

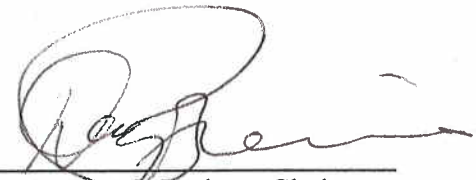
FRANKLIN COUNTY BOARD OF ELECTIONS
280 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 462-3100

MINUTES OF THE MEETING ON

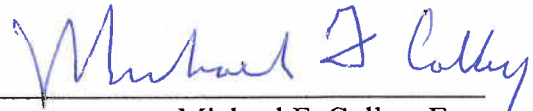
12-6-10

APPROVED ON 1-3-11

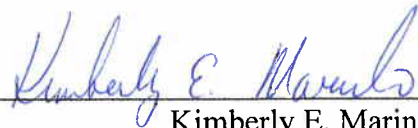
BY:



Douglas J. Preisse, Chairman



Michael F. Colley, Esq.

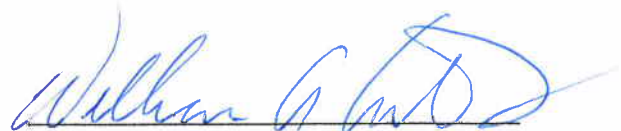


Kimberly E. Marinello



Zachary Manifold

ATTEST:



William A. Anthony, Jr., Director

1 ORIGINAL

2 MEETING: Franklin County BOE Board Meeting

3 DATE OF DELIVERY:

4 Franklin County BOE
5 280 East Broad Street
6 Columbus, Ohio 43215
7 By Ms. Suzanne Brown

8 _____
9 Suzanne Brown

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BEFORE THE BOARD OF ELECTIONS
OF FRANKLIN COUNTY, OHIO

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IN RE:
Board Meeting

Proceedings before Chairman Douglas J.
Preisse, Board Members Michael F. Colley,
Kimberly E. Marinello, and Zachary E.
Manifold, with Director William A. Anthony,
Jr., and Deputy Director Matthew Damschroder,
taken at the Board of Elections, 280 East
Broad Street, Columbus, Ohio, on Monday,
December 6, 2010 at 3:10 o'clock p.m.

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1 APPEARANCES:

2 Franklin County Prosecutor's Office
3 13th Floor
4 373 South High Street
5 Columbus, Ohio 43215
6 By Mr. Patrick Piccininni,
7 On behalf of the Board.

8 ALSO PRESENT:

9 Ms. Suzanne Brown
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P R O C E E D I N G S
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DIRECTOR ANTHONY: Good afternoon.
I would like to call the Franklin County
Board of Elections meeting to order. I'll do
the roll call. Kimberly Marinello?

MS. MARINELLO: Here.

DIRECTOR ANTHONY: Zachary Manifold?

MR. MANIFOLD: Here.

DIRECTOR ANTHONY: Douglas Preisse?

CHAIRMAN PREISSE: Here.

DIRECTOR ANTHONY: Michael Colley?

MR. COLLEY: Here.

DIRECTOR ANTHONY: All are present
and accounted for. The first item on the
agenda would be to approve the Board minutes
of November 23, 2010.

MS. MARINELLO: Mr. Chairman, I move
that the minutes of the meeting of the Board
held on November 23, 2010 be approved as
submitted.

DIRECTOR ANTHONY: Is there a second
to that?

1 MR. COLLEY: Second.

2 DIRECTOR ANTHONY: All those in
3 favor?

4 (All say aye.)

5 DIRECTOR ANTHONY: Minutes are
6 approved and pass them down for signature.
7 The next item is the recount. It went pretty
8 good, Matt. Do you have anything -- it was
9 like the regular votes cast election. There
10 were no changes in it. We held them here and
11 at the warehouse and we had observers and it
12 went smoothly.

13 MR. DAMSCHRODER: Yep. We -- yeah,
14 it went very smoothly.

15 MR. MANIFOLD: Mr. Chairman, I move
16 that the results of the recounts conducted
17 for Issue 18b, the Local Liquor Option
18 Election for Columbus Ward 38, Precinct B,
19 and Issue 5, the Gahanna-Jefferson City
20 School District Levy, be officially certified
21 as submitted.

22 DIRECTOR ANTHONY: Is there a
23 second?

24 CHAIRMAN PREISSE: Probably worth

1 seconding.

2 DIRECTOR ANTHONY: All those in
3 favor say aye.

4 (All say aye.)

5 DIRECTOR ANTHONY: All right. The
6 next item on the agenda is I guess as a
7 result of the election we had a couple of
8 presiding judges that ended up going to a
9 tie; is that what it was?

10 MR. DAMSCHRODER: Correct. The
11 major party candidates for Governor in two
12 precincts, being Westerville Ward 5, Precinct
13 A, and Columbus Ward 80, Precinct C,
14 Strickland and Kasich, tied in those two
15 precincts which means we have to flip a coin
16 to decide which party will have the presiding
17 judge in those two precincts for the next
18 four years.

19 So we provided Ms. Marinello with a
20 quarter. If you want to do two flips. The
21 first one will be for Columbus Ward 80,
22 Precinct C, and we'll do Republican, heads;
23 Democrat, tails. And then we'll flip it on
24 the other one.

1 MS. MARINELLO: Ready? (Flips.) It
2 is a tail.

3 MR. DAMSCHRODER: So Democrats in
4 Columbus Ward 80, Precinct C.

5 MS. MARINELLO: (Flips.) That's
6 heads.

7 MR. DAMSCHRODER: So if you want to
8 fill out Democratic and then Republican on
9 the two lines respectively, and then we'll
10 have that motion.

11 MS. MARINELLO: Mr. Chairman, the
12 vote totals of the major political party
13 candidates for Governor having resulted in a
14 tie at the November 2, 2010 general election
15 and the decision having been made by the flip
16 of a coin pursuant to state law, I move that
17 the Board assign a member of the Democratic
18 Party to be the presiding judge for Columbus
19 Ward 80, Precinct C, and a member of the
20 Republican Party to be the presiding judge
21 for Westerville Ward 5, Precinct A.

22 DIRECTOR ANTHONY: Is there a
23 second?

24 MR. COLLEY: Second.

1 DIRECTOR ANTHONY: All in favor say
2 aye.

3 (All say aye.)

4 DIRECTOR ANTHONY: Motion carries.
5 We also got a -- next item on the agenda, we
6 received a letter from the Secretary of State
7 that said Columbus Ward 69, we have more than
8 the prescribed 1400 registered voters in that
9 ward and we needed to shift it, move some
10 folks around so that we would be within the
11 guidelines of the 1400 persons per precinct.

12 MS. BROWN: The Board members have a
13 copy of the letter.

14 MR. DAMSCHRODER: It's Precinct I
15 and I think there's a letter from the
16 Secretary in your packet.

17 MS. BROWN: On the inside of your
18 folder.

19 MR. MANIFOLD: Is that the only
20 precinct we have? I thought when I was going
21 through some of the results, the numbers and
22 registered voters, aren't there precincts
23 with more than 1400?

24 MR. DAMSCHRODER: It may very well

1 be that after we finish doing data entry of
2 provisionals and other voter registration
3 forms that there might be a couple other
4 ones. But this is one that Secretary of
5 State and that office is continuing pursuit
6 of accurately and effectively implementing
7 the League of Women Voters' consent order,
8 decides to send pro-active letters to Boards
9 asking -- reminding us of our statutory
10 obligation.

11 MS. MARINELLO: Mr. Chairman, the
12 number of active registered voters in
13 Columbus Ward 69, Precinct I, having exceeded
14 the statutory threshold of 1400, I move that
15 the Board divide the precinct along the
16 boundaries and with the new naming
17 designations as proposed by staff.

18 DIRECTOR ANTHONY: Is there a
19 second?

20 MR. COLLEY: Second.

21 DIRECTOR ANTHONY: All those in
22 favor, say aye.

23 (All say aye.)

24 MR. DAMSCHRODER: Just a brief

1 commentary on the next one that there's three
2 places -- six precincts, three pairs where
3 the precincts can be combined and within the
4 same voting location and not be near the 1400
5 threshold. This is similar to what we did
6 earlier this year, there's these six that can
7 be consolidated down to three.

8 MS. MARINELLO: I move that Columbus
9 Ward 17, Precinct B be merged with Columbus
10 Ward 17, Precinct D; that Columbus Ward 26,
11 Precinct B be merged with Columbus Ward 26,
12 Precinct C; and that Columbus Ward 84,
13 Precinct F be merged with Columbus Ward 84,
14 Precinct H with the new naming designations
15 as proposed by staff.

16 DIRECTOR ANTHONY: Is there a
17 second?

18 MR. COLLEY: Second.

19 DIRECTOR ANTHONY: All those in
20 favor say aye.

21 (All say aye.)

22 MR. DAMSCHRODER: The next one as we
23 discussed at a couple previous meetings, as
24 you recall there was a question on election

1 night as to the perceived legality or
2 illegality of a long-standing Board practice
3 that when we mail a voting location change
4 reminder or just a notice from the Board of
5 Elections, as we may from time to time to a
6 person, if that comes back as undeliverable,
7 we treat them as in the same manner as we do
8 notices sent under a different section of the
9 law which results in a person -- since we
10 know they've moved, or at least the post
11 office says they've moved, treating them as a
12 provisional voter in the poll book and they
13 go back to their old voting location.

14 That question as you recall came
15 under fire election night. Now that the dust
16 has kind of settled from the election and
17 people are moving on, I think it is prudent
18 for the Board to take the steps to determine
19 whether or not that practice should be
20 continued or not.

21 And I think the first step is to
22 determine whether or not it's legal for us to
23 do that. So this would be to ask our
24 statutory -- legal counsel to give us a

