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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
(614) 525-3520,

On behalf of the Board.

Also present:

Carolyn Gorup
Carla Patton

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I N D E X

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1 Wednesday Afternoon Session
2 May 6, 2019, 2019
3 3:06 p.m.

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5 DEPUTY DIRECTOR PAYNE: I'll take
6 roll.

7 Kim Marinello.

8 MEMBER MARINELLO: Here.

9 DEPUTY DIRECTOR PAYNE: Mike Sexton.

10 MEMBER SEXTON: Here.

11 DEPUTY DIRECTOR PAYNE: Doug
12 Preisse.

13 CHAIRMAN PREISSE: Here.

14 DEPUTY DIRECTOR PAYNE: And Brad
15 Sinnott.

16 MEMBER SINNOTT: Here.

17 DEPUTY DIRECTOR PAYNE: We do have a
18 quorum.

19 The first item on the agenda is the
20 two percent cost of living raise for the month of
21 May. We are looking retroactive to April 15th and
22 upcoming pay periods of May 10th and May 24th.

23 MEMBER SINNOTT: Very good.

24 I move the board approve the two
25 percent cost of living pay increase to all
full-time BOE staff retroactive to April 15th and

1 that this increase stands as a one-time increase
2 specific to the upcoming pay periods of May 10th
3 and May 24, as we are presently constrained by a
4 month-to-month budget.

5 DEPUTY DIRECTOR PAYNE: Is there a
6 second?

7 CHAIRMAN PREISSE: Second.

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

10 (Vote taken.)

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

13 (No response.)

14 DEPUTY DIRECTOR PAYNE: Motion
15 carries.

16 The next item is a \$100
17 reimbursement payment to Jimmy Sigman. And I'm
18 going to let Ed talk to that

19 DIRECTOR LEONARD: Yeah.

20 Mr. Sigman is a voter who showed up
21 at our voting location in the Grove City rec center
22 for the November election. And while he was
23 there -- and I know we at the board remember that
24 day was tremendously windy day. We had electric
25 outages on that day because of the wind.

1 And what happened to Mr. Sigman's
2 vehicle was one of the temporary handicap signs
3 that we put up at various locations, one of those
4 temporary handicap signs got blown over and onto
5 his vehicle. He reported it to the voting location
6 manager at that location. The voting location
7 manager logged it in the precinct workbook, so it
8 was logged.

9 And then Mr. Sigman -- well, once we
10 identified the process, I reached out to the fleet
11 management to figure out what's the process when
12 claims are made, vehicle damage claims are made.
13 And initially it was -- I was instructed that
14 it's -- it goes -- it's reviewed by the
15 prosecutor's office and then it goes to the
16 commissioners for approval.

17 And so I began collecting up some of
18 the information based on the advice I'd been given
19 to prepare the packet for the commissioners,
20 including the estimates for his damage, the
21 insurance declaration page, and then the final
22 repairs and invoice for the repairs that we
23 received.

24 It ended up he paid about \$1,200 for
25 the repair to his vehicle. And it actually was --

1 one of the things he stated when I spoke to
2 Mr. Sigman, this was a brand new 2018 vehicle he
3 had just gotten and he gets a scratch on the front
4 bumper because of the handicap sign falling on it.
5 But he did have insurance through State Farm and
6 they covered everything.

7 And by statute, conferring with the
8 prosecutor's office, the only thing the county is
9 allowed to pay is the deductible. We're not
10 allowed to pay the full amount of the claim for
11 vehicle damage. And so I have all the paperwork.
12 I just didn't feel it necessary to kill a tree and
13 make four packets of a 16-page report.

14 But we do have the release of claim
15 from Mr. Sigman. He executed that a while back and
16 got it to us. Like I said, I submitted it to
17 initially Harold Anderson who then referred it to
18 Art Marziale who is the attorney in the
19 prosecutor's office that handles such things, and
20 he was the one that advised me that this is
21 actually a matter that the Board of Elections can
22 approve and it doesn't have to go to the
23 commissioners.

24 CHAIRMAN PREISSE: Art's in the
25 prosecutor's office?

1 DIRECTOR LEONARD: The prosecutor's
2 office. Did I say otherwise?

3 CHAIRMAN PREISSE: I'm not sure.

4 DIRECTOR LEONARD: And so, again,
5 I've got the packet. I'll make sure that if the
6 board approves it the packet, including the
7 release, will be a part of Thu's packet when she
8 asks the auditor's office to issue payment. So
9 upon approval by the board, our fiscal agent will
10 notify the auditor's office to issue payment and
11 Mr. Sigman will get paid his \$100.

12 MEMBER SINNOTT: That was my only
13 question, whether we get a release, and we are. So
14 good.

15 DEPUTY DIRECTOR PAYNE: Any other
16 questions?

17 MEMBER MICHAEL SEXTON: I move the
18 board approve the payment of \$100 to Jimmy Sigman
19 as reimbursement on his insurance deductible as a
20 result of damage caused to his vehicle by a board
21 of election temporary handicap parking sign at the
22 Grove City recreation center voting location on
23 November 6, 2018.

24 DEPUTY DIRECTOR PAYNE: Is there a
25 second?

1 CHAIRMAN PREISSE: Second.

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

4 (Vote taken.)

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

7 (No response.)

8 DEPUTY DIRECTOR PAYNE: Motion
9 carries.

10 The next item on the agenda is
11 voting machine and e-poll book allocation for
12 tomorrow's primary election. As you recall, the
13 Secretary of State requires us to present this to
14 the board on three separate occasions. One of
15 those occasions needs to be within the 30-day
16 period prior to the election.

17 So I'm going to have Carla talk
18 about our voting machine and e-poll book
19 allocation.

20 MS. PATTON: You have Exhibit A in
21 front of you. It lays out the assignment of the
22 express votes and markers as well as the counters
23 for the election in addition to the poll pads and
24 the number of blank ballot cards we're providing to
25 each location.

1 The machines are allocated on one
2 for every 320 active voters; poll pads, one for
3 every hundred active voters; and the ballot -- the
4 pack of ballots, we did one for every precinct plus
5 an additional one in each location -- an additional
6 pack of 250 in each location.

7 From the last -- There is no changes
8 from the last time we ran the allocation. So I'm
9 recommending that Exhibit A, the numbers in that
10 exhibit, be approved.

11 DEPUTY DIRECTOR PAYNE: Questions or
12 comments for Carla?

13 If not, I'd entertain a motion.

14 MEMBER SEXTON: I move the board
15 adopt the voting machine allocation formula in
16 Exhibit A compiled by the board staff for the
17 May 7th, 2019, primary election.

18 CHAIRMAN PREISSE: Is there a
19 second?

20 CHAIRMAN PREISSE: Second.

21 DEPUTY DIRECTOR PAYNE: All those in
22 favor signify by saying aye.

23 (Vote taken.)

24 DEPUTY DIRECTOR PAYNE: All opposed,
25 same sign.

1 (No response.)

2 DEPUTY DIRECTOR PAYNE: The motion
3 carries.

4 The next item on the agenda is paper
5 ballot allocation for the May 7th primary election,
6 and I'll turn that over to Carolyn.

7 MS. GORUP: You have Exhibit B in
8 front of you. The last column, additional pads,
9 there was a formula error, and as a result we added
10 additional 81 pads to be allocated.

11 DEPUTY DIRECTOR PAYNE: Maybe that's
12 why the Secretary of State has us do it three
13 times.

14 MEMBER KIMBERLY MARINELLO: I move
15 that the board adopt the paper ballot allocation
16 formula in Exhibit B compiled by the board staff
17 for the May 7th, 2019, primary election.

18 DEPUTY DIRECTOR PAYNE: Is there a
19 second?

20 CHAIRMAN PREISSE: Second.

21 DEPUTY DIRECTOR PAYNE: All those in
22 favor signify by saying aye.

23 (Vote taken.)

24 DEPUTY DIRECTOR PAYNE: All opposed,
25 same sign.

1 (No response.)

2 DEPUTY DIRECTOR PAYNE: The motion
3 carries.

4 The next item on the agenda is
5 actually opening the polls for tomorrow's primary
6 election.

7 MEMBER SINNOTT: I think we ought to
8 do it. So I move that the polls be declared open
9 on Tuesday, May 7, 2019, for the primary election
10 beginning at 6:30 a.m. and closing at 7:30 p.m. and
11 that in accordance was Ohio Revised Code Section
12 3501.32 any voter in line prior to the close of
13 polls at 7:30 p.m. shall be permitted to vote.

14 DEPUTY DIRECTOR PAYNE: Fantastic.

15 MEMBER SEXTON: Second.

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

18 (Vote taken.)

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

21 (No response.)

22 DEPUTY DIRECTOR PAYNE: Motion
23 carries.

24 On other business, I placed in your
25 packet a communications plan for Franklin County

1 which I worked in consultation with the two
2 Republican board members and a couple of weeks ago
3 I also gave it to Director Leonard. It's something
4 that we don't need to go over now, but I gave it to
5 you so you can peruse it, read it, and at a board
6 meeting in the future we should probably go over it
7 and we can answer any questions that you may have
8 at that time.

9 DIRECTOR LEONARD: And then as
10 the -- when the Deputy Director mentioned that he
11 was going to share this with you, I just thought
12 that we'd share with you the mailer that I've been
13 working on with staff, getting input from some of
14 the management staff of the board, and had worked
15 with a designer to kind of put it together that
16 would include both voting machine information. And
17 I know I had shared it with Board Member Sinnott,
18 as well, which is getting input. So I think the
19 interior is probably in a fairly close to finished
20 state. The exterior is probably still a work in
21 progress. But again, I encourage you to look at it
22 and we can discuss more at a future date.

23 MEMBER SINNOTT: Thank you.

24 DEPUTY DIRECTOR PAYNE: Two other
25 items we need to do that I wanted to discuss is we

1 probably need to set a date for certification.

2 DIRECTOR LEONARD: Yes.

3 DEPUTY DIRECTOR PAYNE: And if we
4 can do that now. I posed the dates of May 23rd or
5 May 24th. May 18th would be the first day that we
6 could actually certify, but I wouldn't recommend
7 going that close because we're -- not knowing how
8 many provisional ballots we'll have and it usually
9 takes us a little longer than that. The last
10 possible date of certification would be May 28th.
11 I think the ideal situation would be to get it in
12 prior to Memorial Day, but that's -- if that
13 doesn't work --

14 CHAIRMAN PREISSE: What's the
15 window, again?

16 DEPUTY DIRECTOR PREISSE: From the
17 18th to the 28th of May.

18 MEMBER MARINELLO: I'll be out of
19 town the 18th through the 25th.

20 CHAIRMAN PREISSE: I say we do it on
21 the 23rd, then. I'm teasing.

22 MS. MARINELLO: I figured you were.

23 CHAIRMAN PREISSE: So 18 to 25. We
24 can do it on the 28th or we have to do it before
25 the 28th?

1 DIRECTOR LEONARD: We have to do it
2 at least on the 28th.

3 CHAIRMAN PREISSE: The 27th is
4 Memorial Day.

5 DIRECTOR LEONARD: The day after
6 Memorial Day is the 28th. Again, 21 days after the
7 election would be the 28th.

8 MEMBER SINNOTT: Well, it sounds as
9 though the only non-weekend day available to us,
10 then, is the 28th. Because you're gone from the
11 18th, which is when it opens, to the 25th.

12 DIRECTOR LEONARD: Again, just for
13 the comfort level, is there a likelihood of there
14 being something contentious that would require a
15 full complement of board members or --

16 CHAIRMAN PREISSE: Well, we could
17 set it the previous week, understanding your
18 absence, and then change it if something came up.
19 The 28th can work for me. I don't know about the
20 rest of you or if there's any danger of doing it
21 that way.

22 MEMBER SEXTON: It works for me,
23 too. So if we're available, we can look at the
24 28th.

25 MEMBER SINNOTT: I can do it the

1 late afternoon, like our traditional 3 o'clock. I
2 have to be in Richland County earlier.

3 CHAIRMAN PREISSE: The afternoon of
4 the 28th looks --

5 DIRECTOR LEONARD: We'll have to do
6 the whole session where we have to deal with any
7 voter intent issues, approval of the provisionals,
8 the staff --

9 CHAIRMAN PREISSE: Of course, it's
10 going to be a pretty small universe, but --

11 DIRECTOR LEONARD: Exactly. So we
12 should be able to -- we should check with some of
13 the staff on that.

14 CHAIRMAN PREISSE: What time do you
15 think you could be here, Brad?

16 MEMBER SINNOTT: 2 o'clock safely.

17 DIRECTOR LEONARD: If we begin at
18 2 o'clock -- because it should be fairly quick to
19 process provisionals -- and then come back at, say,
20 4:00 or 4:30 and finish off.

21 DEPUTY DIRECTOR PAYNE: May 28th at
22 2 p.m. for certification.

23 The other item that we still need to
24 set a date for is the date for Robert Bender. I
25 don't know if we want to try to do that, set a date

1 for that. We could -- I don't know what the
2 board -- That's the protest for the Reynoldsburg
3 city council. There's a Libertarian candidate that
4 just met the threshold of signatures.

5 MEMBER SINNOTT: What are the time
6 parameters for that?

7 DEPUTY DIRECTOR PAYNE: There really
8 aren't any.

9 MEMBER SINNOTT: Well, we did decide
10 that we shouldn't hear it before tomorrow's
11 election. Right?

12 DEPUTY DIRECTOR PAYNE: No. That
13 was a protest on a voter. That was a -- This just
14 needs to be done -- I mean, the parameter would
15 be -- you know, I assume if he's on the ballot or
16 not on the ballot -- I mean, he would want to start
17 campaigning at some point potentially. So I would
18 think we would want to do that sooner rather than
19 later.

20 MEMBER MARINELLO: Can we do it on
21 28th while they're doing their ballot thing? We
22 have to wait anyway.

23 DEPUTY DIRECTOR PAYNE: That makes
24 sense.

25 DIRECTOR LEONARD: So 3 o'clock

1 and --

2 CHAIRMAN PREISSE: Sounds like a
3 great idea.

4 MEMBER SINNOTT: Excellent.

5 DEPUTY DIRECTOR PAYNE: All right.
6 We will reach out on that. Should speak up more
7 often.

8 Okay. The final item -- unless
9 there's any other business -- is to motion for
10 recess.

11 MEMBER MARINELLO: I move that the
12 board recess the meeting of the Franklin County
13 Board of Elections subject to recall by the chair
14 at the close of the election being held on Tuesday,
15 May 7th, 2019.

16 DEPUTY DIRECTOR PAYNE: Is there a
17 second?

18 CHAIRMAN PREISSE: Second.

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

21 (Vote taken.)

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

24 (No response.)

25 DEPUTY DIRECTOR PAYNE: The motion

1 carries. We are in recess.

2 (Thereupon, the proceedings were
3 recessed at approximately 3:23 p.m.)

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C E R T I F I C A T E

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THE STATE OF OHIO:

SS:

COUNTY OF FRANKLIN:

I, Carla D. Castle, a Professional Reporter and Notary Public in and for the State of Ohio, do hereby certify that the foregoing is a true, correct, and complete written transcript of the proceedings in this matter;

That the foregoing was taken by me stenographically and transcribed by me with computer-aided transcription;

That the foregoing occurred at the aforementioned time and place;

That I am not an attorney for or relative of any of the parties and have no interest whatsoever in the event of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal of office at Columbus, Ohio, this 1st day of June, 2019.

/s/Carla D. Castle
Notary Public, State of Ohio

My Commission Expires: September 29, 2021.

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