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APPEARANCES:

Franklin County Prosecutor's Office
By Mr. Harold J. Anderson, III,
Assistant Prosecuting Attorney
Civil Division-Environmental
373 South High Street
Columbus, Ohio 43215

On behalf of the Board.

ALSO PRESENT:

Ms. Suzanne Brown,
Executive Assistant to the Board.

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1 haven't heard back for about 1,100 ballots from other
2 counties. A lot of the counties quit at 12 o'clock
3 today and went home for the long weekend so that's
4 part of it.

5 I also have 12 signature mismatches to
6 look at. And the 43 where they signed the poll book
7 and also voted a provisional ballot, we counted
8 signatures in the poll books and compared them to the
9 public count off the machines and there's nothing
10 that indicates that those votes should be counted.

11 DIRECTOR ANTHONY: We might add on that
12 we did -- as the Chairman asked us to, we did
13 contact -- Dana contacted the SOS and they told us
14 that if -- if the signatures are valid in the
15 signature poll books, that we should not count those
16 provisional ballots; is that correct?

17 DEPUTY DIRECTOR WALCH: That's correct.
18 That's a fair summation.

19 BOARD MEMBER MARINELLO: How many
20 different precincts was that at?

21 MS. KLEO: 38 locations.

22 DEPUTY DIRECTOR WALCH: So it wasn't
23 confined to just one set of poll workers.

24 DIRECTOR ANTHONY: At least it wasn't in

1 all 435.

2 DEPUTY DIRECTOR WALCH: So I guess the
3 first thing we were looking for was the authorization
4 on the validation of the 1,273, correct?

5 MS. KLEO: Correct.

6 BOARD MEMBER SINNOTT: And we have
7 bipartisan staff agreement that they should be
8 counted?

9 DIRECTOR ANTHONY: That's correct.

10 BOARD MEMBER MANIFOLD: Mr. Chairman, I
11 move that the Board accept the staff recommendation
12 for the validation of an additional 1,273 provisional
13 ballots not previously approved at our November 20
14 meeting.

15 DIRECTOR ANTHONY: Is there a second?

16 BOARD MEMBER SINNOTT: Yes.

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

19 Motion carried, Mr. Chairman.

20 CHAIRMAN PREISSE: Okay.

21 DIRECTOR ANTHONY: Renee.

22 DEPUTY DIRECTOR WALCH: Next, we had --
23 not to interrupt Renee, but the next thing we had
24 this issue of the voters who did sign the poll book

1 and then voted the provisionals, submitted a
2 provisional ballot also, to see what you all wanted
3 to do about that.

4 CHAIRMAN PREISSE: What is the status of
5 those in the normal course of action as they exist in
6 the system right now? In other words, they have been
7 set aside because of that discrepancy. Do we have to
8 take any action at all or do they just --

9 DEPUTY DIRECTOR WALCH: We would have to
10 reject -- if it's the wish of the Board, we would
11 have to have a motion to reject those provisional
12 ballots because you need to determine the validity or
13 rejection of every provisional that's submitted to
14 us.

15 CHAIRMAN PREISSE: Right, okay. Right,
16 right.

17 DIRECTOR ANTHONY: They will be on that
18 list that we give of the reason why it was rejected.

19 BOARD MEMBER MANIFOLD: Will we do all
20 the rejections at one point, or will we do that -- do
21 we need to do that separate from?

22 DEPUTY DIRECTOR WALCH: Because this was
23 a special circumstance we thought you would do it
24 separate.

1 BOARD MEMBER MANIFOLD: Okay.

2 BOARD MEMBER SINNOTT: Okay.

3 Mr. Chairman, if I may, my understanding is that the
4 best evidence that the Board has that these
5 individuals who cast provisional ballots also voted
6 on election day is the fact that they signed the poll
7 book. We have advice from the Secretary of State's
8 Office that unless we could conclusively determine
9 that these voters did not vote on election day, we
10 should not count their provisional ballots. I move
11 that we not count provisional ballots for the voters
12 who also signed the election day poll book.

13 BOARD MEMBER MARINELLO: Second.

14 DIRECTOR ANTHONY: All those in favor say
15 aye.

16 That motion carries and then we have some
17 mismatches.

18 MS. KLEO: Yes.

19 DEPUTY DIRECTOR WALCH: If it would be
20 okay with you all, I think the system we devised
21 yesterday of Mr. Sinnott numbering them and
22 starting -- starting down the line I think worked
23 fairly well, unless the Board had some other way they
24 thought was better.

1 BOARD MEMBER SINNOTT: I'm curious about
2 one thing, I thought we made it through 26 of 68.

3 MS. KLEO: And it's -- that number is
4 less now because I went through it myself.

5 DEPUTY DIRECTOR WALCH: And we
6 double-checked.

7 MS. KLEO: Double-checked those numbers.

8 BOARD MEMBER SINNOTT: So there never
9 really were 68.

10 MS. KLEO: No.

11 BOARD MEMBER SINNOTT: We had a lot of
12 duplicates.

13 MS. KLEO: Yes.

14 BOARD MEMBER SINNOTT: I got you. So I
15 will pick up with 27.

16 DEPUTY DIRECTOR WALCH: Perhaps while we
17 are doing this we should have Todd Wedekind to sing
18 us all some nice music today.

19 MR. WEDEKIND: You say nice. That puts
20 me out.

21 DEPUTY DIRECTOR WALCH: Sorry, Todd. I
22 didn't want everybody sitting here staring at each
23 other while we did this.

24 MR. WEDEKIND: I don't want to clear the

1 room.

2 DEPUTY DIRECTOR WALCH: I don't want to
3 clear the room either.

4 DIRECTOR ANTHONY: I have just one thing
5 I can say. O-H.

6 (GROUP: I-O.)

7 MR. WEDEKIND: That was for Gene.

8 DEPUTY DIRECTOR WALCH: Would Gene like
9 to pipe in on that?

10 GENE: Is it going on the record?

11 DEPUTY DIRECTOR WALCH: She's typing.

12 CHAIRMAN PREISSE: Hey, Renee.

13 MS. KLEO: Yes.

14 CHAIRMAN PREISSE: Would you take a look
15 at this one and explain what you think is going on
16 with this name. This is Linda M. McCandlish.

17 MS. KLEO: Uh-huh.

18 CHAIRMAN PREISSE: What is that?

19 MS. KLEO: That was her former name.

20 CHAIRMAN PREISSE: It's completely
21 different.

22 MS. KLEO: I'm sorry. I don't know.

23 CHAIRMAN PREISSE: We better look into
24 that a little deeper because it was odd.

1 BOARD MEMBER SINNOTT: That was number?

2 MS. KLEO: 32. We will go pull the
3 registration card.

4 (Discussion off the record.)

5 DEPUTY DIRECTOR WALCH: So I believe
6 yesterday we read the names as to count or reject
7 according to the names. So do you want to start with
8 the?

9 BOARD MEMBER SINNOTT: We were in
10 agreement on all of them?

11 DEPUTY DIRECTOR WALCH: Was the Board in
12 agreement on all of them, Renee?

13 MS. KLEO: Yes.

14 BOARD MEMBER SINNOTT: Mr. Chairman, I
15 move that we allow for the counting of the ballots
16 cast under the names of Matthew Yard, Y-A-R-D, and
17 John Jones, J-O-N-E-S.

18 DIRECTOR ANTHONY: Is there a second?

19 BOARD MEMBER MANIFOLD: Second.

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

22 That motion carried.

23 BOARD MEMBER SINNOTT: I move that the
24 Board reject the provisional ballots cast under the

1 names of Nicholas Swain, S-W-A-I-N; Eric Biddle,
2 B-I-D-D-L-E; David Himmelman, H-I-M-M-E-L-M-A-N;
3 Mohammed Abedin, A-B-E-D-I-N; Ricardo Whitted-Pond,
4 W-H-I-T-T-E-D hyphen P-O-N-D; Hayden Maul, M-A-U-L;
5 Andrew Burt, B-U-R-T; Rebecca Fryson, F-R-Y-S-O-N;
6 Fidassa Mohamoud, M-O-H-A-M-O-U-D; Famara Craig,
7 C-R-A-I-G; Linda McCandlish, M-c-C-L-A-N-D-I-S-H.

8 DIRECTOR ANTHONY: Is there a second?

9 BOARD MEMBER MARINELLO: Second.

10 DIRECTOR ANTHONY: All those in favor say
11 aye.

12 That motion carries too, Mr. Chairman.

13 The next item on the agenda is a remaking
14 of provisional ballots. And Todd.

15 MR. WEDEKIND: Yes.

16 DIRECTOR ANTHONY: Todd will give a
17 presentation, Todd Wedekind.

18 MR. WEDEKIND: The reason we would have
19 to remake these is mostly due to the bottom of the
20 ballots being torn off. I will tell you that we've
21 already discussed future training of poll workers to
22 include giving them sample pads of ballots and
23 teaching them how to fold the ballot and then tear it
24 off at the perforation rather than just yanking it

1 off because it creates a lot of work for us and
2 that's what the majority of these are. So we've got
3 them all ready to go and that's it.

4 DIRECTOR ANTHONY: And there are how
5 many, Todd? 1,739?

6 MR. WEDEKIND: Correct.

7 DIRECTOR ANTHONY: Any questions for
8 Todd?

9 BOARD MEMBER SINNOTT: There is the
10 agreement of the bipartisan staff that these need to
11 be remade?

12 MR. WEDEKIND: Oh, yes.

13 BOARD MEMBER SINNOTT: Then I will move
14 the Board authorize the staff to remake 1,739
15 provisional ballots cast on election day and that
16 these remade ballots be tabulated and included in the
17 official canvas.

18 DIRECTOR ANTHONY: Is there a second?

19 BOARD MEMBER MANIFOLD: Second.

20 DIRECTOR ANTHONY: All in favor say aye.

21 I have nothing else before the Board.

22 Dana?

23 DEPUTY DIRECTOR WALCH: We just wanted to
24 go over very quickly we will have another Board

1 meeting at 4 p.m. on Monday, and we also wanted to go
2 ahead and set this addition to the 3 o'clock meeting
3 we have on Tuesday, discuss with the Board having a
4 Tuesday morning meeting at 8 a.m., if that would be
5 acceptable to the Members of the Board.

6 Okay. That's all we had. We will get
7 notice out on those meetings.

8 DIRECTOR ANTHONY: Is there a motion to
9 adjourn?

10 BOARD MEMBER SINNOTT: Yes.

11 BOARD MEMBER MARINELLO: So moved.

12 DIRECTOR ANTHONY: Do we have a second?

13 BOARD MEMBER MANIFOLD: Second.

14 DIRECTOR ANTHONY: All those in favor.

15 We stand adjourned.

16 (Thereupon, the meeting was adjourned at
17 4:36 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, November 21, 2012, and carefully compared with my original stenographic notes.

Karen Sue Gibson, Registered
Merit Reporter.

(KSG-5613)

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