

1 APPEARANCES:

2 Franklin County Prosecutor's Office
3 By Ms. Harold J. Anderson, III.
4 Assistant Prosecuting Attorney
5 373 South High Street, 13th Floor
6 Columbus, Ohio 43215

7 On behalf of the Board.

8 ALSO PRESENT:

9 Ms. Suzanne Brown,
10 Executive Assistant to the Board

11 Mr. Ben Piscitelli,
12 Public Information Officer,
13 Franklin County Board of Elections

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P R O C E E D I N G S

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DIRECTOR ANTHONY: Good afternoon. I'd like to call the Franklin County Board of Elections meeting to order. I'll do the roll call.

Kimberly Marinello?

BOARD MEMBER MARINELLO: Here.

DIRECTOR ANTHONY: Zachary Manifold?

BOARD MEMBER MANIFOLD: Here.

DIRECTOR ANTHONY: Douglas Preisse?

CHAIRMAN PREISSE: Here.

DIRECTOR ANTHONY: And Michael Colley?

BOARD MEMBER COLLEY: Here.

DIRECTOR ANTHONY: Mr. Chair, we are all here and accounted for.

The first item on the agenda would be the approval of the minutes for the July 2nd and July 9th meetings.

BOARD MEMBER MARINELLO: Mr. Chairman, I move the Board approve the minutes of the July 2nd and July 9th, 2012, meetings of the Franklin County Board of Elections as submitted.

DIRECTOR ANTHONY: Is there a second?

1 BOARD MEMBER MANIFOLD: Second.

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

4 BOARD MEMBERS: Aye.

5 DIRECTOR ANTHONY: And I'll pass that
6 around for everybody to sign off on.

7 The next item on the agenda is
8 provisional ballot approval. The Board will have to
9 give the staff the approval to at least examine the
10 ballots, the provisional ballots as they come in,
11 separate them, segregate them, and then get them
12 prepared for you guys to vote on the real
13 questionable ones, and so we always have to get
14 approval from you guys for us to begin the process on
15 that so we can have them ready to go for when we get
16 ready to do the certification. So that's what this
17 is and we do it every election cycle.

18 BOARD MEMBER MANIFOLD: Mr. Chairman, I
19 move that the Board allow the staff to examine and
20 categorize provisional ballot envelopes for the
21 August 7th Special Election before bringing them to
22 the Board for final approval. The staff may only
23 begin to count the provisional ballots after the
24 Board officially votes to determine the validity of

1 the ballots.

2 DIRECTOR ANTHONY: Is there a second?

3 BOARD MEMBER MARINELLO: Second.

4 DIRECTOR ANTHONY: All those in favor,
5 say aye.

6 BOARD MEMBERS: Aye.

7 DIRECTOR ANTHONY: The next item on the
8 agenda is we have to open the polls for the August
9 Special Election for August the 7th, and since we're
10 meeting a little before that, this meeting actually
11 will stay in recess until after the election, so we
12 need a motion to actually officially open the polls
13 for the August 7th Special.

14 BOARD MEMBER MANIFOLD: Mr. Chairman, I
15 move that the polls be declared open for the Tuesday,
16 August 7th, 2012 Special Election in the
17 Groveport-Madison School District beginning at
18 6:30 a.m. and closing at 7:30 p.m., and that in
19 accordance with Ohio Revised Code Section 3501.32,
20 any voter in line prior to the close of the polls at
21 7:30 p.m. shall be permitted to vote.

22 DIRECTOR ANTHONY: Is there a second?

23 BOARD MEMBER COLLEY: Second.

24 DIRECTOR ANTHONY: All those in favor,

1 say aye.

2 BOARD MEMBERS: Aye.

3 DIRECTOR ANTHONY: And every election we
4 have to present our voting machine allocation plan
5 and we've given that to you guys in Exhibit A. If
6 you want to take a moment to look at Exhibit A.
7 We're basically following the plan that we've used in
8 prior elections. As you can see, there's no fewer
9 than --

10 DEPUTY DIRECTOR WALCH: No fewer than
11 three per location.

12 DIRECTOR ANTHONY: -- no fewer than three
13 per location. So we have it by polling locations and
14 then the number of registered voters and then the
15 number of machines. The total number of machines
16 that we will allocate for the November election will
17 be 4,427 machines which will be allocated throughout
18 the county.

19 DEPUTY DIRECTOR WALCH: And, if I might,
20 Bill, we also have a request, and the Prosecutor's
21 office is looking into, we do have some additional
22 machines that previously had been sequestered under a
23 court case that was before the Board. We are looking
24 into whether we can begin to use those machines

1 again. And if we are cleared to use those machines
2 by the Attorney General's office, I believe is who we
3 have to get clearance on that from, we will add those
4 into this allocation so we can put even more machines
5 out. If we, in fact, are able to use those machines,
6 we will then amend this plan that's before you today.
7 So this number will only go up if we possibly can.
8 So I just wanted to let the Board know that also that
9 there could be some additional machines that are in
10 play that will add to this and amend this as we get
11 closer to the election.

12 DIRECTOR ANTHONY: Any questions?

13 We will entertain a motion.

14 BOARD MEMBER MANIFOLD: Mr. Chairman, I
15 move that the Board adopt the voting machine
16 allocation formula in Exhibit A, compiled by the
17 Board staff, for the November 6th, 2012 General
18 Election.

19 DIRECTOR ANTHONY: Is there a second?

20 BOARD MEMBER MARINELLO: Second.

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

23 BOARD MEMBERS: Aye.

24 DIRECTOR ANTHONY: The next item on the

1 agenda is the paper ballot allocation. Each federal
2 election cycle we have to allocate so many paper
3 ballots per voting location in order to give folks an
4 opportunity, a choice to either vote on the machines
5 or to request a paper ballot. Exhibit B is that
6 allocation. You can see we compared it to 2008 with
7 some adjustments to it. You can go through that.

8 We're packaging these in packets of --

9 DEPUTY DIRECTOR WALCH: 25.

10 DIRECTOR ANTHONY: -- 25 to make it easy
11 for us to track them. So all these numbers are based
12 on that 25 in a packet so that way we can account for
13 them. We'll instruct the poll workers not to open --
14 to only open the packets that they need to open, so
15 it will be easier for us to track all the ballots
16 when they come back in since we have to --

17 BOARD MEMBER MARINELLO: So if it says
18 175, it's 175 packets?

19 DIRECTOR ANTHONY: No. That will be the
20 actual number.

21 BOARD MEMBER MARINELLO: Oh.

22 DIRECTOR ANTHONY: It will be three --
23 well, five --

24 DEPUTY DIRECTOR WALCH: Seven packets --

1 DIRECTOR ANTHONY: Yeah.

2 DEPUTY DIRECTOR WALCH: -- of 25.

3 DIRECTOR ANTHONY: Of 25, yeah. My math
4 sucks.

5 DEPUTY DIRECTOR WALCH: These numbers are
6 in accordance with the Secretary of State directive
7 that says we have to provide at least 20 percent of
8 the vote from the last like election which would be
9 the 2008 Presidential of the number of votes cast in
10 those precincts.

11 So we have done -- these are, actually,
12 because of the rounding of the packets of 25, they're
13 actually a little bit above the 20 percent that we're
14 required to do. They're also actually split up not
15 only by precinct, but in those precincts where there
16 is a split in the precinct, we've allocated at least
17 25 ballots for if there's a split also. So these are
18 done, as you can see, not only by precinct, but also
19 by ballot style by split in that precinct, so.

20 CHAIRMAN PREISSE: Good.

21 DIRECTOR ANTHONY: And it's based on the
22 total number of registered voters as well.

23 CHAIRMAN PREISSE: All right.

24 BOARD MEMBER MARINELLO: Mr. Chairman, I

1 move the Board adopt the paper ballot printing
2 allocation formula found on Exhibit B for the
3 November 6th, 2012 General Election.

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: Motion carries.

10 The next item on the agenda, we have to
11 vote on a wait time policy. Basically, the way we're
12 looking at it, and look at item C, Exhibit C, this is
13 to be our wait time policy. Once the polls open,
14 if -- we may have some greeters at some of these
15 polling locations or the polling location manager
16 will, if they look out there and they see more than
17 25 people waiting in line to cast a ballot, they're
18 going to make an announcement that basically says
19 that paper ballots are available.

20 The caveat is unfortunately they can't
21 get out of line and then go vote a paper ballot.
22 They still have to wait their turn. And when they
23 come up to the table, they'll get a paper ballot, but
24 we have to make that announcement.

1 But it's not a -- it's not an
2 announcement where it will get you up in the line --
3 you don't get skipped up in the line by raising your
4 hand and saying I want to vote a paper ballot, but we
5 have to offer paper ballots.

6 And you can take your time and read the
7 whole policy. It's a similar policy that we've had
8 in past elections. We bumped it up from 20 to 25.
9 It made a little bit more sense if there's 25 folks
10 standing in line. And normally that will probably
11 happen in the a.m. and the p.m. after five.

12 DEPUTY DIRECTOR WALCH: The actual
13 announcement that the voting location manager would
14 make is in the next-to-last paragraph in the policy.

15 BOARD MEMBER MARINELLO: There's going to
16 be signs too, right?

17 DEPUTY DIRECTOR WALCH: That's correct.

18 DIRECTOR ANTHONY: Yes, there will be
19 signs posted.

20 DEPUTY DIRECTOR WALCH: We are required
21 to have signs.

22 DIRECTOR ANTHONY: Do you want me to read
23 that to you? I'll read it. What our poll workers
24 will say is that "Pursuant to Secretary of State

1 Directive 2012-27, please be aware that you have the
2 choice to vote either on the voting machines or by
3 paper ballot. You will be able to select your
4 preference after you have shown I.D. and signed the
5 signature poll book. Votes cast using the voting
6 machines and paper ballots today will be counted
7 tonight. Thank you."

8 So it's clear that they still don't get a
9 -- they still have to work their way up through the
10 line, show their I.D., and then they get a paper or
11 whatever, if their choice is paper, they get paper,
12 or they'll vote on the electronic voting machines.

13 BOARD MEMBER MANIFOLD: Mr. Chairman, I
14 move that the Board approve the Policy Governing
15 Voting Location Manager Announcements for the
16 Availability of Optical Scan Ballots for the
17 November 6th General Election pursuant to Secretary
18 of State Directive 2012-27 contained on Exhibit C.

19 DIRECTOR ANTHONY: Is there a second?

20 BOARD MEMBER COLLEY: Second.

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

23 BOARD MEMBERS: Aye.

24 DIRECTOR ANTHONY: We have a voting

1 location. So that's -- we've been kind of working
2 through this and it's taken a little time to make
3 this happen. We've gone out, we've looked all over
4 the county for a site that we thought would be large
5 enough and meet some of the other criteria, on a bus
6 line, plenty of parking, and located close to the
7 bulk of our voters.

8 And, after careful consideration and
9 looking at numerous sites, we chose the site at 1700
10 Morse Road. That site is a former Kohl's department
11 store. It sits between Karl Road and Tamarack
12 Circle. Most of you have been up on the north end of
13 town. And what makes it pretty good, too, is across
14 the street is an Ohio Job and Family Services main
15 center. It is on a bus line, it has plenty of
16 parking, and we have well over 100,000 square feet in
17 that facility.

18 So even on a rainy, cold day, if by
19 chance there's 2,000 people standing outside, waiting
20 to vote, we'll be able to put them inside, out of the
21 elements. Because we will not be using paper
22 ballots, we'll be using the DREs, we're going to have
23 100 voting machines set up, and between 25 and 30
24 folks processing, so we're hoping, it is our guess

1 that the whole voting experience will probably take a
2 voter no more than three minutes, max five minutes.

3 Again, it depends on the ballot style, it
4 depends if we have a four-page ballot or a two-page
5 ballot or, in this case, five screens or ten screens.
6 So we feel that we'll be able to process voters
7 pretty quickly and that there should not be the long
8 lines that we experienced in 2008. We'll be able to
9 move through the line a lot faster because you won't
10 have to print a four-page ballot for every voter.

11 Anyway, before we do all that, we need to
12 have the Board approve us leasing that site at 1700
13 Morse Road. It's a blank slate. The whole site, you
14 know, is wide open, we just think it's a great site.
15 The site is basically close to over 60 percent of our
16 voters, the center, so it's a real accessible site.

17 DEPUTY DIRECTOR WALCH: We like the site
18 because it is, in simplistic terms, picture an empty,
19 big department store and that's really what it is.
20 So it allowed us the ability and the flexibility to
21 kind of set the center up as we wanted to make it as
22 quick and convenient for everybody that came in as we
23 could. As Bill said, there's plenty of room inside
24 of it that people will be able to wait inside if

1 outside there's a long line, et cetera. It provided
2 us a lot of options for how to set it up as
3 conveniently and quickly for the voters as we
4 possibly could.

5 CHAIRMAN PREISSE: And the County
6 Commissioners have been there?

7 DIRECTOR ANTHONY: I don't know if
8 they've been there, but they've had -- PFM has been
9 actively involved in the site-selection process and
10 also the negotiation of the contract.

11 DEPUTY DIRECTOR WALCH: This contract's
12 been vetted by PFM, run through the Prosecutor's
13 office, gotten the blessing of everybody at that
14 level that it's legal, and the county thinks it's a
15 good price for the space we're getting, et cetera.
16 So we think it's a good option for the early vote
17 center.

18 CHAIRMAN PREISSE: You guys have been up
19 there to look at it?

20 DEPUTY DIRECTOR WALCH: Numerous times.

21 DIRECTOR ANTHONY: Oh, yeah.

22 CHAIRMAN PREISSE: Ingress and egress,
23 and the parking seems to be ample and simple?

24 DEPUTY DIRECTOR WALCH: Yes. There's a

1 great deal of parking.

2 CHAIRMAN PREISSE: We've talked about it
3 so many times, we're just executing the contract.

4 DEPUTY DIRECTOR WALCH: That's correct.

5 DIRECTOR ANTHONY: Yes. As a matter of
6 fact, we've done a lot of GIS stats for that area,
7 and I can show you those at a later date, but it's a
8 much better location than Vets was in many ways.
9 Vets was a downtown location, but it was still far
10 away from voters.

11 This site, it will be a lot closer to
12 voters and it will be -- and I don't know if you've
13 been up on Morse Road lately, but there's a lot of
14 traffic on Morse Road. And we'll do signage out
15 there so folks will know the site's there and we'll
16 do what we can to promote that site.

17 And we, again, when we approved our
18 budget back in whenever we did it, we have a generous
19 budget to do some promotion for this site for the
20 early vote and so we plan to do what we can to get
21 the word out to community folks and to the citizens
22 and the voters.

23 BOARD MEMBER MARINELLO: It probably has
24 a lot of the handicap accessible features already in

1 place.

2 DIRECTOR ANTHONY: It is. There's no
3 stairs.

4 DEPUTY DIRECTOR WALCH: No stairs, yeah.

5 DIRECTOR ANTHONY: There's nothing.
6 There's no elevators that go up.

7 BOARD MEMBER MARINELLO: Parking.

8 DEPUTY DIRECTOR WALCH: It will work very
9 well for us actually from a standpoint of voters
10 going in one area, being able to vote, then come out
11 another area because there's two big sets of doors as
12 with a big department store.

13 CHAIRMAN PREISSE: Okay.

14 BOARD MEMBER MANIFOLD: Is there any
15 concern, it looks like the lease ends November 17th.

16 DEPUTY DIRECTOR WALCH: That's correct.

17 BOARD MEMBER MANIFOLD: But we have an
18 option to extend it?

19 DIRECTOR ANTHONY: Yeah. But we
20 shouldn't need it. After the election, we'll -- our
21 machines will be locked down and moved out. We'll be
22 out of there in less than a week. And we will have
23 security, 24/7 security inside and out.

24 BOARD MEMBER MANIFOLD: And, you know, I

1 want to thank the staff for all the work you guys --
2 you guys have been looking a long time. I know a
3 lots gone into this and I think, you know, I think as
4 you mentioned, the GIS, and the GIS maps you guys put
5 together to show the number of voters that use the
6 in-person early voting in 2008, and both when we
7 mapped out those 65,000 people and said, you know,
8 different buffers of 1 mile, 2 miles, 5 miles, you
9 know, I think it was pretty comparable on people
10 living within that buffer zone.

11 DIRECTOR ANTHONY: In some ways it was
12 better than the Vets.

13 BOARD MEMBER MANIFOLD: Yeah. In many
14 ways you expect it to be less just because that's
15 where it was, but it was good, and, you know, I
16 really appreciate the staff's work.

17 DEPUTY DIRECTOR WALCH: Thank you.

18 DIRECTOR ANTHONY: Thank you.

19 BOARD MEMBER MANIFOLD: All right.

20 Mr. Chairman, I move that the Board authorize the
21 Director and Deputy Director to execute the contract
22 with NMRD Limited, detailed in Exhibit D, for the
23 rental of a location located at 1700 Morse Road,
24 Columbus, Ohio, for the Board to conduct our

1 in-person absentee vote center.

2 DIRECTOR ANTHONY: Is there a second?

3 BOARD MEMBER MARINELLO: Second.

4 DIRECTOR ANTHONY: All those in favor,
5 say aye.

6 BOARD MEMBERS: Aye.

7 DIRECTOR ANTHONY: The next item on the
8 agenda is to set hours for our in-person absentee
9 vote center.

10 CHAIRMAN PREISSE: And I move that the
11 hours of operation of the in-person absentee vote
12 center reflect the Board's hours of operation,
13 namely, 8:00 a.m. to 5:00 p.m., Monday through
14 Friday.

15 DIRECTOR ANTHONY: Is there a second?

16 BOARD MEMBER COLLEY: Second.

17 DIRECTOR ANTHONY: I'll do a roll call.

18 Kim Marinello?

19 BOARD MEMBER MARINELLO: Yes. No.

20 Sorry. We're not voting.

21 DIRECTOR ANTHONY: Okay. Let me -- Kim
22 Marinello?

23 BOARD MEMBER MARINELLO: No.

24 DIRECTOR ANTHONY: Zach Manifold?

1 BOARD MEMBER MANIFOLD: No.

2 DIRECTOR ANTHONY: Doug Preisse?

3 CHAIRMAN PREISSE: Yes.

4 DIRECTOR ANTHONY: Michael Colley?

5 BOARD MEMBER COLLEY: Yes.

6 DIRECTOR ANTHONY: We have a tie vote.

7 BOARD MEMBER MANIFOLD: Mr. Chairman, I
8 move -- wait.

9 DIRECTOR ANTHONY: We can do the --

10 BOARD MEMBER MANIFOLD: We do the
11 extended. Okay. All right. Mr. Chairman, I move
12 that the Board of Elections have expanded voting
13 hours of Saturday, August -- Saturday, October 6th,
14 Saturday, October 13th, Saturday, October 20th, and
15 Saturday, October 27th, 8:00 a.m. to 4:00 p.m.;
16 Sunday, October 7th, Sunday, October 14th, Sunday,
17 October 21st, and Sunday, October 28th from 8:00 to
18 noon; and, as well, expanded hours Monday through
19 Friday, 5:00 p.m. to 7:00 p.m., except for the final
20 Friday. I guess that's it.

21 DIRECTOR ANTHONY: Is there a second?

22 BOARD MEMBER MARINELLO: Second.

23 DIRECTOR ANTHONY: I'll do a roll call
24 vote.

1 Kim Marinello?

2 BOARD MEMBER MARINELLO: Yes.

3 DIRECTOR ANTHONY: Zach Manifold?

4 BOARD MEMBER MANIFOLD: Yes.

5 DIRECTOR ANTHONY: Douglas Preisse?

6 CHAIRMAN PREISSE: No.

7 DIRECTOR ANTHONY: Michael Colley?

8 BOARD MEMBER COLLEY: No.

9 DIRECTOR ANTHONY: We have, in essence,
10 two tie votes, and so we will forward those on. I'm
11 not sure what's going to happen with that. Well, I
12 do know what's going to happen with that.

13 All right. The next item on the agenda
14 would be, we contract with the John Glenn School.
15 This will be our second contract with the John Glenn
16 School where we use interns to basically look at ways
17 to excite and motivate young folks to get registered
18 and in to vote. We call these folks our
19 "Glennterns," our play on John Glenn.

20 But we need to enter into a contract and
21 we select one Democrat and one Republican from the
22 John Glenn School and they go about making this
23 happen. The last Glennterns did a great job. They
24 produced a nice presentation that they took to high

1 schools. They were able to generate a lot of
2 excitement and newly registered voters, so this is
3 something that we hope will become a mainstay in our
4 operation for years to come.

5 We've selected the Democratic student
6 already and I know the Republicans have two students
7 to choose from.

8 DEPUTY DIRECTOR WALCH: We're in the
9 process. I think there's still a couple days left
10 for potential Republican students to apply for the
11 position. We have had two so far. Once the deadline
12 is completed, we'll interview both of those
13 candidates and pick one of them to be the Republican
14 Glenntern for the coming year.

15 DIRECTOR ANTHONY: And Exhibit E in your
16 packet is the actual contract. And what we would
17 like the Board to do is to authorize the Director and
18 Deputy Director to enter into this contract with the
19 John Glenn School at the Ohio State University.

20 DEPUTY DIRECTOR WALCH: I might add this
21 is something that has been budgeted in our already
22 approved budget by the Commissioners for the year.

23 DIRECTOR ANTHONY: Right. Any questions?

24 And, if you like, we have all the work

1 that the previous students did that I could e-mail
2 you the presentation that they put together. It was
3 a pretty decent presentation. And we've instructed,
4 as we will every new intern that, you know, they have
5 to come up with a new and better way of doing things.
6 So we're not sure what they're going to come up with
7 yet.

8 BOARD MEMBER MARINELLO: Mr. Chairman, I
9 move the Board authorize the Director and Deputy
10 Director to execute the Memorandum of Agreement,
11 detailed in Exhibit E, with the Ohio State University
12 John Glenn School of Public Affairs, to provide the
13 Board of Elections with two masters degree interns
14 for the coming year.

15 DIRECTOR ANTHONY: Is there a second?

16 BOARD MEMBER COLLEY: Second.

17 DIRECTOR ANTHONY: All those in favor,
18 say aye.

19 BOARD MEMBERS: Aye.

20 DIRECTOR ANTHONY: Now we need to go into
21 executive session to discuss a recent court decision
22 in the Jamison case. I'll need a motion to go into
23 executive session to discuss. I need a motion and we
24 do a roll call vote to go into executive session.

1 BOARD MEMBER MARINELLO: I move that the
2 Board go into executive session, pursuant to Revised
3 Code 121.22(G)(3) to discuss the court decision in
4 the Terri Jamison case. The Board will not take any
5 votes in this executive session and will not take any
6 action following the executive session other than
7 assessing the Board until after the close of the
8 election being held on August 7th, 2012.

9 DIRECTOR ANTHONY: We need a roll call
10 vote.

11 MR. ANDERSON: You need a second.

12 DIRECTOR ANTHONY: We need a second,
13 first. Sorry.

14 BOARD MEMBER MANIFOLD: Second.

15 DIRECTOR ANTHONY: Second by Zach.

16 Roll call vote.

17 BOARD MEMBER MARINELLO: Yes.

18 DIRECTOR ANTHONY: Kim Marinello?

19 BOARD MEMBER MARINELLO: Yes.

20 DIRECTOR ANTHONY: Douglas Preisse?

21 CHAIRMAN PREISSE: Yes.

22 DIRECTOR ANTHONY: Zachary Manifold?

23 BOARD MEMBER MANIFOLD: Yes.

24 DIRECTOR ANTHONY: Michael Colley?

1 BOARD MEMBER COLLEY: Yes.

2 DIRECTOR ANTHONY: We ask that we clear
3 the room for the executive session.

4 (Board enters executive session.)

5 DIRECTOR ANTHONY: A motion to come out
6 of executive session.

7 BOARD MEMBER MARINELLO: Mr. Chairman, I
8 move that the Board come out of executive session and
9 that no votes were taken while the Board was in
10 executive session.

11 DIRECTOR ANTHONY: Is there a second?

12 BOARD MEMBER COLLEY: Second.

13 DIRECTOR ANTHONY: And I'll need a roll
14 call.

15 Kimberly Marinello?

16 BOARD MEMBER MARINELLO: Yes.

17 DIRECTOR ANTHONY: Zachary Manifold?

18 BOARD MEMBER MANIFOLD: Yes.

19 DIRECTOR ANTHONY: Douglas Preisse?

20 CHAIRMAN PREISSE: Yes.

21 DIRECTOR ANTHONY: Michael Colley?

22 BOARD MEMBER COLLEY: Yes.

23 DIRECTOR ANTHONY: We are out of
24 executive session.

1 (End of executive session.)

2 DIRECTOR ANTHONY: The next item on the
3 agenda is we have to recess until --

4 PASTOR SNYDER: We were waiting to speak,
5 but nobody gave us the opportunity to say anything.

6 DIRECTOR ANTHONY: Oh, I am sorry.

7 PASTOR SNYDER: We would like to have the
8 opportunity if that is possible.

9 DIRECTOR ANTHONY: That is always
10 possible, sir. Sorry for the -- will you give your
11 name.

12 PASTOR SNYDER: I'm Pastor Dale Snyder,
13 Pastor of Bethel AME Church, 2021 Cleveland Avenue.
14 And I would like to speak to the issue of my
15 colleague who is running for judge. We and several
16 pastors filled out petitions to get her on the ballot
17 and we're very disappointed that she has not had the
18 opportunity to run and we want to know why she's not
19 given the opportunity to run. And this is -- it's
20 mind boggling to us because she's done everything
21 that we are aware of to give her an opportunity to be
22 on the ballot. And several pastors are here, they
23 maybe want to speak to the same issue.

24 The second thing I want to speak to, but

1 you have already voted on, is early voting. Weekend
2 voting, I came to you last year, and we were able to
3 have a historical number of turnout in that
4 presidential election year. To give people an
5 opportunity to vote who work during the week and who
6 don't get off at 5:00, can't get here at 5:00 to
7 vote, and the only time they have off sometime is
8 Saturday and Sunday. And if you look at your
9 records, you can see that the turnout was significant
10 on those weekends. So it looks just like voter
11 suppression. Why wouldn't we offer taxpayers an
12 opportunity to come and exercise their right to vote?

13 I would hope that our county would find
14 some time to reconsider, that you not be on the wrong
15 side of history where people have given their lives
16 to have the right to vote. You have people who are
17 poor, disenfranchised, but they do want to exercise
18 their right to vote. And what is happening, this
19 action is denying them the opportunity to exercise
20 their right when they're not working, when they can
21 get a ride from other people who are not working
22 during the weekends.

23 We offer free transportation to them on
24 the weekends and I will guarantee that you will not

1 waste taxpayers' dollars, that people will show up,
2 they will vote. We demonstrated that to you last
3 year that there is a great constituency out here who
4 are disenfranchised when you don't have the extended
5 hours, and that's for work reasons and babysitting
6 reasons, for all other kind of reasons.

7 And this is something we have done
8 historically and I would hope that we would continue
9 that and you would really take it under
10 consideration. This is not really a partisan issue.
11 It's really about giving every American an
12 opportunity to vote because this is something that
13 they are used to doing.

14 Most people are not aware that the last
15 three weeks of voting has been denied them. A lot of
16 people are still not aware that they're not going to
17 receive an absentee ballot. A lot of people don't
18 have cable TV. They don't have -- there's no more
19 free television. And a lot of us make a lot of money
20 and we don't realize if you don't have a converter
21 box, you don't get TV commercials. You may not be
22 even able to afford to have a radio.

23 So we have a great large part of our
24 constituency that has been underrepresented and I'm

1 here to speak on their behalf. I hope that when you
2 take the time in some of your executive sessions that
3 you would consider those folks who don't have a
4 voice. Thank you so much for giving me the
5 opportunity to speak.

6 BOARD MEMBER MANIFOLD: Pastor King.

7 REVEREND KING: Reverend Joel King, Jr.,
8 representing the Baptist Pastors' Conference, the
9 Baptist Ministerial Alliance, Interdenominational
10 Ministerial Alliance, the City of Columbus, and also
11 the cousin of Dr. Martin Luther King, Jr.

12 I want to make the record clear, along
13 with my colleague, Dale Snyder, what he just
14 acquiesced about the young lady that did everything
15 right that we are aware of to get on the ballot in
16 this county, to run for her seat, and, yet, she has
17 been denied by this Board. She has a court order by
18 the courts of this county to put her on the ballot
19 and you refuse to do so.

20 I thought that this was America when I
21 woke up this morning. I didn't think I was in Iran
22 or Iraq. We got our boys and girls dying every day
23 for the same right, in this county, in this election,
24 in the greatest election that will be in the history

1 of this country, and we are denying people the right
2 to vote, the right to get on the ballot, and, yet,
3 we're going to send our boys and girls overseas and
4 die, come back in a box, until we've given everybody
5 else the right that we are denying our own people in
6 this country.

7 I thought Ohio was a little better. I
8 thought this county was a little more liberal in your
9 thinking to take this ship backwards in 2012 that
10 we're denying people the right to vote. Yet, we're
11 spending tax money to go rent a building out that
12 you're using the same hours that they can't get to.

13 Everybody goes up 71 going downtown, even
14 with the construction going on, how long it takes to
15 get from downtown to Morse Road on the busiest day of
16 the week any day. You're not going to get there by
17 no 5:00 to Morse Road. A fire truck can't get up
18 there in time to fight a fire. And, yet, we're going
19 to deny the people who you took their tax dollars to
20 rent the building out.

21 None of you don't work eight to five all
22 the time. You're here on tax dollars and we're
23 paying your salaries. We'll ask you to volunteer
24 what you do some time to give people the right in

1 this county and the right in this state to vote.

2 And as a capital city part of the state,
3 we ought to lead the state in making it a better
4 state that people can be proud to be Americans in
5 this county and in this state. Let's not take the
6 ship backwards that our forefathers fought for this
7 American right, my cousin died for this American
8 right, yet, we denying it in 2012 on some bull.

9 We're not in Iraq. We're not in
10 Afghanistan. We're not in the Middle East. We're in
11 the United States of America and we're supposed to be
12 the leading democracy of America, yet, we deny our
13 citizens the right to exercise their vote. And it's
14 wrong, it's morally wrong, it's spiritually wrong,
15 and God help you if you don't change your minds.
16 Thank you.

17 DIRECTOR ANTHONY: Thank you.

18 PASTOR BUSH: Good afternoon, everybody
19 and Chairpersons. To each and every one of you, I do
20 believe --

21 CHAIRMAN PREISSE: Could you tell us who
22 you are, please?

23 PASTOR BUSH: Sure. I'd be more than
24 happy to. My name is Pastor Leroy Bush. Pastor

1 Emeritus of the New Life Baptist Church.

2 And to each and every one of you, I would
3 like to say this: That you have given -- you have
4 been given the incumbent responsibility to do your
5 job right as it should be because to whom much is
6 given, much is required. And I do believe, if I'm
7 not mistaken, that Ms. Jamison has been -- has been
8 ordered by you and everyone concerned to be on the
9 ballot and she did everything legally.

10 And what I cannot understand is if she is
11 not given a right to be on the ballot and especially
12 when it has been ordered by the court. Now, if she's
13 not on there and it has been required and if you do
14 not allow her to do that, be on that ballot, to me
15 that is unconstitutional.

16 And we must go by the law because in the
17 final analysis, you that are here in these important
18 positions, you're not only going to be held
19 accountable by the judge down here on earth, but the
20 almighty judge. And I do know and I do believe that
21 right is right and wrong is wrong. I don't think you
22 have to be a rocket scientist to understand that.

23 If this has been a court order and you
24 are denying it, you need to search yourself, search

1 yourself, because right is right and wrong is wrong.
2 To me, that's contempt of court, unconstitutional,
3 and everything else that go along with it. And let's
4 be fair.

5 This is the United States of America and
6 this is not Russia or some third-world country.
7 Let's live up to our duties. Let us live up to our
8 duties. Such a heart, such a soul, and do what's
9 right, because God is not mocked; for whatsoever a
10 man soweth, that shall he also reap.

11 CHAIRMAN PREISSE: Thank you.

12 MS. JAMISON: Terri Jamison.

13 Mr. Chairman and the Board, I am sure
14 that the Board is aware that the Tenth District Court
15 of Appeals issued a decision on July 31st, and in
16 that decision they said that the Franklin County
17 Board of Elections had a clear legal duty to certify
18 my name to the ballot as a candidate for the Franklin
19 County Court of Common Pleas, Division of Domestic
20 Relations seat, with the term beginning January 5th,
21 2013; that I had a clear legal right to have Terri
22 Jamison's name certified to the ballot and that I
23 have no other adequate remedy at law. The Court
24 granted a writ of mandamus and it ordered the

1 Franklin County Board of Elections to certify my name
2 to the ballot.

3 I came here today with the understanding
4 that my name was on the agenda for -- to discuss
5 certification for the ballot for the November 6th
6 election. I'm bewildered that this Board is not
7 going to abide by a court order issued in the Court
8 of Appeals of Ohio for the Tenth Appellate District.
9 I'm really bewildered.

10 We do know that the ballots have to go
11 out for printing by August the 20th, and I fully
12 anticipate that my name --

13 CHAIRMAN PREISSE: What was the condition
14 under which you became aware that the Board was
15 taking action in this case today?

16 MS. JAMISON: I was made aware that my
17 name was on the agenda today.

18 DIRECTOR ANTHONY: Yeah. Yes. I called
19 her and told her.

20 CHAIRMAN PREISSE: Well, your name is on
21 the agenda today.

22 MS. JAMISON: And I have a court order
23 that states that the Board is supposed to certify me.
24 There's been --

1 CHAIRMAN PREISSE: Okay. Then I'm glad
2 you're clarifying that because a few moments ago you
3 either said outright or suggested that the Board was
4 going to take action on this. I just wanted to be
5 clear that you were not somehow informed that that
6 was to be the case. And I've not heard you now
7 confirm that you were told that.

8 MS. JAMISON: I said that I was on the
9 agenda for today and I have a court order that says
10 I'm to be certified. It's my understanding that,
11 based on what I see on the agenda, that there doesn't
12 appear to be another meeting following this meeting
13 prior to the absentee ballots being sent overseas, so
14 I guess I need to clarify that. Is there another
15 meeting before the ballot goes out to print --

16 DIRECTOR ANTHONY: Yes.

17 MS. JAMISON: -- August 20th?

18 DIRECTOR ANTHONY: Yes. We have to have
19 a meeting to certify all the names to the ballot for
20 the November election and the latest we can have that
21 meeting is August the 20th, and we will have a
22 meeting and meet that deadline of August the 20th, so
23 there is another meeting scheduled to certify.

24 CHAIRMAN PREISSE: And at that one we

1 will certify independent candidates to the ballot?

2 DEPUTY DIRECTOR WALCH: That's correct.

3 And issues that were filed.

4 CHAIRMAN PREISSE: And issues.

5 DIRECTOR ANTHONY: And issues.

6 MR. ANDERSON: And assuming no appeal in
7 that case --

8 CHAIRMAN PREISSE: Right.

9 MR. ANDERSON: -- then the court order
10 will be effective.

11 MS. JAMISON: And even if you appeal, the
12 court order is effective unless it's overturned by
13 appeal.

14 MR. ANDERSON: Unless there's a stay
15 granted by the Supreme Court.

16 MS. JAMISON: And until there is a stay
17 granted, you have a clear legal duty to certify.

18 MR. ANDERSON: By the deadline, correct.

19 DIRECTOR ANTHONY: So we will have a
20 meeting by the deadline to certify candidates and
21 issues to the November 6th ballot.

22 DEPUTY DIRECTOR WALCH: Correct.

23 MS. JAMISON: Thank you.

24 CHAIRMAN PREISSE: Thank you.

1 BOARD MEMBER MARINELLO: Thank you.

2 MS. WOODS: My name is Mary Woods. I'm a
3 registered voter in Franklin County and I have lived
4 here my whole life. Registered the day I turned 21.

5 CHAIRMAN PREISSE: You just let us know
6 how old you are.

7 MS. WOODS: Did I just let you know? You
8 can look that up in the registration files. My age
9 is there, I've looked myself up, and I have to have
10 my birthday to look it up, so I know you guys have
11 it.

12 I do remember 2004, in Columbus, Ohio,
13 when it was a rainy day on Election Day, and people
14 stood in line to vote for five hours in the rain
15 because they were determined to vote. I remember
16 having no lines in 2008 because extended weekend and
17 evening hours and more accessibility because you
18 could vote absentee.

19 I have voted every election since I was
20 21 years old, so, for that reason, I would like to
21 say that I know there are other counties in this
22 state who have voted for weekend and extended hours,
23 and because I want those in the minutes for anybody
24 who might read this: Montgomery, Butler, Portage,

1 Warren, Preble, and Clinton, and I'm not aware, but
2 there are probably other counties who have voted for
3 extended hours. And people in those counties are
4 going to have the opportunity, when they can't leave
5 work during regular business hours, to go vote early.

6 People don't know if they're going to be
7 sick or if they're not going to be able to come on
8 Election Day and stand in line for five hours. So I
9 want that in the minutes for anybody who reads that
10 this county's voted against it, while other counties
11 have voted for it. Thank you.

12 CHAIRMAN PREISSE: Thank you.

13 Is there anybody else who wants to
14 participate?

15 MS. WIMBISH: Hi. My name is Camille
16 Wimbish and I'm Election Counsel for Project Vote;
17 also a registered voter in Franklin County.

18 Project Vote is a national nonpartisan
19 organization that's dedicated to improving access for
20 underrepresented communities, and I'm here today to
21 offer support for offering extended hours.

22 It's alarming to me to conceive that a
23 large urban county would be not offering extended
24 hours in a presidential year when the turnout and

1 voter interest is at its highest. I think it is a
2 step back to 2004 when the failure of the voting
3 machines, congestion at the polling places, it just
4 continued to, as we talked about, lines as long as
5 six or seven hours in some places. I think we can
6 all agree that these are problems that the Board of
7 Elections should be interested in resolving.

8 Limited early hours affects
9 underrepresented voters. A study by the University
10 of Akron, Bliss Institute of 2010, says that early
11 voting -- early voters were more likely than Election
12 Day voters to be women, older people of lower income
13 and lower educational attainment.

14 There was a recent study by Norman
15 Robbins, a professor at Case Western, and a member of
16 the Northern Ohio Voter Advocates, he examined the
17 racial proportions of early voters in Cuyahoga and
18 Franklin Counties in 2008, and the conclusion was
19 that if the 2012 election is anything like the 2008
20 election, the elimination of early in-person voters
21 is going to significantly impact African American
22 voters.

23 An estimated 34 percent of all voters --
24 of all votes cast by African Americans in Franklin

1 County in early -- I'm sorry. The conclusion was
2 that there were 34 percent of African Americans in
3 Franklin County who voted early in person, and that's
4 -- and 20 percent of Franklin County is African
5 American. So they disproportionately voted -- wanted
6 to vote early in person. Even when all registered
7 voters are mailed early absentee applications,
8 African American voters still predominately chose to
9 vote early in person.

10 The impact of this decision means that
11 there are going to be even more crowded conditions on
12 Election Day, more people are going to try to vote
13 during regular business hours at the Board of
14 Elections, so that means that votes cast during the
15 week before the election could actually double.

16 Long waits would only occur during the
17 weekdays when jobs, family care, and transportation,
18 those are all competing priorities that could cause
19 voters to be dissuaded from actually sticking it out
20 and voting. It's also going to mean that more people
21 are going to vote on Election Day which is going to
22 put more strain on overworked poll workers.

23 So, for all those reasons, I would
24 strongly suggest that you reconsider and offer some

1 extended early vote hours this year.

2 CHAIRMAN PREISSE: Thank you.

3 Looks like that may be all of the folks
4 that wish to share any information.

5 DIRECTOR ANTHONY: The next item on the
6 agenda will be to recess until after the close of the
7 election being held on August 7th. Is there a
8 motion?

9 BOARD MEMBER MANIFOLD: Mr. Chairman, I
10 move that the Board recess this meeting of the Board
11 of Elections, subject to recall by the Chair, until
12 after the close of the election being held Tuesday,
13 August 7th.

14 DIRECTOR ANTHONY: Is there a second?

15 BOARD MEMBER MARINELLO: Second.

16 DIRECTOR ANTHONY: All right. We stand
17 in recess. Thank you.

18 (Thereupon, the Board of Elections
19 recessed at 4:21 p.m.)

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CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Wednesday, August 1, 2012, and carefully compared with my original stenographic notes.

Carolyn M. Burke, Registered Professional Reporter, and Notary Public in and for the State of Ohio.

My commission expires July 17, 2013.

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