

BEFORE THE FRANKLIN COUNTY BOARD OF ELECTIONS

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In Re: :  
Special Meeting. :

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PROCEEDINGS

before Chairman Douglas J. Preisse, Director Edward J. Leonard, Deputy Director David Payne, and Board Members Bradley K. Sinnott, Kimberly E. Marinello, and Michael Sexton, at the Franklin County Board of Elections, 1700 Morse Road, Columbus, Ohio, called at 3:00 p.m. on Monday, August 20, 2018.

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APPEARANCES:

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

On behalf of the Board.

ALSO PRESENT:

Ms. Suzanne Brown, Executive Assistant to the Board  
Carla D. Patton, Bd. of Elections  
Alicia Healy, Bd. of Elections

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Monday Morning Session,  
August 20, 2018.

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DEPUTY DIRECTOR PAYNE: All right. It looks like we have a quorum, but I will take roll to make certain.

Kim Marinello.

MEMBER MARINELLO: Here.

DEPUTY DIRECTOR PAYNE: Michael Sexton.

MEMBER SEXTON: Here.

DEPUTY DIRECTOR PAYNE: Douglas Preisse.

CHAIRMAN PREISSE: Here.

DEPUTY DIRECTOR PAYNE: And Brad Sinnott.

MEMBER SINNOTT: Here.

DEPUTY DIRECTOR PAYNE: We do indeed have a quorum.

The first item on the agenda is the withdrawal of referendum of the Upper Arlington Ordinance, and I think we have Exhibit A.

Carla, do you want to talk to that?

MS. PATTON: And so we received from the committee that put forth the referendum petition on Upper Arlington Ordinance 27-2017 a letter dated August 3rd, we received it on August 6th, requesting

1 that they withdraw the issue from the ballot on  
2 November 6th, 2018.

3 MEMBER SINNOTT: So are these all the  
4 members of the committee or the majority?

5 MS. PATTON: Yes, sir.

6 MEMBER SINNOTT: All of them.

7 MS. PATTON: All three members that were  
8 named as the committeemen on the ordinary referendum  
9 petition have signed this letter of withdrawal.

10 CHAIRMAN PREISSE: And that satisfies  
11 the requirements for withdrawal?

12 MS. PATTON: Yes, it does.

13 DEPUTY DIRECTOR PAYNE: Are there any  
14 other questions or comments from the Board? If not,  
15 I'd entertain a motion.

16 MEMBER SEXTON: Mr. Chairman, I move  
17 that the Board accept the request of petitioners'  
18 Exhibit A to withdraw a referendum for Upper  
19 Arlington and that the referendum shall not appear on  
20 the November 6th, 2018, election ballot.

21 DEPUTY DIRECTOR PAYNE: Is there a  
22 second?

23 CHAIRMAN PREISSE: Second.

24 DEPUTY DIRECTOR PAYNE: All those  
25 signify by saying aye.

1 (Vote taken.)

2 DEPUTY DIRECTOR PAYNE: All opposed,  
3 same sign.

4 (No response.)

5 DEPUTY DIRECTOR PAYNE: Motion carries.

6 The next item -- actually, the next two  
7 items involve a protest for two local options that  
8 this Board certified on July 9th at their meeting.

9 Carla, do you want to talk to -- let's  
10 start with Long & 20th Carryout.

11 MS. PATTON: So Long & 20th Carryout --  
12 (Discussion off the record.)

13 MS. PATTON: As part of a -- looking at  
14 business that was drying up as part of a question  
15 that was given on the May 8th ballot this year, Long  
16 & 20th has filed a 29-day rule petition, of which, as  
17 David pointed out, we certified to the ballot on  
18 November 6th, 2018. However, a protest has been  
19 filed on that petition, of which you do have a copy  
20 of the protest dated August 8th from Colleen  
21 Guezennec. There are several points to this local  
22 option protest. You have our response to it in a  
23 typed up form. It looks similar to this  
24 (indicating).

25 MEMBER SINNOTT: So that is it? Carla,

1 that's what the Board staff has prepared on the  
2 subject?

3 MS. PATTON: Yes.

4 MEMBER SINNOTT: Okay.

5 MS. PATTON: It's a single sheet. It  
6 addresses the different points, so I don't -- however  
7 you wish to proceed, if you want to go through it  
8 point by point. The first issue that they pointed  
9 out was that --

10 MEMBER SINNOTT: Carla, before we do  
11 that, if we may, so to sort of frame the issue, we  
12 believe that there were 96 ballot signatures upon  
13 initial review; correct?

14 MS. PATTON: On the initial review we  
15 actually have 98 valid signatures on this particular  
16 location, on this particular petition. They needed  
17 95. They filed 285. So of the 285 we found what we  
18 believe to be 98 valid signatures.

19 CHAIRMAN PREISSE: Why does -- why does  
20 Ms. Guezennec's letter say 96?

21 MS. PATTON: It may have been the  
22 other -- there's another protest, which they would  
23 have had 97. I'm not sure where she got the 96 from.

24 MEMBER SEXTON: This one here says 97.

25 MEMBER SINNOTT: The Tee Brother protest

1 speaks in terms of the Board having found 97 valid  
2 signatures, and on Long & 20th is 96, according to  
3 the protestor.

4 MS. PATTON: I'm not -- I'm not sure  
5 where Miss Guezennec came up with the 96, but our  
6 numbers come out to 97 ballots.

7 MEMBER SINNOTT: So we examined every  
8 signature, all --

9 MS. PATTON: Yes.

10 MEMBER SINNOTT: -- 285 submitted?

11 MS. PATTON: Yes, we did.

12 MEMBER SINNOTT: And our initial review  
13 came up with only 98 valid ones?

14 MS. PATTON: That's correct.

15 MEMBER SINNOTT: So that's what we're  
16 working with as a floor.

17 MS. PATTON: Which was sufficient enough  
18 at the time for us to recommend certification, of  
19 which we did July 9th.

20 The first portion of the protest is  
21 indicating that the precinct applies to precinct-wide  
22 or a portion of a precinct. That is not true. They  
23 filled out Petition 5-R, which is a site-specific  
24 location, and nowhere does that indicate that it's a  
25 precinct-wide nor a portion of a precinct on the face



1 of the petition.

2           The second item of the protest is that  
3 the -- the holder on the -- the petitioner states  
4 that they hold a C1, a C2, and a D5 permit on the  
5 face of the petition. However, the protest states  
6 that the holder only holds a C2 and C2X, of which we  
7 have confirmed with Liquor Control since then. We  
8 had not received confirmation from Liquor Control  
9 prior to our certification of what permits they had  
10 held. However, that is not part of the requirements  
11 we are -- we are required to do of verifying the  
12 permit numbers.

13           DEPUTY DIRECTOR PAYNE: And did you talk  
14 to the Secretary of State as it relates to --

15           MS. PATTON: I have spoke to the  
16 Secretary of State, which consulted with legal over  
17 there. They have never had a situation like this,  
18 and so they have no legal opinion at this time as to  
19 whether this is a fatal error or not, so that is in  
20 your hands now to decide.

21           I will tell you they indicate that they  
22 are C1, C2 liquor permit holders, and a D5 on the  
23 petition. A C1 permit allows for beer off premises  
24 in original sealed container. A C2 allows for wine  
25 and mixed beverages in sealed containers for

1 carryout, and D5 allows for on premises beer, mixed  
2 liquor sales. However, the permit -- the petitioner  
3 is a holder of a C2 and a C2X, which is wine and  
4 mixed in a sealed container for carryout, and the C2X  
5 is the old version of a C1, which is beer in a sealed  
6 container for carryout.

7 MEMBER SINNOTT: So, Carla, this issue  
8 has to do with the face of the petition mistakenly  
9 reciting the types of liquor permits currently held?

10 MS. PATTON: Correct.

11 MEMBER SINNOTT: Each type of permit  
12 will allow the permit holder to sell different things  
13 under different circumstances?

14 MS. PATTON: Correct. I have spoken  
15 with Liquor Control. They would not have a problem  
16 processing. If their issue were to appear and pass,  
17 they would not have an issue with allowing the sales  
18 to continue for this particular location. They just  
19 would not get the sales permitted by a D5. They  
20 would get what they currently hold a petition for --  
21 or a permit for.

22 MEMBER SINNOTT: Why don't you take us  
23 to the next category of protest.

24 MS. PATTON: The next category of the  
25 protest are printed signatures.

1 (Discussion off the record.)

2 MS. PATTON: The next category has to do  
3 with printed signatures, non-cursive signatures. On  
4 Page 5 of the protest you will see a list of the  
5 signatures as they appear on the petition on the left  
6 side and a copy of the signatures as they appear on  
7 our Board's files on the right-hand side. Our  
8 tradition -- as long -- we tend to give the benefit  
9 of the doubt to the voter when signing. If we can  
10 find a few letters connected together, we will give  
11 them the signature typically.

12 MEMBER SINNOTT: Carla, on the document  
13 you prepared it has Ms. Myles.

14 MS. PATTON: Correct.

15 MEMBER SINNOTT: You provided a sample  
16 from a prior registration?

17 MS. PATTON: Correct. So Miss Myles is  
18 actually part of the next point, which is a  
19 non-genuine signature, which we -- which would be  
20 indicated that we would believe that somebody else  
21 had signed for the voter. However, the signature on  
22 the petition as it appears on Page 6 of the protest,  
23 the third signature, Jenelle Myles. The signature we  
24 had originally on our file was a printed, but we did  
25 find a newer -- a registration that does have her

1 cursive signature on there (indicating), which is a  
 2 match for what was signed on the petition.

3 CHAIRMAN PREISSE: We don't have as part  
 4 of this packet what you're holding --

5 MS. PATTON: That's on our response.  
 6 You have a copy, the exact copy of this signature.  
 7 It's on your copy of our response, under, "III, Not  
 8 Genuine" (indicating).

9 CHAIRMAN PREISSE: Oh, I see. The other  
 10 non-genuine signature is in the third category there  
 11 under non-genuine signatures.

12 MEMBER MARINELLO: I'm trying to find  
 13 this Myles person still.

14 MS. PATTON: She's on Page 6 of the  
 15 protest.

16 (Discussion off the record.)

17 MEMBER MARINELLO: That's my Page 6. Am  
 18 I in the wrong thing?

19 CHAIRMAN PREISSE: You may --

20 MS. PATTON: Are you on the Long & 20th?

21 DIRECTOR LEONARD: You're in the wrong  
 22 packet.

23 MEMBER SINNOTT: My protests were  
 24 switched in my folders when I sat down.

25 MEMBER MARINELLO: Okay.

1           MEMBER SEXTON: Well, going back, on  
2 Page 5, we're just -- how many were -- I have one,  
3 two, three, four -- eleven that are in question on  
4 Page 5?

5           MS. PATTON: Correct.

6           MEMBER SEXTON: And on Page 6 we have  
7 four that are in question?

8           MS. PATTON: That is correct. Our  
9 findings on the Page 6 signatures, before that appear  
10 on the signatures, we would -- my opinion would be  
11 they would be valid signatures, that there is enough  
12 consistency. There are similarities between what's  
13 on signature file versus what's on the petition page.

14          MEMBER MARINELLO: On which ones?

15          MS. PATTON: On the four non-genuine  
16 signatures on Page 6.

17          DIRECTOR LEONARD: They go over to Page  
18 7 as well.

19          CHAIRMAN PREISSE: Some of these are --  
20 the Xeroxed copies are bad. It's hard to see. I'm  
21 not sure how -- how should we adjust that?

22          MEMBER SINNOTT: Well, there are still  
23 other issues presented by the protestor, I think.

24          CHAIRMAN PREISSE: There are still other  
25 issues?

1 MS. PATTON: Yeah. The next one, Issue  
2 4, is the elector's incorrect address that they  
3 state. Ryan Wigginton, he wrote 214 North 17th  
4 Street. We actually keyed him into our registration  
5 as 218, and you have a copy on our findings of how he  
6 wrote that address on his registration. We  
7 attributed that to typographical error when entering  
8 in the registration and had gone ahead and validated  
9 Mr. Wigginton's signature on the petition based on  
10 that information.

11 CHAIRMAN PREISSE: Okay.

12 MS. PATTON: In regards to Wiley Ross,  
13 we concur that we had coded him to the wrong voter,  
14 and so we would concur that he needs to be marked as  
15 invalidated.

16 CHAIRMAN PREISSE: What does that mean,  
17 "coded him to the wrong voter"?

18 MS. PATTON: We assigned -- we  
19 attributed Wiley Ross as the signer of the -- Wiley  
20 Ross signed the petition, but we gave it to Wiley  
21 Butler rather than Wiley Ross, and as you can see by  
22 the record within the protest, Mr. Ross is registered  
23 at a wrong address than what he stated on the  
24 petition. Therefore, we would agree that that should  
25 be stricken as a validated signature.

1           MEMBER SINNOTT: Which would take us to  
2 97 valid signatures?

3           MS. PATTON: Right. Issue 5 is the  
4 findings on the illegible signature. In our -- in  
5 our findings presented to you, you will see who we  
6 were able to give the credit to and comparison --  
7 with the signature in comparison to what's signed on  
8 the petition, that we were able to find signatures  
9 that closely represented the voter at the address  
10 stated and, therefore, gave him credit.

11           MEMBER SINNOTT: The addresses provided  
12 for Sheline and Bradford match --

13           MS. PATTON: They matched --

14           MEMBER SINNOTT: -- the registration?

15           MS. PATTON: -- what's on the  
16 registration.

17           In regards to Item 6, a duplicate  
18 signature, the protest claims that the two lines that  
19 you see are signed by the same person. They are not.  
20 The first signature that you see at 926 East Broad  
21 Street is Christopher Erwin, which you can see his  
22 signature on the findings that we provided to you,  
23 that that is a match of a signature, and he is  
24 registered at that address, so we -- that is not a  
25 duplicated signature.

1 CHAIRMAN PREISSE: All right.

2 MS. PATTON: Issue 7, the petitioner's  
3 signature on petition and as a circulator. As a  
4 local option petitioner, you are not -- you are not a  
5 candidate; therefore, you are allowed to sign your  
6 petition for your business if you live within the  
7 precinct that the business is located within and the  
8 petition is circulated, as long as you are not the  
9 circulator. He did circulate a petition and sign  
10 that petition, of which we did mark that signature as  
11 invalid, of signing his own petition that he  
12 circulated. However, he did sign another petition  
13 that was circulated by someone else, of which we did  
14 validate that signature.

15 MEMBER SINNOTT: We did --

16 MS. PATTON: And he is registered within  
17 the precinct that the petition was being circulated.

18 MEMBER SINNOTT: So he signed two  
19 different petitions, one he was circulating himself,  
20 so we discounted the signature on that one, but  
21 counted it on the other?

22 MS. PATTON: That is correct.

23 CHAIRMAN PREISSE: Let me understand,  
24 the current status is that we are counting?

25 MS. PATTON: We counted his signature on



1 the petition he did not circulate.

2 CHAIRMAN PREISSE: In the initial  
3 examination?

4 MS. PATTON: In the initial examination.

5 CHAIRMAN PREISSE: And in consideration  
6 of the protest?

7 MS. PATTON: Yes.

8 CHAIRMAN PREISSE: I see, because he  
9 changed his address.

10 MS. PATTON: Then the final item, I  
11 believe that the protest is improper completion of  
12 the circulator's statement. The circulator is  
13 supposed to place the address at which he resides on  
14 the circulator statement, which he did, as far as we  
15 are concerned. He is registered at 1032 East Long  
16 Street, and that is how he signed the circulator  
17 petition. As far as whether the address is a  
18 residence or not, that is beyond our -- he registered  
19 at the address, and we had nothing indicating that  
20 it's a residence. There are residences out there  
21 that have -- there are businesses out there with  
22 residences located above or somewhere on that  
23 address, but that's not our -- that is not an address  
24 we have restricted to business only at this time in  
25 our records; therefore, we assumed that that's where

1 he resides.

2 CHAIRMAN PREISSE: What is this one,  
3 Brad, this thing that's (indicating) --

4 MEMBER SINNOTT: It's an affidavit.

5 So we show Ibrahim's address as being  
6 3556 Whisper Circle Drive at present; is that  
7 correct?

8 MS. PATTON: We have him registered at  
9 1032 East Long Street.

10 MEMBER SINNOTT: 1032.

11 MS. PATTON: However, on -- it was on  
12 his -- his liquor permit information as Whisper  
13 Creek, but again, that -- we can't attest as to how  
14 up to date that is, and that's beyond our reach for  
15 checking someone's residency when registering. That  
16 appears to be from a court case (indicating).

17 MEMBER SINNOTT: The protestor  
18 represents that it's a -- something found in Franklin  
19 County Municipal Court Clerk records as -- related to  
20 a traffic offense in July of 2018.

21 CHAIRMAN PREISSE: Well, this is --

22 MS. PATTON: In regards to a circulator  
23 statement, the law does not require that a circulator  
24 of a local option petition be registered; therefore,  
25 that is one of those items that we don't check since

1 it's not a requirement that -- we simply check to  
2 make sure that the information is filled in.

3 MEMBER SINNOTT: So the staff's opinion  
4 is that there is still 97 valid signatures after  
5 considering each issue raised by the protest; is that  
6 correct?

7 MS. PATTON: That is correct. However,  
8 it's your discretion on the printed signatures as to  
9 whether we accept those and validate those.

10 MEMBER MARINELLO: Those aren't included  
11 in this?

12 MS. PATTON: Those are considered valid  
13 signatures at this point in time. Those would be  
14 part of the 97 valid signatures.

15 CHAIRMAN PREISSE: Is there anyone who  
16 wants to speak in support of the protest that's in  
17 the audience? Is there anyone who wishes to speak in  
18 support of the protest, in favor of the protest?

19 Would you like to, ma'am? Could you  
20 please come to the podium and state your name and  
21 address for the stenographer.

22 MS. GUEZENNEC: My name is Colleen  
23 Guezennecc.

24 CHAIRMAN PREISSE: And I think we'll --  
25 we'll keep it to five minutes, if we can. Say your

1 name again, Colleen.

2 MS. GUEZENNEC: It's Colleen Guezennec.

3 CHAIRMAN PREISSE: Guezennec. Okay. We  
4 had it close. Thanks.

5 MEMBER SINNOTT: Are you a member of the  
6 bar? I don't know if you're appearing here in your  
7 personal capacity or as a representative of someone,  
8 a local representative?

9 MS. GUEZENNEC: Oh, no. I'm here as  
10 myself.

11 MEMBER SINNOTT: Okay. Do you intend on  
12 offering observations of fact or are you just going  
13 to share with us argument?

14 MS. GUEZENNEC: I think I'm just going  
15 to operate from fact because I think the facts are  
16 strong enough.

17 MEMBER SINNOTT: Okay.

18 CHAIRMAN PREISSE: We typically swear  
19 the speakers in for the record.

20 MS. GUEZENNEC: Would you like to do  
21 that?

22 CHAIRMAN PREISSE: Yes, please.

23 (Ms. Guezennec was sworn.)

24 CHAIRMAN PREISSE: Thank you.

25 MS. GUEZENNEC: I'd like to start first

1 with -- on Page 4, non-cursive/printed signatures.

2 CHAIRMAN PREISSE: This is of your  
3 protest document?

4 MS. GUEZENNEC: Yes.

5 CHAIRMAN PREISSE: Page?

6 MS. GUEZENNEC: Four, Page 4.

7 CHAIRMAN PREISSE: Okay.

8 MS. GUEZENNEC: You know, actually,  
9 let's see -- oh, yes. By the way, I want to rewind  
10 just a bit. There seems to be -- there seems to be a  
11 little confusion.

12 Carla, did you say 98 validated  
13 signatures?

14 MS. PATTON: Uh-huh.

15 MS. GUEZENNEC: So it's a little  
16 difficult because what you do is you get the -- the  
17 actual petition, and there's a lot of writing inside,  
18 checkmarks, dots, you know, NRRs, NRAs; so we had to  
19 learn the language, and when we went through -- this  
20 is a group of residents collectively, and when we  
21 counted, multiple people counted, and we were looking  
22 for the text and we sent Matt Rushay -- I sent Matt  
23 Rushay an e-mail saying that basically we couldn't  
24 come up with 95, the magic number, 95. By the way,  
25 this is in your packets. Okay. And I said, "Can you

1 please double check the Long and 20th files and count  
2 the number of valid signatures. I have  
3 double-checked the pages you sent, and my total  
4 equals 92, three short of what was needed for 7-D  
5 based on the required numbers you shared today,"  
6 which was 95. "Thank you."

7 And Matt responded, "On two" -- two  
8 parts -- or, "On two part-petitions, the number of  
9 valid signatures written in the upper right-hand  
10 corner of the front of the petition was not updated.  
11 On one part-petition, the number of valid signatures  
12 says '11' but 14 are marked as correct on the  
13 back...the other part-petition says '3' but four were  
14 actually validated."

15 Okay. So just FYI, from our point of  
16 view, that left us really not knowing what signatures  
17 they went back and added; okay? Right? That were  
18 validated. But based on this -- so we're at 92. He  
19 adds four more. That's 96, not 98. You see that  
20 exchange, right, on the last page (indicating)?

21 Okay. I think you have to decide right  
22 now are there 98 or are there 96. That's difficult.  
23 Okay. Since I only have five minutes, let's get back  
24 to the task. Non-cursive printed signatures, okay,  
25 it says very clearly -- I don't want to insult

1 anybody. This is your business, not mine. The  
2 reason I put that in there was not for your  
3 information, because you know this information, it  
4 was for the -- it was for the neighborhood, so the  
5 neighborhood could understand the thinking of what we  
6 were doing, what we were finding; right? So we're  
7 just not making this up. We went and looked at the  
8 laws. What are the laws, and we put them in the  
9 document. Now, what wasn't pointed out is that on  
10 the top of -- on the top of Page 5, I put four  
11 signatures there. Those are four cursive signatures  
12 from another petition. There were four petitions  
13 turned in to the Board of Elections about this issue  
14 in Precinct B and D. If you look at the top of Page  
15 4 -- 5, sorry, you will see Lori Christy managed to  
16 write -- sign in cursive her name on a different  
17 petition along with Delmar McGee, Renee Little,  
18 and -- well, that's the best I could get. I think  
19 his name is Walter, Walter Capers. Your rule -- it's  
20 not -- I mean, it's not our rule. The rules say you  
21 have to write in cursive. Those folks wrote in  
22 cursive on other petitions but not on this one, so I  
23 don't see how you could, with a straight face, say  
24 hey, it's okay. It's okay that they didn't do it on  
25 this petition.

1           It's not okay. So now we have two  
2 issues, the number is did they have 98 or did they  
3 have 96?

4           CHAIRMAN PREISSE: You've exceeded the  
5 time, so why don't you take one more minute and wrap  
6 up.

7           MS. GUEZENNEC: One, two, three, four.  
8 You've already taken two away. These -- these four  
9 are without -- beyond a shadow of a doubt that they  
10 were able to write their name somewhere else. I  
11 don't think that you can say well, you know, we can  
12 sort of see where it looks the same. Look, the rule  
13 states clearly, Page 4, each signature has to be  
14 cursive. So I think we've more than made our case.  
15 Thank you.

16           CHAIRMAN PREISSE: Thank you very much.

17           And is there anyone who wants to speak  
18 against the protest?

19           (People step forward.)

20           CHAIRMAN PREISSE: How many of you are  
21 going to speak?

22           MR. SULLIVAN: One.

23           CHAIRMAN PREISSE: Okay. Would you also  
24 state your name and address for the record.

25           MR. SULLIVAN: My name is Keith



1 Sullivan, 2236 Marcia Drive.

2 (Discussion off the record.)

3 MR. SULLIVAN: Sullivan,  
4 S-u-l-l-i-v-a-n.

5 CHAIRMAN PREISSE: That was fast, too.

6 (Discussion off the record.)

7 MR. SULLIVAN: 2236 Macria, M-a-c-r-i-a  
8 (sic).

9 CHAIRMAN PREISSE: I think we should  
10 swear him in too.

11 (Mr. Sullivan was sworn.)

12 MR. SULLIVAN: Okay. I wrote three  
13 things down that the lady had stated. First of all,  
14 I was the petitioner on those -- for those signatures  
15 for Long and Monroe, Silver Market. The  
16 signatures -- I sat in this -- in the room across the  
17 hall for about three hours each time I came up to try  
18 to verify and make sure all these signatures were  
19 right to make sure we could get it on the ballot. I  
20 then turned them over to the Board of Elections, and  
21 they certified them, right, as the signatures, I  
22 guess. So I don't know where the issue of 95 or 98  
23 comes in at all. Okay.

24 As far as signing your name or printing  
25 your name, I couldn't find it anywhere where the

1 government requires you -- your signature not sign in  
2 cursive because they don't even teach it in school  
3 anymore. You know, so that's about that. There was  
4 an issue with -- that they have on page -- I think  
5 it's the one where it says the petitioner's  
6 signature. I'll just say that part. I signed all of  
7 them, and I keep -- whenever I go out and petition, I  
8 carry this (indicating). I put it just like this;  
9 right? If anyone answers the door and I have a  
10 feeling that they're not that person that's supposed  
11 to sign it, the first thing I do is ask for an ID;  
12 you know, hey, you really live here. And usually I  
13 know most of the people that live there because I've  
14 been there since 19 -- in that community off and on  
15 since 1963. I didn't just move into the  
16 neighborhood. I've been there. What I would like to  
17 say is this, these issues come up every four or five  
18 years from somebody new that moved into the community  
19 and is trying to stop the sale of alcohol and tobacco  
20 in the community, which creates the conditions of  
21 gentrification because the store is going to close.  
22 There's no major food chain. People in that area,  
23 they use these stores not just for beer and wine.  
24 Sure, there's people that do, but they have Pampers  
25 in there. They have female products in there, they

1 have food. They have other things that is needed in  
2 that neighborhood and there's no major food chains  
3 around in that neighborhood anyway to supply those  
4 things; right? So with them objecting to it, it's  
5 just more of the same old/same old to me, because  
6 they've done this three or four other times -- well,  
7 three times that I helped defend, that I --

8 CHAIRMAN PREISSE: Those may be valid  
9 points, but they don't speak to the issues on the  
10 paper at all, so the issues on the paper --

11 MR. SULLIVAN: I'm not --

12 (Discussion off the record.)

13 MR. SULLIVAN: I know the issues that  
14 are on that paper because I signed those and I was  
15 the petitioner. There was something about the liquor  
16 license, the type of liquor license that they had,  
17 right, and who owned that liquor license, and we have  
18 the paper here, but we brought the liquor license  
19 with us, if you'd like to see it.

20 CHAIRMAN PREISSE: I don't think we feel  
21 that that is a sticking point, do we?

22 MEMBER MARINELLO: No.

23 CHAIRMAN PREISSE: Any questions?

24 MR. SULLIVAN: Any questions?

25 CHAIRMAN PREISSE: No. Thank you.

1           Carla, can you talk to the issue of the  
2    98 --

3           MS. PATTON: I have gone through, so I  
4    have a list of how our system has invalidated versus  
5    validated, and I just went through, and there are 98  
6    that were marked as validated within the voter  
7    registration system. So, you know, as far as may  
8    have -- somebody may have mistakenly handwritten the  
9    wrong code on the actual part-petition or they may  
10   have just added the numbers up wrong when we pointed  
11   out the numbers on the petition itself, so --

12           CHAIRMAN PREISSE: You're consulting  
13   what document?

14           MS. PATTON: This comes out of our voter  
15   registration system to which we validate signatures,  
16   and I counted up all the validated signatures  
17   throughout the entire list, and I came up with 98.

18           CHAIRMAN PREISSE: With were drawn from  
19   the petitions?

20           MS. PATTON: Which came straight -- yes.

21           MR. LEONARD: There's a petition nodule  
22   within our voter registration software that will  
23   allow us to track each line as it's entered, what  
24   name was looked up, whether it was found valid, so it  
25   will actually give you each part-petition, each line

1 of the part-petition, and whether the signature on  
2 that line of that part-petition was found valid or  
3 invalid. If it was found invalid, it will tell you  
4 the reason why it was found invalid.

5 MEMBER SINNOTT: So our base number is  
6 98?

7 MS. PATTON: Yes.

8 CHAIRMAN PREISSE: And so summarizing  
9 the staff's response to the protest, we agreed with  
10 the protestor in how many cases and did not give --  
11 and removed the signatures?

12 MS. PATTON: We did -- we did fully  
13 concur that Wiley Ross should have been invalidated.  
14 He was part of the issue for the elector's incorrect  
15 address. We admit that that should be invalidated,  
16 bringing us down to 97.

17 MEMBER SEXTON: Is this the one in  
18 our -- is this the one in our packet on Page 8,  
19 Carla?

20 MS. PATTON: Yes. Yes, at the top of  
21 Page 8, we do agree that that should have been  
22 invalidated. In regards to the printed signatures,  
23 we leave that up to your discretion. I believe our  
24 staff had some reason to believe that they were  
25 valid, whether they put a couple signatures together

1 or not.

2 MEMBER SEXTON: So then Wiley Ross, does  
3 that -- how is he in the 98 valid signatures?

4 MS. PATTON: He was marked as validated  
5 because we gave credit to someone -- a different  
6 Wiley at that address, so Wiley Butler was registered  
7 at the address, and we gave him credit, and it should  
8 have been attributed to Wiley Ross who lives at a  
9 different address.

10 CHAIRMAN PREISSE: In Point 7,  
11 circulator and signer, we had not -- we did not  
12 validated that at the initial review; is that right?

13 MS. PATTON: We did not validate the  
14 signature on the petition he circulated himself.

15 CHAIRMAN PREISSE: So he was not part of  
16 the 98 --

17 MS. PATTON: No.

18 CHAIRMAN PREISSE: -- in that instance?

19 MS. PATTON: No.

20 CHAIRMAN PREISSE: Okay.

21 MEMBER SINNOTT: Well, we're sort of  
22 tasked, as we often are, with coming up with some  
23 sort of -- coming up with a fair process for the  
24 consideration of multiple issues when they're  
25 presented to us. Let me suggest that we work through

1 these issues succinctly, one by one.

2 The first subject of protest seems to be  
3 the issue related to the significance of the  
4 description of the type of liquor permit presently  
5 held.

6 CHAIRMAN PREISSE: I didn't think -- I  
7 think that's the second issue. Am I misinterpreting  
8 this? This has to do with --

9 MEMBER SINNOTT: Yes. As the protestor  
10 describes it here, in this first -- the issue of --

11 MS. PATTON: I believe the lack of  
12 precinct designation on the part-petitions.

13 MEMBER SINNOTT: That's --

14 MS. PATTON: However, there is no field  
15 that allows for a designation of precinct on that  
16 location -- petition.

17 MEMBER SINNOTT: I think it had to do  
18 with the lack of designation of a specific precinct.

19 MS. PATTON: Correct.

20 MEMBER SINNOTT: Is there anyone on the  
21 Board who would propose disqualification of the  
22 petitions on that basis?

23 MEMBER MARINELLO: No.

24 MEMBER SEXTON: No.

25 MEMBER SINNOTT: Now, the second issue

1 has to do with the description of the type of liquor  
2 permit held. Is there anyone on the Board who would  
3 like to propose that as a basis?

4 MEMBER MARINELLO: No.

5 MEMBER SEXTON: No.

6 MEMBER SINNOTT: I think that takes us  
7 over then to the printed signatures subject. Is  
8 there anyone who would propose disqualification of a  
9 particular signature on account of printing as  
10 opposed to the cursive-style legal mark required by  
11 Revised Code Section 3501.38(B)?

12 MEMBER MARINELLO: Well, like Carla  
13 said, they --

14 (Discussion off the record.)

15 MEMBER MARINELLO: I'm sorry. You know,  
16 her staff must have had a reason to validate them in  
17 the first place.

18 MEMBER SINNOTT: I think that everything  
19 checks out except for the cursive versus printed. Is  
20 that right, Carla?

21 MS. PATTON: Correct. As I said before,  
22 we'll give the benefit of the doubt if we can find a  
23 few connected letters or similarities from what they  
24 placed on the petition with what's on file with our  
25 Board.



1           MEMBER SINNOTT: I would suggest that we  
2 pause for a moment and look at Lori Christy, Delmar  
3 McGee, Sandra Toler.

4           MEMBER SEXTON: Where is a Sandra  
5 Toler -- oh, she's on Page 5?

6           MEMBER SINNOTT: Page 5 of the protest,  
7 yes. Those are the -- and the Ryan Archer name would  
8 also be interesting.

9           CHAIRMAN PREISSE: I find significant  
10 similarity in the last name Toler as it's rendered in  
11 both examples.

12           MEMBER SINNOTT: Well, there seems to be  
13 a fine line. Is there anybody who would propose the  
14 disqualification of signatures on the basis of a lack  
15 of cursive-style legal mark?

16           MEMBER MARINELLO: No.

17           MEMBER SEXTON: I would not.

18           CHAIRMAN PREISSE: I do.

19           MEMBER SINNOTT: This is an instance  
20 where I can understand both sides of the argument, so  
21 I would probably defer toward counting the signatures  
22 and letting it go to the people.

23           MEMBER MARINELLO: I didn't hear you,  
24 Brad, I'm sorry. What?

25           MEMBER SINNOTT: I said I -- I can

1 understand the arguments both ways about whether  
2 these are printed or cursive signatures, so my  
3 inclination would be to defer to counting them so  
4 that the people can have a vote.

5 MEMBER MARINELLO: I agree.

6 CHAIRMAN PREISSE: Walk us through the  
7 next one.

8 MEMBER SINNOTT: The next issue  
9 presented relates to whether the signature that  
10 appears on the petition is the signature of the  
11 registered voter.

12 CHAIRMAN PREISSE: This is where, Carla,  
13 you updated it on the response document.

14 MS. PATTON: Yes. On Jenelle Myles,  
15 yes, we have given you an updated copy of her  
16 signature on the response, so a cursive-style  
17 signature versus a printed signature.

18 CHAIRMAN PREISSE: Okay. Thank you.

19 MEMBER SINNOTT: I think the question is  
20 whether any Board Member would propose  
21 disqualification of a signature on the basis that it  
22 is not that of the registered voter?

23 CHAIRMAN PREISSE: I don't hear anybody.

24 MEMBER SINNOTT: The issue after that is  
25 the Wiley Ross versus Wiley Butler subject.

1                   MEMBER MARINELLO: He's not included  
2 anyway, right, in the --

3                   MEMBER SINNOTT: He is at present. We  
4 have to exclude him.

5                   MS. PATTON: We recommend excluding that  
6 signature, as we did invalidate -- we did validate  
7 the wrong individual in that case, so that is one  
8 signature we are recommending that we invalidate.

9                   MEMBER SINNOTT: We'll continue the  
10 discussion --

11                   MEMBER SEXTON: Where is his -- I see  
12 him at the top of Page 8.

13                   MS. PATTON: Yes.

14                   MEMBER SEXTON: You're recommending  
15 invalidation?

16                   MS. PATTON: We do, yes. We do concur  
17 with the protestor on that, that we did improperly  
18 validate the wrong individual with that signature.

19                   CHAIRMAN PREISSE: We have to vote on  
20 it.

21                   MEMBER SINNOTT: I think we can probably  
22 do that as part of the motion. I think we'll just  
23 continue the discussion, and then we'll have a  
24 motion.

25                   Then I believe the next issue is

1 legibility of signatures, and the protestor  
2 identifies three signatures here on the bottom of  
3 Page 8 at the protest as being the ones in question.

4 CHAIRMAN PREISSE: We gave credit  
5 because we can see similarities and the address  
6 checked out?

7 MS. PATTON: Correct. We searched  
8 voters by -- based on the address listed on the  
9 petition and were able to find signatures that  
10 resembled that which was on the petition.

11 CHAIRMAN PREISSE: Okay. That makes it  
12 good to me.

13 MEMBER SINNOTT: The next basis for  
14 protest would be the allegation that there was a  
15 double counting of the signature.

16 CHAIRMAN PREISSE: Right.

17 MS. PATTON: Currently both of those  
18 signatures are validated and are part of the 98 valid  
19 signatures, and our -- our findings show it is not  
20 the same person signing those two lines.

21 CHAIRMAN PREISSE: You've got two  
22 registered voters at that address.

23 MS. PATTON: Cleo Simon I believe may --  
24 may have been invalidated, but Chris Erwin was  
25 validated as a legitimate signature.

1                   MEMBER MARINELLO: Oh, I see. Based on  
2 it says Simon or something?

3                   MS. PATTON: Right. So Cleo Simon is  
4 not at the address, and we appropriately coded that  
5 voter, whereas Christopher Erwin, the top one, was  
6 validated and is not a duplicate signature.

7                   CHAIRMAN PREISSE: Okay.

8                   MEMBER SINNOTT: Cleo Simon's signature  
9 was not counted?

10                  MS. PATTON: Correct.

11                  MEMBER SINNOTT: But Cleo Erwin's --

12                  MS. PATTON: Christopher Erwin.

13                  MEMBER SINNOTT: Christopher Erwin's  
14 was.

15                  The next issue raised by the protestor  
16 has to do with the petition signature listing on both  
17 a -- being on the petition both as a signer and a  
18 circulator.

19                  CHAIRMAN PREISSE: Can you walk us  
20 through that one? It was not counted?

21                  MS. PATTON: Right. We invalidated the  
22 signature on the part-petition that the gentleman  
23 circulated himself, but we did validate his signature  
24 on the part-petition that was circulated by someone  
25 other than him.

1           MEMBER SEXTON: So the one -- the one at  
2 the top of Page 10 you validated, and the one on the  
3 Circulator Statement below we did not; is that right?

4           MS. PATTON: So on Part 42 we did  
5 invalidate. That's the signature from the petition  
6 in which he circulated. However, he signed the  
7 petition that he did not circulate, of which we did  
8 validate.

9           CHAIRMAN PREISSE: Okay. And you walked  
10 us through the rest of this --

11          MEMBER SINNOTT: Yes.

12          CHAIRMAN PREISSE: -- that issue to my  
13 satisfaction anyway.

14          MEMBER SINNOTT: I believe that takes us  
15 to an allegation by the protestor of improper  
16 completion of the Circulator Statement.

17          MS. PATTON: Again, we heard the  
18 circulator of the local liquor option does not seem  
19 to be a registered voter. We simply made sure that  
20 the information is complete. We do not check the  
21 residency, but in this case again the particular  
22 person who circulated the petition, Mr. Ibrahim, is  
23 registered to vote at 1032 East Long Street.

24          CHAIRMAN PREISSE: Okay.

25          MEMBER MARINELLO: So it's 97 with

1 taking Wiley off?

2 MS. PATTON: Correct.

3 MEMBER SINNOTT: We need to do that by  
4 Board action. I move the invalidation of the  
5 signature provided by -- is Ryan --

6 MS. PATTON: Wiley Ross.

7 MEMBER SINNOTT: It's Wiley Ross. Here  
8 we go. Invalidation of the signature provided by  
9 Wiley Ross.

10 CHAIRMAN PREISSE: Second.

11 MEMBER SEXTON: Second.

12 DEPUTY DIRECTOR PAYNE: It's been  
13 properly moved and seconded that we take the count  
14 down to 97 with the taking off of Wiley Ross. All  
15 those in favor signify by saying aye.

16 (Vote taken.)

17 DEPUTY DIRECTOR PAYNE: All opposed,  
18 same sign.

19 (No response.)

20 DEPUTY DIRECTOR PAYNE: Motion carries.  
21 We are at 97 signatures.

22 MEMBER SINNOTT: Well, then I move that  
23 the Board deny the protest and that the local option  
24 shall appear on the November 6, 2018, General  
25 Election ballot.

1 MEMBER MARINELLO: I second.

2 DEPUTY DIRECTOR PAYNE: All those in  
3 favor signify by saying aye.

4 (Vote taken.)

5 DEPUTY DIRECTOR PAYNE: All opposed,  
6 same sign.

7 (No response.)

8 DEPUTY DIRECTOR PAYNE: Motion carries.  
9 Do you want to deal with Tee Brother  
10 company?

11 MR. WEINGART: Excuse me. I'm sorry to  
12 interject, but there are a couple of things that I  
13 need clarification on. One, I also was in favor of  
14 speaking about this protest, and, two, the gentleman  
15 who spoke against the protest was speaking, from my  
16 understanding, about the Silver Mart, which is the  
17 one you're about to speak on, because he mentioned  
18 Long and Monroe, and this is about Long and 20th.

19 CHAIRMAN PREISSE: Go ahead.

20 MR. SULLIVAN: If I may, here's the  
21 problem, when the Silver Mart got theirs, they said  
22 they were confused because they said that this  
23 license is owned by this gentleman here at Long and  
24 20th, right, and he is -- he doesn't own it. These  
25 two individuals own it themselves (indicating), so



1 that's where it got confused at. He's the owner.  
2 That's where that actually got confused at, right, so  
3 I thought when you were calling -- calling us up it  
4 was about both of them at the same time because they  
5 contested, because they said that this is -- the  
6 licenses aren't owned by the owner. They're owned by  
7 him (indicating).

8 CHAIRMAN PREISSE: But when you spoke,  
9 you were speaking to the issue we just addressed?

10 MR. SULLIVAN: I was speaking for the  
11 issue for the Silver Mart.

12 MS. GUEZENNEC: The Tee Brother.

13 MR. SULLIVAN: Tee Brother. Okay. Does  
14 that make sense? Did I mess it up for you guys?

15 CHAIRMAN PREISSE: No. I don't think  
16 that what evidence you provided really altered our  
17 consideration of the paper evidence in front of us.

18 MR. SULLIVAN: Thank you.

19 CHAIRMAN PREISSE: I don't know if that  
20 answers your question.

21 MEMBER SINNOTT: It does.

22 DEPUTY DIRECTOR PAYNE: Do we want to  
23 proceed to the next local option?

24 MEMBER SINNOTT: Yes, Tee Brother.

25 MS. PATTON: Next, Colleen Guezennec did

1 bring forward a protest against the Tee Brother local  
2 option petition. Similar to the Long & 20th, they  
3 were dried up as part of the precinct-wide question  
4 in the May primary and have filed petitions under the  
5 29-day rule to try to maintain their sales, and  
6 the -- the issue was certified to the ballot on July  
7 9th as having found valid and sufficient signatures  
8 and a timely-filed petition with our office. They  
9 had -- out of 177 signatures submitted, we found that  
10 97 were valid, and, again, they needed 95 in order to  
11 appear on the ballot. Again, the protest --

12 MEMBER SINNOTT: Carla, to make sure, so  
13 you're counting 97 signatures on this one?

14 MS. PATTON: Yes, that is correct. I  
15 believe that that's what the protestor has indicated  
16 as well, so we are in concurrence with the 97 valid  
17 signatures that were certified.

18 MEMBER SINNOTT: In the interest of  
19 time, it looks as though Issue I on Tee Brothers is  
20 the same as Issue I on 20th and Long.

21 MS. PATTON: That is correct.

22 MEMBER SINNOTT: Issue II on Tee  
23 Brothers is the same as Issue II on 20th and Long?

24 MS. PATTON: Correct.

25 MEMBER SINNOTT: Which takes us to the

1 printed signatures, please.

2 MS. PATTON: On Page 5 you will see the  
3 list of signatures that the protestor has identified  
4 on the left-hand side of being that on the petition  
5 itself, the right-hand side being on file with our  
6 Board. In this particular case Marschell Folds  
7 actually signed twice, one with a printed, one with a  
8 cursive. The cursive would have been valid -- would  
9 have been a validated signature. The one that's  
10 presented in front of you would have been invalidated  
11 as a duplicate signature.

12 MEMBER SINNOTT: Okay. So Marschell  
13 Folds signed once -- once printing and then signed  
14 cursive?

15 MS. PATTON: Correct, and we validated  
16 the cursive signature, which is not shown on this  
17 protest. The signature that's shown on the protest  
18 was not validated as a valid signature.

19 DIRECTOR LEONARD: So the printed  
20 signature wasn't counted as part of the 97 valid  
21 signatures?

22 MS. PATTON: The printed was not part of  
23 the 97 valid.

24 MEMBER SINNOTT: It was a duplicate?

25 MS. PATTON: It would have been a

1 duplicate signature. Dora Zepf again signed the  
2 petition twice, once with the printed and once with  
3 cursive, and that's going to be the same scenario  
4 with Marschell Folds, where we validated the cursive  
5 and invalidated the one that's before you on the  
6 protest. So, again, the one before you is not part  
7 of the 97 valid signatures.

8 Candace Johnson, we have an updated  
9 signature to -- better than what they're claiming on  
10 here of misspelling the name, and you see she does --  
11 on their findings, she -- with her signature she does  
12 spell it with an I, not an A (indicating), and we  
13 have nothing, you know, further on Williams or D.  
14 Minnifield.

15 MEMBER SINNOTT: Well, what's our past  
16 practice when somebody named John Smith signs J.  
17 Smith? Have we counted that through the years?

18 MS. PATTON: If you are able to  
19 determine that that is the voter that's signing, then  
20 we accepted that.

21 MEMBER SINNOTT: Meaning that everything  
22 else checks out?

23 MS. PATTON: Correct.

24 MEMBER SINNOTT: And is that true about  
25 Williams and Minnifield?

1 MS. PATTON: Yes.

2 MEMBER SINNOTT: So like if you take  
3 Minnifield, for example, do we know that -- it says  
4 David Minnifield on here. Do we know that there's  
5 someone not at the same address --

6 MS. PATTON: Correct. If there were two  
7 people with the initial D. Minnifield, we would have  
8 probably marked it as an invalid signature of  
9 non-genuine, not being able to tell who it would be.

10 CHAIRMAN PREISSE: What's the next  
11 issue, Carla?

12 MS. PATTON: The same signatures. The  
13 protestor has identified on the petition some of the  
14 similarities with a signature from line to line of  
15 different voters. This would typically indicate that  
16 a circulator has gone through and signed signatures,  
17 signed voters' signatures rather than obtaining the  
18 actual voter's signature itself.

19 MEMBER MARINELLO: But they matched up  
20 with what you have on file or you wouldn't have  
21 counted it?

22 MS. PATTON: Yeah. If we found that  
23 there were similarities with the signatures, we would  
24 have, again, given the credit, the benefit of the  
25 doubt to the voter, if they would have been the

1 signers, but as you can see -- to the left of the  
2 signature, you will see that several of those were  
3 marked as invalid. I believe what the protestor is  
4 giving us with this is that if they're non-genuine --  
5 if it's believed that a circulator has forged  
6 signatures, that the entire part-petition shall be  
7 thrown out as being a forged petition, falsified.

8 MEMBER SINNOTT: How many of these  
9 signatures did you find invalid?

10 MS. PATTON: Any of the ones without a  
11 checkmark, so out of -- there's one, two, three, four  
12 five -- there's only six signatures presented on that  
13 page that looks like it has a validated mark,  
14 indicated by a checkmark to the left. The others  
15 were marked as either not registered or is  
16 non-genuine, which is also used when you can't -- you  
17 don't have a similarity with the signature, not  
18 knowing if it's a circulator or another voter signing  
19 for a voter.

20 MEMBER SINNOTT: I'm not finding  
21 anywhere within the packet a description or a  
22 quotation from the statute that Carla just referred  
23 to about how we invalidate the entire petition if  
24 there is --

25 MEMBER MARINELLO: I count six.

1 CHAIRMAN PREISSE: What did you --

2 MEMBER SINNOTT: Would you repeat,  
3 Carla, what's your understanding of the standard for  
4 invalidation of the entire petition.

5 MS. PATTON: If it is believed that  
6 signatures of voters have been forged, then that  
7 entire part-petition would be discarded as an invalid  
8 part-petition.

9 CHAIRMAN PREISSE: What's the authority  
10 on that?

11 MEMBER SINNOTT: The protestor provides  
12 some statutory language here.

13 MS. PATTON: They're coming out -- it  
14 comes from the Guide to Local Liquor Options, Revised  
15 Code 3501.38, 3503.06(C)(1)(a) and 3599.36, which  
16 includes that, "...if a circulator knowingly permits  
17 an unqualified person to sign a petition paper or  
18 permits a person to write a name other than" -- his  
19 or her own -- "on a petition paper, that" --  
20 entire -- "petition paper is invalid; otherwise, the  
21 signature of a person not qualified to sign shall be  
22 rejected but shall not invalidate the other valid  
23 signatures on the paper."

24 Again, we give the benefit of the doubt,  
25 that a husband may have signed for a wife, we won't

1 invalidate the entire part-petition. We'll just  
2 invalidate the signature as not genuine.

3 MEMBER SINNOTT: Carla, on this  
4 part-petition how many signatures are you counting?

5 MS. PATTON: Thirty, that appear on this  
6 particular --

7 MEMBER SINNOTT: And only six were  
8 valid?

9 MS. PATTON: Of that I can see. I'm  
10 not -- I can't see the markings for those that appear  
11 on the right-hand side. It does appear that it may  
12 come from a separate part-petition. The ones on the  
13 right, that appear on the right of those, I mean, two  
14 of those were marked to be valid signatures. The  
15 remainder of them were marked as not registered or  
16 not registered at the address, and then the first one  
17 that you see appears to be a non-genuine.

18 MEMBER SINNOTT: If you can take us to  
19 the next issue.

20 MS. PATTON: The next issue is again  
21 similar, was dealing with --

22 CHAIRMAN PREISSE: Which one are you on,  
23 please?

24 MS. PATTON: This is Issue III with the  
25 Circulator Statement on Page 8.



1 CHAIRMAN PREISSE: Okay.

2 MS. PATTON: It's stating that Keith  
3 Sullivan presented the petition, I believe, with  
4 non-genuine signatures and that his signature on the  
5 Circulator Statement does not match that of what's on  
6 file with the Board.

7 CHAIRMAN PREISSE: Al right. Then  
8 what's the next one?

9 MS. PATTON: Again, that's the  
10 non-genuine signatures, and the first three listed,  
11 Mr. Brown and the two Wallace, those were invalidated  
12 signatures. Mary and Damon Brown were both  
13 validated.

14 MEMBER SEXTON: On Page 9 which ones  
15 were validated?

16 MS. PATTON: The first three signatures  
17 on Page 9 were invalidated. The second two or those  
18 last two were validated as valid signatures.

19 Again, continuing on with non-genuine  
20 signatures --

21 CHAIRMAN PREISSE: Page 10?

22 MS. PATTON: Yes, Page 10. The  
23 signature on the left is from the petition. The  
24 signature on the right is from the system, and that  
25 continues to Page 11, with the final signature being

1 marked as the protestor finding it as being --  
2 claiming to be non-genuine.

3 MEMBER MARINELLO: What was the status  
4 on Page 10 of the signatures, all validated? I can't  
5 tell.

6 MS. PATTON: Yes, all were validated.  
7 And the one on Page 11 was also validated.

8 MEMBER SEXTON: So on Page 10 we  
9 validated the first one?

10 MS. PATTON: We validated all the  
11 signatures on Page 10.

12 MEMBER SEXTON: Understand, on our  
13 sheets some are very, very --

14 MEMBER MARINELLO: Hard to read.

15 MEMBER SEXTON: -- difficult, especially  
16 No. 1 and the second one from the bottom on mine.

17 MS. PATTON: I can provide the  
18 part-petition itself, if that would help.

19 MEMBER MARINELLO: Well, it's the  
20 signature on file with the Board that we can't read.

21 MS. PATTON: I'm sorry?

22 MEMBER MARINELLO: It's the signature on  
23 file with the Board that we can't read. It's all  
24 black, at least mine is.

25 MS. PATTON: (Indicating.)

1 MEMBER MARINELLO: That's better.

2 MEMBER SEXTON: I don't know if yours is  
3 hard to read, but the first one and second to last  
4 one, it's a lot better on that copy.

5 MEMBER SINNOTT: Yeah.

6 CHAIRMAN PREISSE: Thank you for that.  
7 What was -- that brings us to which point?

8 MS. PATTON: Issue V, the illegible  
9 signatures/not found at address. They have pointed  
10 out a signature in which we -- based on the address,  
11 we were able to find a Telisa Monagan, of which her  
12 registration is here with the signature on it, which  
13 we -- actually we validated and gave credit to based  
14 on the address listed on the petition and  
15 similarities with the signature. You see the  
16 "Monagan" and the signature on the petition.

17 MEMBER SEXTON: No. 5 (indicating).

18 CHAIRMAN PREISSE: Okay. Next.

19 MS. PATTON: The next is in regards to  
20 the affidavit that was filed with Tee Brother. Maybe  
21 the protestor has been confused, but the affidavit is  
22 accurate as what's listed in the protest, the  
23 affidavit for Jihad Alhajahmad on behalf of Tee  
24 Brother Company, and in the information that they  
25 provided, Muktar Ibrahim owns the d/b/a of Long &

1 20th, is not associated with the -- with the Tee  
2 Brother Company. So on Page 13 where they list the  
3 permit, along with the owner, the owner that's listed  
4 down at the bottom clearly indicates that it's the  
5 owner of the Long & 20th Carryout and not the Tee  
6 Brother. So we believe that there is no issue with  
7 the affidavit, in our opinion.

8 CHAIRMAN PREISSE: Okay. So --

9 MS. PATTON: Thaier Hammad is the owner.  
10 Thaier Hammad, as indicated on the designation of  
11 agent, is the owner, which he designated Jehad  
12 Alhajahmad, and he is the one that properly filled  
13 out the affidavit on behalf of the owner.

14 CHAIRMAN PREISSE: Well, let's take five  
15 minutes to hear from the protestor or anybody she may  
16 wish to include as a designee.

17 MS. GUEZENNEC: Can we just -- Carla,  
18 what -- I didn't hear. What -- what was the staff's  
19 conclusion?

20 CHAIRMAN PREISSE: On what?

21 MS. PATTON: 97.

22 MS. GUEZENNEC: And how many were -- did  
23 you invalidate after the fact? I don't think I heard  
24 that. Did you hear that?

25 MS. PATTON: Out of 177 signatures --

1 MS. GUEZENNEC: No, no, no. No, I'm  
2 sorry. Out of the 97. You're saying that despite  
3 everything that was shown to you, you did not  
4 invalidate any of the ones that were previously  
5 validated to get to the 97?

6 MS. PATTON: We have not indicated any  
7 signatures that we're reversing a decision on, as far  
8 as I'm aware.

9 MS. GUEZENNEC: Okay. I just wanted to  
10 be clear about that, which I -- I'm not sure how the  
11 Board members could sit with a straight face, look at  
12 some of these part-petitions, the non-genuine  
13 signatures. You know, I'd be happy to go one by one,  
14 if you'd like, to say really, can we -- can we  
15 really, with a straight face, accept some of those?  
16 Would you like to -- shall we point them out?  
17 They're ridiculous. D. Williams, D. Minnifield --

18 MEMBER SEXTON: What page?

19 MS. GUEZENNEC: Page 5.

20 MEMBER SEXTON: Page 5. Thank you.

21 MS. GUEZENNEC: Okay. And I just want  
22 to be real clear about what I heard because this will  
23 go public. It's okay for a spouse to sign their  
24 spouse's name, I heard that today. Did you hear  
25 that?

1 MS. PATTON: No, we never said that.

2 DIRECTOR LEONARD: No.

3 MS. GUEZENNEC: But you said sometimes a  
4 spouse -- well, it will be in the --

5 MS. PATTON: We will invalidate the  
6 proper signature, but we won't invalidate the  
7 part-petition because it wasn't an act of forgery or  
8 falsification on the petition.

9 MS. GUEZENNEC: Go to Page 5. D.  
10 Williams, D. Minnifield, you're going to accept  
11 those? Let's go to Page 8, "Irren Brown." "Irren,"  
12 really? You accept she printed her name "Irren,"  
13 I-r-r-e-n, instead of Irene? This is somebody who  
14 didn't know how to spell Irene?

15 CHAIRMAN PREISSE: Ma'am, we're not --

16 MEMBER SEXTON: Are you on eight?

17 MS. GUEZENNEC: Oh, I'm sorry, I got --  
18 the one that has "Irren Brown."

19 DEPUTY DIRECTOR PAYNE: That's Page 9.

20 MS. GUEZENNEC: Sorry. Page 9.

21 MEMBER SEXTON: Page 9?

22 DEPUTY DIRECTOR PAYNE: Yeah.

23 MS. GUEZENNEC: And then Byron Wallace  
24 and --

25 MEMBER MARINELLO: Those were

1     invalidated.   Irren Brown was invalidated.

2                   MS. GUEZENNEC:   Well, therein is the  
3     issue, because sometimes, just like the last one we  
4     talked about where you came up with 98, I don't know  
5     who those extra signatures were that was unvalidated;  
6     right?   Because we're only operating with the checks;  
7     right?   So is it Damon Brown and Mary Brown?   Right?  
8     I mean, I'm sorry, but the same person wrote Byron  
9     Wallace, C. Wallace, Damon Brown, Mary Brown.   If --  
10    and what's interesting is if you go back on the page  
11    that Keith Sullivan presented with all of those  
12    ridiculous -- you know, the same handwriting over and  
13    over again, I don't think it takes anybody with  
14    special skills to look at that page and realize  
15    something is not -- it's not right what's going on,  
16    and what I presented to you is I took some of those  
17    validated ones -- right?   Validated ones.   Are you  
18    with a straight face going to accept the ones that  
19    are -- the non-genuine signatures, which I think  
20    anybody looking at this would reasonably conclude  
21    that somebody else had signed a number of these.   You  
22    know, I think you're getting -- and by the way,  
23    Telisa Monagan, I know her.   She will come down here,  
24    Carla, and tell you that is not her signature,  
25    because I asked her why she signed, and she said she

1 did not.

2 MEMBER SEXTON: And you -- what page are  
3 you referring to?

4 MS. GUEZENNEC: I'm sorry. That's the  
5 illegible signature, and Carla said it's Telisa  
6 Monagan's. That is not Telisa Monagan's signature,  
7 and she will come down and tell you that. By the by,  
8 I just also wanted to point out that --

9 CHAIRMAN PREISSE: Colleen, you're at  
10 five minutes. Do you want your colleague to wrap up  
11 because he's standing behind you or do you want to  
12 handle it?

13 MS. GUEZENNEC: Oh, no, that's fine.  
14 I'll tell you what, he can speak, and I just -- I  
15 really think that we have presented enough  
16 significant information that should make it very hard  
17 for you to keep the certified status.

18 CHAIRMAN PREISSE: We're going to swear  
19 you in for one minute's testimony.

20 (Mr. Weingart was sworn.)

21 MR. WEINGART: Joe Weingart,  
22 W-e-i-n-g-a-r-t. So I have lived on the near east  
23 side for seven years, and for the last three I drive  
24 down Long Street numerous times a day because I have  
25 been attending college at Columbus State. I go by



1 both of these properties that are in question on  
2 protest, and regarding gentrification, gentrification  
3 happens for many reasons. These neighborhoods are  
4 primarily older residents who have either  
5 unfortunately passed or moved into an assisted care  
6 facility. These two particular properties are in  
7 disrepair. They have milk crate cartons where people  
8 loiter and hang out all day. I have seen drug deals  
9 go down while I'm sitting at a stoplight at Long and  
10 20th, and how the one that we are discussing now is  
11 even remaining open, because I never see anyone --

12 CHAIRMAN PREISSE: We appreciate the  
13 comments that have nothing to do with what we're  
14 looking at here, so --

15 MR. WEINGART: This is testimony that I  
16 see every day regarding these two properties.

17 CHAIRMAN PREISSE: I respect your  
18 opinion on these things, but it doesn't have anything  
19 to do with --

20 MR. WEINGART: Not the signatures. I'm  
21 discussing things that I see that go on on why these  
22 properties --

23 CHAIRMAN PREISSE: And we appreciate --

24 MR. WEINGART: -- should not be allowed  
25 to sell alcohol.

1 CHAIRMAN PREISSE: We appreciate your  
2 opinion on those. Thank you, Joe.

3 So do you want to take from the other  
4 side?

5 MEMBER SINNOTT: Yes, uh-huh.

6 MR. SULLIVAN: I'll only take one  
7 minute.

8 CHAIRMAN PREISSE: No. You can have  
9 five if you wish or six since we indulged, but please  
10 go ahead.

11 MR. SULLIVAN: I'll just take a minute.  
12 As far as the signatures are concerned, they've all  
13 been validated and certified by the Board of  
14 Elections. All right. I don't think Miss --  
15 whatever her name is, is quantified to make that  
16 decision on whether those are professional -- you  
17 know, whether it takes a professional or whatever;  
18 right? As far as the other issue is concerned, you  
19 know, just do your job and whatever else. I'm not  
20 going to tell you how to do it or suggest how to do  
21 it either; okay? That's all. That's all I have to  
22 say.

23 MEMBER SINNOTT: Don't leave so quickly.

24 MR. SULLIVAN: Okay.

25 MEMBER SINNOTT: Would somebody hand Mr.

1 Sullivan Page 7 of the protest?

2 MR. SULLIVAN: All right. Yeah.

3 DEPUTY DIRECTOR PAYNE: Okay. You've  
4 got it?

5 MR. SULLIVAN: Yeah, yeah. The same one  
6 (indicating)?

7 MEMBER SINNOTT: Yes. Page 7 of the  
8 protest is a reproduction of signatures on the  
9 petition. And you were the circulator of that  
10 petition?

11 MR. SULLIVAN: On Page 7, the  
12 signatures, I -- there were two of us circulating.  
13 There was a Barbara Clark circulating and myself.  
14 Okay.

15 MEMBER SINNOTT: Before you go on, let's  
16 see if you were the circulator on this one.

17 MR. SULLIVAN: I have to see the  
18 actual --

19 MEMBER SINNOTT: We'll be able to --

20 MS. PATTON: (Indicating.)

21 MEMBER SINNOTT: The signatures shown on  
22 Page 7 of the protest come from a petition that you  
23 circulated.

24 MR. SULLIVAN: Okay. Then I will -- I'm  
25 asking for the one that you have, also.

1 MS. PATTON: This is the one  
2 (indicating).

3 MR. SULLIVAN: On the paper that I have  
4 here, it's like -- if you don't mind, can I see the  
5 one that you actually have there? I can't really  
6 tell.

7 CHAIRMAN PREISSE: Yeah, we should  
8 let -- the Board wants to look at it.

9 MR. SULLIVAN: Okay.

10 MEMBER SINNOTT: Carla, did you just  
11 hand us a petition that was circulated by Mr.  
12 Sullivan and reproduced on Page 7 of the protest? Is  
13 that the document?

14 MS. PATTON: I gave you two petitions  
15 circulated by Mr. Sullivan that are reflected on Page  
16 7 of the protest.

17 CHAIRMAN PREISSE: I don't see this one  
18 (indicating).

19 MEMBER SINNOTT: I don't believe there's  
20 a match actually.

21 MS. PATTON: I believe I -- it's the  
22 bottom of that petition that's on the right-hand side  
23 of Page 7.

24 CHAIRMAN PREISSE: Oh, I see it  
25 (indicating).

1 (Discussion off the record.)

2 CHAIRMAN PREISSE: Ed, I think Mr.  
3 Sullivan would like to see those.

4 MR. LEONARD: (Indicating.)

5 MR. SULLIVAN: Which ones are in  
6 question?

7 (Discussion off the record.)

8 MS. PATTON: This is just the copy  
9 that's produced over here (indicating), so I'm saying  
10 all of them.

11 MR. SULLIVAN: There's a question about  
12 these (indicating)?

13 MS. PATTON: They were saying that  
14 there's some similarities, that somebody signed those  
15 petitions, those same signatures, had signed all  
16 those names.

17 MEMBER SINNOTT: Okay. Can --

18 MS. PATTON: Not all of them but some of  
19 them.

20 MEMBER SINNOTT: All right. Let me  
21 begin. Mr. Sullivan, those -- those petitions you've  
22 circulated seem to show the name of a voter, an  
23 address for a voter, but to what is about an  
24 80-percent degree of consistency, the signature of  
25 the would-be voter does not match the signature that

1 appears in the Board's records. Do you have any idea  
2 why that's true?

3 MR. SULLIVAN: I don't. I knock on the  
4 door. I ask for the person that's on the voter  
5 walking list. I tell them about the issue. I have  
6 the paper here in front of me. Right? I show them  
7 the backside, and then I tell them that are they for  
8 it or against it. Right? If they're for it, they  
9 sign it. If they're against it, they don't sign it,  
10 and that's all I do. Then I go to the next house,  
11 and I use the walking voter's list. If those --  
12 those people should be living at that address where  
13 they sign it; correct? So I ask for that particular  
14 person. When I ask for them, that person comes to  
15 the door. The only way I would know after that is to  
16 ask them for their ID, and if they say that so and so  
17 and so is on -- like the first person that voted,  
18 7318, if they say that that person is there, I ask  
19 for them. I really don't ask them for their ID, but  
20 if they sign it, they sign it. I don't question how  
21 they sign it or whether they print it. I just make  
22 sure I, you know, get the -- talk to the person that  
23 I ask for the best I can. Then I go to the next  
24 house and do the same and do the same.

25 MEMBER SINNOTT: So by following that

1 process, the petitions you submitted had a signature  
2 different than the signature for the registered voter  
3 four out of five times.

4 MR. SULLIVAN: The -- I couldn't  
5 explain. I can't explain that except for -- other  
6 than -- I don't know if it's a person that is  
7 currently living there that is on the voter's list or  
8 if it's a person that just moved in there and things  
9 like that. Now, I do ask that -- in some of the  
10 cases, they say well, we just moved in. I say are  
11 you registered to vote here. All right. If they say  
12 they're not registered to vote here, then I give them  
13 a voter registration card and turn that in here prior  
14 to turning in these sheets here.

15 MEMBER MARINELLO: The majority of these  
16 weren't registered anyway. I mean, they weren't  
17 validated anyway. Correct, on seven?

18 MS. PATTON: Correct. The majority of  
19 them were not validated.

20 CHAIRMAN PREISSE: Carla, on Page 10,  
21 those signatures were validated?

22 MS. PATTON: Yes. Page 10 signatures  
23 were validated.

24 MR. SULLIVAN: When -- if I may also,  
25 when I come to the Board of Elections and I go to the

1 other side over there and I look at the machine and I  
2 look at the signatures. If they're not like what I  
3 see on there, I put no, no, no, no, check, no, no,  
4 no, no, no, no, no. These right here I didn't get  
5 into. This is a question mark, question mark,  
6 question mark. N, I think -- the "IA" stands for one  
7 of the codes that photos are in the system, so I put  
8 that down, and then the rest of them also. So the  
9 majority of the ones at the top and everything was  
10 the ones that are in question, I guess. They have  
11 "no" already, down to No. 15. They're either in  
12 question for me or marked no, those weren't their  
13 signatures. Because I know I have to come up with a  
14 certain amount of signatures. So when I get to that  
15 amount of signatures, it's a wrap for me.

16 MEMBER SINNOTT: Thank you, Mr.  
17 Sullivan. I have no other questions.

18 MR. SULLIVAN: Thank you. This is your  
19 copy back (indicating).

20 MS. PATTON: Thank you.

21 MR. SULLIVAN: Yes.

22 CHAIRMAN PREISSE: All right.

23 MEMBER SINNOTT: While employing what is  
24 now a familiar process, why don't we address these as  
25 a Board issue by issue. The first one has to do with



1 the precinct identification. Does anyone wish to  
2 propose invalidation of any signatures of the  
3 part-petitions on account of that?

4 MEMBER SEXTON: Which page are we on?

5 MEMBER SINNOTT: It would be the very  
6 first issue.

7 MEMBER SEXTON: Which issue?

8 MEMBER SINNOTT: I think of the protest.

9 DIRECTOR LEONARD: You're going through  
10 the staff report to address your questions?

11 CHAIRMAN PREISSE: Yeah. I think Brad  
12 walked us through the previous case using the staff  
13 report as kind of a guide, and then the protestor's  
14 material as support.

15 MEMBER MARINELLO: You're on -- okay.

16 MEMBER SINNOTT: And the second issue  
17 was the identification of the liquor permit issue.  
18 Does anybody want to pose that as a basis for  
19 invalidation?

20 MEMBER MARINELLO: No.

21 MEMBER SEXTON: No.

22 CHAIRMAN PREISSE: No.

23 MEMBER SINNOTT: Then that takes us to  
24 printed signatures. Does anyone have an issue to  
25 identify there?

1 CHAIRMAN PREISSE: No.

2 MEMBER MARINELLO: No.

3 MEMBER SEXTON: I just had one question  
4 on this. On Page 5 I can't make out this third  
5 signature. I don't know if you have any --

6 MS. PATTON: The third signature for  
7 Candace or --

8 MEMBER SEXTON: Yes.

9 MS. PATTON: Candace, we actually did  
10 find another signature here for Candace Johnson  
11 (indicating).

12 MEMBER SEXTON: So that is that. Okay.  
13 Thanks.

14 CHAIRMAN PREISSE: Okay.

15 MEMBER SINNOTT: Does anyone have an  
16 issue or discussion there, on the printed pages?

17 MEMBER SEXTON: No.

18 MEMBER SINNOTT: Then the next issue  
19 relates to the same handwriting. Do you have any  
20 matter you want to discuss there?

21 Turning now to the non-genuine signature  
22 validation.

23 MEMBER SEXTON: You're on Page 7? Are  
24 those the ones we're looking at?

25 MEMBER SINNOTT: We're looking at --

1 well, it seems to be proved here that --

2 MS. PATTON: Non-genuine is on Page 9  
3 and 10.

4 MEMBER SINNOTT: I think that that is  
5 the same handwriting subject on Page 7 of the  
6 protest. It's actually a page of the protest, so  
7 Page 7 of the protest is still the so-called same  
8 handwriting topic.

9 MEMBER SEXTON: Well, if we're on the  
10 same handwriting issue on Page 9.

11 MS. PATTON: He said -- used the same  
12 handwriting and the non-genuine signatures he lumped  
13 all in.

14 MEMBER SINNOTT: I agree. They're  
15 separately described in the protest, but it's the  
16 same subject.

17 MEMBER SEXTON: I would have some  
18 questions on Page 9 on I believe the three that were  
19 invalidated, and if I'm correct, they appear to be  
20 the same handwriting.

21 CHAIRMAN PREISSE: The bottom two were  
22 validated; is that correct?

23 MS. PATTON: Correct.

24 MEMBER SEXTON: In fact, they -- in my  
25 opinion, they all look like the same handwriting.

1 CHAIRMAN PREISSE: I share your concern  
2 on that page.

3 MEMBER SEXTON: Two of them were -- the  
4 two at the bottom of Page 9 were validated and three  
5 at the top -- the first three were invalidated and  
6 the last two validated, but at least looking at  
7 the -- looking at the signature we have filed with  
8 the Board, they don't appear, in my opinion, to be  
9 the signature, but they all look like they're the  
10 same handwriting.

11 CHAIRMAN PREISSE: I share that concern  
12 on that page.

13 MEMBER SINNOTT: As to C. Wallace, Dan  
14 Brown, and Mary Brown?

15 CHAIRMAN PREISSE: C. Wallace was not  
16 validated, but Dan Brown and Mary Brown --

17 MEMBER MARINELLO: Damon Brown and Mary  
18 Brown.

19 MEMBER SINNOTT: On the next page, are  
20 there any that the Board would like to discuss?

21 CHAIRMAN PREISSE: I certainly have a  
22 concern with Richard Williams, Cara Hodges, and Laura  
23 Waddle, and -- and the rest, but particularly those  
24 three.

25 MEMBER SEXTON: Which one, Richard

1 Williams?

2 CHAIRMAN PREISSE: Yes.

3 MEMBER SEXTON: That's No. 2?

4 CHAIRMAN PREISSE: No. 2, No. 4, and the  
5 third from the bottom.

6 MEMBER SEXTON: I have concern with the  
7 one, Mary --

8 CHAIRMAN PREISSE: Ryan.

9 MEMBER SEXTON: Ryan or Ryerson.

10 CHAIRMAN PREISSE: Uh-huh.

11 MEMBER SEXTON: It looks like Kara --

12 CHAIRMAN PREISSE: DeVance or --

13 MEMBER SEXTON: A lot of them to me seem  
14 like they're -- if you go back to Page 9, they look  
15 like the same person on Page 9 to me.

16 MEMBER SINNOTT: So it sounds to me  
17 you're raising questions about whether the signature  
18 matches the signature that is on record at the Board  
19 and whether it's the same person who is signing all  
20 of these?

21 MEMBER SEXTON: Right, and they look  
22 like the same person on several that we mentioned on  
23 Page 9 and on Page 10, and also at the top of Page  
24 11.

25 MEMBER SINNOTT: To carry on with our

1 method, there is next an allegation of illegible  
2 signature that appears on Page 11 of the protest.

3 Does anyone wish to make a comment about that?

4 CHAIRMAN PREISSE: Short of having an  
5 affidavit, no.

6 MEMBER SEXTON: I do not.

7 MEMBER SINNOTT: And then the final  
8 basis for protest has to do with the affidavit of the  
9 local option petitioner. Does anybody have an issue  
10 to raise relative to that?

11 CHAIRMAN PREISSE: No.

12 MEMBER SEXTON: No.

13 MEMBER MARINELLO: No.

14 MEMBER SINNOTT: It sounds as though the  
15 Board might be ready to receive a motion relative to  
16 the lack of a match between certain signatures  
17 appearing on the petition and the signature appearing  
18 on the Board's records and the genuineness of those  
19 signatures.

20 CHAIRMAN PREISSE: I would agree, and I  
21 would move that the signatures of Damon Brown, Mary  
22 Brown, found on the protestor's document Page 9, and  
23 Richard Williams and Cara Hodges and what appears to  
24 be Laura or Fiona Waddle that appear on the  
25 protestor's document on Page 10, and to that I'll add

1 Mary, whose last name begins with an R, and Kara,  
2 whose last name may begin with a D or V, are  
3 significantly different from the Board's records and  
4 they should be stricken from the list of valid  
5 signatures on the petition.

6 MEMBER SINNOTT: How about the Treading  
7 signature on Page 11 of the protest?

8 CHAIRMAN PREISSE: That sounds like a  
9 friendly amendment, and I'll agree to that.

10 MEMBER SINNOTT: Okay.

11 DEPUTY DIRECTOR PAYNE: I counted eight  
12 signatures.

13 CHAIRMAN PREISSE: Okay. That's eight  
14 including Ashley.

15 MEMBER SINNOTT: Mr. Chairman Preisse,  
16 if I understand the motion, you are moving to not  
17 count and find invalid the signatures of certain  
18 individuals who previously were counted in the vote  
19 on the basis that these are not genuine signatures  
20 and signatures do not match the signature that  
21 appears in the Board's records; correct?

22 CHAIRMAN PREISSE: That is correct.

23 MEMBER SINNOTT: Would you describe for  
24 us those particular individuals who are included in  
25 your motion?

1 CHAIRMAN PREISSE: Yes. Damon Brown and  
 2 Mary Brown on protestor's document Page No. 9, and on  
 3 protestor's document Page No. 10, Richard Williams,  
 4 Cara Hodges, Mary Ryan or Ryerson, Kara DeVance or  
 5 similar last name, Laura Waddle, and on document Page  
 6 11, Ashley Treading or similar.

7 MEMBER SINNOTT: That's fine. I think  
 8 we understand that.

9 CHAIRMAN PREISSE: That is the motion.

10 DEPUTY DIRECTOR PAYNE: That took us to  
 11 nine.

12 MS. PATTON: Eight.

13 DEPUTY DIRECTOR PAYNE: Okay.

14 MEMBER MARINELLO: I'll second.

15 DEPUTY DIRECTOR PAYNE: It's been  
 16 properly moved and seconded that we strike from the  
 17 approved list of names. That would take us to --

18 MS. PATTON: 89.

19 DEPUTY DIRECTOR PAYNE: 89, below the --

20 MS. PATTON: Required 95.

21 DEPUTY DIRECTOR PAYNE: -- 95.

22 All those in favor of the motion signify  
 23 by saying aye.

24 (Vote taken.)

25 DEPUTY DIRECTOR PAYNE: All opposed,



1 same sign.

2 (No response.)

3 DEPUTY DIRECTOR PAYNE: Motion carries.

4 MEMBER SINNOTT: In light of the action  
5 that the Board just took, I move that the Board  
6 accept the protest and that the local option shall  
7 not appear on the November 6, 2018, General Election  
8 ballot.

9 CHAIRMAN PREISSE: Second.

10 DEPUTY DIRECTOR PAYNE: All those in  
11 favor signify by saying aye.

12 (Vote taken.)

13 DEPUTY DIRECTOR PAYNE: All opposed,  
14 same sign.

15 (No response.)

16 DEPUTY DIRECTOR PAYNE: Motion carries.

17 The next item, Carla, are local options  
18 recommended for certification. I believe that's  
19 Exhibit B. Do you want to briefly talk to that?

20 MS. PATTON: In Exhibit B there were 15  
21 petitions filed that we were able to find as valid  
22 and sufficient as far as a timely filing and  
23 sufficient number of signatures required to place it  
24 on the ballot, so it is our recommendation that we  
25 certify these issues on Exhibit B to the November

1 6th, 2018, General Election ballot.

2 MEMBER SINNOTT: So these are local  
3 options and everything checks outs?

4 MS. PATTON: These are all local liquor  
5 options. They were all timely filed and also found  
6 to be sufficient as far as signatures required.

7 MEMBER SINNOTT: Then I move that the  
8 Board certify to the November 6, 2018, General  
9 Election ballot those local options listed on Exhibit  
10 B and that these local options were filed timely and  
11 found to be valid and sufficient.

12 DEPUTY DIRECTOR PAYNE: Is there a  
13 second?

14 MEMBER SEXTON: Second.

15 DEPUTY DIRECTOR PAYNE: All those in  
16 favor of the motion signify by saying aye.

17 (Vote taken.)

18 DEPUTY DIRECTOR PAYNE: All opposed,  
19 same sign.

20 (No response.)

21 DEPUTY DIRECTO PAYNE: The motion  
22 carries.

23 I believe there's one local option not  
24 recommended for certification.

25 MS. PATTON: We had one local option

1 filed in Hilliard, Ward 3, Precinct C, that was  
2 filed. However, out of 180 signatures filed, they  
3 needed 177, and we were only able to validate 157 of  
4 those signatures; therefore, it is our recommendation  
5 they not appear on the 2018 General Election ballot  
6 due to insufficient signatures.

7 DEPUTY DIRECTOR PAYNE: That's  
8 Exhibit C.

9 MEMBER SEXTON: Mr. Chairman, I move the  
10 Board deny certification to the local option  
11 appearing on Exhibit C on the basis that their  
12 petition was either not filed timely or found by  
13 staff to be invalid or insufficient, that this local  
14 option will not appear on the November 6, 2018,  
15 General Election ballot.

16 DEPUTY DIRECTOR PAYNE: Is there a  
17 second?

18 CHAIRMAN PREISSE: Second.

19 DEPUTY DIRECTOR PAYNE: All those in  
20 favor signify by saying aye.

21 (Vote taken.)

22 DEPUTY DIRECTOR PAYNE: All opposed,  
23 same sign.

24 (No response.)

25 DEPUTY DIRECTOR PAYNE: Motion carries.

1           The next item, we have a challenge of a  
2 voter registration. Alicia, do you want to address  
3 that?

4           MS. HEALY: Yes, I do. Okay. So the  
5 challenge of right to vote or correction of  
6 registration list, you should have that in your  
7 folder. You should have a voter, Mary Bogart, who is  
8 challenging Ciara Ann Fausnaugh. She's listed at  
9 8400 Bridletree Way, Columbus. So Mary Bogart has  
10 lived at the residence for over 34 years and says  
11 that Ciara does not live at that address. We had  
12 Ciara fill out a registration form with that address.  
13 That was in April of this year, and she also signed a  
14 petition July of this year.

15           CHAIRMAN PREISSE: Do we have that in  
16 the packet?

17           MS. HEALY: You do not.

18           MEMBER SINNOTT: No.

19           CHAIRMAN PREISSE: Do you have evidence  
20 that Ciara signed a petition?

21           MS. HEALY: Yes.

22           CHAIRMAN PREISSE: At that address?

23           MS. HEALY: Yes.

24           CHAIRMAN PREISSE: How did you find  
25 that?

1 MS. HEALY: Well, we have MVRA codes  
 2 that we have in our system, and it's kind of hard for  
 3 you to kind of print them, but if you want to like at  
 4 our MVRA code that you see at 7/20, the second one  
 5 down, that they're activated based on a petition.

6 MEMBER SINNOTT: But where is the  
 7 affidavit?

8 MS. HEALY: There (indicating).

9 MEMBER SINNOTT: That's Mary Bogart.

10 CHAIRMAN PREISSE: Mary is saying that,  
 11 yes. She said we have evidence that the supposed  
 12 voter, Ciara, signed the petition. That's why --  
 13 that's why I was asking. You don't have the  
 14 petition?

15 MS. HEALY: No, I do not.

16 CHAIRMAN PREISSE: Do you have her  
 17 license?

18 MS. HEALY: It's based on an MVRA code  
 19 that's activated through the petition, and that  
 20 was --

21 MEMBER MARINELLO: MVRA means what?

22 MS. HEALY: National Voter Registration  
 23 Act.

24 MEMBER SEXTON: Do we know when it was  
 25 signed?

1 MS. HEALY: We have it as 7/20/18 that  
2 it was activated. Would you like to see it  
3 (indicating)?

4 MEMBER SINNOTT: This is weird. There's  
5 a petition we haven't seen, but because of that  
6 notation on an electronic record you believe to  
7 exist, this person has -- the person in question has  
8 asserted that she lives at the address in question?

9 MS. HEALY: That's correct.

10 CHAIRMAN PREISSE: By the way, there's a  
11 phone number listed here. Did anybody call it?

12 MS. HEALY: We did not attempt to call  
13 it.

14 CHAIRMAN PREISSE: I'd be interested in  
15 staff calling it even if it's after we disposed of  
16 this.

17 DEPUTY DIRECTOR PAYNE: We are required  
18 to send to that address a letter, and we did do that?

19 MS. HEALY: We did.

20 MEMBER SEXTON: So how do we -- from  
21 this report, how do we know -- you're saying this was  
22 activated due to a petition, but there's no --

23 MS. HEALY: Yes. It doesn't show the --

24 MEMBER SEXTON: It doesn't show the  
25 name. It doesn't show the address.

1 MS. HEALY: It doesn't show the actual  
2 petition, but in order for a person's record to be  
3 active, they have to live at that address. If that  
4 petition is signed, it will -- if the record was  
5 inactive, which her record was inactive because we  
6 received a return -- if you look here, we received  
7 the return notice of an acknowledgment. That will  
8 change the person's -- the voter's record into  
9 inactive, and the only time that that record would  
10 become active is if the person votes, signs a  
11 petition, or sends in an updated registration. And  
12 in this particular case, she was activated because of  
13 that -- signing of the petition.

14 MEMBER SINNOTT: Kim, what's the date on  
15 that notation that --

16 MEMBER MARINELLO: 7/20, to activate  
17 petition, 7/20.

18 MEMBER SINNOTT: 7/20.

19 MEMBER SEXTON: This was signed on 4/19.

20 MEMBER SINNOTT: And M. Bogart said she  
21 started receiving items addressed to Ms. Fausnaugh on  
22 June 27 of this year.

23 CHAIRMAN PREISSE: The voter  
24 registration is April.

25 MEMBER SINNOTT: Uh-huh, yes. Okay. So

1 we have this challenge from Miss Bogart which says  
2 Ms. Bogart has lived at that 8400 Bridletree Way for  
3 34 years and doesn't know who Ciara Fausnaugh is. We  
4 wrote a letter to Miss Fausnaugh; right?

5 DIRECTOR LEONARD: Yes.

6 MEMBER SINNOTT: Asking her to come  
7 forward and explain where she's living.

8 DIRECTOR LEONARD: It's actually 8400  
9 Bridletree Way, the address.

10 MEMBER SINNOTT: And we've not heard a  
11 response?

12 MS. HEALY: Right.

13 MEMBER SINNOTT: I think there may be  
14 some subtleties to how we have responded to this  
15 situation in the past. Would somebody explain that  
16 to me?

17 MS. HEALY: Do you have your --

18 MEMBER SINNOTT: I know, but what's the  
19 status we assign to somebody in this situation?

20 MS. HEALY: So we will remove them from  
21 the voter registration list by canceling.

22 MEMBER SINNOTT: So we actually cancel  
23 it?

24 DEPUTY DIRECTOR PAYNE: I believe we  
25 also heard from Mary Bogart's husband.



1 MS. HEALY: Yes.

2 DEPUTY DIRECTOR PAYNE: He was quite  
3 animated; is that --

4 MS. HEALY: He was not happy at all. He  
5 was also doing a legal -- further legal, I guess,  
6 against the woman, so --

7 MEMBER MARINELLO: Well, then she'll  
8 just have to straighten it out once she tries to vote  
9 provisionally or something?

10 MS. HEALY: Yes. She can either update  
11 her registration through a different address or if  
12 she votes, she will be -- well, in this particular  
13 case, if you cancel her, she will not be voting  
14 unless she updates her registration.

15 MEMBER MARINELLO: Are you calling her?

16 CHAIRMAN PREISSE: No, I wasn't. I was  
17 going to put the address in to see what comes up, but  
18 I'm attempted to call her.

19 MEMBER MARINELLO: I know.

20 CHAIRMAN PREISSE: I think Alicia should  
21 call her afterwards, and Alicia could let us know.

22 MEMBER SINNOTT: We only have so much  
23 time in which to decide one of these challenges,  
24 though.

25 DEPUTY DIRECTOR PAYNE: We can have this

1 hearing within ten days of receipt of vote.

2 MEMBER MARINELLO: I move that the Board  
3 accept the recommendation of the Board of Elections  
4 staff regarding the voter registration challenge  
5 filed by Mary Ann Bogart and that we accept the  
6 challenge and that Ciara Ann Fausnaugh be removed  
7 from the voter roll.

8 MEMBER SINNOTT: Second.

9 DEPUTY DIRECTOR PAYNE: All those in  
10 favor signify by saying aye.

11 (Vote taken.)

12 DEPUTY DIRECTOR PAYNE: All opposed,  
13 same sign.

14 (No response.)

15 DEPUTY DIRECTOR PAYNE: Motion carries.

16 The final item, hopefully less  
17 contentious than the previous, the hiring of Teresa  
18 Boz as the Voter Services Clerk.

19 Director, do you want to speak to that?

20 DIRECTOR LEONARD: Yes. For a short  
21 period of time now we've had a vacancy in the Voter  
22 Services Division, and Terry has been with us as a  
23 seasonal employee since about the 2016 time frame and  
24 has done a very good job for us in that capacity, and  
25 we sat down with her. We interviewed a few folks for

1 this position and decided to recommend to the Board  
 2 that we hire Terry for this position. The salary is  
 3 an entry-level salary will be approximately --  
 4 actually, it would be an entry-level salary for this  
 5 position, so --

6 DEPUTY DIRECTOR PAYNE: Terry, do you  
 7 want to stand up so we can put a face with the name?

8 THE FLOOR: Yea.

9 CHAIRMAN PREISSE: We didn't vote yet.

10 MR. LEONARD: What's that?

11 DEPUTY DIRECTOR PAYNE: I said we didn't  
 12 vote yet. Don't start clapping.

13 MEMBER SEXTON: We'll take care of that.  
 14 I move that the Franklin County Board of Elections  
 15 hire Teresa Boz as a full-time clerk in Voter  
 16 Services beginning September 4th, 2018, at a salary  
 17 of \$32,240 per year or \$15.50 per hour.

18 MEMBER SINNOTT: Second.

19 DEPUTY DIRECTOR PAYNE: All those in  
 20 favor signify by saying aye.

21 (Vote taken.)

22 DEPUTY DIRECTOR PAYNE: All opposed,  
 23 same sign.

24 (No response.)

25 DEPUTY DIRECTOR PAYNE: Motion carries.

1 Now we can clap.

2 I don't believe there's anything else on  
3 the agenda other than have a motion to adjourn. One  
4 thing we probably want to discuss is what time on  
5 Friday we would like to start the hearing on. We  
6 have a 10 a.m. scheduled. I probably need to let the  
7 folks know as it relates to the Grandview Heights  
8 issue. There's a protest on that, as well as the  
9 Columbus City Bill of Rights. I probably need to  
10 give them some sort of indication as to what time to  
11 be here.

12 MEMBER SINNOTT: Well, the business that  
13 we have in the morning to take up at 10:00, how long  
14 will that take?

15 DIRECTOR LEONARD: I'd say a half hour.

16 MEMBER SINNOTT: Okay. Well, why don't  
17 we tell them we think we have 30 minutes of business  
18 to do at 10:00, and then they should probably be here  
19 after that.

20 DEPUTY DIRECTOR PAYNE: 10:30. Okay.

21 MEMBER SINNOTT: I move we adjourn.

22 MEMBER MARINELLO: Second.

23 DEPUTY DIRECTOR PAYNE: All those in  
24 favor signify by saying aye.

25 (Vote taken.)

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DEPUTY DIRECTOR PAYNE: All opposed,  
same sign.  
(No response.)  
DEPUTY DIRECTOR PAYNE: We're adjourned.  
(Thereupon, the hearing was concluded at  
5:15 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 Monday, August 20, 2018, and carefully compared with my original stenographic notes.

*Valerie J. Sloas*  
Valerie J. Sloas, Registered Professional Reporter and Notary Public in and for the State of Ohio.

My commission expires June 10, 2021.  
(VJS-87729)



Amanda Crawford Hicks  
2560 Westmont Blvd.  
Upper Arlington, OH 43221

Michael J. Joyce  
2561 Chester Road  
Upper Arlington, OH 43221

Victoria Casa-Egan  
~~2560~~ Westmont Blvd.  
~~43221~~  
Upper Arlington, OH 43221

August 3, 2018

2018 AUG - 6 AM 11:48  
FRANKLIN COUNTY  
BOARD OF ELECTIONS

**VIA HAND-DELIVERY**

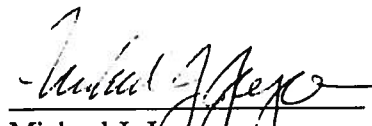
Jeff Mackey, CERA  
Manager, Petitions and Filings  
Franklin County Board of Elections  
1700 Morse Rd  
Columbus OH 43229

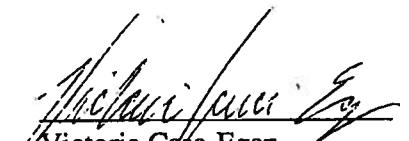
Re: *Withdrawal of Referendum of Upper Arlington Ordinance No. 27-2017*

Dear Mr. Mackey:

We the undersigned members of the committee responsible for organizing and circulating the referendum petitions against Upper Arlington Ordinance 27-2017, which the Franklin County Board of Elections certified as valid on August 30, 2017, hereby request that the referendum be withdrawn from the electorate and that the matter not appear on the November 6, 2018 ballot before Upper Arlington voters. The undersigned constitute the entire named committee that organized the referendum petitions against Upper Arlington Ordinance 27-2017.

  
Amanda Crawford Hicks

  
Michael J. Joyce

  
Victoria Casa-Egan

This instrument prepared by:

James C. Becker  
Attorney at Law  
4380 Braunton Road  
Columbus, Ohio 43220  
(614) 457-7863

**LOCAL OPTIONS RECOMMENDED FOR CERTIFICATION TO THE  
NOVEMBER 6, 2018 GENERAL ELECTION**

Revised 8/13/2018 5:00 P.M.

#	Subdivision	Purpose	Rate
#	Canal Winchester-B Local Option Particular Location	Sunday Sales (10am – midnight) (Wine/Mixed) Aldi 720 W. Waterloo St, Canal Winchester, OH 43110	
#	Canal Winchester-F Local Option Particular Location	Sunday Sales (10am – midnight) (Wine/Mixed) BrewDog 96 & 100 Gender Rd, Canal Winchester, OH 43110 Filed by: Jacob Evans	
#	Columbus 19-H Local Option Particular Location	Weekday Sales (Beer, Wine/Mixed & Spirituous Liquor) North Broadway High Professional Building, LLC 3400 N High St, 1 <sup>st</sup> Floor, Columbus, OH 43202 Filed by: Bill DeMora	
#	Columbus 19-H Local Option Particular Location	Sunday Sales (Wine/Mixed & Spirituous Liquor) North Broadway High Professional Building, LLC 3400 N High St, 1 <sup>st</sup> Floor, Columbus, OH 43202 Filed by: Bill DeMora	
#	Columbus 36-E Local Option Particular Location	Sunday Sales (10am – midnight) (Wine/Mixed) Home Buys 4395 Clime Rd, Columbus, OH 43228 Filed by: Robert Young	
#	Columbus 37-A Local Option Portion of a Precinct	Sunday Sales (11am – midnight)	
#	Columbus 55-A Local Option Particular Location A - License	Weekday Sales (Beer, Wine/Mixed & Spirituous Liquor) Trolley Barn, LLC Oak Street and Kelton Ave, Columbus, OH 43205 Filed by: Michael Ambrose	
#	Columbus 55-A Local Option Particular Location	Sunday Sales (11am-midnight) (Wine/Mixed & Spirituous Liquor) Trolley Barn, LLC Oak Street and Kelton Ave, Columbus, OH 43205 Filed by: Michael Ambrose	
#	Columbus 55-A Local Option Particular Location C and D - License	Weekday Sales (Beer, Wine/Mixed & Spirituous Liquor) Trolley Barn, LLC Oak Street and Kelton Ave, Columbus, OH 43205 Filed by: Michael Ambrose	
#	Columbus 55-A Local Option Particular Location	Sunday Sales (11am-midnight) (Wine/Mixed & Spirituous Liquor) Trolley Barn, LLC Oak Street and Kelton Ave, Columbus, OH 43205 Filed by: Michael Ambrose	
#	Columbus 55-A Local Option Particular Location D - License	Weekday Sales (Beer, Wine/Mixed & Spirituous Liquor) Trolley Barn, LLC Oak Street and Kelton Ave, Columbus, OH 43205 Filed by: Michael Ambrose	
#	Columbus 55-A Local Option Particular Location	Sunday Sales (11am-midnight) (Wine/Mixed & Spirituous Liquor) Trolley Barn, LLC Oak Street and Kelton Ave, Columbus, OH 43205 Filed by: Michael Ambrose	



**LOCAL OPTIONS RECOMMENDED FOR CERTIFICATION TO THE  
NOVEMBER 6, 2018 GENERAL ELECTION**

Revised 8/13/2018 5:00 P.M.

#	Subdivision	Purpose	Rate
#	Columbus 83-A Local Option Particular Location	Sunday Sales (10am – midnight) (Wine/Mixed & Sprituous Liquor) Whole Foods 4100 Easton Gateway, Columbus, OH 43219 Filed by: Robert Young	
#	Columbus 85-A Local Option Particular Location	Weekday Sales (Beer, Wine/Mixed) N&G Foodmart 3877 Refugee Rd, Columbus, OH 43232 Filed by: Michael Ambrose	
#	Columbus 85-A Local Option Particular Location	Sunday Sales (11am-midnight) (Wine/Mixed) N&G Foodmart 3877 Refugee Rd, Columbus, OH 43232 Filed by: Michael Ambrose	
#	Columbus 86-E Local Option Particular Location	Weekday Sales (Beer, Wine/Mixed) Shell 4984-4986 Gender Rd, Columbus, OH 43110 Filed by: Michael Ambrose	
#	Columbus 86-E Local Option Particular Location	Sunday Sales (11am-midnight) (Wine/Mixed) Shell 4984-4986 Gender Rd, Columbus, OH 43110 Filed by: Michael Ambrose	
#	Marble Cliff-A Local Option Particular Location	Sunday Sales (Wine/Mixed & Spirituous Liquor) 1400 Food Lab 1400 Dublin Rd., Ste 2, Marble Cliff, OH 43212 Filed by: Michael Ambrose	
#	Prairie Township-H Local Option Particular Location	Sunday Sales (10am-midnight) (Wine/Mixed & Spirituous Liquor) Front Row Sports Bar 4812 W Broad St, Columbus, OH 43228	
#	Westerville 4-B Local Option Particular Location	Weekday Sales (Beer, Wine/Mixed & Spirituous Liquor) The Point at Otterbein 60 Collegeview Rd, Westerville, OH 43081 Filed by: Michael Ambrose	
#	Westerville 4-B Local Option Particular Location	Sunday Sales (11am-midnight) (Wine/Mixed & Spirituous Liquor) The Point at Otterbein 60 Collegeview Rd, Westerville, OH 43081 Filed by: Michael Ambrose	

**LOCAL OPTIONS NOT RECOMMENDED FOR CERTIFICATION TO THE  
NOVEMBER 6, 2018 GENERAL ELECTION**

Revised 8/13/2018 4:30 P.M.

#	Subdivision	Purpose	Rate
#	Hilliard 3-C Local Option Particular Location	Sunday Sales (11am-midnight) (Wine/Mixed & Spirituous Liquor) Bankshot Billiards 3201 Hilliard Rome Rd, Hilliard, OH 43026	