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**APPEARANCES:**

**FRANKLIN COUNTY PROSECUTOR'S OFFICE**  
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:**

Antone White, Executive Assistant to the  
Board, Director, and Deputy Director  
Matt Kelly  
Carla Patton

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I N D E X

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AGENDA ITEMS	PAGE
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- - -

1 Thursday Morning Session  
2 December 10, 2020  
3 10:04 a.m.

4 - - -

5 DEPUTY DIRECTOR PAYNE: I would  
6 remind everybody to identify themselves so the  
7 court reporter can take her notes properly.

8 I'll take roll.

9 Kim Marinello.

10 MEMBER MARINELLO: Here.

11 DEPUTY DIRECTOR PAYNE: Mike Sexton.

12 MEMBER SEXTON: (No audible  
13 response.)

14 DEPUTY DIRECTOR PAYNE: I'm going to  
15 assume that he's here. Is that fair to do?

16 CHAIRMAN PREISSE: I don't think we  
17 can call him here if we don't hear from him or have  
18 some kind of positive response.

19 DEPUTY DIRECTOR PAYNE: All right.

20 Doug Preisse.

21 CHAIRMAN PREISSE: Here.

22 DEPUTY DIRECTOR PAYNE: And Brad  
23 Sinnott.

24 MEMBER SINNOTT: Here.

25 DEPUTY DIRECTOR PAYNE: We have  
three of our board members and hopefully we'll get

1 to a point where Board Member Sexton can hear us  
2 and we can hear him.

3 The first item on the agenda is the  
4 approval of the minutes from the November 13th,  
5 2020 special meeting.

6 MEMBER MARINELLO: This is Kim  
7 Marinello. I move that the Board approve the  
8 minutes of the November 13, 2020 special meeting of  
9 the Franklin County Board of Elections.

10 CHAIRMAN PREISSE: Doug Preisse with  
11 a second.

12 DEPUTY DIRECTOR PAYNE: It's been  
13 moved and seconded. I'll take roll.

14 Kim Marinello.

15 MEMBER MARINELLO: Yes.

16 DEPUTY DIRECTOR PAYNE: Mike Sexton.

17 MEMBER SEXTON: (No audible  
18 response.)

19 DEPUTY DIRECTOR PAYNE: Doug  
20 Preisse.

21 CHAIRMAN PREISSE: Yes.

22 DEPUTY DIRECTOR PAYNE: And Brad  
23 Sinnott.

24 MEMBER SINNOTT: Yes.

25 DEPUTY DIRECTOR PAYNE: Motion

1 carries.

2 The next item on the agenda is the  
3 discussion of holiday hours. In the past the Board  
4 has seen fit to authorize personal leave, four days  
5 of personal leave for full-time Board employees  
6 over the Christmas and holiday season. I guess if  
7 there's no objection, we'd like to see that  
8 practice continue. It's been a long 2020 year, and  
9 I know speaking for myself a lot of people could  
10 use the time off.

11 MEMBER MARINELLO: Yeah.

12 MEMBER SINNOTT: That's  
13 understandable.

14 This is Sinnott. I move that the  
15 Franklin County Board of Elections authorize each  
16 full-time employee 32 hours, that is, four days, of  
17 personal leave to be used by the employees anytime  
18 between Monday December 14, 2020, and Friday,  
19 January 8, 2020 -- I mean, 2021.

20 MEMBER MARINELLO: This is Kim  
21 Marinello. Second.

22 DEPUTY DIRECTOR PAYNE: I will take  
23 roll.

24 Kim Marinello.

25 MEMBER MARINELLO: Yes.

1 DEPUTY DIRECTOR PAYNE: Mike Sexton.  
2 MEMBER SEXTON: (No audible  
3 response.)  
4 DEPUTY DIRECTOR PAYNE: Doug  
5 Preisse.  
6 CHAIRMAN PREISSE: Yes.  
7 DEPUTY DIRECTOR PAYNE: And Brad  
8 Sinnott.  
9 MEMBER SINNOTT: Yes.  
10 DEPUTY DIRECTOR PAYNE: And on  
11 behalf of the staff, thank you very much.  
12 The next item on the agenda is the  
13 recertification of the November 3rd, 2020, General  
14 Election results for the 16th Senate District and  
15 the Gahanna school levy. I would ask Matt Kelly  
16 and Carla Patton to give a brief report and then we  
17 will vote on each of those recertifications  
18 individually.  
19 MR. KELLY: Okay. Good morning.  
20 Can everyone hear me?  
21 MEMBER MARINELLO: Yes.  
22 CHAIRMAN PREISSE: Yes.  
23 MR. KELLY: Okay. Very good.  
24 I will start and then Carla will  
25 jump in here.

1                   But the report basically is between  
2 November 30th and December 8th the Absentee and  
3 Operations Departments conducted a recount of  
4 contests for the 16th State Senate District and the  
5 Issue 22 Gahanna-Jefferson City School District  
6 bond and levies issue. To conduct these recounts,  
7 five teams of sworn Board of Elections employees  
8 retained two Republicans and two Democrats to  
9 perform and check and balance the hand recounting  
10 of five percent of the ballots in each of these  
11 contests. The hand recount totals matched the  
12 machine count tally of the contests.

13                   Upon verifying the hand recounts to  
14 five percent in these contests, the recount  
15 continued with full machine recounts of both  
16 contests. The results of the combined hand recount  
17 and the machine recounts in both contests confirm  
18 that no previous contest results were overturned  
19 and the recount results affirm the outcomes as  
20 stated in the official results from the  
21 November 18th certification, with Stephanie L.  
22 Kunze winning the State Senate  
23 District 16 contest and the approval of the Gahanna  
24 City School bond issues and levies. The breakdown  
25 of these results have been provided to all Board

1 members and an exhibit, and you all have that.

2           While no outcome changes were  
3 determined as part of this hand and machine recount  
4 in both contests, the results of the recount did  
5 produce adjusted numbers different from the  
6 original results submitted on November 18th as part  
7 of the election certification process and the Board  
8 will need to recertify these results and submit  
9 these changes to the Ohio Secretary of State.

10           And Carla will walk us through the  
11 results as they follow. Carla.

12           MS. PATTON: Good morning. Carla  
13 Patton here.

14           In the race for the State Senate  
15 District 16 the recount resulted in Republican  
16 Stephanie L. Kunze receiving a total of 106,056  
17 votes in the recount as compared to 106,053 votes  
18 as reported in the official canvass, and Democrat  
19 Crystal Lett receiving 105,926 votes in the recount  
20 as compared to 105,937 votes in the official  
21 canvas. And there were 19 over-votes as compared  
22 to 18 over-votes as reported in the official  
23 canvass. Overall, this resulted in candidate Kunze  
24 gaining a total of three votes and candidate Lett  
25 seeing a net loss of nine votes in the contest

1 seeing a gain of one additional over-vote as part  
2 of the recount.

3 In the bond and levies issue contest  
4 for the Gahanna-Jefferson City School District, the  
5 adjusted results are as follows. The recount  
6 resulted in for the bond issue and tax levies  
7 receiving a total of 14,491 votes in the recount as  
8 compared to 14,496 votes as reported in the  
9 official canvass, and against the bond issue and  
10 tax levies receiving 14,416 votes in the recount as  
11 compared to 14,420 votes in the official canvass.  
12 Overall, this resulted in -- And also there were  
13 two over-votes as compared to one over-vote as  
14 reported in the official canvass. Overall, this  
15 resulted in the approval of the affirmative vote  
16 for the issues with a total of five votes and  
17 against the issue seeing a net loss of four votes  
18 and the entire contest seeing a gain of one  
19 additional over-vote as part of the recount.

20 Both contests and breakdown of the  
21 recounted votes in these contests are included in  
22 the summary results that were provided to you prior  
23 to the meeting for your approval as an exhibit. We  
24 ask that the Board accept these numbers and  
25 instruct the staff to transmit the results to the

1 Secretary of State as required by state law.

2 DEPUTY DIRECTOR PAYNE: Matt and  
3 Carla, thank you very much.

4 Are there any questions regarding  
5 those recertifications? If not, I would entertain  
6 a motion for the recertification of the 16th Senate  
7 District race. I think I saw our board member Mike  
8 Sexton on earlier. Is he --

9 MEMBER SEXTON: Can you hear me?

10 DEPUTY DIRECTOR PAYNE: We can.

11 MEMBER SEXTON: All right. I would  
12 just like to let you know I did vote in the  
13 affirmative on the first two items on the approval  
14 of the minutes and the holiday hours. I don't know  
15 if that was recorded or not, but I just wanted to  
16 say that for the record.

17 Mr. Chariman, I move that the Board  
18 recertify and declare as final the official canvass  
19 of the votes cast at the November 3rd, 2020 General  
20 Election for the 16th Senate District.

21 CHAIRMAN PREISSE: Doug Preisse with  
22 a second.

23 DEPUTY DIRECTOR PAYNE: It's been  
24 properly moved and seconded. I will take roll.

25 Kim Marinello.

1 MEMBER MARINELLO: Yes.

2 DEPUTY DIRECTOR PAYNE: Mike Sexton.

3 MEMBER SEXTON: Yes.

4 DEPUTY DIRECTOR PAYNE: Doug

5 Preisse.

6 CHAIRMAN PREISSE: Yes.

7 DEPUTY DIRECTOR PAYNE: And Brad

8 Sinnott.

9 MEMBER SINNOTT: Yes.

10 DEPUTY DIRECTOR PAYNE: Motion

11 carries.

12 We would like to have a motion for  
13 the recertification of the November 3rd, 2020  
14 General Election results for the Gahanna school  
15 levy.

16 MEMBER MARINELLO: Mr. Chariman,  
17 it's Kim Marinello. I move that the Board  
18 recertify and declare as final the official canvass  
19 of the votes cast at the November 3rd, 2020 General  
20 Election for the Gahanna-Jefferson school levy.

21 DEPUTY DIRECTOR PAYNE: Is there a  
22 second?

23 CHAIRMAN PREISSE: This is Doug  
24 Preisse with a second.

25 DEPUTY DIRECTOR PAYNE: It's been

1 properly moved and seconded. I'll take roll.

2 Kim Marinello.

3 MEMBER MARINELLO: Yes.

4 DEPUTY DIRECTOR PAYNE: Mike Sexton.

5 MEMBER SEXTON: Yes.

6 DEPUTY DIRECTOR PAYNE: Doug

7 Preisse.

8 CHAIRMAN PREISSE: Yes.

9 DEPUTY DIRECTOR PAYNE: And Brad

10 Sinnott.

11 MEMBER SINNOTT: Yes.

12 DEPUTY DIRECTOR PAYNE: Motion

13 carries.

14 The next item on the agenda is the  
15 appointment of an interim director of the Franklin  
16 County Board of Elections. And I think everybody  
17 is aware of why we need this on there.

18 And I would just like to say from a  
19 personal standpoint that I am certainly going to  
20 miss our director. He has been a great leader and  
21 he has come through the door every day with a smile  
22 and a willingness to roll up his sleeves and help  
23 the staff to do everything. He has never asked  
24 anybody here to do anything that he's not willing  
25 to do. So personally I'm going to miss a friend

1 and a good partner.

2 MEMBER SINNOTT: This is Sinnott.  
3 Let me echo David's sentiments. Ed, thank you very  
4 much for what you did for the people of Franklin  
5 County during your tenure as Director of the Board  
6 of Elections. Really being the director of a board  
7 of elections for a county that has in it one of the  
8 nation's largest cities is a really demanding job  
9 in the 21st Century. And Ed, what you brought to  
10 the Board was a level of professionalism and  
11 commitment that made our board operate in an  
12 admirable and exemplary fashion for the years in  
13 which you served as the director. So on behalf of  
14 the people of Franklin County, thank you.

15 MEMBER MARINELLO: I agree with that  
16 completely. Thanks, Ed, so much. We're going to  
17 miss you.

18 CHAIRMAN PREISSE: Yes. And I don't  
19 think I can add -- I'd be gilding the lilly if I  
20 tried to add anything to Brad's comments other than  
21 to say I wholeheartedly concur with all those  
22 observations made. And I kind of like the feeling  
23 that you're going back to the courthouse, a place  
24 you're also familiar with, and serve admirably and  
25 your career serving the citizens of Franklin County

1 just continues in another way. So we wish you the  
2 best.

3 MEMBER SEXTON: Michael Sexton. I  
4 would just like to say -- most of it's already been  
5 said, but let me just reemphasize to Ed and just  
6 say thank you. Your dedication and commitment and  
7 service to this board over the last four-plus years  
8 has been outstanding. And as David said, you  
9 really set an example for the staff and for all of  
10 us to really continue to professionalize and  
11 modernize the board over your time here and your  
12 tireless work. And especially over this last year  
13 I know you and David Payne really have been there  
14 and worked hard during the primary and extended  
15 primary and the general election to make sure that  
16 our staff and our voters and the public could deal  
17 with the board in a safe manner during this Covid  
18 crisis. And you will be missed and I wish you well  
19 in your new position with the Franklin County  
20 Prosecutor's Office.

21 MEMBER MARINELLO: I wish we could  
22 give you a cake.

23 DIRECTOR LEONARD: I wish I could  
24 taste it.

25 I just want to say that -- a

1 tremendous amount of thanks. I've devoted nearly  
2 all of my career to public service and I have to  
3 say this has been a career these last four years to  
4 have the opportunity to work in a field of such  
5 importance as carrying out elections and to be  
6 doing it with a group of professionals who day-in  
7 and day-out devoted themselves to getting it right  
8 and doing everything we can to be there for the  
9 public to give them confidence in the execution of  
10 elections, because it truly is the foundation of  
11 our democracy.

12 And so, again, I just want to extend  
13 my thanks to the entire Board of Elections team for  
14 all the support that they've given me over the  
15 years and how they've helped make my work as  
16 fulfilling as it's been. And then I also want to  
17 extend my thanks to the Board for all of their  
18 support over these years. Again, we could not do  
19 what we do, we would not have the ability to do the  
20 kind of service we are able to do if not for the  
21 support of our board. So thank you.

22 MEMBER MARINELLO: Thanks, Ed.

23 DEPUTY DIRECTOR PAYNE: I think that  
24 would lead us to the time on the agenda where we  
25 need to make an appointment of an interim director

1 of the Franklin County Board of Elections, which I  
2 would think would begin at the end of Director  
3 Leonard's tenure, which is tomorrow.

4 MEMBER SEXTON: We're in need of a  
5 motion. Mr. Chairman, -- Michael Sexton -- I would  
6 move that Mel Fuhrmann serve as interim director of  
7 the Franklin County Board of Elections beginning  
8 December 12th, 2020, until such a time as a  
9 permanent director is named.

10 CHAIRMAN PREISSE: Doug Preisse with  
11 a second.

12 DEPUTY DIRECTOR PAYNE: I will take  
13 roll.

14 Kim Marinello.

15 MEMBER MARINELLO: Yes.

16 DEPUTY DIRECTOR PAYNE: Mike Sexton.

17 MEMBER SEXTON: Yes.

18 DEPUTY DIRECTOR PAYNE: Doug  
19 Preisse.

20 CHAIRMAN PREISSE: Yes.

21 DEPUTY DIRECTOR PAYNE: And Brad  
22 Sinnott.

23 MEMBER SINNOTT: Yes.

24 DEPUTY DIRECTOR PAYNE: Motion  
25 carries.

1                   And congratulations, Mel.

2                   The next item on the agenda is a  
3 termination of employment. And I don't know if I  
4 want to turn that over to Ed or Thu or --

5                   DIRECTOR LEONARD: I will briefly  
6 and then Thu can give a little bit more detail.

7                   But this is a circumstance that  
8 unfortunately has been in existence for a while.  
9 It's just that David has not been working for us  
10 and has been in a leave-without-pay status for  
11 quite some time. We've made efforts over the  
12 months to try and contact and work with him on the  
13 situation. It hasn't improved, and at this point I  
14 think we should bring his employment to a close.

15                   Thu, did you want to add anything in  
16 terms of this since we're not in executive session?

17                   Essentially, he hasn't been turning  
18 in timesheets for quite some time. We've made  
19 efforts to reach out to him both by mail and by  
20 email without success, and he's not been paying his  
21 portion of his healthcare premiums for quite some  
22 time, as well. And so at this point we simply -- I  
23 attempted to reach out to him in early November  
24 right after the election to see if he would simply  
25 submit a letter of resignation as opposed to

1 terminating, and I haven't gotten any word back  
2 from him. There's been no contact with him for  
3 months now.

4 MEMBER MARINELLO: That's a shame.

5 DIRECTOR LEONARD: So before I left  
6 I wanted to resolve this situation and finalize  
7 this decision.

8 Thu just texted me that her mic is  
9 not working. So I think what I've laid out is  
10 pretty much sufficient.

11 MEMBER MARINELLO: Yeah. And we got  
12 the breakdown of everything. It's a shame.

13 Mr. Chariman, I move that the Board  
14 terminate the employment of Dan Stewart effective  
15 December 10th, 2020.

16 CHAIRMAN PREISSE: Doug Preisse with  
17 a second.

18 DEPUTY DIRECTOR PAYNE: I'll take  
19 roll.

20 Kim Marinello.

21 MEMBER MARINELLO: Yes.

22 DEPUTY DIRECTOR PAYNE: Mike Sexton.

23 MEMBER SEXTON: Yes.

24 DEPUTY DIRECTOR PAYNE: Doug

25 Preisse.

1 CHAIRMAN PREISSE: Yes.

2 DEPUTY DIRECTOR PAYNE: And Brad  
3 Sinnott.

4 MEMBER SINNOTT: Yes.

5 DEPUTY DIRECTOR PAYNE: Motion  
6 carries.

7 There's no further items, but I did  
8 want to mention that Tim Lecklider has been our  
9 legal counsel for the past six years here at the  
10 Franklin County Board of Elections, and he is the  
11 only legal counsel that I've had in my tenure here.  
12 And I just personally would like to thank him for  
13 his service and being able to explain to a  
14 non-attorney like myself all of the nuances of the  
15 legal profession. And Ed was able to help me with  
16 some of those explanations, as well; but in  
17 particular, Tim, you've done a great job for us and  
18 I am going to miss you, and I consider you a friend  
19 as well as our legal counsel. So thank you for all  
20 you've done, Tim.

21 MEMBER MARINELLO: Thank you, Tim.

22 MEMBER SINNOTT: This is Sinnott.  
23 Tim, thank you very much for the work that you did  
24 with the Board. You have been a wise and able  
25 counselor to us over the last six years. We

1 appreciate your work and hope that the future holds  
2 nothing but great things for you.

3 MR. LECKLIDER: Thank you.

4 CHAIRMAN PREISSE: Yeah. I think  
5 we're going to see Tim going on and doing  
6 interesting, creative things, as well.

7 MEMBER SEXTON: Let me just say --

8 DIRECTOR LEONARD: It's been a  
9 pleasure to work with you. You have always been  
10 professional and gave us sound advice and  
11 represented us well in all the lawsuits that we  
12 face as a board. Thank you for your dedication and  
13 service and I wish you the best.

14 MR. LECKLIDER: Thank you all. I've  
15 enjoyed the experience and enjoyed working with  
16 everyone. Thank you.

17 DEPUTY DIRECTOR PAYNE: With that,  
18 there are no other items on the agenda other than  
19 adjournment.

20 I'd like to wish everybody a Merry  
21 Christmas and happy holiday season. I don't  
22 believe we reconvene until January unless necessary  
23 unless our chairman calls us together. So next  
24 time we meet we will have turned the calendar from  
25 2020 to 2021, thank goodness.

1                   MEMBER SINNOTT: This is Sinnott.  
2 Move for adjournment.

3                   DEPUTY DIRECTOR PAYNE: Is there a  
4 second?

5                   MEMBER MARINELLO: I second. Kim  
6 Marinello.

7                   DEPUTY DIRECTOR PAYNE: I'll take  
8 roll.

9                   Kim Marinello.

10                  MEMBER MARINELLO: Yes.

11                  DEPUTY DIRECTOR PAYNE: Mike Sexton.

12                  MEMBER SEXTON: Yes.

13                  DEPUTY DIRECTOR PAYNE: Doug  
14 Preisse.

15                  CHAIRMAN PREISSE: Yes.

16                  DEPUTY DIRECTOR PAYNE: And Brad  
17 Sinnott.

18                  MEMBER SINNOTT: Yes.

19                                 - - -

20                                 Thereupon, the proceedings were  
21 adjourned at approximately 10:25 a.m.

22                                 - - -

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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 30th day of December, 2020.

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

My Commission Expires: September 29, 2021.

- - -

Summary Results Report  
 2020 General Election  
 November 3, 2020

Recount Results  
 Summary  
 Franklin County

For State Senator (16th District)

Vote For 1

	TOTAL	VOTE %	Mail Absentee	In Office Absentee	Election Day	Provisional
Rep Stephanie L. Kunze	106,056	50.03%	36,520	8,620	58,697	2,219
Dem Crystal Lett	105,926	49.97%	53,652	20,942	29,374	1,958
Overvotes	19		16	2	0	1
Undervotes	8,788		5,254	515	2,617	402

#22 Gahanna Jefferson City School District

Vote For 1

	TOTAL	VOTE %	Mail Absentee	In Office Absentee	Election Day	Provisional
For the Bond Issue and Levies	14,491	50.13%	6,298	3,129	4,788	276
Against the Bond Issue and Levies	14,416	49.87%	6,363	2,000	5,849	204
Overvotes	2		0	2	0	0
Undervotes	1,764		636	301	741	86

*Ex A*  
 12-10-20