

BEFORE THE FRANKLIN COUNTY BOARD OF ELECTIONS

- - -

In Re: :
 :
Regular Meeting. :
 :

- - -

PROCEEDINGS

before Chairman Douglas J. Preisse, Director William A. Anthony, Jr., Deputy Director David Payne, and Board Members Gregory K. Haas, Kimberly E. Marinello, and Bradley K. Sinnott, at the Franklin County Board of Elections, 1700 Morse Road, Columbus, Ohio, on Friday, July 15, 2016, called at 10:15 a.m.

- - -

ARMSTRONG & OKEY, INC.
222 East Town Street, Second Floor
Columbus, Ohio 43215-5201
(614) 224-9481 - (800) 223-9481
Fax - (614) 224-5724

- - -

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

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
Mr. Jeffrey Mackey
Mr. Zachary Manifold
Ms. Carolyn S. Gorup

Franklin County Board of Elections.

- - -

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

INDEX

AGENDA ITEM	PAGE
Approval of Minutes	4
Candidate Withdrawals	5
Filling Vacancies in Party Nomination	6
Certification of Write-in Candidate for November 8, 2016, General Election Ballot	8
Voting Machine Allocation for the August 2 Special Election	9
Approval of 2016 General Election Administration Plan	13
Upper Arlington Protest of a Recall Petition	14
Executive Session	55
Actions on Executive Session	56
Adjournment	57

- - -

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

Friday Morning Session,
July 15, 2016.

- - -

DIRECTOR ANTHONY: Good morning,
everyone. This is a well attended Board meeting.

I'd like to call the Franklin County
Board of Elections meeting to order.

Roll call.
Kimberly Marinello.

MS. MARINELLO: Here.

DIRECTOR ANTHONY: Gregory Haas.

MR. HAAS: Here.

DIRECTOR ANTHONY: Doug Preisse.

CHAIRMAN PREISSE: Here.

DIRECTOR ANTHONY: And Brad Sinnott.

MR. SINNOTT: Here.

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

The first item on the agenda would be the
approval of the minutes for the June 13 meeting.

MR. HAAS: I move that the Board approve
the minutes of the June 13, 2016, meeting of the
Franklin County Board of Elections, as submitted.

DIRECTOR ANTHONY: Is there a second?

1 CHAIRMAN PREISSE: Second.

2 DIRECTOR ANTHONY: All those in favor.

3 (Vote taken; motion passes.)

4 DIRECTOR ANTHONY: The next item is the
5 Upper Arlington protest of the recall petition.
6 Mr. Jeff Mackey is going to lead us through all this.

7 Jeff.

8 MR. SINNOTT: Perhaps, Mr. Chairman, we
9 can deal with the candidate withdrawals and the fill
10 in the vacancies and the other agenda items before
11 the Upper Arlington issue, which will probably take
12 some time.

13 DIRECTOR ANTHONY: That would be fine. I
14 have no objection.

15 MS. MARINELLO: Fine.

16 DIRECTOR ANTHONY: Let's move to
17 candidate withdrawal. Again, we will call on Jeff
18 Mackey.

19 MR. MACKEY: We received in the interim
20 since the last meeting the withdrawal of four
21 candidates, Michael Lanese for State Representative
22 from the 23rd House District; Jesse Thomas from the
23 Franklin County Commissioner race, full term
24 commencing 1/3/2017; Valoria Hoover from the Court of

1 Common Pleas Judge race, full term commencing,
2 1/6/2017; and Whitney Smith withdrawing from the
3 State Representative race for House District 18.

4 You have copies of those in front of you
5 if you want to look at them.

6 MR. SINNOTT: I move the Board accept the
7 notice of withdrawal submitted from nominated
8 candidate Michael Lanese for State Representative
9 (23rd House District), full term commencing 1/1/17;
10 and nominated candidate Whitney Smith for State
11 Representative (18th House District), full term
12 commencing 1/1/17; and nominated candidate Jesse
13 Thomas for Franklin County Commissioner, full term
14 commencing 1/3/17; and nominated candidate Valoria
15 Hoover for Franklin County Common Pleas Judge, full
16 term, commencing 1/6/17.

17 DIRECTOR ANTHONY: Is there a second?

18 MS. MARINELLO: Second.

19 DIRECTOR ANTHONY: All those in favor.

20 (Vote taken; motion passes.)

21 DIRECTOR ANTHONY: That motion carries.

22 MR. MACKEY: Additionally, we have
23 received some selections to fill vacancies in Party
24 Nomination, one to replace Larry Malone, the

1 Democratic nominee to the 16th Ohio Senate District
2 by Cathy Johnson. Cathy is currently a Southwestern
3 City School Board member.

4 We have to replace Michael Lanese, Laura
5 Brady Lanese in the 23rd Ohio House District; and we
6 have to replace Jesse Thomas for County Commissioner
7 nominated candidate by the Republican Party, Whitney
8 Smith.

9 MR. SINNOTT: Having received from the
10 Franklin County Republican Party the Certification of
11 Selection of Candidate to Fill Vacancy in Party
12 Nomination as prescribed by ORC Section 3513.31, I
13 move that the Board accept the name of Laura Brady
14 Lanese to replace Michael Lanese in the race for
15 State Representative (23rd District), full term
16 commencing 1/1/17.

17 DIRECTOR ANTHONY: Is there a second?

18 MS. MARINELLO: Second.

19 DIRECTOR ANTHONY: All those in favor.

20 (Vote taken; motion passes.)

21 DIRECTOR ANTHONY: That motion carries.

22 MS. MARINELLO: Having received from the
23 Franklin County Republican Party the Certification of
24 Selection of Candidate to Fill Vacancy in Party

1 Nomination as prescribed by ORC Section 3513.31, I
2 move that the Board accept the name of Whitney Smith
3 to replace Jesse Thomas in the race for Franklin
4 County Commissioner, Full Term Commencing 1/3/17.

5 DIRECTOR ANTHONY: Is there a second?

6 CHAIRMAN PREISSE: Second.

7 DIRECTOR ANTHONY: All those in favor.

8 (Vote taken; motion passes.)

9 DIRECTOR ANTHONY: That motion carries.

10 MR. HAAS: Having received from the
11 Franklin County Republican Party the Certification of
12 Selection of Candidate to Fill Vacancy in Party
13 Nomination as prescribed by ORC Section 3513.31, I
14 move that the Board accept the name of Cathy Johnson
15 to replace Larry Malone in the race for State Senate
16 (16th District), full term commencing 1/1/17.

17 DIRECTOR ANTHONY: Is there a second?

18 CHAIRMAN PREISSE: Second.

19 MS. MARINELLO: All those in favor.

20 (Vote taken; motion passed.)

21 DIRECTOR ANTHONY: That motion carries.

22 MR. MACKEY: We have also received a
23 Declaration of Intent to be a write-in from M.
24 Deborah Tunstall to run in the election for the 17th

1 Ohio House District for State Representative. Her
2 declaration appears to be valid and sufficient.

3 MS. MARINELLO: I move that the Board
4 certify M. Deborah Tunstall as a valid write-in
5 candidate for the Ohio House of Representatives, 17th
6 District. Ms. Tunstall's Declaration of Intent to be
7 a write-in candidate is valid and sufficient.

8 DIRECTOR ANTHONY: Is there a second?

9 MR. HAAS: Second.

10 DIRECTOR ANTHONY: All those in favor.

11 (Vote taken; motion passes.)

12 DIRECTOR ANTHONY: That motion carries.

13 CHAIRMAN PREISSE: You want to move to
14 the 2014 machine allocation?

15 MR. PAYNE: Carolyn.

16 MS. GORUP: I believe you all have this
17 fascinating document of the machine allocations.
18 Thirty days prior to the election we are required to
19 review our machine allocations to make sure that they
20 are adequate.

21 When we did the original allocation, we
22 had 244 polling locations. Because rec centers and
23 churches do not have availability for voting, we have
24 made a number of temporary reassignments, and we will

1 have 240 polling locations.

2 CHAIRMAN PREISSE: Because what?

3 MS. GORUP: Because rec centers and
4 churches and places where we vote aren't available.

5 MR. PAYNE: Summer programs, they didn't
6 anticipate an August election.

7 CHAIRMAN PREISSE: Okay.

8 MS. GORUP: We have made a number of
9 temporary reassignments. The net change in the
10 machines is only three additional machines going out.
11 They are allocated at one machine for every
12 175 voters.

13 CHAIRMAN PREISSE: Describe the
14 communication to the voters relative to the handful
15 of temporary changes.

16 MS. GORUP: As soon as I finish up in
17 here, I'm working with one of our other people to
18 print out 35,000 cards that will go out to voters.
19 It will indicate whether it's a temporary change or a
20 permanent change.

21 MR. PAYNE: Additionally, we have people
22 sitting at the old locations to tell people on
23 election day if they show up at the old location.
24 They will have a map to the new location giving them

1 directions, letting them know.

2 CHAIRMAN PREISSE: From 6:30 to 7:30?

3 MR. PAYNE: From 6:30 to 7:30.

4 CHAIRMAN PREISSE: How many locations is
5 that?

6 MS. GORUP: I don't have --

7 MR. PAYNE: I think it's two.

8 MS. GORUP: There's two locations where
9 we are splitting them to two different locations.
10 The other locations where everybody is going to one
11 location, there will be a sign.

12 CHAIRMAN PREISSE: Okay. Thank you.

13 MR. SINNOTT: I move that the Board adopt
14 the voting machine allocation formula in Exhibit A
15 compiled by the Board staff for the August 2, 2016,
16 Special Election.

17 MS. MARINELLO: Second.

18 DIRECTOR ANTHONY: All those in favor.

19 (Vote taken; motion passes.)

20 MS. MARINELLO: How do you want to
21 proceed, continue with the agenda or go back to the
22 protest?

23 CHAIRMAN PREISSE: Let's do the election
24 plan and then revert to the schedule.

1 MR. PAYNE: During a gubernatorial
2 election cycle and during the presidential election
3 cycle, the Secretary of State requires all the county
4 Boards of Elections to provide an Election
5 Administration Plan for the upcoming election.

6 As you will recall, for the primary we
7 did an Election Administration Plan, and now we are
8 required to do that.

9 We actually submitted this plan, which
10 was due on the 11th in hopes that the Board would
11 approve it today. It's similar to the Election
12 Administration Plan that you approved for the
13 primary, with the exception of dates and a few other
14 items.

15 We talk in there about precinct election
16 official training; election communication on election
17 day; voter registration; absentee ballots; ADA
18 compliance for all our voting locations.

19 Frankly, I think it's not only the best
20 ADA compliance in the 88 counties; I would say the
21 best ADA compliance of any Board of Elections in the
22 country.

23 And, finally, we do a master calendar.
24 Literally everything we have to do regarding an

1 election is in this plan from every division, and so,
2 hopefully, this is what we've been doing for the
3 last -- longer than I've been a member here at the
4 Board of Elections, and, obviously, we update as new
5 directives from the Secretary of State come along.

6 I think Chelsea would agree this is one
7 of the best plans submitted by a Board of Elections.

8 Any questions?

9 MR. SINNOTT: Chelsea, would you also
10 agree it is the best in the country?

11 MS. FAULKNER: No comment.

12 MR. HAAS: I move that the Board accept
13 the 2016 General Election Administration Plan and
14 authorize staff to send it to the Secretary of State
15 in conformance with SOS Directive 2014-16.

16 CHAIRMAN PREISSE: Second.

17 DIRECTOR ANTHONY: All those in favor.

18 (Vote taken; motion passes.)

19 DIRECTOR ANTHONY: That motion carries.

20 We will go back to Upper Arlington.

21 Mr. Jeff Mackey.

22 MR. MACKEY: On June 17 we received four
23 recall petitions to recall four council members from
24 Upper Arlington City Council. A recall election is

1 permissible in municipalities that provide for it in
2 their charter under Revised Code 705.92.

3 Upper Arlington's charter does provide
4 for recall in Section 6. The Revised Code
5 Section and the charter excerpts are there for you.
6 You can read those.

7 On June 27, prior to completing the
8 certification of the petition, a protest against the
9 recall petition for Kip Greenhill only, so just one
10 of the four, was provided by Priscilla Mead.

11 Ms. Mead has indicated that the recall petition is
12 inconsistent with the voter registration for Kip
13 Greenhill, who is registered as and appeared on the
14 ballot the last time he was elected to council as
15 Francis C. Greenhill.

16 Subsequent to that, we completed our
17 review of the petitions around June 29 or 30. We
18 found sufficient valid signatures, and I expect,
19 absent a finding of the Board today, that the
20 petition is insufficient under your discretion in
21 3501.39; that we are prepared to proceed with
22 certification.

23 I already mentioned I included the recall
24 statute there, 705.92, and the charter section that

1 was pertinent. 705.92 includes a form of the ballot.
2 I've also included some other information there on
3 the definition of candidate, registered voter as they
4 appear in the Revised Code, how names should appear
5 on Declarations of candidacy, and how we determine
6 how names would appear on the ballot for election.

7 But I don't think any of these apply
8 necessarily to a recall question, so I believe the
9 issue that the Board will have to consider after
10 hearing the protest and then hearing from the
11 petitioner is whether the signers of the petition
12 were confused or misled or had some other concern
13 about how the name appeared on the ballot as far as
14 understanding who they were attempting to recall, to
15 the best of my ability.

16 CHAIRMAN PREISSE: Okay. Are we going to
17 hear from both sides? How do you want to proceed?
18 The protest first, let's do that. Let's hear from
19 the complainant.

20 MR. BECKER: I represent the petitioners.
21 I would request the Board, because I've subpoenaed
22 the Upper Arlington clerk, Ms. Ellrod, who is in
23 black over there --

24 CHAIRMAN PREISSE: Will you state your

1 name and address for the record, please.

2 MR. BECKER: James Becker, attorney at
3 law, 00204203, my Ohio Supreme Court registration
4 number, and I represent the group that has filed the
5 petitions.

6 I'd just like if we could have a
7 separation of witnesses so that the city clerk is not
8 in the room when Mrs. Mead is before the Board. It's
9 a standard trial court procedure.

10 CHAIRMAN PREISSE: I'm turning to the
11 smartest lawyer near me seeking his counsel.

12 MR. SINNOTT: Near you.

13 CHAIRMAN PREISSE: The smartest lawyer in
14 the room.

15 MR. SINNOTT: Thanks, Doug.

16 CHAIRMAN PREISSE: Is there any objection
17 in the room to Mr. Becker's request?

18 If there isn't, then I think that sounds
19 fine to us.

20 MS. MEAD: Members of the Board, my name
21 is Priscilla Mead. I'm a registered voter in Upper
22 Arlington, Ohio, County of Franklin, and I appear
23 before you as a private citizen. I am not
24 represented by legal counsel. I do not represent any

1 individual in this matter. I represent only myself.

2 I'm also a former officeholder. I've
3 been on the general and primary ballot 14 times and
4 involved in one local referendum. I have learned
5 through personal experience that the procedural laws
6 that govern elections are very specific. Consistent
7 compliance with those laws is vital to the fair and
8 orderly elections across the state.

9 Election law allows me, as a private
10 citizen, to protest a petition, and I have filed a
11 protest with you to the petition to recall one Kip
12 Greenhill from Upper Arlington City Council.

13 My premise is very simple. First, a
14 person who circulates a recall petition in Franklin
15 County must do so under the name registered with the
16 Franklin County Board of Elections. If the
17 circulator's signature is invalid, the petition is
18 invalid.

19 Second, a person who signs a recall
20 petition must do so under the name registered with
21 the Franklin County Board of Elections. If that
22 signature is invalid, the signature on the petition
23 is invalid. The signature is crossed out and not
24 counted.

1 The recall petition must also correctly
2 identify the subject of recall under the name by
3 which that person was elected. If the subject of a
4 recall petition is not registered with the Franklin
5 County Board of Elections, I hold that the recall
6 petitions are invalid.

7 In this case Francis C. Greenhill ran for
8 and was elected to Upper Arlington's City Council.
9 The petition in question is to recall Kip Greenhill.
10 There is no one registered to vote in Upper Arlington
11 named Kip Greenhill. There's no one certified by the
12 Board of Elections as elected to Upper Arlington City
13 Council named Kip Greenhill. The petitions,
14 therefore, are invalid because the subject of the
15 petition is improperly identified.

16 When Mr. Greenhill took out petitions in
17 2013, he asked the Board of Elections' staff whether
18 he could use his nickname, Kip, on the ballot.
19 Because his nickname is not a direct derivative of
20 his name, staff advised him to use his legal name by
21 which he was registered to vote. Examples of a
22 direct derivative could be Ron for Ronald or Sue for
23 Susan. Kip is not a derivative of Francis.

24 Your decision to invalidate the petition

1 does not deny the residents of Upper Arlington from
2 voting on Mr. Greenhill or any other officeholder
3 incorrectly or insufficiently identified. Those who
4 circulated this petition have every right to
5 circulate another petition in which they properly
6 identify the officeholder. Further, this
7 officeholder is eligible to stand for re-election in
8 2017.

9 My premises are simple. I hope that you
10 will hear these and rule out the petition for Kip
11 Greenhill.

12 Thank you.

13 CHAIRMAN PREISSE: Thank you, Mrs. Mead.

14 Are there questions?

15 MR. SINNOTT: Yes. Priscilla, the basis
16 for the protest is that Mr. Greenhill is registered
17 to vote under the name of Francis Greenhill?

18 MS. MEAD: Yes.

19 MR. SINNOTT: But the petition identifies
20 him as Kip Greenhill.

21 MS. MEAD: Yes.

22 MR. SINNOTT: You believe those who
23 signed the recall petition were misled or confused?

24 MS. MEAD: I believe that the name on the

1 petition needs to meet the same standards that we
2 have for the circulator of the petition and for a
3 signator on that petition. You cannot recall someone
4 who does not exist in the Franklin County Board of
5 Elections' rolls.

6 MR. SINNOTT: Are you aware of any legal
7 authority that instructs so?

8 MS. MEAD: No. I cannot cite that.

9 MR. SINNOTT: Thank you.

10 MS. MEAD: Thank you.

11 CHAIRMAN PREISSE: Anyone else?

12 Okay. Yes, sir, your turn.

13 MR. BECKER: Thank you. Good morning.
14 My name is James Becker. I represent UA for
15 Accountability. They're the PAC, and Mr. Bill Bound,
16 who is the treasurer of UA for Accountability in
17 relation to the submission of these petitions.

18 Each member of the Board has a
19 spiral-bound, ten-page brief which I've submitted.

20 I will make sure that Mrs. Mead has one
21 of those, too.

22 MS. MEAD: I certainly do not.

23 Thank you.

24 MR. BECKER: Now everybody has one.

1 We always get nervous when people are up
2 here saying they have a simple premise but it is
3 unsupported. So if you take a look at your
4 memorandum, you'll see that it's a maxim of the law,
5 and this is covered on page 3 or 4, that there is no
6 requirement under 705.92 for a recall group to use a
7 voter's registered name or the name as it appeared on
8 the ballot under which they were elected. 705 has no
9 such requirement. It says you can go ahead and
10 recall on officer, unqualified officer, of a city
11 council in a chartered municipality, which is what
12 we've done.

13 Nowhere under 705.92 does it make any
14 mention about Mr. Greenhill's registration. Nowhere
15 does it say about how he ran, and to effectuate
16 Mrs. Mead's request would be inserting words into a
17 statute that otherwise doesn't exist.

18 As Mr. Mackey told you earlier, there's
19 nothing that she cited under her protest. She has no
20 statute. She has nothing whatsoever that talks about
21 the name by which you recall a council candidate.

22 And this Kip matter is pretty important.
23 If you take a look at tab 1 of your spiral-bound
24 document, you'll see Mr. Greenhill's own campaign

1 literature when he ran for council in 2013, and
2 you'll find 12 times on that piece of literature
3 under Exhibit 1 that he's Kip Greenhill, 12 times.
4 There is no Francis Greenhill under any of this.

5 If you go to tab 2, you'll see the
6 council photo as it appears when you walk into the
7 municipal center. The first page of tab 2 is the
8 council as it appeared for his first two years. When
9 you take a look at how he's described, it's Kip
10 Greenhill.

11 Turn the page to the more recent
12 appointment of Sue Ralph, and this shot was the
13 second page of Exhibit 2, was shot in 2016, and
14 you'll see that he is still Kip Greenhill, not once,
15 but twice, and not only that, he's council vice
16 president and mayor.

17 And you'll find when we bring Mrs. Ellrod
18 back in, that the plaque beneath his seat on City
19 Council at the dais says, and you guessed it, Kip
20 Greenhill.

21 If you go to tab 3, you will see there
22 the copy of the Upper Arlington Staff Directory, so
23 it lists all employees, all elected officials, and
24 you'll see halfway down that Francis Greenhill

1 appears nowhere. In fact, quite frankly, for the
2 Board, we can't find Francis anywhere on the city's
3 website.

4 MR. HAAS: Did you check the ballot?

5 MR. BECKER: Did we check the ballot?

6 CHAIRMAN PREISSE: Yes. How was he
7 listed on the ballot?

8 MR. BECKER: He was listed on the ballot
9 as Francis.

10 MR. HAAS: Okay.

11 MR. BECKER: We did not check the ballot.
12 What we checked was, how is being held out? How is
13 he voting? How is he being represented to the
14 community?

15 CHAIRMAN PREISSE: What do you mean, how
16 is he voting?

17 MR. BECKER: We will get to the votes
18 later. How is he signing his name? How does he go
19 on the roll call? Who is this person? It's not
20 Francis; it's Kip.

21 If you take a look at the Staff
22 Directory, Kip Greenhill, vice mayor, on council.
23 When you click on Mr. Greenhill's name, you get the
24 second page of Exhibit 3, which has his photograph,

1 Kip Greenhill, no Francis. It doesn't exist on the
2 City's website.

3 Then when you go to the City's Boards and
4 Commissions, and that's Exhibit 4, you'll see again
5 City Council and how they're listed, and what do we
6 have? Kip Greenhill, vice president. This is the
7 most recent one.

8 2015 Arlington's big State of the City
9 address where council members address the community,
10 they make awards and presentations -- this is tab
11 5 -- you'll see repeatedly throughout this, Kip
12 Greenhill is guess what? Is referred to as Kip
13 Greenhill.

14 Tab 6 is the 2016 Upper Arlington State
15 of the City Address. Again, this is where residents
16 are addressed, community, businesses are honored,
17 goes on for hours and hours. How is he listed here?
18 Kip Greenhill.

19 Tab 7, how is he signing his name? Let's
20 go to tab 7. That's a Resolution of Appreciation for
21 Scott Zanon, who served on the Tree Commission. If
22 you take a look down at the bottom left, it's signed
23 Kip Greenhill.

24 And you'll find he never signed any

1 resolution, any ordinance, anything other than Kip
2 Greenhill, which really raises the question that if
3 Mrs. Mead's request is upheld today, we have to
4 wonder how many resolutions and ordinances in Upper
5 Arlington are void or voidable for an improper name.

6 When did we first hear about Francis
7 Greenhill? July 14, after the petitions were filed
8 when all of the sudden the City, in tab 8, for the
9 first time since he had ever been elected or served,
10 again, July of '16, just last week, changed it, and
11 if you go to page 2 of Exhibit 8 you will see on
12 June 27 a petition for Kip (Francis) Greenhill.

13 This is the first documentation since
14 Mr. Greenhill ran -- don't forget Exhibit 1 is his
15 own literature, 12 times Kip Greenhill. Finally now
16 they're playing a name game in July of '16, they are
17 putting a parenthesis, (Francis).

18 Seventeen years, you go to -- the
19 community knows this person as Kip Greenhill. Tab 9
20 shows, and this is his own piece of literature, that
21 Kip served as the principal at the Upper Arlington
22 High School for 17 years, again, under the name Kip
23 Greenhill.

24 And, finally, when you go to tab 10,

1 you'll see a UA This Week news article, which I think
2 we have one of the reporters here today who actually
3 wrote this, so if we have to, he can verify it.

4 "Mr. Greenhill said that he's prepared and has no
5 objections to standing collectively with the other
6 three council members."

7 As Mr. Mackey said to you, David DeCapua,
8 John Adams, and Deborah Johnson are going to be
9 certified for recall, and the recall under 705.92
10 occurs, 30, no more than 40 days, from the date that
11 this Board accepts the certification of those
12 petitions. So three people are going to be running.

13 We've already lost thousands of dollars.
14 I came in here weeks ago before we filed the petition
15 as a favor to Mr. Payne and Mr. Mackey and said,
16 Here's the curve ball that's going to be coming your
17 way with four sets of petitions. Are you prepared
18 for this? How can we assist you?

19 And we were told at that meeting if you
20 could time your filing within a certain window, then
21 we will be able to hold the Columbus ward districting
22 Special Election and the Arlington recall on the same
23 date, on August 2, and we'll save thousands of
24 dollars with economies of scale. Two instances of

1 those are training of poll workers and the delivery
2 of voting machines. Even though it's two different
3 jurisdictions, your staff explained to us there's
4 money to be saved by holding an Arlington/Columbus
5 election on the same day.

6 We've lost that. Mrs. Mead's meritless
7 protest has now lost that window. That's a few
8 thousand. If this is upheld today, she's going to
9 cost the residents of Upper Arlington another \$70,000
10 because the treasurer of this group will go out if
11 this Board says it has to be Francis, and they'll
12 circulate these again, and that's going to mean a
13 Special Election just for Francis Greenhill or Kip
14 Greenhill, or whatever he wants to be known as, to
15 cost of \$70,000 for Upper Arlington taxpayers.

16 CHAIRMAN PREISSE: Let's stick closely to
17 addressing the merits of the petition.

18 MR. BECKER: Let's go to -- you asked to
19 have case law earlier when Mrs. Mead was up here. If
20 you go to the last tab in the binder, you'll find a
21 case out of a Tuscarawas County where a voter on a
22 write-in went ahead and used the nickname for the
23 candidate with the candidate's correct last name,
24 exactly what we have here.

1 So, again, it's the write-in situation.
2 The voter puts in a nickname. The person was known
3 throughout the community with the person's last name.
4 And what did the court do? The court said it counts.

5 What Mrs. Mead is citing, you have to
6 understand this dichotomy, anything from the
7 Secretary of State or this Board regarding candidate
8 name, that would prevent Dave DeCapua from changing
9 his name and pulling some fast one where he would be
10 David Jack Nicholas DeCapua or John Woody Hayes
11 Allen. You can't game the system like that. The
12 rules are to prevent candidates from gaming the
13 system.

14 And it's in our memorandum. By switching
15 names, and you all know who gets elected well,
16 O'Donnell, Taft, Sweeney, O'Neil. The rules prevent
17 candidates from gaming the system. They don't
18 prevent the citizens, the voters, who want to put
19 somebody on from using that last name as it's known
20 throughout the entire community, 17 years at the high
21 school, three years on City Council, on the dais on
22 his plaque, how he's signing resolutions, on the roll
23 call vote. There's no other name for him. Quite
24 frankly, we were surprised at Francis.

1 So I kind of get the feeling that I'm in
2 a skit from Saturday Night Live with Amy Poehler and
3 Tina Fey with this whole thing because the paper
4 reports this week that Mrs. Mead is challenging is
5 because one of the petitions identified Kip
6 Greenhill, as he's commonly known in Upper Arlington,
7 as Kip Greenhill. You can't make this up.

8 So it's clear how he's held himself out,
9 how he's represented himself, who he is, there's no
10 voter confusion. Quite frankly, had we put Francis
11 Greenhill on these petitions, in all likelihood
12 voters who have said, Who's that? Oh, that's Kip,
13 but his real name. Who? I've never heard of Francis
14 Greenhill.

15 So there's no voter misinformation here,
16 and, again, what Mrs. Mead is citing regarding
17 gamesmanship applies to candidates who aren't allowed
18 to game the system in the voting booth. It doesn't
19 apply to voters. As the Skeels case held, that voter
20 could go ahead and write in that nickname.

21 Thank you. Any questions?

22 CHAIRMAN PREISSE: Questions of
23 Mr. Becker?

24 MR. SINNOTT: So, Jim, your position is

1 that it doesn't matter that he is known to the Board
2 as an elector as Francis Greenhill. It's sufficient
3 that he's known in the community as Kip Greenhill?

4 MR. BECKER: Not just known in the
5 community, he has been represented and represented
6 himself. The City, the Council, the people he's
7 working for have held him out as only Kip Greenhill.
8 This isn't something where we're pinning a nickname
9 on him. He has held himself and is widely known as,
10 and he has held himself out exclusively as Kip
11 Greenhill, and you have all the documents here.

12 CHAIRMAN PREISSE: Any other questions?

13 MR. HAAS: I mean, do you view this as
14 there is a point -- I mean, I understand, having
15 lived in Arlington and had a son go to high school,
16 I'm certainly familiar with the name Kip Greenhill.
17 But my question is, do you view that there is a point
18 at which the name must reflect the ballot name
19 because, for instance, if you talked about voters
20 having the right to game the system or to use names
21 somewhat recklessly, is there a point at which we
22 don't know for a fact that these two people are the
23 same people?

24 In other words, there is certainly a

1 preponderance of people who recognize the name Kip
2 Greenhill, but he appeared on the ballot as Francis
3 Greenhill. That is the person who is on council, no
4 matter what his nickname is.

5 If we were handed someday a petition with
6 the name -- with a less familiar nickname, would we
7 not be obligated to question whether that is, in
8 fact, the same person? In other words, what you're
9 asking us to do is to accept at face value what you
10 say, that Kip Greenhill is Francis Greenhill and
11 there is no separation between those two people, and
12 that all the voters know that.

13 But would you give that there are points
14 at which there would be confusion over two different
15 names, one listed on the ballot, another listed on a
16 petition to remove somebody from office?

17 MR. BECKER: Well, again, even on a
18 candidate nominating petition, as Mr. Mackey said,
19 there's no statute that requires that your nominating
20 petition have on it the name as you're registered to
21 appear on the ballot. It doesn't exist. There is a
22 Secretary of State directive regarding nicknames, but
23 the Ohio General Assembly has never written and it's
24 not enacted that a registered name as your voter

1 registration exists must appear on a nominating
2 petition. And Mr. Mackey opened with that when he
3 said here are some of the statutes, but they're not
4 applying. He's read them.

5 CHAIRMAN PREISSE: Are you still desiring
6 the clerk to be out of the room?

7 MR. BECKER: Yes, unless you wanted to
8 ask her some questions.

9 MR. SINNOTT: Have you concluded your
10 presentation, Jim?

11 MR. BECKER: Right, sure. I'm not sure
12 I've answered his question.

13 MR. HAAS: Well, you didn't, but you gave
14 your answer. But I still think we establish
15 precedent how we look at this, and to me, in future
16 cases where we face something like this, the only way
17 to be absolutely certain is the name that appears on
18 the ballot is the name that appears on the petition.

19 MR. BECKER: If I might, my first eight
20 years out of law school I spent at the Ohio Supreme
21 Court as a clerk and master, so I wrote a lot of
22 cases for seven of the 15 or 14 statewide elected
23 officials in the state, and I can tell you that every
24 case stands on its own facts. What you do today will

1 be supported by 11 tabs in here on a person who was
2 exclusively held out in his tenure as council person
3 as Kip Greenhill. There is no reference whatsoever
4 to this gentleman being Francis. So if the next case
5 comes along like that, then you'll be on solid
6 ground. If it's just somewhere where he is known at
7 the golf course or bowling alley or something, that's
8 not what you have here. So under these facts, I
9 don't think we're in any particular quagmire
10 regarding future cases because he was only
11 represented under this name.

12 CHAIRMAN PREISSE: Any further questions?

13 MR. SINNOTT: No.

14 CHAIRMAN PREISSE: Thank you.

15 MR. BECKER: Thank you.

16 CHAIRMAN PREISSE: I think we should have
17 the clerk back in.

18 MR. MACKEY: Would you have her approach?
19 Do you have any questions for her?

20 MR. SINNOTT: No. We just wanted to give
21 her a chance to rejoin us.

22 CHAIRMAN PREISSE: I don't have any
23 further questions.

24 I was interested in what Greg was saying.

1 He's sort of coming from a different perspective.
2 The one is the standards that we apply to candidates,
3 and then, we, of course, reviewed the Secretary of
4 State's opinion there as it relates to nicknames.

5 Coming from the other direction is the
6 standard that is applied to the petitioners in this
7 case or in other cases and our responsibility to
8 ensure there isn't confusion, misrepresentation,
9 potential voter confusion.

10 So I appreciate Mr. Becker's presentation
11 and also Priscilla's concerns for the community.

12 I've heard enough.

13 Greg?

14 MR. HAAS: Well, I think this maybe is a
15 case where we might ultimately view this differently,
16 but I think I'm still very much of a frame of mind
17 that, you know, certainly the degree with which
18 people are familiar with a nickname to me is not the
19 central issue, but establishing consistency with the
20 name that appears on the ballot when we make the
21 decision about whether or not the voters knew that,
22 in fact, this same person they voted for council is
23 the person they're removing from office.

24 CHAIRMAN PREISSE: We don't actually

1 apply the strictest of standards because we do permit
2 people -- we do permit Bobby Jones to run, even if
3 he's registered as Robert Jones.

4 MR. HAAS: It's a derivative.

5 CHAIRMAN PREISSE: It's a derivative,
6 understood, right.

7 MR. HAAS: In some ways in the universe,
8 John made a good point about, obviously, not allowing
9 somebody to run as Woody Hayes Smith. We shouldn't
10 deem that as somebody -- I mean, I think it applies
11 both ways, and I don't think there's a special
12 provision for the voters to risk misleading the
13 public about who it is they're intending to go after.

14 MR. SINNOTT: Kim?

15 MS. MARINELLO: I don't have any
16 questions.

17 MR. SINNOTT: Well, I understand the
18 challenge, and I understand the response. I think
19 Jeff captures the question before the Board when he
20 says is there voter confusion that arises from
21 Mr. Greenhill being described by Kip on the recall
22 petition, but is being known to the Board of
23 Elections as an elector under the name Francis.

24 I'm convinced that people in Upper

1 Arlington know Mr. Greenhill by the nickname Kip. I
2 don't find any instance where we have been instructed
3 to invalidate a recall petition because of an
4 officeholder's common name and not his formal name is
5 used on a recall petition.

6 In the absence of that sort of specific
7 legal instruction, my inclination is to use common
8 sense and say that if the people of Upper Arlington
9 know who they're talking about when they use the name
10 Kip Greenhill, that's sufficient for purposes of a
11 recall petition. I don't think the people of Upper
12 Arlington are going to be confused by the reference
13 to Kip Greenhill on the recall petition. For that
14 reason, I'm going to deny the challenge.

15 DIRECTOR ANTHONY: Was that in the form
16 of a motion?

17 MR. SINNOTT: Perhaps Mr. Preisse wants
18 to weigh in.

19 CHAIRMAN PREISSE: I think we have had
20 sufficient discussion. I think a motion is in order
21 at the moment.

22 MR. SINNOTT: Then I would move to deny
23 the challenge.

24 DIRECTOR ANTHONY: Is there a second?

1 MS. MARINELLO: Second.

2 CHAIRMAN PREISSE: All those in favor.

3 MS. MARINELLO: Aye.

4 CHAIRMAN PREISSE: Aye.

5 MR. SINNOTT: Aye.

6 DIRECTOR ANTHONY: Opposed?

7 MR. HAAS: Aye.

8 (Vote taken; motion carries.)

9 DIRECTOR ANTHONY: Motion carries.

10 The next item on the agenda.

11 CHAIRMAN PREISSE: Thank you.

12 DIRECTOR ANTHONY: At the last meeting we
13 had a discussion about advertising.

14 David, will you present that.

15 MR. PAYNE: I just think -- and I'm not
16 sure any of this requires Board action today, but I
17 thought it was best that we discuss it.

18 At the last Board meeting we talked about
19 the County Commissioners, that they allocated
20 \$566,000 for advertising for the November election.
21 There was some discussion that maybe that was too
22 large of an amount, or do we actually need
23 advertising to that extent. And it was requested
24 that we develop an advertising communications plan.

1 The discussion was also that we talk
2 about and talk to the individual firms. The practice
3 in the past has been that a Republican firm and a
4 Democrat firm combine to provide advertising for the
5 November election.

6 Subsequent to that discussion, legal
7 counsel, in the form of a Harold Anderson, mentioned
8 that for something of this size over \$50,000, it
9 would require a competitive bid, and that to talk to
10 the individuals that are applying potentially for the
11 contract would possibly exclude them from then
12 getting the contract, so we didn't want to talk to
13 the firms in that case.

14 So in lieu of that, Ben Piscitelli and I
15 and Bill sat down. We developed what we think -- or
16 at least we gave you a starting point for those that
17 thought maybe we were spending too much.

18 So we have an earned media plan in
19 conjunction with the paid media plan, and the earned
20 media plan, I think, frankly, in the past was pretty
21 good, but this is really aggressive. And earned
22 media is free-bees, right? So in conjunction with
23 any paid media, we want to do earned media. So we
24 have at the start of absentee ballot, we'll be doing

1 press releases. Early voting, we'll be doing press
2 releases. We will be doing press releases on ID
3 requirement, voter registration, deadlines, sample
4 ballots.

5 The SOS will be sending absentee ballot
6 applications to all of our registered voters. We'll
7 piggyback off of that in writing press releases and
8 reaching out to the media to let them know that's
9 being done.

10 Returning the absentee ballot without
11 delay, that is extremely important because we have in
12 past elections, since I've been here, the United
13 States Post Office is not getting them returned to us
14 in time to count them. So we want to make sure even
15 though there's a deadline set by statute, people need
16 to turn in their absentee ballots and mail those or
17 bring them in person early, so we want to do an
18 aggressive program to that effect.

19 Our BOE website, we want to make sure
20 that we advertise and do what we need there. Phone
21 banks, there are two television stations that Ben
22 Piscitelli reached out to, WCMH and WSYX that
23 indicated they would like to have staff members come
24 in at least twice to talk about the election, and

1 anybody that's watching that newscast could call in,
2 and we would answer any of their questions. So it
3 would be like, for lack of a better term, the Jerry
4 Lewis Telethon. We will be there to answer any
5 questions they may have about any topics relating to
6 the elections.

7 Press conferences, one of the things we
8 would like to do is set up a press conference in
9 conjunction with the Franklin County Consortium on
10 Good Government and Franklin County BOE to talk about
11 voter registration day, which is Tuesday
12 September 27.

13 So there's a lot of this, I mean, media
14 availability, BOE website. Social media, we have
15 fantastic social media presence we have not had in
16 previous years. Brett Roberts has been working on
17 it. I was somewhat skeptical, but, frankly, very
18 impressed with his approach and the hits we have been
19 getting on our website.

20 We have new signage that is going up in
21 front. We won't have that decrepit looking sign. We
22 have a beautiful facility here with less than perfect
23 signage. So in your packet, that's a representation
24 of what that sign will look like so people driving by

1 will know. I, frankly, think that the voting center
2 here has been getting a lot of press. People know
3 about it now. They know where we are.

4 Paid media, so a lot of the paid media
5 was to talk about this voting center in the past. In
6 the past, there probably was a need, maybe, to expend
7 what would amount to a quarter of a million dollars
8 to tell people about this voting center and that they
9 can vote here 30 to 35 days but now I think people
10 know about it. We will have the signage. We are
11 going to do all the earned media I talked about.

12 What I think we need to do with our paid
13 media is talk about registration deadlines; absentee
14 ballot applications, deadlines returning, don't wait
15 on the returning of the absentee ballot because of US
16 Post Office; ID requirements. Those are things I
17 think people need to know about. And viewing your
18 absentee ballot, you can do that online prior to
19 coming in to vote.

20 So those are things I think we need to
21 focus on, and if we have an aggressive earned media
22 program combined with the paid media program, I think
23 it nearly cuts the \$566,000 in half, and the budget I
24 came up with was \$288,000.

1 That's, again, a starting point. It's
2 nothing more than that, and there's a lot of experts
3 in the room that have had a lot more experience at
4 the Board of Elections than I have. This is just my
5 and Ben Piscitelli's starting point.

6 MR. SINNOTT: Congratulations to Bill and
7 Dave and Ben. I think you have done sensible work on
8 this. We have had an opportunity to review the
9 outline, the communication plan, prior to today. I
10 think you have developed a really good outline on how
11 to communicate with the people of Franklin County
12 about their options in 2016 through earned media in
13 the plan. There is a substantial component for paid
14 media, but you're talking about giving the paid
15 messaging a focus that goes far beyond, Hey, folks
16 there's going to be a 2016 election, and that's
17 entirely proper.

18 So I think we're headed in the right
19 direction. Of course, if this plan were to be
20 adopted, you're saving the people of Franklin County
21 about \$275,000. There is an important consideration
22 here having to do with the advice about the
23 competitive bidding. I would be interested in
24 hearing from anyone who is knowledgeable on that

1 subject, what the process for competitive bidding
2 would be relative to the paid media component.

3 MR. PAYNE: What I will say is that Bill
4 and I and our finance person, too, when we had a
5 meeting with the Franklin County purchasing folks,
6 and they are to get us a template on how to do
7 request for quotes, invitations to bid, there were a
8 lot of acronyms that I, frankly, am not all that
9 familiar with.

10 I think Bill and I both agree we want to
11 be very conservative in our approach and make sure
12 that we don't award a bid that we have been advised
13 should be competitively bid. I don't know -- we are
14 working with the purchasing folks to figure out the
15 process that we need to go through.

16 MR. SINNOTT: Do you have a sense as to
17 how long that process takes to run?

18 DIRECTOR ANTHONY: We don't. We were
19 informed that we had to go through the process last
20 week, so we're trying to get our arms wrapped around
21 what that process is going to be.

22 CHAIRMAN PREISSE: I would echo what Brad
23 said. I think it was Brad who suggested we have a
24 little more focus. I said, before, too, I would like

1 you guys to talk about what are the important
2 messages to share, and I think that four bullet
3 points under paid media are indeed those.

4 The only thing I would add, as I
5 mentioned before, given the judicial activism we have
6 had in recent years, let's just be mindful that we be
7 able to communicate something late through paid media
8 that could help the voters in some decision even on
9 election day. I don't know if there's a reserve pot,
10 or if we are engaged in paid media up to and through
11 election day, the nimbleness to change the message
12 would be very important.

13 DIRECTOR ANTHONY: We do have that
14 budgeted \$562,000 that the Commissioners gave us.
15 They've been doing that kind of money at least for
16 this cycle, these presidential cycles.

17 But with the new wrinkle of potentially
18 having to do a RFQ, RFD, and timing of everything,
19 and then it was also the issue of if we were to
20 consult the folks we had used in the past, then that
21 would preclude them from becoming part of a bid
22 program. So we're trying to just get our arms
23 wrapped around how we bid this, because David nor I
24 want to -- we want to do it correctly. So

1 we're still trying to figure out how we bid this
2 thing out.

3 There are some templates that we could
4 use. COTA, for example, recently did a bid for their
5 levy, and it included companies that had a bipartisan
6 bent to it. One of the things, as you know, when we
7 start doing advertising, it's important that it has
8 had bipartisanship to it so we don't want to get into
9 a bid situation of not having a bipartisan component
10 to it.

11 MR. PAYNE: One other thing I would say,
12 in order to do a bid, we would sort of have to come
13 to some sort of agreement on what is included in it
14 in order to bid on something.

15 CHAIRMAN PREISSE: The scope of services.

16 MR. PAYNE: Yes, the scope of services,
17 you would have to know that, so maybe that's part of
18 the --

19 MR. HAAS: Well, I think, in part, it
20 determines whether you have an RFQ or RFP in the
21 beginning of that, because, first of all, just from
22 what I've seen of the plan, I think there's some
23 great earned media ideas. And I think my only
24 question ultimately in terms of the plan involved in

1 budgets for campaigns on other situations and coming
2 up with a figure you're going to spend on paid media,
3 frankly, in the end is throwing darts at a dart
4 board. We don't know at this point what media time
5 is going to cost, and we don't know to what extent we
6 can get some free time from the stations in addition
7 to what's been discussed. But I think those are
8 worthwhile questions.

9 But the most important point is that we
10 at some point need to bring the Commissioners into
11 this discussion. They budgeted this money with an
12 expectation, and their expectation was we were going
13 to do what we have done in the past. If we are going
14 to divert from that, they need to be apprised so they
15 can make any decisions they want to make as it
16 relates to that.

17 But I also think whatever we do in terms
18 of a budget, given the dynamics of the kind of
19 changes, the disasters and things that come up,
20 Doug's point about maintaining something in a reserve
21 fund that could be used at any point that there's
22 some kind of ruling or change or change in hours is a
23 good idea. I think maintaining a set amount of money
24 kind of in reserve to be used at the Board's

1 discretion does make a lot of sense.

2 DIRECTOR ANTHONY: The timing, I have no
3 idea how long a request for proposal takes. I mean,
4 I have none. I have no idea if we even were to spend
5 a modest amount, when we need to start reserving that
6 time. I mean, we're in July. It will soon be
7 August, and, you know, we may be preempted anyway.
8 From my understanding of everything, we could put in
9 for time now -- I mean, you've done it.

10 MR. HAAS: I wouldn't worry about losing
11 time. We are paying the highest rate, and the media
12 stations are not going to help us to give money away
13 at a cheaper rate.

14 I agree on this. One thing I would
15 really hope that you all would spend serious time
16 with our legal counsel on is really the difference
17 between an RFQ and RFP on this, because from my
18 personal experience, what we are really talking about
19 seems to be more of an RFQ.

20 DIRECTOR ANTHONY: That's what we were
21 saying.

22 MR. HAAS: There's a lot more flexibility
23 in it and the chance to bring a professional in to
24 help us design what it is we are going to do. Once

1 you've gone through the RFQ process, the problem you
2 run into, which I think was a good catch on counsel's
3 part, not to bring these folks in and inadvertently
4 eliminate them from participation. But if we go to
5 the RFQ, we can identify professionals to bring in to
6 fine-tune the plan and maintain a lot more
7 flexibility than we can in the RFP.

8 MR. PAYNE: That's a distinction I wasn't
9 familiar with, so that's great.

10 MR. SINNOTT: My take is you are going in
11 the right direction, and we look forward to hearing
12 about the next steps.

13 CHAIRMAN PREISSE: I think you know the
14 sense of the Board is to proceed and engage with the
15 professionals down at the County. I think that
16 Greg's point, let's not assume that it's sufficient
17 to inform the Commissioners of what's going on. Why
18 don't you guys talk with the administrator or whoever
19 to make sure they understand where we're headed.

20 MR. SINNOTT: If our conclusion is we
21 don't have to spend \$275,000 of the people's money
22 that's been allocated, that would be a happy report
23 to make to the Board of Commissioners.

24 MR. HAAS: Right now that probably is

1 true. But, again, I think that we should move at it
2 before we have gotten too far down the path in terms
3 of finalizing stuff when right now, unless somebody
4 has had some kind of conversation, my assumption is
5 they're assuming we are going to do exactly what we
6 have been in the past.

7 MR. PAYNE: I have had no conversation
8 with the Commissioners.

9 DIRECTOR ANTHONY: I haven't either, but
10 probably should have that. We will have that
11 conversation.

12 MR. PAYNE: The next item for discussion
13 is the Prime 3SG contract for election night mapping.
14 I guess it's a \$48,000 contract. We wouldn't
15 necessarily need to bring this to the Board. We
16 thought we should under the circumstances.

17 On election night what we would like to
18 have is the ability for people outside, candidates,
19 party chairmen, other people interested to look at
20 our website and be able to tell where the returns are
21 coming from and a map that says, okay, we have
22 candidate A and candidate B in a tight race. What is
23 outstanding? Is it a Republican area or is it a
24 Democrat area? What can we expect?

1 As it is, we don't have that ability at
2 present. I don't want to throw anybody under the
3 bus, but we had the data center who can provide this
4 to us for free. The problem is they have attempted
5 to provide it twice, and we have had no success, and
6 I don't like on election night with all the other
7 stress to be getting calls from my chairmen, Why
8 can't I see what the TV stations are reporting,
9 frankly, that type of thing.

10 MR. SINNOTT: We could probably all agree
11 what we are getting now isn't working.

12 MR. PAYNE: Isn't working, but it's free.

13 I will tell you this. The data center
14 has been, I mean, feeling bad about two failures, if
15 it counts for anything. They feel awful. They have
16 told both us that they will make sure that this
17 happens. However, what I think I would like to do is
18 have them attempt to do it and have 3SG Prime, who we
19 have to pay to do it. And then going forward let's
20 see if we need to continue with paying for it or if,
21 indeed, the data center can pull it off. But I don't
22 want to be going into a presidential election hoping
23 that the data center can pull off the mapping that I
24 think literally everybody agrees we need.

1 The other thing, with Prime, we looked at
2 Stark County. They have done what we are asking them
3 to do for Stark County. It is, by all accounts,
4 unbelievable. It's exactly what we need.

5 MS. MARINELLO: You just buy it every
6 year?

7 MR. PAYNE: Actually, there is start-up,
8 so it's less if we continue to use them because they
9 have all the infrastructure in place. They will be
10 working with the data center to make sure that
11 everything works right.

12 The scope of services that they are
13 providing in this have been run by the County
14 Auditor's Office, as well as the data center, and
15 both the county auditor and the data center have
16 signed off on this, if we choose to go this route.

17 MR. SINNOTT: The data center doesn't see
18 any cyber security risk in this?

19 MR. PAYNE: They had some questions with
20 the initial scope of services. They revised the
21 scope of services. They have no problem with it.

22 DIRECTOR ANTHONY: That's correct.

23 MR. SINNOTT: The cost of the contract
24 would be \$48,408.

1 MR. PAYNE: Correct.

2 MR. SINNOTT: Well, that's a lot of
3 money, but at the same time, this is the 2016
4 presidential election in Franklin County, and where
5 the vote is coming from during the course of that
6 evening is not only going to be a matter of local
7 concern, but national and international concern. I
8 think that the public needs better information sooner
9 than we had been getting.

10 DIRECTOR ANTHONY: This information is
11 being presented in a usable format that is easy. You
12 can get it on your cell phone. They're going to
13 format it that you can get it on the cell phone and
14 also a TV screen. I mean, I just think this is
15 awesome.

16 MS. MARINELLO: I was here election
17 night, and it was not fun not knowing. It was not
18 fun.

19 CHAIRMAN PREISSE: I want to say for the
20 record, Prime is a client of mine on unrelated
21 matters, but I do want to say I have had no
22 conversations with them or you guys or anybody about
23 this and will make no opinion here about it.

24 MR. HAAS: I think we go back to election

1 nights where we have had a lot of confusion, 2004 as
2 an example. Part of what people perceive in that
3 election and the process can add to a lot of emotion
4 and frustration if the information people are getting
5 ultimately differs from the outcome, so it's not just
6 a matter of an instantaneous gratification kind of
7 thing. It's also a matter of making sure that people
8 get the right information as quickly as possible to
9 avoid a lot of hurt feelings and frustration
10 afterwards.

11 MR. SINNOTT: Where the reported vote is
12 coming from is a bona fide matter of public interest
13 on election night.

14 MR. HAAS: Exactly.

15 MR. PAYNE: One of the first things when
16 I started I said, Boy, it sure is expensive to run
17 good election. He said, You ought to try to run a
18 bad one.

19 MR. SINNOTT: This is simply at the
20 discussion stage at this point?

21 DIRECTOR ANTHONY: Yes.

22 MR. PAYNE: Yes.

23 MR. HAAS: Obviously, you have strong
24 sentiment from the Board to proceed.

1 DIRECTOR ANTHONY: Thank you.

2 The next item on the agenda is to move to
3 executive session.

4 MR. HAAS: Pursuant to ORC Section
5 121.22 (G) (1&3), I move that the Franklin County
6 Board of Elections go into Executive Session to
7 consider the appointment, employment, dismissal,
8 discipline, promotion, demotion, and/or compensation
9 of a public employee.

10 DIRECTOR ANTHONY: Is there a second?

11 CHAIRMAN PREISSE: Second.

12 DIRECTOR ANTHONY: Roll call.

13 Kimberly Marinello.

14 MS. MARINELLO: Yes.

15 DIRECTOR ANTHONY: Greg Haas.

16 MR. HAAS: Yes.

17 DIRECTOR ANTHONY: Douglas Preisse.

18 CHAIRMAN PREISSE: Yes.

19 DIRECTOR ANTHONY: Bradley Sinnott.

20 MR. SINNOTT: Yes.

21 DIRECTOR ANTHONY: We are now in
22 Executive Session.

23 (Executive Session.)

24 MR. SINNOTT: I move that the Franklin

1 County Board of Elections adjourn from Executive
2 Session and that no votes or official actions were
3 taken during the Executive Session.

4 MR. HAAS: Second.

5 DIRECTOR ANTHONY: Roll call.

6 Kimberly Marinello.

7 MS. MARINELLO: Yes.

8 DIRECTOR ANTHONY: Greg Haas.

9 MR. HAAS: Yes.

10 DIRECTOR ANTHONY: Douglas Preisse.

11 CHAIRMAN PREISSE: Yes.

12 DIRECTOR ANTHONY: Bradley Sinnott.

13 MR. SINNOTT: Yes.

14 DIRECTOR ANTHONY: We are now out of
15 Executive Session.

16 CHAIRMAN PREISSE: Okay. Good. We have
17 a couple matters yet to -- personnel matters to
18 attend to.

19 Kim, I think you're on.

20 MS. MARINELLO: I move that the Franklin
21 County Board of Elections hire John Audet as Human
22 Resource manager (full-time, part-time position 24
23 hours per week) beginning August 1, 2016, at a salary
24 of \$37,000 per year/\$29.64 per hour.

1 DIRECTOR ANTHONY: Is there a second?

2 MR. HAAS: Second.

3 DIRECTOR ANTHONY: All those in favor.

4 (Vote taken; motion passes.)

5 DIRECTOR ANTHONY: That motion carries.

6 MR. HAAS: I move that the Board accept
7 the resignation of David Magers from the Franklin
8 County Board of Elections and thank him for his
9 18-plus years of service to the Franklin County Board
10 of Elections.

11 DIRECTOR ANTHONY: Is there a second?

12 CHAIRMAN PREISSE: Second.

13 All those in favor.

14 (Vote taken; motion passed.)

15 DIRECTOR ANTHONY: Motion carries.

16 MR. HAAS: I move that Director Bill
17 Anthony be placed on immediate administrative leave
18 with pay until the time of the next Board meeting on
19 August 1 when the employment status will be
20 considered again at that time.

21 Zachary Manifold, presently on the Board
22 staff, be made acting director until that time.

23 MR. SINNOTT: Second.

24 DIRECTOR ANTHONY: All those in favor.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

(Vote taken; motion passes.)
DIRECTOR ANTHONY: Motion carries.
Is there a motion to adjourn?
MR. SINNOTT: Motion to adjourn.
MR. HAAS: Second.
DIRECTOR ANTHONY: All those in favor.
(Vote taken; motion passes.)
DIRECTOR ANTHONY: We stand adjourned.
(The meeting adjourned at 12:03 p.m.)

- - -

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Friday, July, 15, 2016, 2016, 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-81420)

