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THE FRANKLIN COUNTY BOARD OF ELECTIONS

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In Re: :  
:  
Regular Meeting. :

- - -

January 3, 2022

PROCEEDINGS OF

THE FRANKLIN COUNTY BOARD OF ELECTIONS

before Chairman Douglas J. Preisse, Deputy Director David Payne, and Board Members Kimberly E. Marinello, Michael Sexton, and Josh Jaffe, on Monday, January 3, 2022, beginning at approximately 3:06 p.m., and concluding at approximately 3:24 p.m.

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*Higgins & Associates*  
*Court Reporting - Legal Video - Videoconference*  
*4889 Sinclair Road, Suite 102*  
*Columbus, Ohio 43229*  
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**APPEARANCES:**

**FRANKLIN COUNTY PROSECUTOR'S OFFICE**  
**Jeanine Hummer, Esquire**  
**Assistant Prosecuting Attorney**  
**373 South High Street, 13th Floor**  
**Columbus, Ohio 43215,**

On behalf of the Board.

**ALSO PRESENT:**

**Erin Gibbons**  
**Matt Kelly**

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Monday Afternoon Session  
January 3, 2022  
3:06 p.m.

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DEPUTY DIRECTOR PAYNE: I will go  
ahead and take roll.

Kim Marinello.

MEMBER MARINELLO: Here.

DEPUTY DIRECTOR PAYNE: Mike Sexton.

MEMBER SEXTON: Here.

DEPUTY DIRECTOR PAYNE: Doug  
Preisse.

CHAIRMAN PREISSE: Here.

DEPUTY DIRECTOR PAYNE: And Josh  
Jaffe.

MEMBER JAFFE: Yes.

DEPUTY DIRECTOR PAYNE: We have a  
quorum.

The first item on the agenda is the  
approval of the minutes from the November 1st and  
November 19th meeting of the Franklin County Board  
of Elections. I believe those were sent to you. I  
don't know if anybody has any additions or  
deletions or corrections.

MEMBER MARINELLO: I move that the

1 Board approve the minutes of the November 1, 2021  
2 meeting and the November 19, 2021 meeting of the  
3 Franklin County Board of Elections.

4 This is Kim Marinello.

5 CHAIRMAN PREISSE: And I second it.  
6 Doug Preisse.

7 DEPUTY DIRECTOR PAYNE: It's been  
8 properly moved and seconded.

9 All those in favor of the motion  
10 signify by saying aye.

11 (Vote taken.)

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

14 (No response.)

15 DEPUTY DIRECTOR PAYNE: Motion  
16 carries.

17 The next item on the agenda is the  
18 audit we performed for the November 2nd General  
19 Election. And I'll turn that over to Matt Kelly to  
20 do a report.

21 MR. KELLY: Good afternoon. This is  
22 Matt Kelly.

23 On December 7th the Franklin County  
24 Board of Elections conducted audits of the 2021  
25 General Election as instructed by the Ohio

1 Secretary of State's office to all 88 county  
2 boards. The audits conducted by Franklin County  
3 were simple percentage-based audits done by  
4 selecting just over five percent of total ballots  
5 cast in the 2021 General Election from  
6 randomly-selected voting locations or LIDs and the  
7 precincts contained within those LIDs. The LIDs  
8 chosen for these audits were randomly selected at  
9 the November 19th Board meeting, as you remember.

10 The first portion of the audit  
11 consisted of two countywide judicial races and the  
12 second portion of the audit consisted of ballots  
13 exclusively from the special 15th Congressional  
14 District contest. All ballots in the audits were  
15 reviewed by teams of sworn Board of Elections  
16 employees paired up in bipartisan groups of four,  
17 with each consisting of two Republicans and two  
18 Democrats.

19 In the two countywide judicial races  
20 a total of 10,285 ballots were audited representing  
21 5.05 percent of all ballots cast in those races.  
22 All 10,285 ballots selected for this audit were  
23 reviewed and tallied by hand and then compared to  
24 the official canvass results broken down by each  
25 precinct. The audit in both judicial races

1 produced no ballot difference with no changes and  
2 resulted in an overall accuracy rate of 100 percent  
3 in both of those races.

4 In the 15th Congressional District  
5 audit there were 4,885 ballots that were randomly  
6 selected by the LIDs representing 5.74 percent of  
7 all ballots cast in that race. All 4,885 ballots  
8 were reviewed and tallied by hand and then also  
9 compared to the official canvass results broken  
10 down by precinct. This audit produced one ballot  
11 difference where an absentee paper ballot was  
12 marked in pencil, not pen as instructed, and the  
13 lightly marked pencil image was captured by the  
14 voting scanner machine as an undervote rather than  
15 a vote for Candidate Mike Carey. This one vote  
16 difference resulted in an overall accuracy rate of  
17 99.98 percent. And the one vote difference and the  
18 explanation was included in the audit report  
19 submitted to the Ohio Secretary of State's office  
20 at the conclusion of the audits.

21 Comprehensively between all results  
22 of all three races in the audit, a total of 15,170  
23 of those ballots that were reviewed, the overall  
24 accuracy rate for Franklin County's post-election  
25 audit was 99.997 percent, which is well above the

1 99.5 percent standard accuracy rate set forth by  
2 the Ohio Secretary of State.

3 At this time the only action  
4 required by the Board is to accept the contents  
5 included in this report and the provided exhibits  
6 reflecting the change of the one undervote to an  
7 additional vote for Candidate Carey in the 15th  
8 Congressional District election. And I ask for  
9 your approval of this audit.

10 DEPUTY DIRECTOR PAYNE: Any  
11 questions?

12 MEMBER SEXTON: So we looked at  
13 three races. I mean, that's one of them?

14 MR. KELLY: Right. We were required  
15 to look at countywide races. So these are like the  
16 two judicial countywide races because they were in  
17 every precinct. There were no changes. That audit  
18 was a hundred percent. In the 15th Congressional  
19 District between Republican Carey and Democrat  
20 Russo there was an undervote reported that should  
21 have been a vote for Carey. That was because there  
22 was an absentee mail-in ballot that had a pencil  
23 bubbled in rather than an ink pen. So that  
24 resulted in the machine viewing that vote as a  
25 undervote. So that vote should have been assigned

1 to Republican Candidate Carey.

2 MEMBER SEXTON: So three races were  
3 drawn and there was only a one vote change?

4 MR. KELLY: Correct. So the overall  
5 rate is at 99.97 percent accuracy.

6 Other questions?

7 MEMBER SEXTON: Michael Sexton.

8 I move the Board amend and declare  
9 as final the official canvass of the votes cast at  
10 the November 2nd, 2021 General Election for the  
11 15th Congressional District.

12 CHAIRMAN PREISSE: Doug Preisse with  
13 a second.

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

16 (Vote taken.)

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

19 (No response.)

20 DEPUTY DIRECTOR PAYNE: Motion  
21 carries.

22 The next item on the agenda is the  
23 extension of the E.E. Ward contract. E.E. Ward is  
24 the largest minority-owned company in the  
25 country -- or the oldest, -- I'm sorry -- the

1 oldest minority-owned company in the country. And  
2 we have used them for at least as long as I've been  
3 here at the Board of Elections to move our voting  
4 equipment to the 300-plus polling locations and  
5 then retrieve those same voting machines and bring  
6 them back to the Board of Elections. There is a  
7 renewal up for this contract for the year 2022, and  
8 the price would be the same. There would be no  
9 change in anything with the contract. The amount  
10 is not to exceed \$200,000 for delivery and pickup  
11 of the voting machines to the polling locations and  
12 then back to the Board of Elections.

13 Any questions regarding the E.E.  
14 Ward contract or --

15 MEMBER SEXTON: We've used them for  
16 years and years?

17 DEPUTY DIRECTOR PAYNE: We've used  
18 them for years and years with much success. It's  
19 been a good partnership.

20 MEMBER JAFFE: This is for both the  
21 primary and the general?

22 DEPUTY DIRECTOR PAYNE: That is  
23 correct, yes.

24 MEMBER JAFFE: Josh Jaffe. I move  
25 the Board authorize the Director and Deputy

1 Director to enter into an annual trucking contract  
2 extension with E.E. Ward in an amount not to exceed  
3 \$200,000 for delivery and pickup of our voting  
4 equipment in calendar years 2022.

5 MEMBER SEXTON: Michael Sexton.

6 Second.

7 DEPUTY DIRECTOR PAYNE: David Payne.

8 It's been properly moved and seconded.

9 All those in favor of the motion  
10 signify by saying aye.

11 (Vote taken.)

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

14 (No response.)

15 DEPUTY DIRECTOR PAYNE: Motion  
16 carries.

17 The next item on the agenda is the  
18 Securitas contract extension. As you probably  
19 noticed, Securitas is our security firm that's in  
20 the lobby. They secure not only the employees here  
21 at the Franklin County Board of Elections, but as  
22 well the voters that come to the Franklin County  
23 Board of Elections and in addition they monitor and  
24 control the building access in and out and have  
25 done a great job for a number of years. There is

1 on this contract they -- Securitas is -- their  
2 contract is collectively bargained. Last year the  
3 security officers were making -- we were paying  
4 \$20.76 an hour, and that would go up to \$25.31.  
5 The site supervisor was making \$21.44 and that will  
6 go up to \$29.33. I will say that the site  
7 supervisor's contract is not collectively  
8 bargained, but if we don't raise that rate the site  
9 supervisor would be making less than the people he  
10 supervises. So we would like to raise his as well.  
11 I think the company, Securitas, would like us to  
12 raise that as well. So it is an increase but they  
13 have done a nice job for us and I think it's  
14 warranted.

15 CHAIRMAN PREISSE: No questions  
16 here.

17 MEMBER SEXTON: I just have a  
18 question. Michael Sexton.

19 I'm just wondering if the other two  
20 employees are receiving any kind of compensation  
21 increase.

22 DEPUTY DIRECTOR PAYNE: They are.  
23 They would be considered the security officers who  
24 would be going from \$20.76 an hour to \$25.31.

25 MEMBER SEXTON: Thank you.

1 MR. JAFFE: Josh Jaffe.

2 Do we know when the last time these  
3 rates were changed?

4 DEPUTY DIRECTOR PAYNE: I think each  
5 year they change, but not this significantly, to be  
6 honest with you. So yeah. I think each year we  
7 raise the rates.

8 (Discussion off the record.)

9 DEPUTY DIRECTOR PAYNE: This is  
10 David Payne.

11 And just to give a encapsulation of  
12 what Josh Jaffe was saying earlier, he was  
13 indicating that this appeared to be a larger  
14 increase than we normally have each year for the  
15 Securitas contract. That is the case. We do  
16 give -- we have been giving raises each year, but  
17 this is significantly more. But it was  
18 collectively bargained and that's the rate which we  
19 were given. I think that basically summarizes what  
20 Board Member Jaffe was saying.

21 MEMBER SEXTON: Michael Sexton.

22 I move that the Board authorize the  
23 Director and Deputy Director to enter into an  
24 annual security contract extension with Securitas,  
25 as described, for security of the building and

1 employees at 1700 Morse Road, Columbus, Ohio, in  
2 calendar year 2022.

3 CHAIRMAN PREISSE: This is Doug  
4 Preisse with a second.

5 DEPUTY DIRECTOR PAYNE: It's been  
6 properly moved and seconded.

7 All those in favor of the motion  
8 signify by saying aye.

9 (Vote taken.)

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

12 (No response.)

13 DEPUTY DIRECTOR PAYNE: Motion  
14 carries.

15 The final item on the agenda is a  
16 2.75 percent raise for employees, full-time  
17 employees of the Franklin County Board of  
18 Elections. This is something that typically is  
19 given or authorized by the Franklin County  
20 Commissioners each year. They had it come up as  
21 well this year and authorized a 2.75 percent pay  
22 increase for each the full-time employees at the  
23 Board of Elections. What it would require, though,  
24 is authorization by this Board in order to approve  
25 that pay raise.

1 MR. JAFFE: This is Josh Jaffe.

2 Just to be clear, this is an  
3 across-the-board cost of living pay increase to  
4 every county full-time employee?

5 DEPUTY DIRECTOR PAYNE: That is  
6 correct.

7 MR. JAFFE: Okay.

8 (Discussion off the record.)

9 MR. JAFFE: This is Josh Jaffe.

10 I move that the Board approve a 2.75  
11 percent pay increase to all full-time BOE staff for  
12 calendar year 2022, as shown in Exhibit A.

13 MEMBER MARINELLO: Second. Kim  
14 Marinello.

15 DEPUTY DIRECTOR PAYNE: It's been  
16 properly moved and seconded.

17 All those in favor of the motion  
18 signify by saying aye.

19 (Vote taken.)

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

22 (No response.)

23 DEPUTY DIRECTOR PAYNE: Motion  
24 carries.

25 CHAIRMAN PREISSE: Are we doing

1 remote court reporting? This is a one-time thing?

2 DEPUTY DIRECTOR PAYNE: I think this  
3 is one-time thing because we learned that Carla  
4 today had Covid symptoms. So she asked and we  
5 thought it would be better that she not come here.

6 CHAIRMAN PREISSE: If we're going to  
7 do it again, let's figure out the microphone in  
8 front of us. What I know about technology is  
9 nothing, but this wasn't ideal for her.

10 Thank you for hanging in there.

11 CHAIRMAN PREISSE: Move to adjourn.

12 MEMBER SEXTON: Second.

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14 Thereupon, the proceedings were  
15 adjourned at approximately 3:24 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 17th day of January, 2022.

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

My Commission Expires: September 29, 2026.

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