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FRANKLIN COUNTY BOARD OF ELECTIONS
REGULAR MEETING
1700 Morse Road
Columbus, Ohio 43229

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Monday, November 18, 2024
2:00 p.m.

- - -

- BEFORE:
- Douglas J. Preisse, Chairman
- Meredith Freedhoff
- Michael E. Sexton
- Kimberly E. Marinello
- Anton White, Director
- David Payne, Deputy Director
- Erin Gibbons, Executive Manager

- - -

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1 APPEARANCES:

2 ON BEHALF OF THE FRANKLIN COUNTY BOARD OF
3 ELECTIONS:

4

G. Gary Tyack, Esquire
Franklin County Prosecutor
By: Jeanine Hummer, Esquire
Assistant County Prosecutor
and

5

Brian Zagrocki, Esquire
Assistant County Prosecutor
373 South High Street
Columbus, Ohio 43215
(614) 525-3555

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9 ALSO PRESENT:

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Travis Simmons
Sara Ziemba
Carla Patton

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1 DEPUTY DIRECTOR PAYNE: Looks like
2 we have a quorum, but I will go ahead and take
3 roll. Kim Marinello?

4 MEMBER MARINELLO: Here.

5 DEPUTY DIRECTOR PAYNE: Mike Sexton?

6 MEMBER SEXTON: Here.

7 DEPUTY DIRECTOR PREISSE: Doug
8 Preisse?

9 And Meredith Freedhoff?

10 MEMBER FREEDHOFF: Here.

11 DEPUTY DIRECTOR PAYNE: We do have a
12 quorum. We will probably need to elect a temporary
13 Chairman being as Doug Preisse is not here.

14 Does someone want to make a motion
15 to make somebody a temporary Chair?

16 MEMBER SEXTON: I would move that
17 Meredith Freedhoff is Chair today.

18 DEPUTY DIRECTOR PAYNE: He pulled a
19 quick one on you.

20 MEMBER MARINELLO: I second that.

21 MEMBER FREEDHOFF: Thanks, guys.

22 DEPUTY DIRECTOR PAYNE: It's been
23 properly moved and seconded. All of those in favor
24 of the motion, signify by saying aye.

1 (All members of the Board voted unanimously by
2 saying aye.)

3 DEPUTY DIRECTOR PAYNE: All opposed
4 same sign.

5 Motion carries.

6 The first item on the agenda is the
7 approval of minutes from the November 4, 2024
8 regular meeting.

9 I think everybody received the
10 minutes in the mail. I don't know if there are
11 changes or deletions.

12 MEMBER FREEDHOFF: I move that the
13 Board approve the minutes from the November 4, 2024
14 regular meeting of the Franklin County Board of
15 Elections as submitted.

16 MEMBER SEXTON: Michael Sexton, I'll
17 second.

18 DEPUTY DIRECTOR PAYNE: It's been
19 properly moved and seconded. All of those in favor
20 of the motion signify by saying aye.

21 (All members of the Board voted unanimously by
22 saying aye.)

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

1 Motion carries.

2 The next item on the agenda is
3 provisional ballots, and I'll call on Travis
4 Simmons, the manager of voter services to give us
5 an overview; and then I think we'll turn it over to
6 Sara Ziemba for the remainder.

7 MR. SIMMONS: Good afternoon. I'm
8 Travis Simmons. I'm manager of the voter services
9 department. I wanted to give a brief overview of
10 the steps that we take to process provisional
11 ballots before the supervisor of my department,
12 Sara Ziemba, gives a very detailed presentation of
13 our provisional exhibit for the November 5, 2024
14 General Election.

15 She will present this for the
16 approval, rejection and consideration of
17 provisional ballots for the November 5 election.

18 We began this process thinking that
19 we were going to have 30 to 35 thousand provisional
20 ballots. Luckily, we did not have that much; but
21 in lieu of that, we staffed up with approximately
22 100 people to help us process the provisional
23 ballots for this election because we had an
24 expedited certification period that we needed to

1 process these provisional ballots before
2 certification.

3 So with that, approximately 100
4 people, those people were broken down into
5 bipartisan processing teams, quality control unit
6 in our county to county provisional team as well.

7 So it was all hands on deck process
8 with help from almost every department here at the
9 Board of Elections; and as always, we appreciate
10 the assistance that we received from our employees
11 and managers here at the Board of Elections.

12 Early voting began on October
13 the 8th and staff processed most of the
14 approximately 4,100 early provisional ballots
15 before November 6, which is the day after the
16 election.

17 As you know, every election night
18 our staff intakes and counts the Election Day
19 provisional ballots from the poll locations -- from
20 the voting locations, I should say.

21 There were 302 voting locations for
22 this November General Election, and we collected
23 approximately 15,500 Election Day provisional
24 ballots that we then processed beginning on the

1 next day, which was November the 6th.

2 After Election Day, we got here
3 bright and early on November the 6th, and our team
4 recounted the provisional ballots from the
5 preliminary count from the election night on
6 November the 5th, and we began processing the
7 15,000 plus Election Day provisional ballots that
8 afternoon on November the 6th.

9 35 bipartisan processing teams
10 processed these ballots. Those teams consisted of
11 our full time staff in the voter services
12 department, our seasonal staff, our PEO trainers,
13 voting location managers, absentee seasonal
14 employees and staff from the early vote center
15 along with additional full-time staff of the
16 departments.

17 Our staff completed processing the
18 Election Day provisional ballots in less than five
19 full days of work. We spent the remaining three
20 days last week, Wednesday, Thursday and Friday and
21 today verifying the processing of the provisional
22 ballots and the counts to ensure accuracy.

23 I wanted to give a special thanks
24 out to our county team, which is led by Joel Thomas

1 Marusek, along with Devyn Hicks and Xali Oxenreider
2 for their hard work in processing the county to
3 county provisional ballots, and also a special
4 shout-out to Debbie Curry who really went above and
5 beyond the call of duty to help us in all aspects
6 before the process of original ballots, and we were
7 in the room processing the provisional ballots, and
8 she's now coordinating -- once the Board approves
9 the provisional ballots for this election, she will
10 be spearheading our efforts to extract provisional
11 ballots. So I want to give her a shout-out as
12 well.

13 So I don't want to take up any more
14 time. I want to give Sara enough time so she can
15 go through her presentation of her exhibit, but I
16 also wanted to give Sara a shout-out real quickly.
17 Sara spearheads our provisional ballot processing
18 every election, and she's thorough and is thorough
19 as can be and makes sure that we stay on task and
20 that we're following all of the proper procedures
21 with respect to the provisional ballot process.

22 So now I'll turn it over to Sara
23 Ziemba, our supervisor of Voter Services
24 Department.

1 DEPUTY WHITE: Thank you, Travis.

2 MS. ZIEMBA: Good afternoon,
3 everyone. Like Travis said, I'm Sara Ziemba, the
4 supervisor of the Voter Services Department, and I
5 have to echo Travis' statements about our staff who
6 worked so hard to get this done in, like, five
7 days.

8 My first election in this department
9 was 2020, which was a complete situation in and of
10 itself. I can just say this is night and day
11 compared to that, and a lot of it has to do with
12 Travis. He is a fantastic leader for the
13 department, and he recruited a great staff for us.
14 So I'm really proud of him. This is his first
15 Presidential Election in this department, and I
16 think that as a team, we had a great experience;
17 and I'm just really proud of everybody involved. I
18 wanted to say that before I get started. Thank you
19 for listening.

20 MEMBER FREEDHOFF: Of course. Thank
21 you.

22 MS. ZIEMBA: Like Travis said, we
23 worked in bipartisan processing team to determine
24 if each provisional ballot cast in the early vote

1 center and on Election Day, if we should take that
2 to Board for approval or rejection. And,
3 generally, in order for a ballot to be considered
4 eligible to be approved, the voter must meet two
5 conditions and include five required pieces of
6 information on their provisional affirmation
7 statement.

8 The two conditions that must be met
9 are the voter has to be registered in the State of
10 Ohio at least 30 days before the election, and they
11 can't have cast another ballot for the given
12 election. Those are the two conditions.

13 And then the five required pieces of
14 information that every voter has to provide are
15 their name, a valid residential address in Franklin
16 County; their date of birth, photo identification,
17 which includes an Ohio driver's license or state
18 ID, US military or veteran's ID card or their US
19 passport or passport cards. They have to include a
20 photo ID, and they also have to sign their
21 affirmation statement. As long as those two
22 conditions and the five pieces of information are
23 on the affirmation statement, we are able to bring
24 those to the Board today for approval.

1 And so of the 19 some thousand
2 provisional ballots that were cast during this
3 election period, voter services is happy to report
4 that 15,282 provisional ballots had voters who were
5 registered, did not cast another ballot, and
6 provided all five pieces of information on their
7 affirmation statements.

8 And so, therefore, voter services
9 would recommend that the Board approve 15,282
10 provisional ballots for the November 5, 2024,
11 General Election.

12 If there's any questions about the
13 approval, the process by which we go about
14 approving ballots or questions about the 15,282
15 that we recommend to approve today, I'm happy to
16 answer questions about those now.

17 DEPUTY DIRECTOR PAYNE: Again, so
18 again, Sara, would be looking for a motion to
19 approve 15,282 provisional ballots?

20 MS. ZIEMBA: That's right.

21 MEMBER MARINELLO: If there are no
22 questions, I move the Board approve the counting of
23 15,285 provisional ballots and that all provisional
24 ballots deemed valid will be counted and included

1 in the official canvass results for the November 5,
2 2024 General Election.

3 MEMBER FREEDHOFF: I second.

4 DEPUTY DIRECTOR PAYNE: It's been
5 properly moved and seconded. All of those in favor
6 of the motion signify by saying aye.

7 (All members of the Board voted unanimously by
8 saying aye.)

9 DEPUTY DIRECTOR PAYNE: All opposed
10 same sign.

11 Motion carries.

12 MS. ZIEMBA: And I think, if we are
13 able, could we have a motion to allow our team to
14 start to extract those 15,000 ballots?

15 DEPUTY DIRECTOR PAYNE: We can
16 certainly do that. Do you want to go over the --
17 do you want to do that before the --

18 MS. ZIEMBA: If we can, that would
19 be helpful.

20 DEPUTY DIRECTOR PAYNE: Okay. On
21 the second page, I think would be -- extraction at
22 the top there.

23 MEMBER FREEDHOFF: I move that the
24 Board authorize the staff to extract the approved

1 provisional ballots.

2 MEMBER MARINELLO: Second.

3 DEPUTY DIRECTOR PAYNE: It's been
4 properly moved and seconded. All of those in favor
5 of the motion, signify by saying aye.

6 (All members of the Board voted unanimously by
7 saying aye.)

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

10 Motion carries. So we have a team
11 back in the L Room?

12 MS. ZIEMBA: In the Ohio Room, we
13 have about 100 people back there raring to go open
14 up these ballots and get them scanned and counted
15 for the official certification on Wednesday. So
16 thank you. I apologize for skipping ahead, but I
17 thank you for doing that.

18 And, now, I will go through and go
19 in detail on the various provisionals that we are
20 going to recommend that the Board reject today.

21 Generally, in Ohio, like I said, you
22 have to be registered to vote 30 days before the
23 election. You can't have cast another ballot for
24 the given election, and you have to provide five

1 required pieces of information on your affirmation
2 statement when you cast your provisional.

3 And any -- the failure to meet
4 either criteria or provide either of the five
5 required pieces of information in itself is alone
6 enough for the Board to reject that provisional
7 ballot. And, in fact, the Board must reject those
8 provisional ballots.

9 If the voter does not meet either of
10 those two criteria, or if they fail to provide one
11 of the five required pieces of information, and
12 therefore, we have a total of 4,275 provisional
13 ballots that voter services is going to recommend
14 that the Board reject today for various
15 deficiencies either in the two criteria or one of
16 the five required pieces of information, and in
17 each of those cases, you can follow along on your
18 exhibit there, that will give a detailed -- a line
19 item for each of the reasons for rejection.

20 So the first one that we have are
21 2,821 provisional ballots that we're going to
22 recommend to be rejected because the voter was not
23 registered in the State of Ohio 30 days prior to
24 the election.

1 When we are evaluating provisional
2 ballots, our bipartisan teams will perform three
3 searches in the Franklin County database to try to
4 find the voter and then they will perform three
5 searches of the state database, which is the
6 Secretary of State's statewide database of the
7 voter in the whole State of Ohio.

8 And so after six searches, if our
9 first pair can't find the voter's registration
10 anywhere, it gets shuffled on to our rejection
11 review team and another six searches are performed
12 just to be sure that we cannot find the voter
13 anywhere in the State of Ohio or in Franklin
14 County.

15 And after we've done, some cases, 12
16 plus searches for these voters, unfortunately, the
17 2,821 that fall into this category were not
18 registered in the State of Ohio before the
19 election; and, therefore, were ineligible to have
20 their ballot counted this time.

21 There is a little bit of bright
22 lining on this in that the provisional affirmation
23 statement, the front of the envelope is also a
24 registration form, and so in the two weeks

1 following this meeting today, our staff is going to
2 use that as a registration form to get all of these
3 people who are not registered, registered to vote
4 so that they'll be ready to go for the next
5 election that they appear to vote in.

6 And so, again, because they are not
7 registered anywhere in the State, we recommend that
8 the Board reject those 2,821 voters for not being
9 registered and failing to meet that one criteria in
10 order to have a valid ballot.

11 MEMBER FREEDHOFF: Sara, can I ask
12 you a question?

13 MS. ZIEMBA: Yes, absolutely.

14 MEMBER FREEDHOFF: So if they're not
15 registered in our state, and they're still
16 registered in another state, will you still --
17 those won't be -- that registration form won't be
18 discarded?

19 MS. ZIEMBA: No. The
20 registration -- even if they're not -- if they're
21 registered in another state, we typically don't
22 know unless they've written that on there. And in
23 this case still every front of the provisional is
24 still a registration for our state. So they will

1 all be registered here in Franklin County following
2 the election.

3 MEMBER FREEDHOFF: Even if they
4 don't live in the state?

5 MS. ZIEMBA: If they have given
6 valid information on there.

7 MEMBER FREEDHOFF: Okay.

8 MS. ZIEMBA: So, typically, if
9 they've moved from another state and now voted
10 here, we would have put their Franklin County
11 address on the envelope, and so, we'll register
12 them there.

13 MEMBER FREEDHOFF: Thank you.

14 MS. ZIEMBA: Yep. The next
15 category that we have are 142 provisional ballots
16 that we will recommend that the Board reject
17 because the voter cast their ballot in the wrong
18 location and the wrong precinct. The way we
19 evaluate this is the address the voter provides on
20 their envelope is put into our database, and the
21 database will tell us where the voter should have
22 cast their ballot, the location, the precinct, and
23 the ballot style they should have voted.

24 In these 142 cases, when we put the

1 voters address that was given to us in the envelope
2 into our database, the voter was meant to have
3 voted in another location than where they cast
4 their ballot.

5 So these 142 voters for some reason
6 or other decided to vote in the wrong location for
7 their current address; and, therefore, they didn't
8 vote the correct ballot, didn't vote in the right
9 location and precinct. Therefore, we are required
10 to recommend those be rejected by the Board today.

11 Usually, this is a case where a
12 voter comes in at the end of the night and the poll
13 worker will tell them you need to go to this
14 location. And they say, "I don't have time. Let
15 me vote here." And so the poll worker will always
16 give them a ballot and let them vote, but they also
17 inform the voter that if your ballot is not cast in
18 the correct location and precinct, then it will be
19 ineligible to be counted.

20 Some people just like the idea that
21 they voted, and so they still cast a ballot. We'll
22 still update their information based off their
23 registration based off the envelope; but,
24 unfortunately, because they voted in the wrong

1 location, they didn't get the right ballot;
2 therefore, they have to be rejected. Does that
3 make sense?

4 Then the next category that we have
5 are 89 voters who had another address issue. They
6 just provided an invalid address. So of these 89
7 voters, some of the addresses were left blank.
8 They forgot the street name or the house number.
9 So it wasn't -- we weren't able to find it in our
10 database.

11 A lot of these were actually voters
12 from other counties. Usually our surrounding
13 counties where they believed they lived in Franklin
14 County, they came in, gave an address, and it
15 actually turned out to be Licking County or
16 Delaware County. So we can't count those ballots
17 because, again, they should have voted in a
18 different location. But because the address was
19 invalid and was not found as valid in our database,
20 we recommend those 89 voters be rejected for that.

21 Sorry, I skipped over -- we also had
22 23 voters who failed to sign their envelope. So in
23 that case, they were missing one of the five
24 required pieces of information on the affirmation

1 statement, and those 23 voters, unfortunately,
2 because they did not sign it, they lacked one of
3 the required fields; and so, therefore, the Board
4 is also recommended to reject those 23.

5 Now, up to category missing or
6 mismatched ID. There were 900 provisional ballots
7 that fell into this category. Of these 900 voters,
8 they failed to provide any form of valid photo
9 identification at the time they cast their ballot.
10 In addition, they failed to come to the Board of
11 Elections in the four days following the election
12 to show us valid identification. And, therefore,
13 because they missed one of the five required pieces
14 of information, unfortunately, we have to recommend
15 that the Board reject those 900 ballots.

16 I will say that every provisional
17 voter who cast a ballot in Franklin County either
18 at the polls or early vote center is given a
19 provisional notice that has a hotline number, and
20 it has information on how to cure their ballot if
21 they did not provide valid photo identification at
22 the time of their vote.

23 So that notice informs them that
24 they should come to the Board of Elections the four

1 days following, so that's Wednesday, Thursday,
2 Friday or Saturday to show valid photo ID. If they
3 don't, then it informs them that their vote may not
4 be counted for lacking one of the five pieces of
5 required information.

6 So while 900 voters did not bring a
7 piece of ID to show us, the good news is that we
8 had the most of any that I've ever seen since I've
9 been in this department come in and successfully
10 cure. We had 98 people actually come in. So I
11 thought that was pretty successful as far as
12 provisional cures go for our county.

13 So there were 98 people who
14 successfully cured; and, unfortunately, 900 voters
15 did not come and bring in valid identification.

16 Any questions?

17 MEMBER SEXTON: Just a question,
18 what is -- what is a mismatched ID?

19 MS. ZIEMBA: Okay. So the
20 information on the provisional envelope has to
21 match what is in our registration database for the
22 voter. So in the case of a mismatch, usually,
23 there are two driver's license numbers on an ID.
24 There's the two letters and six digits and then

1 there's also like an issued ID number that got one
2 letter and, like, ten digits, I think. So
3 sometimes they mistakenly put that issued ID number
4 instead of their actual driver's license number.

5 And even though it says on the form,
6 2 letters, six digits, sometimes they will put that
7 other number and unfortunately those are the
8 majority of the mismatches where they've not put
9 the number that matches what's in our system. And
10 so, unfortunately, the law says it has to match the
11 ID for what we have on their registration. So
12 that's usually the mismatch.

13 MEMBER SEXTON: Does that happen
14 with Social Security numbers as well, the last
15 four?

16 MS. ZIEMBA: Well, with Social
17 Security numbers now because photo ID is required,
18 a Social Security number is just a recommended
19 piece of information. So if someone puts their
20 Social Security number, and it doesn't match, we'll
21 send a letter to confirm afterwards; but we can't
22 use Social Security numbers to form our decision to
23 count or to approve or reject a ballot because the
24 law now after the passage of House Bill 458

1 requires photo ID. Any other questions on that
2 one?

3 All right. The next category that
4 we have on there are 77 ballots that we would
5 recommend to be rejected because the voter already
6 had voting history for this given -- the November 5
7 General Election in some other manner than the
8 provisional ballot. So in this case we had 54
9 voters who had a returned -- a valid returned
10 absentee ballot. So that means they voted a
11 provisional ballot as a safeguard in case we didn't
12 receive their absentee ballot in time. It's pretty
13 typical for people to do that. We also had 20
14 voters who casted ballots at the early vote center,
15 and then cast an additional provisional ballot at
16 the polls on Election Day. We'll have to do some
17 research as to why -- contacting those voter to ask
18 why did they cast a second ballot. So I can't give
19 you a reason for why that happened, just the
20 numbers today.

21 And then we had three voters who
22 voted one time on the voting machines at the voting
23 location on Election Day and then also cast a
24 provisional ballot. So in that case, we will also

1 be contacting the voters to try to ascertain as to
2 why did they vote twice on Election Day.

3 CHAIRMAN PREISSE: How many was
4 that?

5 MS. ZIEMBA: Three.

6 CHAIRMAN PREISSE: And what is the
7 likely circumstance of how they did that?

8 MS. ZIEMBA: Right now I can't tell.
9 They could have voted -- a couple of times -- I
10 actually I can give you a theory. I have to do
11 more research. But if a voter goes to vote at the
12 location for their current address, and they --
13 because they moved, their registration was at an
14 old address, they voted a provisional where their
15 new address and then they think to themselves, "I
16 know they know me at my old location. I'm going to
17 go vote there."

18 And I think that's probably what
19 happened, but we won't know until we talk to the
20 voters.

21 CHAIRMAN PREISSE: Okay.

22 MS. ZIEMBA: Yeah. In all cases
23 like that, except for the ones where they voted a
24 valid absentee return, those are pretty typical for

1 people to vote a provisional just as a safeguard.

2 The 20 who voted in the early vote
3 center and cast a provisional, then the three who
4 voted twice on Election Day will definitely be
5 interviewed by our staff following the election,
6 and we'll give a report to the directors and the
7 Board of the findings of that at a later date.

8 So that was 77 who we would
9 recommend that the Board reject their ballot
10 because they had another vote already cast.

11 The next category we have are 219
12 ballots where the date of birth was missing from
13 the envelope. And this is another case where the
14 voter failed to provide one of the five required
15 pieces of information, and so we recommend that the
16 Board reject those 219 ballots for failure to
17 provide all of the required information.

18 And the last category for rejection
19 are four ballots where there was no ballot in the
20 envelope. In the majority of these cases, the
21 voter -- it appeared there was an error at the
22 polls where the provisional voter put their ballot
23 through the ballot counter when it should have
24 stayed in the envelope. And so because their

1 ballot already went through the counter, it's not
2 in the envelope to be counted. So we would
3 recommend the Board reject those four.

4 And if there aren't any questions,
5 then the total number for rejections are 4,275
6 ballots that we would recommend that the Board move
7 to reject for the critical deficiencies that we
8 just went over.

9 MEMBER SEXTON: So just a question
10 on the no ballot in the envelope, if I do that, the
11 vote is counted -- is the voted counted?

12 MS. ZIEMBA: Once it goes in the
13 counter, it's in there. Yep.

14 MEMBER SEXTON: Okay. Then if
15 it's -- then do we reject it afterwards when it's
16 not in the envelope or how --

17 MS. ZIEMBA: We would reject the
18 envelope because that would give them another
19 credit for, like, credit for voting when their
20 ballot has already gone through and been counted in
21 the Election Day totals, which is why we would
22 reject the provisional.

23 MEMBER SEXTON: And on -- just for
24 my knowledge, on the date of birth missing, you

1 have 219 here, and then kind of below the
2 recommended to reject line, you had 57 for our
3 review --

4 MS. ZIEMBA: Yes.

5 MEMBER SEXTON: -- which I assume
6 we'll do next week. I'm just wondering what the --

7 MS. ZIEMBA: Okay. Yeah, of course.
8 So the difference between those two, if the date of
9 birth is missing, or the voter just left the field
10 blank; unfortunately, there's no recourse for the
11 Board to still possibly approve those ballots; and
12 so, therefore, they're just missing one of the
13 required pieces of information.

14 In the case of the 57 that you're
15 able to review and possibly approve, the voter has
16 at least attempted to put a date of birth, and
17 because of that, there's an exception in Ohio law
18 that will allow you to overrule that mismatch of
19 their birthday by a vote of three out of four Board
20 members.

21 MEMBER SEXTON: Because some people
22 put the Election Day or something --

23 MS. ZIEMBA: Yes, exactly right.

24 MEMBER SEXTON: Seems logical to

1 them when they're not paying attention.

2 MS. ZIEMBA: Right. Exactly. So
3 that's the difference. The difference in one case
4 they try -- the voter attempted to put a birthday
5 there; and then in the case of the 219, it was just
6 a completely blank field.

7 MEMBER SEXTON: Thank you.

8 DEPUTY DIRECTOR PAYNE: Sara, can
9 you mention to the Board on the no ballot in the
10 envelope, if we haven't opened it, how we know
11 there is not a ballot in there?

12 MS. ZIEMBA: Yes. Sometimes the
13 voter -- or the poll worker, voter left a helpful
14 note for us on there that says "voter put ballot in
15 counter." And so then we could see there's no
16 ballot in there.

17 There are also holes in the
18 envelopes where you can see if a paper is folded up
19 in there; and so when you're holding it, you can
20 tell that it's just an empty envelope.

21 DEPUTY DIRECTOR PAYNE: Thank you.

22 MS. ZIEMBA: And if there's no more
23 questions, again, we would recommend that Board
24 move to reject 4,275 provisional ballots for

1 deficiencies.

2 MEMBER SEXTON: Mr. Chairman, if
3 there no further questions, Mike Sexton, I move the
4 Board reject the counting of 4,275 provisional
5 ballots as identified by category in Exhibit A that
6 all provisional ballots rejected will not be
7 counted or included in the official canvass results
8 for the November 5, 2024 General Election.

9 CHAIRMAN PREISSE: Doug Preisse,
10 second the motion.

11 DEPUTY DIRECTOR PAYNE: It's been
12 properly moved and seconded. All of those in favor
13 of the motion, signify by saying aye.
14 (All members of the Board voted unanimously by
15 saying aye.)

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

18 Motion carries.

19 The next item on the agenda would be
20 provisional ballots for Board review, and I guess
21 Sara is still up there.

22 MS. ZIEMBA: I'm almost done. Thank
23 goodness. So the last one that we have here are 57
24 provisional ballots where the voter has met all of

1 the two criteria. They are registered. They have
2 not cast another ballot, and they've provided all
3 of the other required information. So their name,
4 valid address, ID and signature, they just had a
5 discrepancy in their date of birth. And of the 57,
6 we had 34 of them who wrote some sort of iteration
7 of 2024 as their date of birth, and then there were
8 23 those who transposed or had a mismatch in the
9 day and month and year of their birth.

10 And in this case, the Board has the
11 power to vote to accept or reject these provisional
12 ballots as a group or individually in accordance
13 with the following direction from Ohio Revised Code
14 3505.

15 I'll just read this for everyone's
16 clarification here. The exception is if the
17 affirmation statement contains the voter's date of
18 birth, but the month and day are different from the
19 month and day in the statewide voter registration
20 database, the Board must reject the provisional
21 ballot unless the voter's date of birth in the
22 database is 1-1-1800 or the Board of Elections
23 finds by a vote of at least three of its members
24 that the voter has met all of the other

1 requirements of the division.

2 So I have the ballots here. There
3 are quite a few of them. If you would like to look
4 at them, you can. But like I said, there are 34
5 that have some sort of variation of Election Day or
6 2024 as their date of birth, and then the other 23
7 had just -- they transposed a day or a month or a
8 year on their date of birth.

9 CHAIRMAN PREISSE: So you're
10 attesting that these 57 --

11 MS. ZIEMBA: And they met all of the
12 other requirements.

13 CHAIRMAN PREISSE: And there was
14 attempt --

15 MS. ZIEMBA: Attempt at a birthday,
16 yes.

17 CHAIRMAN PREISSE: And you just read
18 us the --

19 MS. ZIEMBA: Yes.

20 CHAIRMAN PREISSE: That's
21 satisfactory for me, but, obviously, all members
22 can look at these ballots, if they wish.

23 MS. ZIEMBA: Yes. It is within your
24 power to accept or reject as a group or

1 individually those 57 ballots by a group of three
2 or more.

3 And I will say that the ones -- all
4 of these ballots following the election where
5 there's been a discrepancy on the date of birth or
6 any information on there, we will contact the
7 voters via letter to make sure that we get a
8 correct date of birth or ID to make sure going
9 forward that the voters file and record is correct
10 in our database.

11 CHAIRMAN PREISSE: The law says you
12 can't count them unless you want to.

13 MS. ZIEMBA: Exactly.

14 CHAIRMAN PREISSE: Bipartisan team
15 looked at these again and again and an attempt was
16 made by each of these voters to supply a date.

17 MEMBER FREEDHOFF: Sara, this one
18 has an expired ID.

19 MS. ZIEMBA: That one I think it
20 might have had that paper clipped to it. They
21 cured their ballot.

22 CHAIRMAN PREISSE: They what?

23 MS. ZIEMBA: They went and got their
24 new license and came in and cured it. That's what

1 the paper on the front is. So it was a cured Board
2 review.

3 MEMBER FREEDHOFF: Wonderful. Thank
4 you.

5 MEMBER SEXTON: Are these in the two
6 stacks? One was 24.

7 MS. ZIEMBA: Yes. One was a
8 mismatch the other way. There were two bundles.

9 MEMBER FREEDHOFF: So many people
10 were born on 11-5-2024.

11 MS. ZIEMBA: They were born on
12 11-5-2024.

13 MEMBER FREEDHOFF: They voted on
14 their birthday.

15 MEMBER SEXTON: So do we do the --
16 do we do the remake of the ballots first or do
17 we...

18 MS. ZIEMBA: I think the approval of
19 the 57 first.

20 MEMBER SEXTON: Mr. Chairman,
21 Michael Sexton, I would move that the Board approve
22 the 57 ballots that have been submitted to us for
23 approval.

24 CHAIRMAN PREISSE: And I second.

1 DEPUTY DIRECTOR PAYNE: It's been
2 properly moved and seconded. All of those in favor
3 of the motion, signify by saying aye.

4 (All members of the Board voted unanimously by
5 saying aye.)

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

8 Motion carries.

9 In some cases, when the folks are
10 opening these provisional ballots, there may be
11 ballots in there that are soiled, are ripped, that
12 won't run through our voting machines, and in the
13 past, we've given the Board authority to remake
14 these provisional ballots in bipartisan teams so
15 that they will actually run through the counters.
16 So if that's something that the Board would like to
17 do, we can entertain that.

18 MEMBER SEXTON: Mr. Chairman,
19 Michael Sexton, I move that the Board authorize the
20 staff to remake provisional ballots and that these
21 remade ballots shall be tabulated and included in
22 the official canvass of the results of the
23 November 5, 2024 General Election with a report to
24 be made to the Board later.

1 CHAIRMAN PREISSE: Second the
2 motion.

3 DEPUTY DIRECTOR PAYNE: It's been
4 properly moved and seconded. All of those in
5 favor, signify by saying aye.

6 (All members of the Board voted unanimously by
7 saying aye.)

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

10 Motion carries. Thank you.

11 MS. ZIEMBA: Thank you very much.

12 DEPUTY DIRECTOR PAYNE: Finally, I'm
13 going to call on Carla Patton who's the manager of
14 operations to go over the remaking of the unscanned
15 Election Day ballots.

16 MS. PATTON: Good afternoon. On
17 election night, we received in the curbside ballots
18 that are cast at the polls on Election Day, upon
19 extraction of those ballots and the scanning of
20 those to include in the unofficial canvass on
21 election night, we ran across a total of five
22 ballots that were ripped at the bottom where the
23 code channel was not present, and it deemed it
24 unscannable. Therefore, we're asking that you give

1 us the permission to remake those five Election Day
2 ballots to be included in the official canvass.

3 MEMBER MARINELLO: Mr. Chairman, I
4 move that the Board authorize the staff to remake
5 five unscanned Election Day ballots and that these
6 remade ballots shall be tabulated and included in
7 the official canvass of the results for the
8 November 5, 2024 General Election for the report to
9 be made to the Board later.

10 CHAIRMAN PREISSE: Second the
11 motion.

12 DEPUTY DIRECTOR PAYNE: It's been
13 properly moved and seconded. All of those in favor
14 of the motion signify by saying aye.

15 (All members of the Board voted unanimously by
16 saying aye.)

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

19 Motion carries.

20 DEPUTY DIRECTOR PAYNE: I don't see
21 anything else on the agenda. Other than to
22 announce that we'll have our next meeting to
23 certify this November 5 election on Wednesday,
24 November 20 at 9:00 a.m.

1 And at that time after
2 certification, we'll also be asking the Board to
3 approve an audit, which we are required to do,
4 which I believe will begin on December?

5 DIRECTOR WHITE: 4th.

6 DEPUTY DIRECTOR PAYNE: 4th. If
7 there's nothing else, I guess there will be a
8 motion to adjourn, and we'll see you again at
9 9:00 a.m. on Wednesday, the 20th.

10 CHAIRMAN PREISSE: Move to adjourn.

11 MEMBER MARINELLO: Second.

12 DEPUTY DIRECTOR PAYNE: Seeing no
13 objection, we're adjourned.

14 - - -

15 (Thereupon the meeting was adjourned at 2:40 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, Jeanine Fansler, Professional Reporter and Notary Public in and for the State of Ohio, do hereby certify that the foregoing is a true and accurate transcript of the proceedings hereinbefore set forth, as reported in stenotype by me and transcribed by me or under my supervision.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal of office at Columbus, Ohio, this 6th day of January, 2024.

/s/Jeanine Fansler
Notary Public, State of Ohio

My Commission Expires: November 28, 2028.