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APPEARANCES:

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

On behalf of the Board.

ALSO PRESENT:

Ms. Suzanne Brown,  
Executive Assistant to the Board.

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Monday Afternoon Session,  
August 7, 2017.

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DEPUTY DIRECTOR PAYNE: It appears we have a quorum, but just to confirm that I will take roll. Kimberly Marinello.

MEMBER MARINELLO: Here.

DEPUTY DIRECTOR PAYNE: Michael Sexton.

MEMBER SEXTON: Here.

DEPUTY DIRECTOR PAYNE: Doug Preisse.

CHAIRMAN PREISSE: Here.

DEPUTY DIRECTOR PAYNE: And Brad Sinnott.

MEMBER SINNOTT: Yes, thank you.

CHAIRMAN PREISSE: We do have a quorum.

First item on the agenda is approval of the minutes. I think everybody was sent a copy of the May 18, 2017, minutes. If there aren't any corrections, deletion, additions, I would entertain a motion.

MEMBER MARINELLO: I move that the Board approve the minutes of the May 18, 2017, meeting of the Franklin County Board of Elections as submitted.

CHAIRMAN PREISSE: Second.

DEPUTY DIRECTOR PAYNE: All those in

1 favor signify by saying aye. All opposed.

2 (Vote taken; motion passes.)

3 DEPUTY DIRECTOR PAYNE: Motion carries.

4 If it pleases the Board, I would like to  
5 move the challenge of right to vote to the top of the  
6 agenda. We have Maxine Irvin here that filed the  
7 challenge. She's present, so to respect her time, if  
8 we could move that to the front of the agenda.

9 Alicia, do you want to present the case?

10 MS. HEALY: So the challenge before you  
11 is for correction of registration list. You guys  
12 should have that. And Maxine Irvin is challenging  
13 the address of Raymond Eichenberger. She has  
14 included a copy of a court document that states that  
15 Mr. Eichenberger shall vacate the marital residence  
16 at 4981 Pegasus Court, Hilliard, Ohio 43026 no later  
17 than January 3 of 2016.

18 Mr. Eichenberger used that as his  
19 residence address but used a different location which  
20 appears to be a business address for his mailing  
21 address to request an absentee ballot for the 2016  
22 Primary and General Elections.

23 A national change of address was sent to  
24 Mr. Eichenberger in February of this year, and it was

1 returned with a yellow label stating that he moved,  
2 left no address, and was unable to forward and return  
3 to sender. The challenge that we've noticed that we  
4 mailed to him was returned with the same verbiage.

5 So, right now, Ms. Irvin, if you have  
6 anything you would like to add.

7 DIRECTOR LEONARD: Before you begin, for  
8 the Members, if you look at page 2 of the  
9 Magistrate's decision, there is a note or a highlight  
10 on the left-hand column, notes the provision in the  
11 Magistrate's order that defendant will vacate the  
12 residence. If you would like to.

13 Would you like to hear?

14 CHAIRMAN PREISSE: Yes. If she wishes to  
15 address the Board, we would like to hear. Would you  
16 mind, you can speak from the podium if you are  
17 comfortable. And for the record being taken here,  
18 please state your name and we ask for name and  
19 address.

20 MS. IRVIN: My name is Maxine Irvin, and  
21 I live 4981 Pegasus Court, Hilliard, Ohio 43026. And  
22 thank you, everyone. It's a pleasure to speak before  
23 you. I really wasn't expecting this. I had no idea  
24 what to -- what would happen when I came here, but I

1 think it's very important in a situation like this  
2 that it be noted that he was not abiding by the law  
3 because we are supposed to change where we vote when  
4 we move. And he was actually forced to move out of  
5 the house and vacate the premises.

6 And this is another example where he  
7 continues to do what he wants to do rather than  
8 abiding by what is right and proper. So I thought it  
9 was really important to make sure that it is noted  
10 that this is another case of him violating what is  
11 acceptable practice. Thank you.

12 CHAIRMAN PREISSE: Did Raymond indeed  
13 move out no later than January 3, 2016?

14 MS. IRVIN: Yes, he did. He was forced  
15 to by court order, and he has not lived there since  
16 that date.

17 DIRECTOR LEONARD: I would ask that the  
18 challenge form, you are the -- you signed the  
19 challenge form?

20 MS. IRVIN: Yes. I wrote and signed the  
21 challenge form.

22 CHAIRMAN PREISSE: Anybody else have any  
23 questions?

24 MEMBER MARINELLO: No.

1 CHAIRMAN PREISSE: Thank you, Maxine.

2 MS. IRVIN: Thank you.

3 DIRECTOR LEONARD: Thank you very much  
4 for your coming in.

5 DEPUTY DIRECTOR PAYNE: The staff  
6 researched this. I don't know if the Board is  
7 interested in hearing their recommendation.

8 CHAIRMAN PREISSE: Yeah.

9 MS. HEALY: Okay. So the official  
10 election manual states the Board must reach a  
11 decision, and if the decision is to remove the person  
12 from the registration list, then we must remove. ORC  
13 3503.24(C) states, in part, "The person's name shall  
14 be removed from the list and the person's  
15 registration forms canceled." So based on the  
16 information that we have received today that the  
17 voter no longer lives at that address, we hereby  
18 should cancel the voter.

19 MEMBER MARINELLO: I move that the Board  
20 approve the challenge of right to vote filed by  
21 Maxine C. Irvin of 4981 Pegasus Court, Hilliard,  
22 Ohio, against Raymond L. Eichenberger of the same  
23 address and order that Raymond Eichenberger's  
24 registration be canceled in the Franklin County voter

1 file.

2 CHAIRMAN PREISSE: Second.

3 DEPUTY DIRECTOR PAYNE: All those in  
4 favor signify by saying aye. All opposed same sign.

5 (Vote taken; motion passes.)

6 DEPUTY DIRECTOR PAYNE: Motion carries.

7 DIRECTOR LEONARD: Did you want to state  
8 for the record, Tim, he did receive -- attempt was  
9 made to serve him notice of this proceeding, correct?

10 MS. HEALY: Yes.

11 DIRECTOR LEONARD: Is it Eichenberger?

12 MS. IRVIN: Eichenberger.

13 DIRECTOR LEONARD: I just wanted to make  
14 sure.

15 DEPUTY DIRECTOR PAYNE: For tomorrow's  
16 election we are required to do a paper ballot  
17 allocation, a machine allocation, as well as an  
18 electronic pollbook allocation. So for the paper  
19 allocation, Carla, do you want to speak to that?

20 MS. PATTON: I have provided an exhibit  
21 that for the paper ballot allocation that allocates  
22 25 ballots to the Village of Minerva Park's Special  
23 Election and 10 ballots for each ballot style for the  
24 Madison Plains.

1 DEPUTY DIRECTOR PAYNE: Do they have  
2 that?

3 CHAIRMAN PREISSE: This one?

4 MS. PATTON: Give each one of the splits  
5 in the Madison Plains 10 ballots each. Requirements  
6 by the State of Secretary's election manual requires  
7 we provide at least 5 percent of the last provisional  
8 ballots that were cast in the last similar election  
9 so those standards are being met overwhelmingly to be  
10 in accordance with the election official manual. We  
11 went ahead and put a few extra into Minerva Park due  
12 to the fact that they are developing the golf course  
13 so there may be a few additional provisional ballots  
14 come from that.

15 MEMBER SINNOTT: I move that the Board  
16 adopt the paper ballot allocation formula in Exhibit  
17 A compiled by the Board staff for the August 8, 2017,  
18 Special Election.

19 MEMBER SEXTON: Second.

20 DEPUTY DIRECTOR PAYNE: All those in  
21 favor signify by saying aye. All opposed same sign.

22 (Vote taken; motion passes.)

23 DEPUTY DIRECTOR PAYNE: Motion carries.

24 For the voting machine and the electronic

1 pollbook allocation, Carolyn Gorup, do you want to  
2 address that?

3 MS. GORUP: I will. We are meeting the  
4 minimum of one machine per the 175 voters with no  
5 less than three machines per location. So Minerva  
6 Park we have five, and in Madison Plains we have  
7 three. And we are placing three electronic pollbooks  
8 at each location. That's about it.

9 CHAIRMAN PREISSE: Okay. Sounds good.

10 MEMBER SEXTON: I move that the Board  
11 adopt the voting machine allocation formula in  
12 Exhibit B compiled by the Board staff for the  
13 August 8, 2017, Special Election.

14 CHAIRMAN PREISSE: Second.

15 DEPUTY DIRECTOR PAYNE: All those in  
16 favor signify by saying aye. All opposed same sign.

17 (Vote taken; motion passes.)

18 DEPUTY DIRECTOR PAYNE: Motion carries.  
19 Originally on our agenda we had precinct boundary  
20 changes that we were going to vote on but something  
21 came up with the Ohio Secretary of State. Do you  
22 want to address that just real quickly, Matt?

23 MR. RUSHEY: Yes. Following the  
24 Presidential Election of last year, we had about 40

1 precincts that we needed to split due to high voter  
2 totals. And of those there were, I believe, seven  
3 that we needed to send waivers to the Ohio Secretary  
4 of State's Office for them. And the waiver is  
5 required because when you split a precinct, you are  
6 required to follow census block lines. And for about  
7 seven of those precincts we couldn't follow census  
8 block lines because there were no census block lines  
9 to follow.

10 Generally that can happen such as campus  
11 precincts where they may knock down a residence hall,  
12 build a new one in a different location. And so one  
13 of those seven factors was an Ohio State University  
14 precinct. And so if there are no census block lines  
15 to follow, we have to get a waiver to cut that  
16 precinct from the Ohio Secretary of State's Office.

17 And so those waivers have been sent. We  
18 are waiting on response from the Secretary of State's  
19 Office. We thought it might be better just to go  
20 ahead and get your approval to split all 40 plus  
21 precincts at the same time and that way if there is  
22 any problem with the Secretary of State's Office, we  
23 can address before the next meeting on the 21st.

24 DEPUTY DIRECTOR PAYNE: We think we will

1 have the waivers by the 21st.

2 DIRECTOR LEONARD: Spoke to the  
3 representative at the Secretary of State's Office  
4 that handles those matters. She indicated they will  
5 be completed with that by the August 21 Board meeting  
6 in time for us to consider that at the August 21  
7 meeting.

8 MEMBER SINNOTT: So we are in the  
9 business of creating a bunch of new precincts?

10 DEPUTY DIRECTOR PAYNE: There will be  
11 what? Six?

12 MR. RUSHEY: A total of about 40.

13 DEPUTY DIRECTOR PAYNE: New precincts  
14 but --

15 MR. RUSHEY: Six or seven. I need  
16 waivers for 40 new precincts because every  
17 Presidential Election the numbers go on and then  
18 there's a big push to get people registered and some  
19 of that settles down after a while. But, now, we  
20 need to get in compliance about 40 precincts, and 6  
21 or 7 of those actually require the waiver. The other  
22 33 are okay. They don't need waivers.

23 DIRECTOR LEONARD: The importance of that  
24 too is to get those approved so we can begin the

1 process of notifying voters of the precinct changes.

2 MR. RUSHEY: Their polling places are not  
3 going to change. We are basically taking Precinct A  
4 and splitting it into two and both of those new  
5 precincts will vote at the same location. So one  
6 will become a lid 2. They are going to vote at the  
7 same place. We just need to cut down the numbers in  
8 a few locations.

9 MEMBER SEXTON: When do we have to serve  
10 that notice?

11 DIRECTOR LEONARD: I don't have that off  
12 the top of my head.

13 MS. GORUP: I don't believe there is a  
14 requirement within a certain number of days, but we  
15 want to get it done well in advance of early voting.

16 DIRECTOR LEONARD: Right.

17 DEPUTY DIRECTOR PAYNE: Any other  
18 questions?

19 Matt, thank you.

20 DIRECTOR LEONARD: Thanks, Matt.

21 CHAIRMAN PREISSE: Thanks, Matt.

22 DEPUTY DIRECTOR PAYNE: Our Relia-Vote  
23 machine, we need some upgrades for that. So, Zach  
24 Manifold, if you would give a presentation on the

1 Relia-Vote machine.

2 MR. MANIFOLD: Good afternoon. You guys  
3 should have a memo in front of you about the  
4 Relia-Vote upgrades. It's a two-page memo regarding  
5 upgrades that we are looking at. I am going to give  
6 you -- I am going to start out with a brief history  
7 of the Relia-Vote system so you guys kind of know how  
8 we got where we are at.

9 The first system was installed in  
10 2007-2008, before that -- the 2008 presidential  
11 election, and we used it for four -- four years until  
12 the fall of 2012. And in the fall of 2012, we  
13 completely re -- traded in the first system and got a  
14 whole new system which is called Advantage Sorter  
15 system we have currently. The good news is the  
16 Advantage Sorter system, there have been very many  
17 upgrades in the mail system since we got that system  
18 in 2012.

19 So instead of trading in a whole system  
20 and getting a whole new system, we are actually just  
21 going to keep the equipment that we have currently  
22 and make some upgrades. The great news is we own the  
23 system that we currently have in the building as of,  
24 I think, next month it becomes our -- our equipment

1 and we own it going forward. There are a few  
2 upgrades that will be -- so -- well, I guess I will  
3 start with we are going to have a significant annual  
4 savings. We've been paying about \$280,000 a year for  
5 our Relia-Vote lease for the past decade. So that  
6 lease will go away with these upgrades. We will no  
7 longer be asking the Commissioners' Office for  
8 funding to continue the lease.

9 DEPUTY DIRECTOR PAYNE: It's fair to say  
10 they were excited about that.

11 MR. MANIFOLD: Yeah. They were pretty  
12 excited because we think the system -- because of the  
13 slow down in upgrades and mail system and what this  
14 can do, we think our current system probably could  
15 get another five to seven years out of it. We may  
16 have more upgrades in five years.

17 CHAIRMAN PREISSE: It's like buying a  
18 leased car.

19 MR. MANIFOLD: Yeah, yeah.

20 CHAIRMAN PREISSE: Make sure we keep  
21 changing the oil.

22 DIRECTOR LEONARD: But it is worth noting  
23 that actually the lease agreement from the outside  
24 made it clear that as soon as we -- it was really

1 lease to own, that as soon as you -- as soon as you  
2 started making payments, as soon as it was delivered,  
3 it was ours so long as we kept making the payments.  
4 We did and so, now, it belongs to us but there are  
5 upgrades that need to be made in order to keep it  
6 running for us over the next 5 to 10 years.

7 MR. MANIFOLD: So we have about 100 and I  
8 think -- and I'll say when we first started talking  
9 to Pitney Bowes, I think their first offer back was  
10 close to a million dollars for upgrades. And we  
11 really dug down in and, you know, went through all  
12 the process and checked out what we really thought  
13 the system needed and what upgrades we thought made  
14 sense for the -- for the cost. And we were able to  
15 substantially decrease that number to right at  
16 503,000, I believe is the total.

17 503,000 so we cut it almost in half from  
18 the original proposal. I think we have 150,000 in  
19 what's essentially technology that's just obsolete,  
20 servers, workstations, Inkjet printer that prints all  
21 the stuff at the end of the line, that prints on the  
22 address and voter information, those are all  
23 obsolete. So if anything broke on them, we wouldn't  
24 be able to fix them in their current state. So those

1 upgrades kind of have to happen.

2           The other 350,000 is a combination of  
3 automated full plate, so we've currently taken on  
4 more jobs to try to save the county more money.  
5 We've taken on additional jobs with the Relia-Vote  
6 Pitney Bowes mail system. We do a monthly mailer for  
7 Job & Family Services. We've also taken on a job for  
8 the Treasurer's Office the last few months, so we are  
9 actively looking for more jobs we can take on during  
10 down periods to save the county money with this --  
11 with this mail system so.

12           The automated full plates, that would  
13 help a lot because right now it should reduce our  
14 service cost because right now we manually have to  
15 take all the plates out and manually put them back  
16 in.

17           And if they are off at all, then you have  
18 to call for service to get somebody out to get the  
19 job running so that's going to all automate under the  
20 new system. It will be automated full plates, a  
21 moving beam scanning capability. The thought there  
22 is if we decide to take on more and more jobs, we can  
23 actually track -- if we put in this beam scanning, it  
24 will actually track to make sure that the correct

1 envelopes are going, that we made the change out on  
2 each job, that the wrong envelope doesn't end up with  
3 the wrong job so the system could tell us there is  
4 something -- something here for this job isn't right.

5           And then the Advantage Sorter bins is  
6 probably the largest cost and this is probably the  
7 biggest upgrade and it basically allows us to sort  
8 into 72 bins. Our current capacity is probably right  
9 around like 25 to 30 bins that we can use. 72 bins  
10 would allow us to better store our ballots. We  
11 currently store all of our paper ballots into two --  
12 two segments, Columbus and then everything else. And  
13 ES&S has been pushing us for years to really change  
14 how we store ballots in case we have an audit or  
15 recount. Instead of having to essentially run the  
16 entire room's ballots over and over again to try to  
17 find those ballots getting it on the front end when  
18 the ballot first comes back and splitting it into  
19 wards or precincts in some way would substantially  
20 save us time and make our audits a lot more accurate.  
21 I think so.

22           DIRECTOR LEONARD: Commissioners approved  
23 the funding at the last session of the  
24 Commissioner -- Board of Commissioners meeting. As

1 Deputy Director and Zach had mentioned, that they  
2 were very enthusiastic about it because the fact it  
3 adds greater lifespan to the system and greater  
4 functionality and actually the funding for the  
5 machines for this machine upgrade they have because  
6 of the chargebacks that we have for conducting the  
7 Election and the Primary, Office on Aging was charged  
8 back a significant amount for conduct of that  
9 election.

10 Those funds -- those funds that were  
11 charged back went into a fund and they were available  
12 to pay for these upgrades and so that's where the  
13 Commission derived the funding for these -- these  
14 upgrades, so it was a supplemental appropriation. It  
15 was granted at the last meeting of the Board of  
16 Commissioners.

17 MR. MANIFOLD: So the money is there, and  
18 it will save probably 2 to 3 million going forward  
19 depending on how long it lasts, so it's really great  
20 news.

21 CHAIRMAN PREISSE: Keep changing the oil.

22 DIRECTOR LEONARD: So the resolution we  
23 have before us since we're not quite -- have the  
24 contract ready for you to sign it, the resolution

1 would authorize the Director and/or Deputy Director  
2 to go ahead and sign that contract when it's ready  
3 and then reviewed by the Prosecutor's Office.

4 MEMBER SINNOTT: Then I move that the  
5 Board authorize the Director and Deputy Director to  
6 execute a contract with Pitney Bowes for upgrades and  
7 support of the Relia-Vote system in an amount not to  
8 exceed \$503,385 in calendar year 2017.

9 CHAIRMAN PREISSE: Second.

10 DEPUTY DIRECTOR PAYNE: All those in  
11 favor signify by saying aye. All those opposed same  
12 sign.

13 (Vote taken; motion carries.)

14 DEPUTY DIRECTOR PAYNE: Motion carries.  
15 We have an election tomorrow in Minerva Park and  
16 Madison Plains, and it requires that we declare the  
17 polls open tomorrow. So in that you won't be here  
18 tomorrow at 6:30, it's customary to have a --

19 MEMBER SINNOTT: Well, Kim will be.

20 MEMBER MARINELLO: Kim will be there.

21 MEMBER SEXTON: Well, I won't be so I'll  
22 move that the polls be declared open for the Tuesday,  
23 August 8, 2017, Special Election beginning at  
24 6:30 a.m. and closing at 7:30 p.m. and that in

1 accordance with the Ohio Revised Code Section  
2 3501.32, any voter in line prior to the close of the  
3 polls at 7:30 p.m. shall be permitted to vote.

4 CHAIRMAN PREISSE: Second.

5 DEPUTY DIRECTOR PAYNE: All those in  
6 favor signify by saying aye. All those opposed same  
7 sign.

8 (Vote taken; motion passes.)

9 DEPUTY DIRECTOR PAYNE: Motion carries.  
10 Before we recess I do think it's worth noting that  
11 the last couple months have been pretty difficult on  
12 the staff in that we have had two members of our  
13 Board of Elections staff, Bubba Raphael and Randy  
14 Tarr, passed away. So I just want to acknowledge  
15 both of them were valued members of the staff, and so  
16 a lot of folks here have known them both a lot longer  
17 than I have, but they were both valued members of  
18 this Board of Elections.

19 CHAIRMAN PREISSE: Well, we knew them  
20 both too and were good citizens, good partisans, good  
21 participants in their public responsibilities here  
22 and in their political life beyond the walls of this  
23 building. So we miss them both, and I'm glad you  
24 brought that up because I know that sentiment is

1 shared by probably everybody in the room.

2 MEMBER SINNOTT: I move that the Board  
 3 recess this meeting of the Board of Elections,  
 4 subject to recall by the Chair, until after the close  
 5 of the election being held on Tuesday, August 8,  
 6 2017.

7 MEMBER MARINELLO: Second.

8 DEPUTY DIRECTOR PAYNE: Kim Marinello.

9 MEMBER MARINELLO: Yes.

10 DEPUTY DIRECTOR PAYNE: Michael Sexton.

11 MEMBER SEXTON: Yes.

12 DEPUTY DIRECTOR PAYNE: Doug Preisse.

13 CHAIRMAN PREISSE: Yes.

14 DEPUTY DIRECTOR PAYNE: And Brad Sinnott.

15 MEMBER SINNOTT: Yes.

16 DEPUTY DIRECTOR PAYNE: Motion carries.

17 We are recessed.

18 (Thereupon, at 3:30 p.m., the meeting was  
 19 recessed.)

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CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Monday, August 7, 2017, and carefully compared with my original stenographic notes.

*Karen Sue Gibson*

Karen Sue Gibson, Registered Merit Reporter.

(KSG-6404)

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LID	Location	Precinct	# Prov cast in November 2015	# Provisionals Allocated
LID# 2035	Community Center	Pleasant-A 01	0	10
LID# 2035	Community Center	Pleasant-C 02	0	10
LID# 4012	North Park Church of Christ	Minerva Park-A 01	9	25
<p><b>OEOM Chapter 4 Section 1.07(B)(4) states: "The board must provide ballots and envelopes in the quantity of at least 5 percent more than the number of provisional ballots cast in that precinct at the previous like election."</b></p>				
<p><b>Based provisional allocation on 2015 General Election. Past practice has been to send no less than 10 ballots per ballot style. Due to development within the Village of Minerva Park, we have increased the number of ballots to allocate to accommodate for possible increase of provisionals.</b></p>				

Franklin County Board of Elections  
Special Election August 8, 2017  
Machine and Poll Pad Allocations

LID	LOCATION	ACTIVE VOTERS	VOTING MACHINES	POLL PADS
LID# 2035	COMMUNITY CENTER	172	3	3
LID# 4012	NORTH PARK CHURCH OF CHRIST	916	5	3
Machines allocated at 1 machine per 175 voters - but no less than 3 machines per location				
Poll Pads are allocated 1 Poll Pad per 900 voters, but no less than 3 per location				