

BEFORE THE FRANKLIN COUNTY BOARD OF ELECTIONS

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In Re: :
: Regular Meeting :

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PROCEEDINGS

before Chairman Douglas J. Preisse, Director William A. Anthony, Jr., Deputy Director David Payne, and Board Members Kimberly E. Marinello, Bradley K. Sinnott, and Gregory K. Haas at the Franklin County Board of Elections, 1700 Morse Road, Columbus, Ohio, called at 3:00 p.m. on Monday, July 6, 2015.

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APPEARANCES:

Franklin County Prosecutor's Office
By Mr. Tim Lecklider
Assistant Prosecuting Attorney
373 South High Street, 13th Floor
Columbus, Ohio 43215

On behalf of the Board.

ALSO PRESENT:

Ms. Suzanne Brown,
Executive Assistant to the Board

Mr. Jeffrey Mackey,
Manager, Election Operations
Franklin County Board of Elections.

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P R O C E E D I N G S

DIRECTOR ANTHONY: I am going to call the Franklin County Board of Elections meeting to order. I will perform the roll call.

Kimberly Marinello.

MS. MARINELLO: Here.

DIRECTOR ANTHONY: Gregory Haas.

MR. HAAS: Here.

DIRECTOR ANTHONY: Douglas Preisse.

MR. PREISSE: Here.

DIRECTOR ANTHONY: Bradley Sinnott.

MR. SINNOTT: Here.

DIRECTOR ANTHONY: Mr. Chairman, we have a full quorum, and the first item on the agenda would be the approval of the minutes for the May 18 and May 22 meeting.

MR. HAAS: I move that the Board approve the minutes of the May 18 and May 22, 2015 meetings of the Franklin County Board of Elections as submitted.

MR. SINNOTT: Second.

DIRECTOR ANTHONY: All those in favor.

(Vote taken; motion passed.)

1 DIRECTOR ANTHONY: Motion passes.

2 The second item on the agenda is to
 3 certify the independent candidates to the November
 4 ballot.

5 Mr. Mackey.

6 MR. MACKEY: We had three independent
 7 candidates file petitions by the day before the
 8 Primary Election. Two of those candidates, Sean
 9 McMullin for Reynoldsburg City Council, Ward 3, and
 10 Tyrone Martin for Reynoldsburg City Council, Ward 4,
 11 filed petitions that appeared to be complete and
 12 sufficient, and the staff recommended certifying
 13 these candidates to the November ballot.

14 MS. MARINELLO: I move that the Board
 15 certify to the November 3, 2015, General Election
 16 ballot Sean McMullin for Reynoldsburg City Council,
 17 Ward 3, whose petitions were found to be valid and
 18 sufficient.

19 MR. PREISSE: Second.

20 DIRECTOR ANTHONY: All those in favor.

21 (Vote taken; motion passed.)

22 DIRECTOR ANTHONY: That motion carries.

23 The next item is the other independent
 24 candidate.

1 MR. SINNOTT: I move that the Board
2 certify to the November 3, 2015, General Election
3 ballot Tyrone Martin for Reynoldsburg City Council,
4 Ward 4, whose petitions were found to be valid and
5 sufficient.

6 MR. HAAS: Second.

7 DIRECTOR ANTHONY: All those in favor.

8 (Vote taken; motion passed.)

9 DIRECTOR ANTHONY: Motion carries.

10 MR. MACKEY: The third candidate, Jordan
11 Smith, for Hilliard City Council filed a petition.
12 He needed 89 valid signatures. Staff found there
13 were 80 valid signatures. He had a problem of
14 circulating his petition outside of Hilliard. 56 of
15 his signatures were from outside of the district. It
16 was not sufficient, so the staff recommends not
17 certifying his candidacy to the November ballot.

18 MR. SINNOTT: I move that the Board
19 follow the staff recommendation and not certify to
20 the November 3, 2015, General Election ballot Jordan
21 Smith for Hilliard City Council.

22 DIRECTOR ANTHONY: Is there a second?

23 MR. PREISSE: Second the motion.

24 DIRECTOR ANTHONY: All those in favor.

1 (Vote taken; motion passed.)

2 DIRECTOR ANTHONY: Motion carries.

3 The next item on the agenda you will see
4 as Exhibit A in your packet. For some time the Board
5 has been talking about but never forwarded to the
6 Board to have our tuition reimbursement policy be in
7 line with the County's tuition enrollment policy.

8 What you have before you in the all white
9 with no color on it is our current tuition enrollment
10 policy, and the other one that has Exhibit A and has
11 a blue banner on it is the County tuition enrollment
12 policy.

13 The difference in the policies are that
14 ours allows for only \$1,000 that a person could get
15 reimbursed for and the County allows \$5,000.

16 MR. PREISSE: Per year?

17 DIRECTOR ANTHONY: Per year, yes.

18 MR. SINNOTT: How do the courses become
19 approved?

20 DIRECTOR ANTHONY: In the policy itself
21 it talks about that.

22 MR. HAAS: It does. It is the agency
23 director's determination.

24 MR. PREISSE: What is the procedure?

1 DIRECTOR ANTHONY: Pardon me?

2 MR. SINNOTT: There is supposed to be
3 some relationship between your job and the course of
4 study, correct?

5 DIRECTOR ANTHONY: Correct.

6 MR. SINNOTT: How many employees do we
7 have in the tuition reimbursement program now?

8 DIRECTOR ANTHONY: Right now I think it's
9 only Daniel CK Grill, but he's gone.

10 MS. BROWN: Carla is.

11 MR. MACKEY: Carla is the only one I know
12 about.

13 DIRECTOR ANTHONY: Just one currently.
14 In the past -- we haven't had a lot there. In the
15 past I believe Julia was one in the past, and she's
16 no longer a full-time employee. Matt Damschroder was
17 one. I was never one; too late for me. And Stacy
18 Baker was another one that took advantage of the
19 tuition enrollment program.

20 Those are the only ones that I can
21 recall, and I thought that Will was thinking about
22 it, but he's never done it.

23 MR. MACKEY: We are trying to encourage
24 Will.

1 MR. HAAS: Thank you.

2 DIRECTOR ANTHONY: So we haven't had a
3 lot of people take advantage of it. There probably
4 will be some people take advantage of it once this
5 goes up. Some folks would have a degree, and they
6 want an advanced degree in public administration or
7 something like that. This would help them a great
8 deal getting that education.

9 David, are you ready to go back to
10 school?

11 MR. PAYNE: Hey, I could go back to
12 school.

13 DIRECTOR ANTHONY: You got him. I'm not
14 going back. That's on the record.

15 MR. SINNOTT: I'm in favor of doing it.
16 That is a generous benefit. I think that's about a
17 half of full-time tuition at Ohio State for a year.

18 MR. PREISSE: Point 3 and 4 of our policy
19 have different titles but they contain what appears
20 to be the exact same copy. What appears to be
21 missing, and I refer to page 2 of the County's, is
22 where a course must be taken. "Courses must be taken
23 from an accredited degree granting..."

24 I was looking for that in here, so I

1 think our policy needs to be amended. It's probably
2 as easy to drop the County's verbatim language from
3 where the courses must be taken and put it in
4 No. 3 and delete the current language, which, again,
5 appears to be exactly point 4's language as well.

6 DIRECTOR ANTHONY: My intent was to throw
7 this away and use this one.

8 MR. PREISSE: Well, then that deficiency
9 goes away with that approach.

10 DIRECTOR ANTHONY: And the "Board of
11 Elections" would be put in.

12 MR. PREISSE: We have still the
13 correlation between content of the course and the
14 current job.

15 The problem with this one, too, Bill, is
16 the Department of Human Resources. We don't have
17 one. I think we need to look at that.

18 DIRECTOR ANTHONY: Merge them.

19 MR. PREISSE: Well, we need to look at a
20 document which has been -- are we in a hurry to do
21 this for some reason? Why don't we look at a draft?

22 MR. PAYNE: We'll establish a document
23 and bring it back.

24 DIRECTOR ANTHONY: We are not in a hurry.

1 I've been trying to do this for several years and
2 forgot. There is no hurry.

3 MR. SINNOTT: Why don't we do it in
4 August?

5 DIRECTOR ANTHONY: We can have a document
6 and bring it back.

7 MR. HAAS: Makes sense.

8 DIRECTOR ANTHONY: All right. The next
9 item on the agenda is David and I wanted to talk to
10 the Board about E-poll books and where we are on
11 E-poll books.

12 As you all know, the Secretary of State
13 signed some legislation that allows where SOS would
14 pay for roughly 85 percent of the cost of E-poll
15 books, and the counties would be responsible for 15
16 percent of it. And they could do it from a list of
17 vendors that have met certification at the Board of
18 Voting Machine Examiners.

19 This would be similar to how we did the
20 HAVA money for the new electronic voting machines.
21 They have a list of preferred vendors that meet all
22 the specifications and requirements under HAVA and
23 the National Testing Services and also NIST.

24 There used to be an elections commission,

1 and so it would be similar to all that. So every
2 electronic poll book we would look at would have to
3 be on that SOS certified list. I don't know if that
4 list is ready yet, but there are some folks on there.

5 MR. PAYNE: Every Tuesday we have a
6 meeting with our senior staff, and literally I'd say
7 about half the things we bring up they say, You know,
8 that would be a lot easier if we had electronic poll
9 books. The staff is very excited.

10 Bill and I have met with each of the
11 County Commissioners individually, and when we first
12 started meeting with them, there wasn't any
13 indication that the State would be paying anything,
14 so we got them on board. Bill gave a good
15 presentation. We think we have the three County
16 Commissioners inclined to do something. Now that
17 they know that the State is willing to put in
18 80 percent of the money, they're even more inclined
19 to do that.

20 So one of the things that we were talking
21 about doing was an early vote pilot project in our
22 early vote center where we would bring in anywhere
23 from two to three to four of our vendors, the
24 certified vendors, in October out here for the

1 November election, and let the staff come in, let
2 Board members come in, let the County Commissioners
3 come in and see which of the E-poll books work best
4 for our purposes, so that's kind of what we're
5 looking to do.

6 The budget that the State passed is
7 12.75 million. The formula is whatever percentage
8 Franklin County makes up of the entire registered
9 voters, and we make up about 10.5 percent of
10 registered voters statewide, so we would get at this
11 point about 10.5 percent of the \$12.7 million, which
12 turns out to be \$1.34 million, and the cost of E-poll
13 books would be about 2.2 million, so we would be
14 looking potentially from the County Commissioners for
15 an additional \$900,000 to do the E-poll books.

16 Obviously, we would like to have those in
17 place for the March 2016 primary if we could, and
18 then, obviously, the 2016 November.

19 MR. PREISSE: Is there something about
20 how rapidly this money might get drawn down, and
21 could we be left not able to take advantage of it
22 because our sister counties depleted the fund?

23 MR. MACKEY: The Secretary of State's
24 Office is working with the Department of

1 Administrative Services right now. The Department of
2 Administrative Services will allocate the money, and
3 it's allocated right now to 88 counties.

4 So in talking with Matt Damschroder, they
5 are going to work literally this week to get all the
6 logistics like you're suggesting in place. They're
7 not in place today, but my understanding, there would
8 not be that problem.

9 MR. SINNOTT: The 85/15 percent split,
10 that was reported in the press. Is that a
11 distribution not to be exceeded by any county, so
12 Holmes County still has to distribute --

13 MR. MACKEY: I honestly don't know what
14 the 85/15 split actually is.

15 MR. HAAS: This isn't 85.

16 MR. SINNOTT: No. This is like 55/45.

17 MR. MACKEY: Yes. The formula is based
18 upon your percentage of registered voters compared to
19 the state. The 85/15, I honestly don't know where
20 that came from.

21 DIRECTOR ANTHONY: I don't either. I
22 knew it wasn't a pure 85/15 split. I don't know what
23 those numbers add up to.

24 MR. PREISSE: My question is it doesn't

1 seem like enough money in the pot.

2 MR. MACKEY: In talking with some of the
3 smaller counties, it's entirely possible that our
4 amount of money will go up as some of the smaller
5 counties aren't interested in the poll books, so
6 there's the \$12.7 million, and if somebody opts out,
7 then that raises the amount of money to be allocated.

8 MR. SINNOTT: I think the 85/15 split was
9 reported by the Association of Election Officials.

10 MR. PAYNE: I talked to Aaron Ockerman,
11 who I conferred with. He set it out, and I talked to
12 him on the phone, and the 85/15 isn't -- he told me
13 how to figure out the formula of what we would get.

14 MR. SINNOTT: How many certified vendors
15 are there for E-poll books now?

16 MR. PAYNE: I'm going to guess five at
17 this point. There's others. We talked to a company
18 the other day, Vote Tech, that is not presently
19 certified but are trying to get certified. There's
20 four, I think, that Bill and I met with. There's
21 ES&S who makes our voting machines. There's EA,
22 which is Election Administrators. There's Vote Tech
23 that we met with, and then there's a company called
24 KNOWiNK, so there's four that we potentially would be

1 interested in inviting in to do a pilot project.

2 DIRECTOR ANTHONY: There's some smaller
3 companies in there, too. I sit on the Board of
4 Voting Machine Examiners, and I know we have looked
5 at over five -- we have certified over five vendors.
6 Some of them are small companies. It's just they met
7 the certification, and all they are selling is the
8 software. You have to figure out your hardware.

9 MR. SINNOTT: Do these different vendors
10 have significantly different products?

11 MR. PAYNE: There are differences. In
12 some of them there are four products, pieces of
13 hardware, versus two, and some of them have more
14 wires than others, which, you know, that's not a good
15 thing. Then there's the capability of uploading the
16 lists, which is different. But for the most -- for
17 all practical purposes, they're pretty significantly
18 the same.

19 DIRECTOR ANTHONY: There are at least two
20 vendors that are just selling the software, and the
21 software is the stuff that the State regulates and is
22 State certified. All the software has to do is X-Y-Z
23 or 1-2-3-4. They have to perform the functions that
24 the County Boards of Elections need. I know there is

1 at least one company, all it is is software. Then
2 you buy your own hardware and they load the software
3 on whatever you bought.

4 The differences in them is like David
5 said. Some of them are totally all Bluetooth. Some
6 have wires. They all have to do the same thing.
7 They have to work with the statewide voter database.
8 They have to be able to produce a voter slip. They
9 have to be able to update the record. They have to
10 be able to talk between themselves if you have more
11 than one in the room. They have to be able to
12 generate that CK information for the district to be
13 able to put up in every voting center. You have to
14 be able to produce that.

15 There's a lot of other things. They have
16 to be able to deal with the process of paper ballots,
17 electronic ballots, provisional ballots, so they have
18 to be able to do all of those functions, similar to
19 if we had a paper poll book out there.

20 MR. SINNOTT: What's our next step then?

21 MR. PAYNE: I think our next step is to
22 work with the Secretary of State's Office and the
23 Departments of the Administrative Services to find
24 out the logistics and then work with the companies

1 if, indeed, you-all approve -- although we are not
2 asking for approval today, necessarily -- for a pilot
3 project in October.

4 MR. PREISSE: I think we have a member in
5 the audience.

6 AUDIENCE MEMBER: Can I ask a question?

7 MR. PREISSE: Sure.

8 AUDIENCE MEMBER: In 2014 the dates of
9 the election for early vote, it took about an hour
10 and a half where people couldn't vote. I was told it
11 was because of bandwidth. Could this possibly happen
12 with these electronic -- nobody could be looked up,
13 so they couldn't give them the right ballot to vote
14 on paper. Could we run into that problem again if
15 everybody has electronic poll books, as we did on
16 paper?

17 DIRECTOR ANTHONY: No, because each of
18 the electronic poll books would have the voter
19 database in the unit.

20 What happened in the election in 2014 was
21 we had computers in the vote room that were connected
22 to our mainframe which was connected to downtown, and
23 somewhere there was running a query on our whole
24 database, and it slowed everything down because all

1 the computers were all connected to our database.
2 These don't attach to the database. They load all
3 the information on the units themselves.

4 MR. PREISSE: Thank you for that
5 question. I forgot about that.

6 DIRECTOR ANTHONY: I mean, that's not
7 going to happen again. We put protocols in place
8 with the data center during the election, they're not
9 to mess with our data. What happened is a data
10 center employee was updating our file that goes out
11 onto the web that had all of our -- so if you looked
12 up a file, he was updating that to make sure it was
13 updated, and it just put too much load on our system
14 and it slowed it down. That's what happened.

15 MR. SINNOTT: Thank you for that report,
16 interesting.

17 I don't know if there are any other
18 public business to come before the Board at this
19 point, but I think there are some personnel matters
20 we need to review in executive session.

21 So pursuant to Ohio Revised Code
22 Section 121.22(G)(1) I move that the Franklin County
23 Board of Elections go into executive session to
24 consider the appointment, employment, dismissal,

1 discipline, promotion, demotion, and/or compensation
2 of a public employee.

3 MR. PREISSE: Second.

4 DIRECTOR ANTHONY: Kimberly Marinello.

5 MS. MARINELLO: Yes.

6 DIRECTOR ANTHONY: Gregory Haas.

7 MR. HAAS: Yes.

8 DIRECTOR ANTHONY: Douglas Preisse.

9 MR. PREISSE: Yes.

10 DIRECTOR ANTHONY: Bradley Sinnott.

11 MR. SINNOTT: Yes.

12 (Vote taken; motion passed.)

13 DIRECTOR ANTHONY: We are now in
14 executive session.

15 (Executive session.)

16 MR. HAAS: I move that the Franklin
17 County Board of Elections adjourn from executive
18 session and that no votes or official actions were
19 taken during the executive session.

20 MR. PREISSE: Second.

21 DIRECTOR ANTHONY: Kimberly Marinello.

22 MS. MARINELLO: Yes.

23 DIRECTOR ANTHONY: Gregory Haas.

24 MR. HAAS: Yes.

1 DIRECTOR ANTHONY: Douglas Preisse.

2 MR. PREISSE: Yes.

3 DIRECTOR ANTHONY: Bradley Sinnott.

4 MR. SINNOTT: Yes.

5 (Vote taken; motion passed.)

6 DIRECTOR ANTHONY: We are now out of
7 executive session.

8 On the agenda, we want to hire a
9 full-time training coordinator. As of today, Monday,
10 his name is Phil Purkey. He is in the audience here.

11 Phil, raise your hand.

12 At an hourly rate of \$25.96.

13 MS. MARINELLO: I move that the Franklin
14 County Board of Elections hire Phil Purkey as
15 training coordinator, full-time position, beginning
16 Monday, July 6, 2015.

17 MR. SINNOTT: Second.

18 DIRECTOR ANTHONY: All those in favor.

19 (Vote taken; motion passed.)

20 MR. PREISSE: Second.

21 DIRECTOR ANTHONY: Motion carries.

22 We have another hire. We lost our GIS
23 person. His name was Daniel Brill. He went on -- I
24 guess he got a better job than he had here. And what

1 that person does, he does our interactive maps and
2 all that stuff you see on the web page on election
3 night. He puts together the mapping for the fall.

4 We want to hire a part-time person until
5 we figure out what we are going to do with that
6 position, because it's a very specialized position.
7 We want to hire Garrett Brown as a part-time employee
8 beginning August 24, 2015, at a rate of \$19.61 an
9 hour.

10 MR. HAAS: I move that the Franklin
11 County Board of Elections hire Garrett Brown as GIS
12 analyst, a part-time position, at \$19.61 per hour
13 beginning August 24, 2015.

14 DIRECTOR ANTHONY: Is there a second?

15 MR. PREISSE: I am contemplating a
16 second. Okay, second.

17 DIRECTOR ANTHONY: All those in favor.

18 (Vote taken; motion passed.)

19 DIRECTOR ANTHONY: That motion carries.

20 And, finally, we have an employee,
21 Thomas, Bubba, Raphael. He's been here -- I don't
22 know how long. Anyway, Tom had an unfortunate set of
23 medical circumstances happen to him starting several
24 years ago. He lost his leg to -- I'm not sure why --

1 sugar, and he's been unable to work. He's been
2 coming back and forth to work, and this keeps getting
3 worse for him. We don't know if he is going to lose
4 his other leg or not.

5 What we want to do is put him on an
6 approved leave without pay, and we want to
7 retroactive this to March 26, 2015, through
8 October 31, 2015, at which time I'll talk to Bubba to
9 see what his condition is, see if he can come back to
10 work.

11 MR. SINNOTT: I move that the Franklin
12 County Board of Elections grant Thomas Raphael's
13 request for an unpaid leave of absence from March 16,
14 2015, through October 31, 2015.

15 DIRECTOR ANTHONY: Is there a second?

16 MS. MARINELLO: Second.

17 DIRECTOR ANTHONY: All those in favor.

18 (Vote taken; motion passed.)

19 DIRECTOR ANTHONY: That's all to come
20 before the Board. Is there a motion to adjourn?

21 MR. PREISSE: Move to adjourn.

22 MR. HAAS: Second.

23 DIRECTOR ANTHONY: All those in favor.

24 (Vote taken; motion passed) (Meeting adjourned 4:40 pm)

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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 Monday, July 6, 2015, and carefully compared with my original stenographic notes.



Rosemary Foster Anderson,
Professional Reporter and
Notary Public in and for
the State of Ohio.

My commission expires April 5, 2019.

(RFA-78826)

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