

THE FRANKLIN COUNTY BOARD OF ELECTIONS

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In Re: :
:
Regular Meeting. :

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April 4, 2022

PROCEEDINGS OF

THE FRANKLIN COUNTY BOARD OF ELECTIONS

before Chairman Douglas J. Preisse, Director Antone White, Deputy Director David Payne, and Board Members Kimberly E. Marinello, Michael Sexton, and Josh Jaffe, on Monday, April 4, 2022, beginning at approximately 3:10 p.m., and concluding at approximately 3:27 p.m.

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Higgins & Associates
Court Reporting - Legal Video - Videoconference
4889 Sinclair Road, Suite 102
Columbus, Ohio 43229
**614.985.DEPO (3376) *888.244.1211*

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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
Carla Patton
Aaron Sellers

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I N D E X

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| Voting Machine and E-Pollbook Allocation for the May 3 Primary Election | 7 |
| Employee Recognition Program | 9 |
| Federal Inventory and Equipment Policy | 12 |
| Hiring of Early Vote Center Managers | 15 |
| Candidate Petitions | 18 |
| Adjourn | 20 |

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BOARD EXHIBITS:

| | |
|---|-----|
| Exhibit A - Paper Ballot Allocation, 22 pages | 5/6 |
| Exhibit B - Voting Equipment Allocation, 6 pages | 7/8 |

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Monday Afternoon Session
April 4, 2022
3:10 p.m.

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4 DEPUTY DIRECTOR PAYNE: It looks
5 like we have a quorum, but I'll go ahead and 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 Josh
15 Jaffe.

16 MEMBER JAFFE: Here.

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

19 The first item on the agenda is the
20 paper ballot allocation for the May 3rd primary
21 election. We're required to do this at least a
22 couple of times before the election to make sure
23 that we have the requisite number of paper ballots.
24 And then after Carla talks we'll also be doing an
25 allocation for voting machines and electronic

1 pollbooks.

2 MS. PATTON: You have in your packet
3 Exhibit A, which is the paper ballot allocation for
4 the May 3rd, 2022 primary election. These numbers
5 kind of wrap up the requirements from the
6 directives issued by the Secretary of State to
7 include not only the provisional but the election
8 day ballots as well. Requirements on the
9 provisional are looking at the numbers from the
10 last like election, which would be 2018. And so
11 the number of provisional ballots with an
12 additional five percent of that number added to it.
13 We round that up. The election day ballots, with
14 the system that we run, we have the discretion on
15 the number of ballots we send out. We have
16 accounted for 20 percent of the voter turnout in
17 the like -- in that precinct in the like election,
18 being 2018. So 20 percent of the voters that voted
19 in 2018 is how many paper ballots in addition to
20 the requirement of the provisional ballots that
21 we're putting out. So that number before you is a
22 total of 74,075 preprinted ballots between all
23 parties with 35,225 for Dem and Rep. And then with
24 only about a quarter of the county having issues on
25 it, there are 3,625 total issuing ballots. So we

1 would ask that you approve this allocation for the
2 election day ballots.

3 MEMBER SEXTON: Pretty much
4 standard, the ones we do every election?

5 MS. PATTON: Yes. Not deviated from
6 past plans.

7 MR. JAFFE: Are we required to do a
8 50/50 split in terms of the party of the ballots or
9 is that just what we've done?

10 MS. PATTON: That's typical because
11 we can look at the parties and, you know, we know
12 that some precincts are heavier than others but
13 then we don't know how those folks are going to go
14 in and request the ballot this election. So we try
15 to keep it even. We do have the ability to produce
16 more on demand here in-house if necessary if we
17 find that they're running low.

18 CHAIRMAN PREISSE: Right. Okay.

19 MEMBER SEXTON: Mr. Chairman, I move
20 that the Board adopt the paper ballot allocation
21 formula in Exhibit A compiled by the Board staff
22 for the May 3rd, 2022 Primary Election.

23 CHAIRMAN PREISSE: And I second the
24 motion.

25 DEPUTY DIRECTOR PAYNE: It's been

1 properly moved and seconded.

2 All those in favor of the motion
3 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 Carla
11 Patton again with voting machine allocation as well
12 as electronic pollbook allocation for the May 3rd
13 Primary.

14 MS. PATTON: In your packet is
15 Exhibit B, which is the election equipment
16 allocation for the May 3rd, 2022 Primary Election.
17 This report will detail the number of DS200s for
18 the ballot counters, the number of express vote
19 tabletops, the number of express vote kiosk
20 markers, and there will be a column for the total
21 of those two together, and the number of poll pads,
22 which are the electronic pollbooks that we utilize
23 to come up with the numbers. The express votes,
24 which are the marking devices, we allocated the
25 tabletops one for every 340 voters and the kiosks,

1 which have the ability to lower into a different
2 position for wheelchair voters or ADA voters in
3 general, those are allocated one per 4,540 voters.
4 So everybody has at least one kiosk and no less
5 than two tabletop markers in their locations and
6 the DS200 ballots are one for every 2,525 voters in
7 the location. And with nobody getting less than
8 one, we have up to four going out to any one
9 location. The poll pads are allocated one for
10 every 850 total voters. These are total voter
11 numbers, not active. And so with no less than
12 three poll pads going to any given location. Your
13 totals are 503 DS200 counters going out, a total of
14 3,059 marker devices are going out, and 1,302 poll
15 pads will be deployed. So we ask that you approve
16 this allocation. If there's any questions.

17 MEMBER JAFFE: How many locations do
18 we have this time?

19 MS. PATTON: We have 320 locations
20 this election.

21 MEMBER MARINELLO: I move that the
22 Board adopt the voting machine allocation formula
23 in Exhibit B compiled by the Board staff for the
24 May 3rd, 2022 Primary Election.

25 CHAIRMAN PREISSE: Second the

1 motion.

2 DEPUTY DIRECTOR PAYNE: It's been
3 properly moved and seconded.

4 All those in favor of the motion
5 signify by saying aye.

6 (Vote taken.)

7 DEPUTY DIRECTOR PAYNE: All opposed,
8 same sign.

9 (No response.)

10 DEPUTY DIRECTOR PAYNE: Motion
11 carries.

12 The next item on the agenda is the
13 employee recognition program, and I've asked Aaron
14 Sellers to speak to this. Aaron is one of the ten
15 members on the employee recognition committee that
16 we started at the beginning of the year. Robin
17 Link on our staff has done a great job with the
18 employee recognition program. And I would echo
19 what the Secretary of State's office says, we
20 have -- our employees are second to none of any of
21 the employees anywhere in the State of Ohio. So I
22 think this employee recognition program is well
23 deserved and I'm going to let Aaron Sellers speak
24 to it.

25 MR. SELLERS: Good afternoon,

1 members of the Board.

2 As a member of the employee
3 recognition committee I've been asked to speak to
4 you regarding the request in front of you today.
5 Last year the Director and Deputy Director had a
6 vision to create an employee recognition program
7 which you have graciously funded allowing us to
8 hold events throughout this year to build office
9 camaraderie, including events to show appreciation
10 for all the good things done by Board staff, both
11 seasonal and full time.

12 To give you an example, we had an
13 event a couple of weeks ago. It was a pop-up
14 grab-and-go breakfast in celebration of the first
15 week of spring. And anytime you have free food
16 around here and coffee and drinks, it was certainly
17 well attended. The Director and Deputy Director
18 can attest to that.

19 Another component of that employee
20 recognition committee was to create an employee of
21 the month program that is voted by office peers.
22 To date four staff members have been voted on as
23 employee of the month. As a benefit of being
24 selected by your peers as employee of the month we
25 are asking for your approval to allow winners of

1 that to have eight hours of personal time to show
2 our appreciation for the great work that they've
3 done.

4 I'd be happy to answer any questions
5 that you might have.

6 CHAIRMAN PREISSE: I have expressed
7 an interest in how the employee of the month is
8 selected, but you've got a working committee that's
9 been in existence. Is that right?

10 MR. SELLERS: Yeah. So what we do
11 is we have a week's worth of voting that all
12 members of the board vote on. Then we have a
13 ranking system, there's a point valuation, and what
14 we do is we add up to see who the winner was and
15 then the board -- the committee meets and votes on
16 the winner and then it's filtered up to the
17 Director and Deputy Director prior to announcement.

18 CHAIRMAN PREISSE: Okay.

19 MR. JAFFE: If there's no other
20 questions, I move that as part of the employee
21 recognition program the recognized employee of the
22 month be awarded eight hours of personal leave, use
23 of the eight hours of personal leave must be
24 pre-approved by employee's manager and must be used
25 within six months of the time of the award.

1 Additionally, an employee can only be selected as
2 employee of the month once during a calendar year.

3 MEMBER SEXTON: Second.

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

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

8 (Vote taken.)

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

11 (No response.)

12 DEPUTY DIRECTOR PAYNE: Motion
13 carries.

14 The next item on the agenda is the
15 federal inventory and equipment policy, and I'll
16 turn that over to our Director, Antone White, for
17 an explanation.

18 DIRECTOR WHITE: Thank you, David.
19 Good afternoon, Board members.

20 As part of your Board packet you
21 have a federal grant award equipment policy for
22 which we are seeking approval. The purpose of this
23 policy is to set forth procedures, properly track
24 equipment purchased through federal grant funding.
25 Equipment with a useful life of more than one year

1 and a per-unit acquisition cost of \$5,000 must be
2 included in this inventory.

3 This policy comes before you today
4 as part of a recent review conducted by the Ohio
5 Secretary of State of HAVA and CARES Act
6 expenditures our office made during the 2020
7 election. The Secretary of State determined that
8 our policies and procedures relevant to the
9 management and inventory of equipment purchased
10 with federal grant funding such as CARES Act and
11 HAVA Act funding do not meet all federal
12 requirements in accordance with federal regulations
13 as described in 2 C.F.R., 200.313 for the
14 management of this type of equipment used for --
15 used with federal grant dollars. The Secretary of
16 State provided us with a suggested policy template
17 which Board staff then tweaked and then we sent
18 that policy to the prosecutor's office for review.
19 The prosecutor's office has reviewed and approved
20 the policy that you have before you to form. And
21 pending any questions, I would ask for adoption
22 today.

23 MEMBER JAFFE: I have a question.
24 Thank you for providing the list of things that
25 we -- currently are subject to this policy. I see

1 some of this is network equipment, which I believe
2 is separately required to be tracked by the
3 Secretary of State's policy on inventory
4 management --

5 DIRECTOR WHITE: Correct.

6 MEMBER JAFFE: -- working on that
7 last year. Are we using the Tenex inventory system
8 to do all this tracking or how does that work?

9 DIRECTOR WHITE: That is correct.
10 So our IT director, Jeff Gatwood, has advised us
11 that we can use our Tenex management system and
12 then within that there's a module which is the
13 inventory tracker. So we track everything through
14 that module. And so all the required notes for
15 items that we purchased with federal funding, we
16 can use the notes section within the inventory
17 tracker to track and document all the proper
18 requirements that we have to document under federal
19 regulation.

20 MR. JAFFE: Okay

21 MEMBER SEXTON: Mr. Chairman, I move
22 the Board adopt a federal inventory and asset
23 management policy that requires the Board of
24 Elections to maintain proper and accurate inventory
25 records of equipment purchased with federal CARES

1 and HAVA funds.

2 CHAIRMAN PREISSE: I second the
3 motion.

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

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

8 (Vote taken.)

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

11 (No response.)

12 DEPUTY DIRECTOR PAYNE: Motion
13 carries.

14 The next item --

15 DIRECTOR WHITE: Thank you, Board.
16 We'll have you sign off on that policy before we
17 leave today. Thank you.

18 CHAIRMAN PREISSE: Thank you,
19 Antone.

20 DEPUTY DIRECTOR PAYNE: The next
21 item on the agenda is the hiring of Early Vote
22 Center managers. And I'll turn it over to Matt
23 Kelly who is in charge of the Early Vote Center as
24 well as our absentee department.

25 MR. KELLY: Members of the Board,

1 I'm here today to request that we hire a Democratic
2 manager and Republican manager for the Early Vote
3 Center. We're requesting a 32-day contract at a
4 day rate of \$312.50 a day. Heather Poff would be
5 the Republican manager. Her background includes
6 being a voting location manager at one of the
7 larger locations around the county. I forget the
8 exact name of her location, but it's one of the
9 larger ones. She also has served as a precinct
10 election official seasonal employee for the past
11 several years and she has been very interested in
12 the position and she's already read the background
13 materials and she is ready to go as the Republican
14 manager.

15 Christopher Cooper would be the
16 Democratic manager. Chris Cooper I think you
17 probably all have seen him before. He's been out
18 at our front desk serving as our customer service
19 representative. Chris Cooper also served at the
20 absentee phone center, an absentee phone center
21 worker, in prior elections and is a recent graduate
22 of Ohio State University.

23 Both managers would be responsible
24 for the setup of the Early Vote Center. That means
25 all the decorations, all of the tables and chairs

1 and the poll pads as well as the logic and accuracy
2 testing and the day-to-day management, opening and
3 closing, of the Early Vote Center, nightly audits,
4 and eventually tear-down of the Early Vote Center
5 once we close on election day. So I ask for
6 approval of the hiring of Heather Poff as the
7 Republican manager and Christopher Cooper as the
8 Democratic manager.

9 MEMBER MARINELLO: Mr. Chairman, I
10 move the Board authorize the Director and Deputy
11 Director to hire a Republican manager, Heather
12 Poff, and a Democratic manager, Chris Cooper, to
13 manage the Early Vote Center located at 1700 Morse
14 Road, Columbus, Ohio, at a daily rate of \$312.50,
15 an amount not to exceed \$10,000. The date of hire
16 will be March 8, 2022 and the end date will be May
17 4, 2022.

18 CHAIRMAN PREISSE: Second the
19 motion.

20 DEPUTY DIRECTOR PAYNE: It's been
21 properly moved and seconded.

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

24 (Vote taken.)

25 DEPUTY DIRECTOR PAYNE: All opposed,

1 same sign.

2 (No response.)

3 DEPUTY DIRECTOR PAYNE: Motion
4 carries.

5 The next item on the agenda is
6 candidate petitions. You'll remember at a previous
7 meeting that this Board certified candidates for
8 the House, the Senate, and State Committee, and in
9 some cases we rejected the certification of members
10 of the House, Senate, and State Committee. After
11 that meeting there was a directive from the Ohio
12 Secretary of State, Directive 2022-31, that
13 required us at this meeting to acknowledge that
14 those certifications and rejections are null and
15 void for the Ohio House, the Ohio Senate, and State
16 Committee. We ran the wording by the prosecutor's
17 office and I think the motion reflects what the
18 prosecutor's office suggested we do in this regard.

19 I don't know, Jeanine, if you want
20 to -- have any other --

21 MS. HUMMER: No. We actually
22 reviewed the directive and compiled this motion
23 that's before you. And we just will wait and see
24 what happens next.

25 MR. JAFFE: So am I correct that we

1 must do this?

2 MS. HUMMER: Well, we believe that
3 you have to do this in order to formalize the
4 actions you previously took already.

5 MR. JAFFE: Okay. Doesn't seem like
6 there's much room for discussion on that.

7 So in accordance with Directive
8 2022-31, I move that we acknowledge by operation of
9 law that the Board's decisions to certify or reject
10 candidates' petitions for Ohio House, Ohio Senate,
11 or State Committee for the May 3rd, 2022 Primary
12 Election are hereby null and void.

13 MEMBER MARINELLO: Second.

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

16 All those in favor of the motion
17 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 I don't see anything else on the
25 agenda.

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CHAIRMAN PREISSE: Move to adjourn.

MEMBER MARINELLO: Second.

DEPUTY DIRECTOR PAYNE: It's been moved and seconded. We're adjourned.

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Thereupon, the proceedings were adjourned at approximately 3:27 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 27th day of April, 2022.

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

My Commission Expires: September 29, 2026.

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