Properly move  
7 to second. All in favor say aye?

8 BOARD MEMBERS: Aye.

9 DIRECTOR ANTHONY: Opposed same sign?  
10 (No audible response.)

11 DIRECTOR ANTHONY: The ayes carry.

12 The next item on the agenda has to do  
13 with a provision -- two provisional ballots where a  
14 voter has signed the poll book, and their -- the  
15 precinct that was on file in the poll book, and  
16 then they also voted provisional ballot at another  
17 precinct --

18 MS. KLCO: Yeah.

19 DIRECTOR ANTHONY: Is that -- is that  
20 right? Yeah.

21 MS. KLCO: Uh-huh.

22 DIRECTOR ANTHONY: Okay. Do you want  
23 to give more information on that?

24 MS. KLCO: These two voters signed the

1 poll book and were given credit for voting in their  
2 old precinct. There's no indication that they were  
3 told then, oh, you have to go someplace else.  
4 There's nothing written on any of the problems or  
5 correction pages. Then these two voters went to  
6 their new voting location and voted a provisional  
7 ballot there.

8 DEPUTY DIRECTOR DAMSCHRODER: So we  
9 really don't know whether they cast two ballots or  
10 not. All of the evidence -- the signed poll book  
11 indicates that they voted -- they signed the poll  
12 book and cast a regular ballot, because you're not  
13 supposed to sign the poll book unless you've been  
14 issued a regular -- the opportunity for you to vote  
15 to cast a regular ballot, so...

16 BOARD MEMBER MANIFOLD: Did the  
17 machine -- did the machines in those locations show  
18 the right number? Wouldn't it show up at the under  
19 vote or vote? Wouldn't it show up if we had two --

20 MS. KLCO: I think they both showed up  
21 with under votes. I think they --

22 BOARD MEMBER MANIFOLD: So there was a  
23 long period. I see what you mean.

24 MS. KLCO: Like two people didn't sign

1 the poll book.

2 BOARD MEMBER MANIFOLD: Okay.

3 MS. KLCO: You see what I mean?

4 BOARD MEMBER MANIFOLD: I see.

5 DEPUTY DIRECTOR DAMSCHRODER: More  
6 votes than signatures.

7 BOARD MEMBER MANIFOLD: Okay.

8 BOARD MEMBER MARINELLO: Mr. Chairman,  
9 I move that the Board reject as invalid the two --  
10 excuse me -- identified provisional ballots from  
11 voters who signed the signature poll book in their  
12 former precinct, but voted a provisional ballot in  
13 their precinct.

14 DIRECTOR ANTHONY: Is there a second?

15 BOARD MEMBER MANIFOLD: I'll second.

16 DIRECTOR ANTHONY: All those in favor  
17 say aye?

18 BOARD MEMBERS: Aye.

19 DIRECTOR ANTHONY: That motion carries.

20 The next item on the agenda is the  
21 remaining provisional ballots. And as you can see  
22 from the sheets, I guess there's something like  
23 13,986 of them, rejection of 1,426.

24 Are there any questions? Anybody

1 want -- Renee, you want to add anything to that?

2 MS. KLCO: No.

3 DIRECTOR ANTHONY: Okay. Any other  
4 questions on that?

5 (No audible response.)

6 DIRECTOR ANTHONY: We will entertain a  
7 motion.

8 BOARD MEMBER MARINELLO: Mr. Chairman,  
9 I move that the Board accept the staff  
10 recommendation for the validation of 13,986, and  
11 rejection, 1,426, of the remaining provisional  
12 ballots as submitted.

13 DIRECTOR ANTHONY: Is there a second?

14 BOARD MEMBER MANIFOLD: Second.

15 DIRECTOR ANTHONY: All those in favor  
16 say aye?

17 BOARD MEMBERS: Aye.

18 DIRECTOR ANTHONY: The motion carries.

19 The next matter is -- I guess we need  
20 to go into executive session?

21 DEPUTY DIRECTOR DAMSCHRODER: I don't  
22 think we need to, unless we -- unless we want --  
23 unless there's anything in particular we want to  
24 discuss?

1 DIRECTOR ANTHONY: No, let's not.

2 The next item has to -- I mean, does  
3 anybody want to go in executive session to  
4 discuss --

5 BOARD MEMBER MANIFOLD: No. No.

6 DIRECTOR ANTHONY: Okay. It has to do  
7 with accrual of comp time. What we would like to  
8 do is have our policy reflect what the county  
9 policy reflects as it relates to exempt employees.

10 BOARD MEMBER MARINELLO: I think that,  
11 Mr. Chairman, I move that effective today the Board  
12 amend its overtime and compensatory leave policy,  
13 as it relates to exempt employees, permitting the  
14 Director and Deputy Director to accrue a maximum of  
15 80 hours of personal administrative leave up from  
16 the current maximum of 40 to closely follow the  
17 policy adopted by the county commissioners covering  
18 their exempt employees.

19 BOARD MEMBER MANIFOLD: I'll second.

20 DIRECTOR ANTHONY: All those in favor?

21 BOARD MEMBERS: Aye.

22 DIRECTOR ANTHONY: The motion carries.

23 And the next motion, we normally at the  
24 end of the year allow our employees to have a --

1 our full-time employees, we give them some leeway  
2 on some personal leave.

3 Of course, this is my first year as  
4 Director doing this, so, Matt, can you explain that  
5 a little bit more?

6 DEPUTY DIRECTOR DAMSCHRODER: Sure. We  
7 have in the past -- the Director and Deputy  
8 Director have brought to the Board a request,  
9 particularly in even numbered years where staff has  
10 worked particularly hard and still has a lot of  
11 stuff to do between now and the holidays, to give  
12 staff four paid days of additional leave to use  
13 during the week before Christmas or the week before  
14 New Years.

15 The office will remain open to the  
16 public. We'll have -- continue to have equal  
17 numbers of Republicans and Democrats here to staff  
18 the office, but it just gives folks four extra days  
19 to take off around the holidays and spend time with  
20 family and friends that they didn't get to see for  
21 the last three months.

22 DIRECTOR ANTHONY: Again, this is  
23 something that we've done for a number of years.

24 DEPUTY DIRECTOR DAMSCHRODER: Correct.



1                   DIRECTOR ANTHONY: Yes.

2                   BOARD MEMBER MARINELLO: I move that  
3 the Board grant each regular full-time employee  
4 32 hours of paid personal leave to be used between  
5 December 20th and December 30th.

6                   BOARD MEMBER MANIFOLD: I'll second.

7                   DIRECTOR ANTHONY: All those in favor  
8 say aye?

9                   BOARD MEMBERS: Aye.

10                  DIRECTOR ANTHONY: The motion carries.

11                  Before we adjourn, we've got some  
12 upcoming meetings we want to advise everybody of.

13                  Next Tuesday, the 23rd, at 3:00 p.m.,  
14 we're going to vote on the official certification  
15 of the election, and we're also going to draw  
16 precincts, if you guys recall, for our post  
17 election audit.

18                  And then on Monday that following week,  
19 Monday, December 6th, we're going to meet again to  
20 certify results of recounts, if there are any, and  
21 the post election audit and conduct other business  
22 if needed.

23                  So those are two dates you need, the  
24 23rd and December the 6th.

1 BOARD MEMBER MARINELLO: Okay.

2 DIRECTOR ANTHONY: With that, I'll set  
3 the motion to adjourn.

4 BOARD MEMBER MARINELLO: So moved.

5 DIRECTOR ANTHONY: You've got to give  
6 the motion first.

7 BOARD MEMBER MARINELLO: Do I?

8 DIRECTOR ANTHONY: Yeah.

9 BOARD MEMBER MANIFOLD: I'll make a  
10 motion to adjourn.

11 DIRECTOR ANTHONY: And Kim so moved it.

12 BOARD MEMBER MARINELLO: So moved it.

13 DIRECTOR ANTHONY: So we stand  
14 adjourned. Thank you.

15 - - - - -

16 Thereupon, the proceedings were  
17 concluded at 3:35 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 6<sup>th</sup> day of December, 2010.

Jennifer L. Koontz

JENNIFER L. KOONTZ  
Certified Digital Reporter  
Notary Public - State of Ohio  
My commission expires September 15, 2013.

Gloria Tovar Smith

GLORIA TOVAR SMITH  
Certified Digital Transcriber