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APPEARANCES:

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

On behalf of the Board.

ALSO PRESENT:

Ms. Suzanne Brown  
Ms. Alicia Healy  
Mr. Jeffrey Mackey  
Franklin County Board of Elections.

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1 Thursday Morning Session,  
2 November 19, 2015.

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4 DIRECTOR ANTHONY: Good morning. I'm  
5 going to call the Franklin County Board of Elections  
6 special meeting to order.

7 Roll call.

8 Kim Marinello.

9 MS. MARINELLO: Here.

10 DIRECTOR ANTHONY: Gregory Haas.

11 MR. HAAS: Here.

12 DIRECTOR ANTHONY: Bradley Sinnott.

13 MR. SINNOTT: Here.

14 DIRECTOR ANTHONY: Mr. Chairman, we have  
15 a quorum.

16 The first item of business is the  
17 provisional ballots count.

18 MR. PAYNE: As you recall, we did all the  
19 provisional ballots at the last meeting with the  
20 exception of the out of county. We have 939  
21 out-of-county ballots, which I will let Alicia  
22 explain, and there's a chart in front of you that  
23 explains the 939.

24 MS. HEALY: Out of the 939 we had 931

1 that were accepted, and we had 8 that were rejected,  
 2 and those were not registered.

3 MS. MARINELLO: I move that the Board  
 4 approve the counting of 931 provisional ballots and  
 5 the rejection of 8 provisional ballots and that all  
 6 provisional ballots deemed valid will be counted and  
 7 included in the official canvass results for the 2015  
 8 General Election.

9 DIRECTOR ANTHONY: Is there a second?

10 MR. SINNOTT: Second.

11 DIRECTOR ANTHONY: All those in favor?

12 (Vote taken; motion passes.)

13 DIRECTOR ANTHONY: Motion passes.

14 MR. PAYNE: We have 50 people back there.  
 15 We can take a fast recess, and we are ready to run  
 16 the ballots.

17 MR. SINNOTT: I move that the Board  
 18 recess to extract the approved provisional ballots.

19 DIRECTOR ANTHONY: Second?

20 MR. HAAS: Second.

21 DIRECTOR ANTHONY: We stand in recess.

22 (Recess taken.)

23 DIRECTOR ANTHONY: I would like to call  
 24 the Franklin County Board of Elections meeting back

1 to order after our brief recess.

2 No need to do the roll call. We still  
3 have Kim, Brad, Greg, Mr. Chairman.

4 MR. PAYNE: We have one issue for the  
5 Board to consider, correct?

6 MS. HEALY: Yes. When the ballots were  
7 being extracted, we had an envelope that contained  
8 two ballots, so we were wanting you to consider there  
9 are two scenarios we could do. We compared the two  
10 ballots, and on the ballots nine of the races were  
11 the same, but five of them were different, so we  
12 could either remake the ballots, or we could  
13 disregard the ballots and just give him credit for  
14 voting.

15 MR. SINNOTT: Alicia, back us up. I  
16 thought we are going to get the report on provisional  
17 ballots for consideration today. So you had a  
18 provisional ballot envelope.

19 MS. HEALY: Yes.

20 MR. SINNOTT: The envelope checked out,  
21 but you have two different ballots inside the  
22 envelope.

23 MS. HEALY: Correct.

24 DIRECTOR ANTHONY: From the same person?

1 MS. HEALY: We're not sure what happened.  
2 Possibly they did the first one and it should have  
3 been voided. We're not sure that there was a void,  
4 so there was another one given. Two were given at  
5 the same time, folded up both, put it in the  
6 envelope, just really not sure.

7 DIRECTOR ANTHONY: Nothing in the  
8 workbook that showed it was voided?

9 MS. HEALY: There was nothing in the  
10 workbook about what happened.

11 MR. PAYNE: I talked to the Secretary of  
12 State's legal counsel, and there is no directive or  
13 anything that talks to this particular case.

14 DIRECTOR ANTHONY: What should have  
15 happened, the poll worker should have voided one or  
16 the other.

17 MR. HAAS: There's no way to tell which  
18 one is -- if there was a way to identify them and  
19 connect to it the envelope, then I would be in favor  
20 of counting one and not the other, but there's no way  
21 to tell which one to count. It's really kind of a --

22 MR. SINNOTT: The two ballots contain  
23 votes in different races.

24 DIRECTOR ANTHONY: Could two people

1 have -- two different people stuck a ballot in that  
 2 envelope?

3 MR. SINNOTT: I suppose all things could  
 4 have happened, but it's all conjecture.

5 MS. MARINELLO: That's kind of hard to --

6 MR. HAAS: There's no way to tell who is  
 7 the person.

8 MR. SINNOTT: My inclination would be to  
 9 show that this person voted but not to count either  
 10 one of those ballots.

11 MS. MARINELLO: Yes. I don't know how  
 12 you could.

13 MR. SINNOTT: The envelope was filled out  
 14 properly, right?

15 MS. HEALY: It is.

16 MR. HAAS: But you can't identify --

17 MR. SINNOTT: Relative to the provisional  
 18 envelope in question, I move that the Board's records  
 19 show that the voter participated in the 2015 General  
 20 Election but that neither ballot inside the envelope  
 21 be included in the official count.

22 MR. HAAS: Second.

23 DIRECTOR ANTHONY: All those in favor?

24 (Vote taken; motion passes.)

1                   DIRECTOR ANTHONY: Motion carries.

2                   MR. PAYNE: The final issue is the  
3 remaking of provisional ballots.

4                   MS. HEALY: Yes, we have 189 remakes.

5                   MR. PAYNE: Do you want to tell the  
6 different scenarios?

7                   MR. MANIFOLD: There's essentially two  
8 different categories. 185 that when you guys gave  
9 them authorization to open, it's the right church,  
10 wrong pew. You don't know if they got the right  
11 ballot styles until you open it and get through it.  
12 So there's 185 that got the wrong ballot style but  
13 were at the right location.

14                   MS. HEALY: Correct.

15                   MR. MANIFOLD: So they need to be remade.  
16 The second category we have four damaged  
17 ballots. I think three of them are print --

18                   MR. SINNOTT: When you say "remade" in  
19 that first scenario, we would redo the ballots so  
20 we're counting the votes cast in the races where they  
21 were entitled to vote but excluding the others?

22                   MR. MANIFOLD: Yes, correct, the correct  
23 ballot style, and it will only -- you can only put  
24 the races that they were allowed to vote in.

1 MR. HAAS: It would exclude the races  
2 that they could not vote in?

3 MR. MANIFOLD: There they should not have  
4 been allowed to vote.

5 And then we have four that were damaged,  
6 and I think three of them are actually print  
7 problems, and one of them got mangled.

8 MR. PAYNE: When you say printed wrong,  
9 what do you mean?

10 MR. MANIFOLD: Yes, I will let you see  
11 it. When our print shop prints ballots, they have to  
12 hit the mark at bottom. The machine has these  
13 squares. When the square isn't in the crosshair, the  
14 machine will not read these ballots, so we would  
15 remake these.

16 On this one, this one is just mangled.

17 So 189 all together.

18 MR. SINNOTT: This relates to the  
19 remaking of provisional ballots?

20 MR. MANIFOLD: Yes.

21 MR. HAAS: I move that the Board  
22 authorize staff to remake 189 ballots, provisional  
23 ballots.

24 MR. SINNOTT: Should the motion include

1 the remade ballots be tabulated and included in the  
2 official canvass?

3 MR. HAAS: The remade ballots should be  
4 tabulated and included in the original canvass.

5 MR. SINNOTT: I second that.

6 DIRECTOR ANTHONY: All those in favor?

7 (Vote taken; motion passes.)

8 DIRECTOR ANTHONY: Motion carries.

9 That's all we have. We have a meeting on  
10 Monday where we would go over the official canvass  
11 and any potential recounts. We have four or five.

12 MR. MACKEY: Four or five that are close.

13 MR. SINNOTT: All right. Well, then,  
14 Mr. Director, is there any more business to come  
15 before the Board?

16 DIRECTOR ANTHONY: Not really. Last  
17 night we did the first ever -- we had a Legacy  
18 Trainers Awards Ceremony. I know that's not on the  
19 agenda, but I want to let you guys know, and I'll  
20 pass this out, it was the first time we've ever  
21 recognized our poll workers, and Dave and I attended.

22 MR. PAYNE: And our trainers.

23 DIRECTOR ANTHONY: It was a great event.  
24 The facility worked beautifully. We had it catered,

1 basically a pot luck. And we've got some poll  
2 workers that over 35 years of experience, and we  
3 handed out the first ever pins and awards. And Kim  
4 was also there, and I thought it was a great night  
5 and an event we will hopefully do each year.

6 MR. SINNOTT: I heard really good things  
7 about it, and I think we should let Gary Collins  
8 know.

9 DIRECTOR ANTHONY: It was a beautiful  
10 event, well attended, and it was well deserving of  
11 all the trainers that received some type of award.

12 MS. MARINELLO: It was really great.

13 DIRECTOR ANTHONY: Motion to adjourn?

14 MR. SINNOTT: So moved.

15 MS. MARINELLO: Second.

16 DIRECTOR ANTHONY: All those in favor?

17 (Vote taken; motion passes.)

18 DIRECTOR ANTHONY: We are adjourned.

19 (The meeting adjourned at 11:08 a.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 Thursday, November 19, 2015, and carefully compared with my original stenographic notes.

*Rosemary Foster Anderson*

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



My commission expires April 5, 2019.

(rfa-79713)

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