BEFORE THE FRANKLIN COUNTY BOARD OF ELECTIONS

- - -

In Re:

:

Special Meeting.

PROCEEDINGS

before Director William A. Anthony, Jr., Deputy
Director David Payne, and Board Members Bradley K.
Sinnott (Acting Chair), Gregory K. Haas, and Kimberly
E. Marinello, at the Franklin County Board of
Elections, 1700 Morse Road, Columbus, Ohio, called at
1:30 p.m. on Thursday, March 3, 2016.

- - -

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     APPEARANCES:
 2
            Franklin County Prosecutor's Office
            By Mr. Tim Lecklider,
 3
            Assistant Prosecuting Attorney
            373 South High Street
            Columbus, Ohio 43215
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                  On behalf of the Board.
 6
     ALSO PRESENT:
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            Ms. Suzanne Brown,
            Executive Assistant to the Board.
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			3
1	INDEX		
2			
3	ITEM	PAGE	
4	Approval of Minutes	4	
5	Selection of Temporary Chairman	5	
6	Appointment of Director	6	
7	Appointment of Deputy Director	7	
8	Swearing In of Director and Deputy Director	7	
9	Appointment of a Chairman	8	
10	Full-Time Clerk Appointments	8	
11	Kids Voting Contract	10	
12	Purchase of 15 Desktop Computers	12	
13 14	2016 Election Safeguards Policy for Election Employees with Contested Central Committee Races	13	
15	Candidate Withdrawals	18	
16	Adjourn	19	
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                                Thursday Afternoon Session,
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                               March 3, 2016.
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                 DIRECTOR ANTHONY: We will now call the
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     Franklin County Board of Elections Special Meting to
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     order. I will do the roll call. Kimberly Marinello.
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                 MEMBER MARINELLO: Here.
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                 DIRECTOR ANTHONY: Gregory Haas.
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                 MEMBER HAAS: Here.
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                 DIRECTOR ANTHONY: And Bradley Sinnott.
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                 MEMBER SINNOTT: Here.
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                 DIRECTOR ANTHONY: Mr. Chair, we have a
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     quorum.
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                 First item on the agenda will be approval
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     of the minutes from February 1.
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                 MEMBER MARINELLO: I move that the Board
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     approve the minutes of the February 1, 2016, meeting
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     of the Franklin County Board of Elections as
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     submitted.
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                 DIRECTOR ANTHONY: Is there a second?
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                 MEMBER SINNOTT: There is.
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                 DEPUTY DIRECTOR PAYNE: I'm sorry.
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                 DIRECTOR ANTHONY: All those in favor say
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     aye.
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The next item on the agenda --
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DEPUTY DIRECTOR PAYNE: Mr. Director, I was wondering if it would be appropriate, we had a member of our staff today pass away.

5 DIRECTOR ANTHONY: That would be 6 appropriate.

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DEPUTY DIRECTOR PAYNE: Brenda Essig and she was 53 years old and she had a number of grandchildren and had at least two daughters that I'm aware of and she took a leave of absence a couple of weeks ago and we just got word today, Renee, right, she passed away?

DIRECTOR ANTHONY: Wow.

MEMBER SINNOTT: What will we do as a Board in response? Fortunately this doesn't happen often. Do we do a card?

DEPUTY DIRECTOR PAYNE: I know a card was going around today, and I think a number of us will probably go to the calling hours.

MEMBER SINNOTT: That's very sad news.

DIRECTOR ANTHONY: She had been battling some illness too so. Great lady.

The next item on the agenda will be the selection of a Temporary Chairperson.

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                 MEMBER HAAS: I move that the Board
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     appoint Brad Sinnott as the Temporary Chairman for
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     the purpose of reorganization.
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                 MEMBER MARINELLO: Second.
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                 DIRECTOR ANTHONY: All those in favor.
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                 The motion carries, Mr. Chairman.
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                 The next item of business is to appoint a
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     Director, and I would like to submit my name.
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                 MEMBER SINNOTT: I don't think you are a
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     member of the Board.
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                 MEMBER MARINELLO: Okay. I move that the
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     Board -- let me think about that for a minute.
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     move that the Board appoint William Anthony as the
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     Director of the Franklin County Board of Elections at
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     a compensation rate of $59.24 per hour.
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                 DIRECTOR ANTHONY: Is there a second?
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                 MEMBER HAAS: Second.
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                 DIRECTOR ANTHONY: This group is hard.
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     All those in favor.
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                 The motion carries.
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                 I guess at this point I need to be sworn
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     in. Is that the way it works or does it --
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                 DEPUTY DIRECTOR PAYNE: Or we can do both
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at the same time presuming there is another

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7 appointment. I am not sure I did the proper amount 1 2 of lobbying. 3 MEMBER SINNOTT: You are not a member of 4 the Board either. Why don't we do it at the same 5 time. 6 DIRECTOR ANTHONY: Okay. The second item 7 on the agenda would be the appointment of my friend 8 David Payne as the Deputy Director. 9 MEMBER SINNOTT: Well, I think that's an 10 excellent recommendation, Director Anthony. I move 11 that the Board appoint David Payne as the Deputy 12 Director of the Franklin County Board of Elections at 13 the compensation of \$59.24 per hour. 14 MEMBER HAAS: Second. 15 DIRECTOR ANTHONY: All those in favor. 16 That motion carries as well. 17 We now have Judge Cindy Morehart in the audience, and she will swear the Board in. 18 19 MEMBER SINNOTT: Welcome, Judge.

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JUDGE MOREHART: Thank you.

DIRECTOR ANTHONY: Anybody taking Should we step by the flag? Let's step by pictures? the flag. We're Americans.

(Judge Morehart swore in Mr. Anthony as

Director and then Mr. Payne as Deputy Director.) 1 2 MEMBER SINNOTT: Congratulations to Bill 3 and David. We look forward to your continued service. 4 5 DEPUTY DIRECTOR PAYNE: Thank you. 6 DIRECTOR ANTHONY: The next item on the 7 agenda would be the appointment of a -- of a Chairman 8 of our Board of Elections. 9 MEMBER SINNOTT: Well, I have spoken to 10 Doug Preisse. He has been serving as Chair, and he 11 tells me he would be interested in continuing service 12 if that's the pleasure of the Board, so I am pleased 13 to move that the Board appoint Douglas Preisse as Chairman of the Franklin County Board of Elections. 14 15 DIRECTOR ANTHONY: Is there a second? 16 MEMBER MARINELLO: I'll second that.

MEMBER SINNOTT: Doug is appreciative I

DIRECTOR ANTHONY: All those in favor say

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aye.

know.

DIRECTOR ANTHONY: He called and told me

Now for the appointment of we call all of our employees full-time clerks even though they have

working titles. By law they are all considered clerks. And at this point we need to appointment all of our full-time clerks, and we have a list on Exhibit A for you. And that will show you the -- all the employees and their hourly wage. Instead of going through them, we'll just submit this document.

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DEPUTY DIRECTOR PAYNE: There were 44 positions. 43 of those are presently filled. There is a vacant position that is a Democrat position that we could fill at some point, but I think we need to approve that, at least the pay for that position, if you are so inclined. And there are no pay raises in here other than the 2 percent pay raise that you — the Board was nice to approve at our last meeting.

MEMBER SINNOTT: All right. Well, then I move the Board appoint employees listed on Exhibit A as full-time clerks of the Board and fix as their hourly compensation the rates listed with their respective names.

DIRECTOR ANTHONY: Is there a second?

MEMBER HAAS: Second.

DIRECTOR ANTHONY: All those in favor say aye. And we will swear the employees in I believe tomorrow? Tomorrow morning.

The next item on the agenda would be every year we enter into a contract with Kids Voting, and we use the children, these kids, in the high schools as -- as our Youth at the Booth folks. We have been doing it now I am not even sure how many years now but for a number of years.

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Steve, do you know how many years we have been doing this?

DEPUTY DIRECTOR PAYNE: You want to stand up and give 30 seconds of Youth at the Booth and this contract, if you wouldn't mine, Steve?

MR. BULEN: You said 45 earlier.

DEPUTY DIRECTOR PAYNE: What's that?

MR. BULEN: You said 45 seconds.

DEPUTY DIRECTOR PAYNE: Oh, okay, 45.

MR. BULEN: Mr. Chairman, members of the Board, we began our partnership with Kids Voting in 2005, and since that time we've used 13,170 high school students to serve as precinct election officials, and those students represent 59 Franklin County high schools. And so we look forward to a continued relationship with them. This election we will use 270 students, and usually the spring is a little lower than the fall. For instance, last

election we had 638. They are a great resource and most serve as machine judges but would be great to have that relationship as we move forward.

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DIRECTOR ANTHONY: And don't we have some that end up becoming poll workers after they get out of high school?

MR. BULEN: Yes, many of them stay location managers for us so.

DIRECTOR ANTHONY: It's a great program. We used to be on the Board of that, of Kids Voting, but they moved to the Education -- I know I shouldn't, Educational Service Center and ended up taking over the role of Kids Voting. And so since then they've been doing it, and we can, I hope, continue our support for this organization.

And when I go across the country, when we go to conferences and stuff, we talk about this, and some folks are like, wow, that's a great program. It really is. It takes voting and all that right to the high school, and hopefully we are teaching a generation of kids the importance of voting.

DEPUTY DIRECTOR PAYNE: I believe there is a contract and we ran that by the County

Prosecutor's Office and they thought it seemed

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appropriate.
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MEMBER MARINELLO: I think it's a great program too, and I move that the Board give authorization to enter into a contract with the Educational Service Center of Central Ohio (Kids Voting Central Ohio) for an amount not to exceed \$45,000 and thank Kids Voting for their continued participation in the Franklin County Board of Elections' Youth at the Booth program.

MEMBER SINNOTT: Second.

DIRECTOR ANTHONY: All those in favor.

That motion carries.

I am passing around the contract that needs your guys' signature on it. There is two of them.

DIRECTOR ANTHONY: The next item on the agenda would be the purchase of 15 desktop computers.

Carol, you want to talk about that?

MS. GORUP: I will. I am not sure I want

20 to.

Every year we buy computers to replace computers that are out of warranty, and we do it a few of them every year so we don't try to buy 44 new computers all at once. And the ones we retire

actually end up in our -- what we call our stable for special projects where we have to set up 25, 35 computers for petition checking, provisionals. And that's about it. If you have any questions.

5 DIRECTOR ANTHONY: The total cost is 6 \$14,700.10.

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MEMBER SINNOTT: I move that the Board authorize the Director and Deputy Director to authorize the purchase of 15 desktop computers for an amount of \$14,700.10 to replace the computers no longer under warranty.

DIRECTOR ANTHONY: Is there a second?

MEMBER HAAS: Second.

DIRECTOR ANTHONY: All those in favor say aye.

That motion carries.

And then the next item on the agenda we have had a number of our employees this election cycle that are running for their party's central committee seat. And as such, some of them had a contested race and the law says if a person has a contested race, they should not be anywhere near the live ballot for that -- for that race for that area. And so we've put -- we've put together -- we put in

place a policy that will probably have to be revised every year to deal with this and I am going to have Zach get up and it's in your packet as Exhibit B.

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And, Zach, you want to talk more about it, please?

MR. MANIFOLD: Yeah. Basically the Revised Code is pretty vague. There is only one section, 3501.15. I can hand it around to you guys. I need to take a look. There really -- we started realizing that, as Bill said, the only real prohibition in there is you can't -- it specifically allows elections officials to run for these races. The only prohibition is working as a poll worker in that precinct.

And so we thought, oh, boy, we really should probably have some -- at least in writing a policy or some safeguards down for -- for how our employees should, you know, try to limit access to ballots and kind of prevent any ethical conflicts.

And so we've got a couple of different things we did here that we have been using this for this -- for this election limiting, you know, that any -- any employees in the vote center that have a contested race will not be issued personal electronic

ballots, PEBs, so they cannot process voters on voting machines. They have no access to voting machines. The e-pollbooks in the vote center have all been programmed to let us know when a voter comes in from one of those precincts to pop it up and tell the keyer and the keyer then tells the supervisor and the supervisor ensures none of our employees are in the vote center at the time that voter is in the vote center.

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Also absentee ballots by mail, prohibiting employees from participating in ballot extraction or tabulation of any ballots for this primary.

Also we also have a program that's called Xigbar which is how we -- an employee sitting at their computer, and the ID envelope pops up on the computer, that's how we validate ballots with the picture from the ID envelope, the employees in those contested races have their Xigbar access eliminated. That way they couldn't process any ballots, if any, of voters coming through.

Also our Relia-Vote sorter in the back that handles all the ballots coming in, we programmed it to specifically segregate anybody in the absentee

department that had a contested race, that those ballots would be put off to the side so that nobody that -- to ensure that none of our employees with contested races would have access to those -- to those ballots and then also to make sure they don't participate in validation, extraction, tabulation.

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And then also Ray is here. Also we listed here the provisional ballot processing prohibiting those employees from processing any provisional ballot affirmations from those precincts in which the candidate's name appears on the ballot.

The IT department is going to supply a list of the LIDs which is location IDs so those locations where those candidates are on the ballots that they'll again segregate those ballots out and then also prohibiting employees from extracting provisional ballots.

I put down here at the bottom this policy would need to be updated probably with every central committee race just because it will vary on our ability -- it does vary on our ability to put these safeguards in place like, for instance, my department we only have -- we have three employees -- well, certainly employees that are trained to do the 650

ESS tabulators that tabulate absentee ballots. Right now, we are going to eliminate -- in this policy we are not going to have any employees with contested races, but in certain years you could have all three employees that are trained on equipment not be able to. We may need to make some adjustments in the future depending on what employees have races as far as what -- you can run these sorts of ballots and not these ones. Right now, we kind of took a more broad approach to this policy, but it may need to be tweaked at a future date.

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MEMBER SINNOTT: Zach, how many members and employees have contested rates?

MR. MANIFOLD: That number has dropped.

MR. MACKEY: I think we are down to two.

DEPUTY DIRECTOR PAYNE: I think Don Clo and Beth Fulton doesn't have a contested primary but her mother is running for state committee so.

DIRECTOR ANTHONY: Howard Heard.

DEPUTY DIRECTOR PAYNE: Howard, that's three then.

MR. MANIFOLD: We started at eight or something. For instance, when we were first thinking about putting this together, we had a lot more

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concerns about what -- how limited we could be, but now, we only have three races, so we were able to kind of put more safeguards in place.
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MEMBER HAAS: All right. I move that the Board adopt the Elections Safeguard Policy for BOE employees with contested central committee races in the March 15, 2016, Primary on Exhibit B.

DIRECTOR ANTHONY: Is there a second?

MEMBER MARINELLO: Second.

DIRECTOR ANTHONY: All those in favor say

aye.

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That motion carries.

The next item on the agenda would be we had some candidates withdraw and that's on Exhibit C.

Do you want to talk about this, Jeff?

MR. MACKEY: So we did have three judicial candidates come in this week, and over the last several weeks since the last meeting we have had seven Democratic County Central Committee candidates express their desire to withdraw from the Primary Election. They are listed there for you.

MEMBER SINNOTT: Well, that seems self-explanatory. I move that the Board accept the request of the following candidates on Exhibit C to

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     withdraw as a candidate and that their votes not be
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     counted for the March 15, 2016, Primary Election.
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                 DIRECTOR ANTHONY: Is there a second?
                 MEMBER HAAS: Second.
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                 DIRECTOR ANTHONY: All those in favor.
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                 Motion carries.
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                 Is there a motion for adjournment?
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                 MEMBER SINNOTT: There is.
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                 MEMBER HAAS: So moved -- second.
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                 DIRECTOR ANTHONY: Properly moved. Is
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     there a second?
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                 MEMBER HAAS: Second.
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                 DIRECTOR ANTHONY: We stand adjourned.
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                 (Thereupon, the meeting was concluded at
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     2:04 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 Thursday, March 3, 2016, and carefully compared with my original stenographic notes.

(KSG-6162)

Karen Sue Gibson, Registered Merit Reporter.



						ימים בוסוסים	200:1
	•					Hours	2080
	i	,					New Hourly
Last Name ANTHONY	First Name	Party	Hire Date	Employee #	Hourly	Yearly	Rate
FINACAN		ם מ	02/00/00	4302	\$ 20.0788	\$ 123,220.03	\$ 59.2404
	L 444	ם מ	1000		\$ 19.6136	\$ 41,612.27	\$ 20.0059
BROWN	SUZANNE	ם ו	04/18/05	15747	\$ 32.3748	\$ 68,686.38	\$ 33.0223
BURLEY	RANDOLPH	۵	02/10/14	21129	\$ 15.9120	\$ 33,758.82	\$ 16.2302
CAMPBELL	NIKK	۵	03/05/14	23378	\$ 14.9634	\$ 31,746.42	\$ 15.2627
COUNTS	KATHRYN	۵	11/30/88	5088	\$ 23.8109	\$ 50,517.17	\$ 24.2871
EAST	AMIE	۵	02/10/14	24620	\$ 14.9634	\$ 31,746.42	\$ 15,2627
GAMINO	ROLAND	۵	12/03/07	18832	\$ 20.0073	\$ 42,447.39	\$ 20.4074
	FRANK	۵	12/22/97	1480	\$ 24.3086	\$ 51,573.18	\$ 24.7948
HARRIS	PATRICK	۵	08/14/11	22413	\$ 31.2426	\$ 66,284.40	\$ 31.8675
HEARD	HOWARD	۵	08/11/14	2990	\$ 21.9198	\$ 46,505.06	\$ 22.3582
KLCO	RENEE	۵	03/26/01	10929	\$ 36.1927	\$ 76,786.53	\$ 36.9166
LANDYT	DENNIS	۵	07/13/09	20555	\$ 32.1912	\$ 68,296.80	\$ 32.8350
	ROBIN	۵	08/10/04	15006	\$ 19.5289	\$ 41,432.56	\$ 19.9195
MANIFOLD	ZACHARY	۵	03/30/15	21041	\$ 33.6539	\$ 71,400.16	\$ 34.3270
NGUYEN	升	۵	08/14/15	26847	\$ 27.4039	\$ 58,140.16	\$ 27.9520
PURKEY	PHILLIP	۵	07/06/15	26763	\$ 25.9620	\$ 55,080.90	\$ 26.4812
RAPHAEL	THOMAS	۵	02/02/09	14574	\$ 17.2533	\$ 36,604.67	\$ 17.5984
ROBERTS	DEBORAH	۵	01/24/11	21935	\$ 17.5440	\$ 37,221.39	\$ 17.8949
RUSHAY	MATTHEW	۵	11/01/04	12235	\$ 22.2054	\$ 47,110.96	\$ 22.6495
SCARBROUGH	WILLIAM	۵	02/19/13	23906	\$ 16.7280	\$ 35,490.21	\$ 17.0626
WIHL	MICHAEL	۵	08/17/05	3074	\$ 21.0222	\$ 44,600.61	\$ 21.4426
BALACH	LUCINDA	~	10/27/03	14257	\$ 19.2545	\$ 40,850.37	\$ 19.6396
BIDWELL	CHRISTOPHER	œ	07/30/07	17228	\$ 17.5522	\$ 37,238.66	\$ 17.9032
BULEN	STEPHEN	œ	06/20/11	16761	\$ 30.0115	\$ 63,672.34	\$ 30.6117
COTNER	DEBORAH	œ	08/13/07	12187	\$ 20.8933	\$ 44,327.30	\$ 21.3112
FULTON	ELIZABETH	œ	02/23/09	19142	\$ 17.0462	\$ 36,165.17	\$ 17.3871
GORUP	CAROLYN	œ	08/08/05	16092	\$ 42.7992	\$ 90,802.82	\$ 43.6552
HEALY	ALICIA	œ	01/08/13	23833	\$ 23.2560	\$ 49,339.89	\$ 23.7211
AYCOCK	PAMELA	œ	08/21/12	23331	\$ 16.5138	\$ 35,035.73	\$ 16.8441
roos	STEVEN	œ	08/12/14	25616	\$ 14.9634	\$ 31,746.42	\$ 15.2627
MACKEY	JEFFREY	œ	02/01/10	20998	\$ 30.0115	\$ 63,672.34	\$ 30.6117
MAGERS	DAVID	œ	10/27/97	3236	\$ 26.0100	\$ 55,182.82	\$ 26.5302
MARTIN	ROSE	œ	06/14/04	10131	\$ 17.2553	\$ 36,608.83	\$ 17.6004
MINGO	LANCE	œ	08/26/13	24469	\$ 21.0079	\$ 44,570.45	\$ 21.4281
PATTON	CARIA	~	09/28/98	6930	\$ 24 7452	C 52 400 44	A 25 240.4

PAYNE	DAVID	8	04/06/15	26384	69	58.0788	\$ 123	123,220.03	49	59.2404
PHAIPHANYA	SONNY	œ	05/01/06	10492	69	23.3794	\$ 46	49,601.76	G	23.8470
PISCITELLI	BEN	œ	03/05/07	17861	ь	33.7447	\$ 71	71,592.77	49	34.4196
SELLERS	AARON	œ	02/05/07	17780	မှာ	26.9912	\$	7.264.48	w	27.5310
SHELL	GENE	œ	04/01/88	651	69	25.9978	\$	5,157.02	G	26.5178
TARR	FRANK	œ	07/12/11	17420	မာ	20.2531	\$ 42	42,969.06	G	20.6582
TOMPKINS	MARY	œ	06/16/03	6991	69	20.7437	**	44,009.89	S	21.1586
WADE	TANIA	œ	04/15/13	24032	€	20.4989	\$	43,490.51	s	20.9089
							\$ 2,329	2,329,280.51	1 %	
BOARD MEMBER 2 REP/2DE	RS2 REP/2DEM	4 POSITIONS								8
				qem						
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Election Safeguards for Employees with Contested Central Committee Races – Primary Election 2016

With certain Franklin County Board of Elections employees facing contested races for Central Committee offices, the Board has adopted the following plan to limit access to ballots on which they appear as a candidate so as to prevent any ethical conflicts.

Early Vote Center

- Employees with contested central committee races will not be issued a PEB thereby precluding them from processing any voters on the electronic voting machines.
- The epollbooks have been programmed with a message that informs the processing clerks that a voter resides in one of the contested precincts. When the message appears, the clerks have been trained to notify their supervisor and the supervisor will ensure that none of the employees in contested central committee races are present in the Vote Center at the time of voting for those individuals.

Absentee Ballots by Mail

- Employees with contested races will be prohibited from participating in ballot extraction or tabulation on any ballots for the March 15, 2016 primary election.
- Employees with contested races will have their access removed from the SigVar program that is utilized to validate absentee ballot ID envelopes.
- The Reliavote sorter has been programmed to segregate incoming ballots which contain contested
 central committee races of employees. Those ballots will be processed separately to ensure that no
 employee in a contested race has access to those ballots throughout the validation, extraction or
 tabulation process.

Provisional Ballot Processing

- Employees with contested Central Committee races as well as family members of those candidates will be prohibited from processing any provisional ballot affirmations from precincts in which the candidate's name appears on the ballot.
- The IT department supplies a list of LIDs in which the ballot displays the candidate's name and those LIDs will be isolated from the employee. The employee is prohibited from processing any part of the affected provisional ballot affirmations.
- The employee will be prohibited in participating in provisional ballot extraction.

This policy may need to be reviewed for possible updating prior to each election where Central Committee races appear on the ballot. Employees impacted will vary from election to election and this could impact which safeguards are practical for election administration.

EXHIBIT C - WITHDRAWALS

For Judge of the Court of Common Pleas

- Karen Phipps (D FTC 1-2-2017)
- Michael E. Carleton (R FTC 1-3-2017)
- Jodi Thomas (R FTC 1-9-2017)

For Member of Democratic County Central Committee

- Joel Cosme Columbus Ward 2
- Eric Scott Wynne Columbus Ward 12
- Mohamud A. Jama Columbus Ward 25
- Cathy Cowan Becker Columbus Ward 79
- Marquise Lovejoy Columbus Ward 83
- Kelly Traversa Grove City Ward 1
- Howard H. Jarvis Madison Township