

FRANKLIN COUNTY BOARD OF ELECTIONS
280 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 462-3100

MINUTES OF THE MEETING ON

12/1/08

APPROVED ON

1/5/09

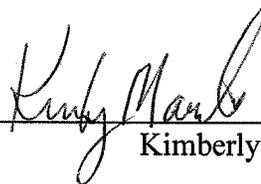
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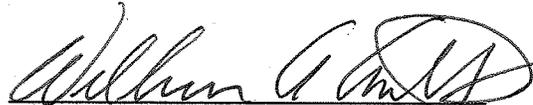
Douglas J. Preisse, Chairman



Michael F. Colley, Esq.

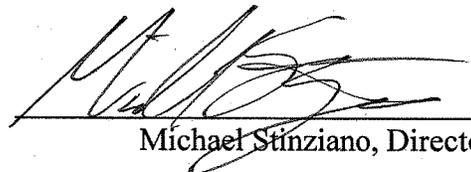


Kimberly E. Marinello



William A. Anthony Jr.

ATTEST:



Michael Stinziano, Director

1 ORIGINAL

2 BOARD MEETING

3 Regular meeting

4 DATE OF DELIVERY:

5 Franklin County Board of Elections
6 280 East Broad Street
7 Columbus, Ohio 43215
8 By Ms. Suzanne Brown

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10 SUZANNE BROWN

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1 APPEARANCES:

2 Franklin County Board of Elections
280 East Broad Street
3 Columbus, Ohio 43215
By Mr. Patrick Piccininni

4
5 On behalf of the Franklin County
Board of Elections.

6 ALSO PRESENT:

7 Michael Stinziano, Director
Matt Damschroder, Deputy Director
8 Ms. Suzanne Brown
Mr. Ben Piscitelli

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P R O C E E D I N G S
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DIRECTOR STINZIANO: The roll call?

CHAIRMAN PREISSE: Yeah.

(Roll call was taken.)

DIRECTOR STINZIANO: We are here for the regular scheduled meeting for the Franklin County Board of Elections. The first item on the agenda is approval of minutes. We have minutes from October 24th, November 1st, November 3rd, and November 14 submitted for the Board's approval.

MS. MARINELLO: Mr. Chairman, I move that the minutes of the Board meetings held on October 24th, 2008; November 1st, 2008; November 3rd, 2008; November 14th, 2008 be approved as submitted.

MR. COLLEY: Seconded.

(Board members in favor of the motion so indicated.)

DIRECTOR STINZIANO: None oppose.

Next item on the agenda is reimbursement of staff members for purchases. Mr. Fielder made three purchases in the amount of \$116. It's the

1 staff's recommendation that the Board approve
2 reimbursement for those purchases.

3 MR. COLLEY: This is a big one.

4 CHAIRMAN PREISSE: It is a big one.

5 MR. COLLEY: Mr. Chairman, I move that the
6 Board authorize the county auditor to reimburse
7 Harold Fielder in the amount of \$1.16, because he
8 was smarter than I thought -- \$116 -- for food
9 purchases.

10 CHAIRMAN PREISSE: I second the motion.

11 DIRECTOR STINZIANO: Are we going to do
12 roll call over?

13 (Roll call was taken.)

14 DIRECTOR STINZIANO: Motion carries.

15 The next item are, we have 14 challenges
16 of right to vote and correction of registration
17 list.

18 The first one was Norene Zeitler
19 challenged Theodore A. Stutz. There was an order of
20 DMV registration. The challenger states that
21 Mr. Stutz never lived at the address, 2548 Cranford
22 Road.

23 Mr. Stutz called the office and talked
24 with one of our employees. The employee corrected

1 the address that actually represent 2590 Cranford
2 Road.

3 So it is the staff's recommendation, since
4 we corrected the voter file, not to grant.

5 MR. COLLEY: Mr. Chairman, I second the
6 motion.

7 CHAIRMAN PREISSE: Okay. I object for the
8 record. Yeah, Kim, for the record, I guess we need
9 that.

10 MS. MARINELLO: Okay. I move the Board --

11 CHAIRMAN PREISSE: Read by Kim first.

12 MS. MARINELLO: -- Board deny the
13 challenge of right to vote and correction of
14 registration list filed by Norene E. Zeitler of 2548
15 Cranford Road, Columbus, Ohio 43221, against
16 Theodore A. Stutz of 2548 Cranford Road, Columbus,
17 Ohio 43221.

18 CHAIRMAN PREISSE: And now you can --

19 MR. COLLEY: Now I second that motion.

20 CHAIRMAN PREISSE: Okay. Good.

21 (Board members in favor of the motion so
22 indicated.)

23 DIRECTOR STINZIANO: The next one was
24 filed by Thomas Henry Lippold, III, against Samantha

1 L. Jones. Mr. Lippold, III, says that Samantha L.
2 Jones does not live at that address, nor does he
3 know her. It's his address.

4 It was a registration received on October
5 6th, '08, and she did not vote in the general
6 election.

7 The staff's recommendation is that we
8 cancel the registration, thus, granting the
9 challenge.

10 MS. MARINELLO: I move that the Board
11 grant the challenge of right to vote and correction
12 of registration list filed by Thomas Henry Lippold,
13 III, of 4727 Arthur Court, Columbus, Ohio, 43220,
14 against Samantha L. Jones of 4727 Arthur Court,
15 Columbus, Ohio, 43220, and order that Samantha L.
16 Jones's registration be immediately cancelled in
17 Franklin County, and her name stricken from the
18 registration list.

19 MR. COLLEY: Second.

20 CHAIRMAN PREISSE: All right.

21 (Board members in favor of the motion so
22 indicated.)

23 DIRECTOR STINZIANO: The third one we have
24 is by -- filed by Hannelore Irwin against Michelle

1 Irwin. There's a Secretary of State registration
2 received on 10-6-08.

3 Challenger states that she has owned the
4 house since 1971 and is currently vacant for sale.
5 The challenger says she does not know Michelle
6 Irwin, and Michelle Irwin did not vote in the
7 general election. Staff's recommendation is that we
8 cancel the registration.

9 MS. MARINELLO: Mr. Chairman, I move that
10 the Board grant the challenge of right to vote and
11 correction of registration list filed by Hannelore
12 Irwin of 12488 Rosetta Lane, Baltimore, Ohio 43105,
13 against Michelle W. Irwin, purportedly of 1364 South
14 Weyant Avenue, Columbus, Ohio 43227, and order that
15 Michelle W. Irwin's registration be immediately
16 cancelled in Franklin County and her name stricken
17 from the registration list.

18 MR. COLLEY: Second.

19 (Board members in favor of the motion so
20 indicated.)

21 DIRECTOR STINZIANO: The next one is a
22 familiar ACORN registration. The challenger is
23 Deana M. Cole. She's challenging Deana Cole.

24 The challenger states she lives in Morrow

1 County but works at the Muirfield Drive address of
2 Deana Cole, which is in location of B.G. Nail Salon,
3 and that she did not file her voter registration.
4 Deana Cole did not vote in the general election.

5 Staff recommends we cancel that
6 registration.

7 MS. MARINELLO: Mr. Chairman, I move that
8 the Board grant the challenge of right to vote and
9 correction of registration list filed by Deana M.
10 Cole of 3865 County Road 15, Marengo, Ohio 43334,
11 against Deana Cole, purportedly of 7166 Muirfield
12 Drive, Dublin, Ohio 43017, and order that Deana
13 Cole's registration be immediately cancelled in
14 Franklin County, and her name stricken from the
15 registration list.

16 MR. COLLEY: Show I second the motion.

17 (Board members in favor of the motion so
18 indicated.)

19 DIRECTOR STINZIANO: The next one was
20 filed by Shirley McCarter against Latasha Banks.
21 Ms. McCarter states she owns the home located at
22 2110 Demorest Road for 21 years and does not know
23 Latasha Banks.

24 It's the staff's recommendation that we

1 cancel the registration.

2 MS. MARINELLO: I move that the Board
3 grant the challenge of right to vote and correction
4 of registration list filed by Shirley A. McCarter of
5 2110 Demorest Road, Grove City, Ohio 43123, against
6 Latasha Banks, purportedly of 2110 Demorest Road,
7 Grove City, Ohio 43123, and order that Latasha
8 Banks' registration be immediately cancelled in
9 Franklin County, and her name stricken from the
10 registration list.

11 MR. COLLEY: Second.

12 CHAIRMAN PREISSE: I have that motion and
13 a second?

14 (Board members in favor of the motion so
15 indicated.)

16 DIRECTOR STINZIANO: The next one was by
17 Kathy Maguire filed against a Jane A. Doe. Ms.
18 Doe's registration is the New Albany High School
19 address.

20 It's the staff's recommendation that we
21 cancel Ms. Doe's registration.

22 MS. MARINELLO: I move the Board grant the
23 challenge of right to vote and correction of
24 registration list filed by Kathy L. Maguire of 4177

1 Sudbrook Square East, New Albany, OH 43054, against
2 Jane A. Doe, purportedly of 7600 Fodor Road, New
3 Albany, Ohio 43054; order that Jane A. Doe's
4 registration be immediately cancelled in Franklin
5 County, and her name stricken from the registration
6 list.

7 MR. COLLEY: Second.

8 (Board members in favor of the motion so
9 indicated.)

10 DIRECTOR STINZIANO: The next one was
11 filed by Yvette Johnson against James L. Warren.
12 It's an ACORN registration. The challenger says
13 she does not know James L. Warren. Mr. Warren did
14 not vote in the general election.

15 It's the staff recommendation that we
16 cancel the registration.

17 MS. MARINELLO: I move the Board grant
18 their challenge of right to vote and correction of
19 registration list filed by Yvette Johnson of 3112
20 Wakefern Place, Columbus, Ohio 43224, against James
21 L. Warren, purportedly of 3112 Wakefern Place,
22 Columbus, Ohio 43224, and order that James L.
23 Warren's registration be immediately cancelled in
24 Franklin County, and his name stricken from the

1 registration list.

2 MR. COLLEY: Second.

3 (Board members in favor of the motion so
4 indicated.)

5 DIRECTOR STINZIANO: The next one was
6 filed by Pamela Taylor against Soheir Morshed.
7 There was a DMV registration received in June of
8 '06.

9 The challenger states that Ms. Soheir's
10 correct address at one time was 1666 Blackhorse
11 Lane, but that she no longer resides at that
12 address. Our records indicate that Ms. Morshed has
13 never voted.

14 It's the staff's recommendation that we
15 cancel the registration.

16 MR. COLLEY: Okay. That's --

17 MS. MARINELLO: We skipped one.

18 MR. COLLEY: I think we skipped one, which
19 is --

20 DIRECTOR STINZIANO: Sorry.

21 MS. MARINELLO: Okay.

22 DIRECTOR STINZIANO: Do you want to go
23 back?

24 MS. MARINELLO: No.

1 MR. COLLEY: Go ahead.

2 MS. MARINELLO: I move the Board grant
3 challenge of right to vote and correction of
4 registration list filed by Pamela Jane Taylor of
5 1662 Blackhorse Lane, Hilliard, Ohio 43026, against
6 Soheir Mohamed Morshed, purportedly of 1662
7 Blackhorse Lane, Hilliard, Ohio 43026, and order
8 that Soheir Mohamed Morshed's registration be
9 immediately cancelled in Franklin County and his
10 name stricken from the registration list.

11 MR. COLLEY: Second.

12 (Board members in favor of the motion so
13 indicated.)

14 DIRECTOR STINZIANO: We'll go back. This
15 one was filed by Paula Davis against Sheryl Moultry.
16 Ms. Moultry was registered since 2004, and the
17 challenger said that Sheryl moved in October 2007.

18 Staff did the research and realized that
19 Sheryl Moultry is now Sheryl Meek, so we have merged
20 the file for the marriage, and it's the
21 recommendation that we do not cancel, because the
22 staff has merged the registration to the new name
23 change.

24 MS. MARINELLO: I move the Board deny the

1 challenge of right to vote and correction of
2 registration list filed by Paula M. Davis of 449
3 North Nelson Road, Columbus, Ohio 43219, against
4 Sheryl Moultry.

5 MR. COLLEY: Second.

6 (Board members in favor of the motion so
7 indicated.)

8 DIRECTOR STINZIANO: The next one is
9 another ACORN registration, Richard J. Mott
10 challenging Richard Mott. Mr. Richard J. Mott
11 states that registered Richard Mott does not contain
12 his signature. Richard Mott has never voted.

13 Staff recommendation to cancel Richard
14 Mott's registration.

15 MS. MARINELLO: I move that the Board
16 grant the challenge of right to vote and correction
17 of registration list filed by Richard J. Mott of
18 1948 Drew Avenue, Columbus, Ohio 43235, against
19 Richard Mott, purportedly of 1948 Drew Avenue,
20 Columbus, Ohio 43235, and order that Richard Mott's
21 registration be immediately cancelled in Franklin
22 County, and his name stricken from the registration
23 list.

24 MR. COLLEY: Second the motion.

1 (Board members in favor of the motion so
2 indicated.)

3 DIRECTOR STINZIANO: The next challenge we
4 have was filed by David Swisher against Andrea Helm.
5 Mr. Swisher claims that Ms. Helm registered -- well,
6 that she has never resided at that address.

7 Ms. Helm registered to vote on the same
8 day at the Veteran's Memorial, and it's the staff's
9 recommendation that we cancel the registration.

10 MR. COLLEY: Say that again?

11 DIRECTOR STINZIANO: Ms. Helm, who is
12 being challenged, registered to vote on the same day
13 at the Veteran's Memorial, and Mr. Swisher, the
14 challenger, states that Ms. Helm never resided at
15 that address that was provided at the same-day
16 registration and voting.

17 MR. COLLEY: Okay.

18 MS. MARINELLO: I move the Board grant the
19 challenge of right to vote and correction of
20 registration list filed by David E. Swisher of 665
21 South Cassingham Road, Columbus, Ohio 43209, against
22 Andrea L. Helm, purportedly of 665 South Cassingham
23 Road, Columbus, Ohio 43209, and order that Andrea L.
24 Helm's registration be immediately cancelled in

1 Franklin County, and her name stricken from the
2 registration list.

3 MR. COLLEY: Second the motion.

4 (Board members in favor of the motion so
5 indicated.)

6 DIRECTOR STINZIANO: The next one was
7 filed by Sharon Popovic against Sandra Dickerson. I
8 don't know if there's anyone in the audience that
9 wants to speak to it.

10 Please introduce yourself for the Board.

11 MS. DICKERSON: Sandra Dickerson.

12 DIRECTOR STINZIANO: It's the challenger's
13 position that Sandra Dickerson is registered to vote
14 at the business address, and that she has real
15 estate located at 2056 Ivanhoe Drive.

16 Our records indicate that Sandra Dickerson
17 is registered to vote at 1059 East Long Street.
18 Auditor's office shows that 1059 East Long Street is
19 an apartment building.

20 It's the staff's recommendation that we
21 not cancel the registration.

22 MS. MARINELLO: I move that the Board deny
23 the challenge of right to vote and correction of
24 registration list filed by Sharon K. Popovic of 70

1 North 21st Street, Columbus, Ohio 43203, against
2 Sandra Dickerson.

3 DIRECTOR STINZIANO: The next one was
4 from --

5 DEPUTY DIRECTOR DAMSCHRODER: Just --

6 DIRECTOR STINZIANO: I'm sorry.

7 DEPUTY DIRECTOR DAMSCHRODER: We're going
8 to vote on it. Second that, Michael.

9 MR. COLLEY: Second.

10 (Board members in favor of the motion so
11 indicated.)

12 DIRECTOR STINZIANO: The next one is,
13 again, filed by Sharon K. Popovic against Rosetta
14 Ringer. Ms. Ringer is here.

15 Did you want to speak or just --

16 MS. RINGER: My name is Rosetta Ringer.

17 DIRECTOR STINZIANO: Thank you. The
18 challenger claimed that Ms. Ringer was declared
19 incompetent and voted at the direction of Sandra
20 Dickerson.

21 We have not been informed by the Probate
22 Court that anyone has been declared incompetent for
23 voting purposes, so we do not believe the challenge.

24 Ms. Ringer voted to vote in 2008 and voted

1 by absentee ballot. It is the staff recommendation
2 that we not cancel Ms. Ringer's registration.

3 MS. MARINELLO: I move that the Board deny
4 the challenge of right to right to vote and
5 correction of registration list filed by Sharon K.
6 Popovic of 70 North 21st Street, Columbus, Ohio
7 43203, against Rosetta Ringer.

8 MR. COLLEY: Second.

9 (Board members in favor of the motion so
10 indicated.)

11 DIRECTOR STINZIANO: Last one. Challenge
12 filed by JoAnn and David Bristol against David and
13 Daniel Zisenwine. The challenger stated that David
14 and Daniel had been living in his room for three to
15 five years.

16 Staff informed the challengers that the
17 Zisenwines are qualified voters under UOCAVA, and,
18 therefore, are permitted to use the residential
19 address at which they last resided.

20 The staff's recommendation is that we do
21 not cancel David and Daniel Zisenwine's
22 registrations.

23 MS. MARINELLO: I move the Board deny the
24 challenge of right to vote and correction of

1 registration list against Joanne and David Bristol
2 of 151 South Chesterfield Road, Columbus, Ohio
3 43209, against David and Daniel Zisenwine.

4 MR. COLLEY: Mr. Chairman, I second the
5 motion.

6 CHAIRMAN PREISSE: Let's just have a bit
7 of discussion on that one, and illuminate us again
8 on the how the provisions of --

9 DIRECTOR STINZIANO: I was not the staff
10 person that contacted them and gave them all the
11 details.

12 MS. KLOE: Under UOCAVA, he's allowed --
13 they are allowed to use the last residential address
14 they had in the United States to vote an overseas
15 ballot, and that was their last residential address
16 here that we know of. So they can continue to use
17 that address to vote an overseas ballot.

18 CHAIRMAN PREISSE: Forever.

19 MS. KLOE: Forever.

20 CHAIRMAN PREISSE: That's the only
21 question I had. You can have a vote.

22 (Board members in favor of the motion so
23 indicated.)

24 DIRECTOR STINZIANO: The last item that we

1 have is discussion of the Board of Commissioners
2 Resolution 0965-08. We just wanted to bring to the
3 Board's attention the resolution and the language in
4 Item Number 2 that provided that the Board shall
5 follow budgeting and procurement policies and
6 practices that are uniform and consistent with all
7 other agencies and independent offices, boards, and
8 commissions that are under the budgetary authority
9 of the Board of Commissioners.

10 For the record, the Office of Management
11 and Budget, the purchasing director, and the county
12 auditor are hereby authorized to perform all duties
13 necessary to order and implement that provision.

14 It's the staff's concern that that
15 provision conflicts with the Board's autonomy, and
16 that we do not fall under their budgetary authority
17 in the way that I believe the Board of Commissioners
18 are interpreting it.

19 While they do fund it, the Board of
20 Elections, they don't have the discretion of what
21 our procurement policies are, and it's up to the
22 Board of Elections.

23 I don't know if the Deputy Director would
24 like to add anything.

1 DEPUTY DIRECTOR DAMSCHRODER: I'm
2 characteristically -- I would like to add something,
3 and that is, that we have worked very hard --
4 particularly, the new director has worked very hard
5 to try to foster a working relationship and open
6 lines of communication between the Commissioner's
7 office and the Office of Management and Budget and
8 this agency.

9 And I think from a staff level, and
10 certainly from a Board standpoint, I'm sure you
11 would agree that it is our goal to exercise
12 transparency and accountability as a part of our
13 budget and expenditure process.

14 But I am personally very concerned about
15 giving the commissioners, which is a partisanly
16 elected office, control over decision-making
17 authority of what the Board of Elections can and
18 cannot spend.

19 And so I think this is a very serious
20 decision that the Board of Commissioners has taken,
21 and we want to make sure that you, as the Board
22 members, are aware that this is going on at this
23 time.

24 No actions have been taken to enforce the

1 resolution, which may be unenforceable under Ohio
2 law.

3 Ohio law is very specific that
4 expenditures of the Board of Elections are made upon
5 the signature of the Chairman of the Board,
6 countersigned by the Director of the Board.

7 There's no mention in the statute of the
8 role of the commissioners, aside from providing the
9 funding, so we will continue to work as closely as
10 possible with the commissioners and their staff to
11 continue to exercise open lines of communication and
12 transparency of our activities. But it is important
13 for you to be aware that these things are going on
14 at an interagency level.

15 DIRECTOR STINZIANO: And as you're aware
16 -- you did not ask for the resolution; the
17 resolution happened upon us.

18 CHAIRMAN PREISSE: The resolution happened
19 upon us.

20 DIRECTOR STINZIANO: Yes.

21 CHAIRMAN PREISSE: Is that legal or apart?

22 DIRECTOR STINZIANO: A little bit of both.

23 CHAIRMAN PREISSE: Is there a counsel --

24 MR. PICCININI: We're still evaluating the

1 resolution that has passed. Our office is still
2 taking a look at it at this point. We have just
3 seen it a couple days ago, Thursday, Friday of last
4 week.

5 CHAIRMAN PREISSE: I don't have any
6 questions. Do you, Michael? Kimberly?

7 MS. MARINELLO: I don't think so.

8 CHAIRMAN PREISSE: That's all the staff
9 has for the agenda for today, unless there's
10 anything else?

11 MR. COLLEY: You want to give anybody a
12 raise, or should we just leave it at this?

13 CHAIRMAN PREISSE: Under the
14 circumstances, maybe we better not spend any more
15 money.

16 MR. COLLEY: Sounds like the right
17 decision.

18 CHAIRMAN PREISSE: Then I think we would
19 entertain a motion to adjourn.

20 MS. MARINELLO: Well, Mr. Chairman, I move
21 that we adjourn.

22 DIRECTOR STINZIANO: Is there a second?

23 CHAIRMAN PREISSE: You want to second?

24 MR. COLLEY: Second.

1 (Board members in favor of the motion so
2 indicated.)

3 MR. STINZIANO: We are adjourned. Thank
4 you.

5 (Thereupon, the hearing was concluded at
6 3:32 p.m.)

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CERTIFICATE

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The undersigned do hereby certify that the foregoing proceedings were digitally recorded, electronically transmitted, and transcribed via audible playback, and that the foregoing transcript of such proceedings is a full, true and correct transcript of the proceedings as so recorded.

Kathy J Hancock

KATHY HANCOCK
Certified Digital Reporter
Notary Public - State of Ohio
My commission expires 12-10-2013.

Melissa A. Lagies

MELISSA A. LAGIES
Certified Digital Transcriber