

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

MINUTES OF THE MEETING ON

2/7/2011

APPROVED ON

3/10/2011

BY:

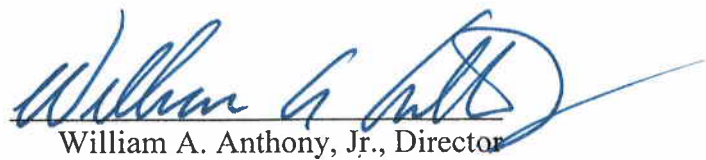

Douglas J. Preisse, Chairman


Michael F. Colley, Esq.


Kimberly E. Marinello


Zachary Manifold

ATTEST:


William A. Anthony, Jr., Director

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

FRANKLIN COUNTY BOARD OF ELECTIONS

FRANKLIN COUNTY, OHIO

- - - - -

In Re: :

Regular Meeting :

:

- - - - -

Proceedings before Chairman Douglas J. Preisse; Director William A. Anthony, Junior; Deputy Director Nathan Burd; and Board Members Michael Colley and Kimberly E. Marinello; taken at the Franklin County Board of Elections, 280 East Broad Street, Columbus, Ohio, on Monday, February 7, 2011, at 3:07 o'clock p.m.

- - - - -

1 APPEARANCES:

2 Franklin County Prosecuting Attorney
3 373 South High Street
4 13th Floor
5 Columbus, Ohio 43215
6 By Mr. Patrick J. Piccininni,
7 Assistant Prosecuting Attorney,

8 On behalf of the Board.

9

10

11 ALSO PRESENT:

12

13 Ms. Suzanne Brown, Secretary
14 Ms. Renee Klco, Voter Services Manager
15 Ms. Karen Cotton, Operations Manager

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

- - - - -
P R O C E E D I N G S
- - - - -

DEPUTY DIRECTOR BURD: Well, we will open the meeting with a roll call.

Mr. Colley?

BOARD MEMBER COLLEY: Here.

DEPUTY DIRECTOR BURD: Chairman Preisse?

CHAIRMAN PREISSE: Here.

DEPUTY DIRECTOR BURD: Mr. Manifold?
(No response.)

DEPUTY DIRECTOR BURD: Ms. Marinello?

BOARD MEMBER MARINELLO: Here.

DEPUTY DIRECTOR BURD: We have a quorum.

The next item on the agenda is the approval of the minutes from the January 3rd, 2011, meeting.

Is there a motion for approval?

BOARD MEMBER MARINELLO: Mr. Chairman, I move that the minutes of the meeting of the Board held on January 3rd, 2011, be approved as submitted.

1 BOARD MEMBER COLLEY: Second.

2 DEPUTY DIRECTOR BURD: All in favor?

3 BOARD MEMBERS: Aye.

4 DEPUTY DIRECTOR BURD: The minutes are
5 approved.

6 The next item on the agenda is a
7 possible duplicate voter case. You all have some
8 documentation on your desk of what we're discussing
9 here. It regards a Mr. Jason S. Slone, who,
10 based on our documentation, in 2008 voted absentee
11 in Franklin County and also voted in-person in
12 Delaware County.

13 You have the documentation, including
14 registration cards, signature envelopes, and the
15 poll book page from Delaware County. And so the
16 request is to be able to allow us to send this on
17 to the Franklin County Prosecutor's Office for
18 further investigation.

19 CHAIRMAN PREISSE: So walk us through
20 these. Which -- what are we supposed to look at?
21 This?

22 DEPUTY DIRECTOR BURD: Yeah, the --

23 CHAIRMAN PREISSE: Where's our
24 contradictory evidence?

1 DEPUTY DIRECTOR BURD: Well, it's in
2 order, so the first thing you see is the
3 registration cards. That's the first page for
4 Franklin County.

5 CHAIRMAN PREISSE: Uh-huh.

6 DEPUTY DIRECTOR BURD: And the next
7 page is the signature envelope showing that he
8 voted absentee in 2008 here in Franklin.

9 In early '08 he changed his
10 registration to Delaware County, did not notify
11 Franklin County that he had moved, and so the last
12 document you see is where he signed the poll book
13 in Delaware County. And so we have what appears to
14 be evidence that he voted absentee here and voted
15 in-person there and never notified the Franklin
16 County Board that he had moved and changed his
17 registration.

18 MR. PICCININNI: Was there an actual
19 ballot issued to him?

20 DEPUTY DIRECTOR BURD: Yes. Yes, and
21 it was returned. Yeah.

22 CHAIRMAN PREISSE: But that evidence
23 isn't here?

24 DEPUTY DIRECTOR BURD: Yeah, the signed

1 envelope that you see --

2 CHAIRMAN PREISSE: Oh, that's the
3 envelope.

4 DEPUTY DIRECTOR BURD: -- is what
5 included his absentee ballot, so this is how we
6 know that it came back to us as a voted ballot.

7 And then the last page --

8 CHAIRMAN PREISSE: Unless he sent it
9 back and said -- what --

10 MR. PICCININNI: Was the ballot
11 already counted?

12 DEPUTY DIRECTOR BURD: We'll have to
13 check on that, but we are under the assumption --

14 CHAIRMAN PREISSE: What if there was a
15 note inside that said, "I'm not using this because
16 I moved."

17 DEPUTY DIRECTOR BURD: Well, I'll have
18 to check on that, but --

19 MS. KLCO: Our records indicate that he
20 did send it back and we did give him credit for
21 voting an absentee ballot in '08.

22 CHAIRMAN PREISSE: You did give him
23 credit --

24 MS. KLCO: Right.

1 CHAIRMAN PREISSE: -- for voting. And
2 credit is awarded when the envelope comes back or
3 when you look at the inside?

4 MS. KLCO: When the envelope comes back,
5 it's scanned in. And then we just open them right
6 when -- as soon as we are allowed to.

7 CHAIRMAN PREISSE: So we don't really
8 know what was in there. We assume it was -- we're
9 assuming it was a ballot.

10 DIRECTOR ANTHONY: It was a ballot.

11 CHAIRMAN PREISSE: It was a ballot?
12 How do we know it was a ballot?

13 DIRECTOR ANTHONY: Well, when you open
14 them up the --

15 CHAIRMAN PREISSE: But it's scanned
16 before you open it, right?

17 MR. PICCININNI: It's scanned.

18 MS. KLCO: The ballot itself isn't
19 scanned, the envelope is scanned --

20 CHAIRMAN PREISSE: Uh-huh.

21 MS. KLCO: -- and then after we scan it
22 as having received the enveloped back with the
23 ballot in it, then it goes to --

24 CHAIRMAN PREISSE: Yeah, but "with the

1 ballot in it" is an assumption.

2 MS. KLCO: If we open an envelope and
3 there is no ballot in it, that's when we bring it
4 to the attention of the absentee department.

5 CHAIRMAN PREISSE: And what happens?
6 But it's already been scanned as received.

7 MS. KLCO: They can always, after the
8 fact, go in and say that it was an empty envelope,
9 there was no ballot received.

10 CHAIRMAN PREISSE: They can?

11 MS. KLCO: They can.

12 CHAIRMAN PREISSE: But they don't
13 necessarily must.

14 MS. KLCO: No, they have to.

15 CHAIRMAN PREISSE: They have to?+

16 MS. KLCO: Yeah.

17 CHAIRMAN PREISSE: So we -- so that
18 would have happened, we presume, if it were an
19 empty --

20 DIRECTOR ANTHONY: That's correct,
21 yeah.

22 CHAIRMAN PREISSE: Is that right?

23 DEPUTY DIRECTOR BURD: Uh-huh.

24 MR. PALMER: Yes. Yeah.

1 CHAIRMAN PREISSE: There's enough
2 evidence for you guys?

3 MR. PICCININNI: Send it to us and then
4 we'll take it -- we'll do our analysis and proceed
5 accordingly. This motion -- it was my
6 understanding, Mr. Chairman, this motion was only
7 to refer this to our office --

8 CHAIRMAN PREISSE: Right, I understand.

9 MR. PICCININNI: -- (inaudible).

10 CHAIRMAN PREISSE: I understand. I'm
11 just --

12 MR. PICCININNI: And if we find that
13 there's, you know, reasonable grounds to proceed
14 accordingly, I'm sure the Franklin County
15 Prosecutor will proceed accordingly.

16 CHAIRMAN PREISSE: I have every
17 confidence he will.

18 MR. PICCININNI: I have every
19 confidence in the world that he will, too.

20 CHAIRMAN PREISSE: Okay.

21 DEPUTY DIRECTOR BURD: Any other
22 questions?

23 (No audible response.)

24 DEPUTY DIRECTOR BURD: Is there a

1 motion?

2 BOARD MEMBER COLLEY: Mr. Chairman, I
3 move that the case be referred to the Franklin
4 County Prosecutor's Office for investigation.

5 BOARD MEMBER MARINELLO: Second.

6 DEPUTY DIRECTOR BURD: All in favor?

7 BOARD MEMBERS: Aye.

8 DEPUTY DIRECTOR BURD: All right.

9 Thank you.

10 DIRECTOR ANTHONY: Okay. The next item
11 on the agenda has to do with a precinct split in
12 Ward 69, I through K.

13 We were notified by the Secretary of
14 State's Office that we had more than allowable
15 number of registered voters there and we had to
16 split the precinct; which, you know, this is not
17 too uncommon.

18 And I have Karen here to -- Ms. Cotton,
19 to give us the great details on this. Ms. Cotton?

20 MS. COTTON: In late November, early
21 December we came to the Board requesting that the
22 Board give us permission to split the one precinct
23 from 69I and create a new precinct, 69K.

24 We looked at the growth in the area and

1 the proposed growth in the area and decided to use
2 a continuation of a street that was in existence at
3 that precinct; however -- since this block did not
4 follow that line. So we submitted to the Secretary
5 of State's Office for a waiver, and on December
6 29th that waiver was denied.

7 So we relooked at the information; and
8 in the interim, there were some additional census
9 block lines that became available from the new
10 census. We found where we could break the precinct
11 along a different line. Not accomplishing exactly
12 the results that we wanted to accomplish, but it
13 would, in fact, get the precinct under the
14 14,000 -- 1,439 active voters that was currently in
15 the precinct.

16 We just received, on the 2nd of February,
17 our three-digit code, so we can move forward with
18 that change for 69K.

19 DIRECTOR ANTHONY: Any questions for
20 Karen?

21 (No audible response.)

22 BOARD MEMBER MARINELLO: Mr. Chairman,
23 I move that the Board of Elections approve the
24 creation of Bonus Ward 69, Precinct K.

