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FRANKLIN COUNTY BOARD OF ELECTIONS

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IN RE:

REGULAR MEETING

- - -

APRIL 5, 2021

PROCEEDINGS OF REMOTE MEETING OF THE
FRANKLIN COUNTY BOARD OF ELECTIONS
VIA VIDEOCONFERENCE

before Chairman Douglas J. Preisse, Director Antone White, Deputy Director David Payne, and Board Members Bradley K. Sinnott, Kimberly E. Marinello, and Michael Sexton, on Monday, April 5, 2021, beginning at approximately 3:00 p.m., and concluding at approximately 3:24 p.m.

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APPEARANCES:

Erin Gibbons
Aaron Sellers
Carla Patton
Jeanine Hummer, Assistant Prosecuting Attorney

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P R O C E E D I N G S

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3 DEPUTY DIRECTOR PAYNE: Sounds like
4 we have a quorum. I will go ahead and take roll,
5 and then remind the Board members to identify
6 ourselves -- I'm David Payne -- so the court
7 reporter can keep track of who's speaking.

8 Kim Marinello.

9 MS. MARINELLO: Here.

10 DEPUTY DIRECTOR PAYNE: Mike Sexton.

11 MR. SEXTON: Here.

12 DEPUTY DIRECTOR PAYNE: Doug

13 Preisse.

14 MR. PREISSE: Here.

15 DEPUTY DIRECTOR PAYNE: And Brad

16 Sinnott.

17 MR. SINNOTT: Here.

18 DEPUTY DIRECTOR PAYNE: We indeed
19 have a quorum.

20 - - -

21 APPROVAL OF MINUTES

22 - - -

23 DEPUTY DIRECTOR PAYNE: The first
24 item on the agenda are the approval of the minutes
25 that Erin Gibbons sent out, the February 16, 2021

1 and the March 5, 2021 meeting minutes.

2 MR. SINNOTT: This is Sinnott. I
3 move that the Board approve the minutes of the
4 February 16, 2021 and March 5, 2021 meetings of the
5 Franklin County Board of Elections as submitted.

6 MR. SEXTON: Mr. Chairman, Michael
7 Sexton, I will second the motion.

8 DEPUTY DIRECTOR PAYNE: It's been
9 moved and seconded. I will take roll.

10 Kim Marinello.

11 MS. MARINELLO: Yes.

12 DEPUTY DIRECTOR PAYNE: Mike Sexton.

13 MR. SEXTON: Yes.

14 DEPUTY DIRECTOR PAYNE: Doug

15 Preisse.

16 MR. PREISSE: Yes.

17 DEPUTY DIRECTOR PAYNE: And Brad

18 Sinnott.

19 MR. SINNOTT: Yes.

20 DEPUTY DIRECTOR PAYNE: Motion

21 carries.

22 - - -

23 PAPER BALLOT ALLOCATION, MAY 4th SPECIAL ELECTION

24 - - -

25 DEPUTY DIRECTOR PAYNE: The next

1 item on the agenda is the Paper Ballot Allocation
2 for the May 4th Special Election.

3 As you may remember, we are required
4 by the Secretary of State to do this on at least
5 two occasions. This will be our second occasion to
6 do the paper ballot allocation. I will turn that
7 over to Carla Patton for explanation.

8 Carla Patton, are you on?

9 MS. PATTON: Sorry about that.

10 Good afternoon. Carla Patton here.

11 You have been provided Exhibit A, which is the
12 final paper ballot allocation for the May 4, 2021
13 Special Election. There were no changes as a
14 result to any changes in voter numbers for this
15 report. Therefore, the ballot allocation is
16 remaining the same as it was previously presented
17 with the 5% more than the number of provisional
18 ballots cast, in addition to another 15% of the
19 number of registered voters in each of those
20 precincts. With a total of 5,650 ballots being
21 produced and sent out to the polls throughout the
22 21 locations on Election Day.

23 DEPUTY DIRECTOR PAYNE: And, Carla,
24 does this meet or exceed all of the expectations
25 that are required by the Secretary of State?

1 MS. PATTON: This actually will
2 exceed the obvious expectations, because we rounded
3 up to the poll pads of 25 to exceed the
4 requirements that's laid forth by the Secretary of
5 State.

6 DEPUTY DIRECTOR PAYNE: Thank you.

7 MS. MARINELLO: Mr. Chairman, I move
8 that the Board adopt the paper ballot allocation
9 formula in Exhibit A compiled by the board staff
10 for the May 4, 2021 Special Election.

11 MR. PREISSE: That was Kim
12 Marinello, and this is Doug Preisse with the
13 second.

14 DEPUTY DIRECTOR PAYNE: I will take
15 roll.

16 Kim Marinello.

17 MS. MARINELLO: Yes.

18 DEPUTY DIRECTOR PAYNE: Mike Sexton.

19 MR. SEXTON: Yes.

20 DEPUTY DIRECTOR PAYNE: Doug
21 Preisse.

22 MR. PREISSE: Yes.

23 DEPUTY DIRECTOR PAYNE: And Brad
24 Sinnott.

25 MR. SINNOTT: Yes.

1 DEPUTY DIRECTOR PAYNE: Motion
2 carries.

3 - - -
4 VOTING MACHINE AND E-POLL BOOK ALLOCATION FOR
5 THE

6 MAY 4th, 2021 SPECIAL ELECTION

7 - - -
8 DEPUTY DIRECTOR PAYNE: The next
9 item on the agenda is the Voting Machine and
10 Electronic Poll Book Allocation for the May 4th
11 Special Election. And again, I will turn it over
12 to Carla Patton for explanation.

13 MS. PATTON: Carla Patton again.
14 You have Exhibit B, which is the final machine poll
15 book allocation that was provided to you. Again,
16 after rerunning all of the voter registration
17 numbers, there were no changes as to how it was
18 reported in the previous meeting. Therefore, the
19 markers, we are doing one marker per every 243
20 voters, with no less than three markers going into
21 any location. And for every 10 marking machines,
22 they get a DS-200 counter machine, and then the
23 poll pads is one for every 700 active voters, with
24 no less than three poll pads going out to any
25 location.

1 DEPUTY DIRECTOR PAYNE: Fantastic.
2 Are there any questions for Carla regarding voting
3 machine or electronic poll book allocation?

4 MR. SEXTON: No, Mr. Chairman.
5 Michael Sexton, I move that the Board adopt the
6 voting machine allocation formula in Exhibit B
7 compiled by the board staff for the May 4, 2021
8 Special Election.

9 MR. PREISSE: Doug Preisse, second.

10 DEPUTY DIRECTOR PAYNE: Moved and
11 seconded. I will take roll.

12 Kim Marinello.

13 MS. MARINELLO: Yes.

14 DEPUTY DIRECTOR PAYNE: Mike Sexton.

15 MR. SEXTON: Yes.

16 DEPUTY DIRECTOR PAYNE: Doug
17 Preisse.

18 MR. PREISSE: Yes.

19 DEPUTY DIRECTOR PAYNE: And Brad
20 Sinnott.

21 MR. SINNOTT: Yes.

22 DEPUTY DIRECTOR PAYNE: The motion
23 carries.

24 - - -

25 HIRE BRADY GALLIERS AS ABSENTEE CLERK

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DEPUTY DIRECTOR PAYNE: The next item on the agenda is the hiring of an employee, an Absentee Clerk. And I will turn that over to Antone White, our Director, for explanation.

DIRECTOR WHITE: Thank you, David.

This is Director White. As the Board is aware, we do have a position available in our absentee department, a Democrat position. And for that position, I would like to present to you Mr. Braden Galliers. Brady, as he is actually commonly known here in our office, has been with us since September of 2019, where he worked here on a seasonal basis in our absentee department. And during that time, he's concentrated his efforts on absentee ballot fulfilment, absentee applications, signature verification, and mail services. And Brady has done extremely well in all of these areas. He has mastered all of those areas. He holds a Bachelor of Science degree in Geographic Information Science, GIS, from Ohio University. And he has been staying current with GIS technology, which should be helpful to the board in the future in GIS-related projects. He's provided his resume to the Board for your review.

1 Barring any questions, I would ask
2 the Board to approve the hire of Mr. Brady Galliers
3 for the full-time position in the absentee
4 department at a rate of 20.44 per hour. And I
5 believe he is on our Zoom meeting here today.

6 MR. PREISSE: The resume, sounds to
7 us, I had the same thought about the mapping, could
8 come in handy. Then I saw something called fuzzy
9 logic, I don't know what fuzzy logic is, but maybe
10 he could help us with our fuzzy logic, too. Term
11 of academic art. But delighted to review the
12 resume and know of his interest today.

13 Kim, I think I interrupted you.
14 Excuse me.

15 MS. MARINELLO: That's okay.

16 Mr. Chairman, this is Kim Marinello.
17 I move that the Franklin County Board of Elections
18 hire Brady Galliers as a full-time clerk in
19 absentee, beginning March 15, 2021, at a salary of
20 42,515 per year, or 20.44 per hour.

21 MR. SINNOTT: This is Sinnott,
22 second.

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

25 Kim Marinello.

1 MS. MARINELLO: Yes.

2 DEPUTY DIRECTOR PAYNE: Mike Sexton.

3 MR. SEXTON: Yes.

4 DEPUTY DIRECTOR PAYNE: Doug

5 Preisse.

6 MR. PREISSE: Yes.

7 DEPUTY DIRECTOR PAYNE: And Brad

8 Sinnott.

9 MR. SINNOTT: Yes.

10 DEPUTY DIRECTOR PAYNE: Motion

11 carries. Congratulations, Brady.

12 DIRECTOR WHITE: Congratulations,

13 Brady.

14 - - -

15 HIRE KATRINA MCREYNOLDS, ELECTION OPERATIONS CLERK

16 - - -

17 DEPUTY DIRECTOR PAYNE: The next

18 item on the agenda is the hiring of Katrina

19 McReynolds. Again, I will turn that over to

20 Director White.

21 DIRECTOR WHITE: Thank you, David.

22 We recently had a retirement in our

23 Voter Services Department, Debbie Roberts, a

24 long-time employee, retired April 1st. And

25 certainly we will miss her and all she's done for

1 the Board, but that did create a vacancy in Voter
2 Services. To fulfill that vacancy we actually
3 moved a current full-time Democrat employee, Jim
4 Bubutiev, we moved him to fulfill that role in
5 voter services. So that's created a vacancy in our
6 Election Operations Department. And for the
7 purposes of fulfilling that vacancy, we would like
8 to hire Katrina McReynolds. Now, Katrina is really
9 no stranger to our office or elections. Since 2012
10 she has served as an Election Day precinct election
11 official in multiple elections. She's worked as a
12 roster judge, a voter location deputy manager, and
13 a voter location manager. And recently she came
14 onto the board as a seasonal employee, when she
15 worked in both the absentee and the voter services
16 department. So Katrina has just an extensive level
17 of election experience, she has great
18 organizational skills, and she really knows all of
19 our voting equipment. So she would be a tremendous
20 asset to this office and our election operations
21 department. And so I would ask the Board approve
22 her hire. We've provided her resume to you as
23 well.

24 And barring any questions, we'd ask
25 that you approve her hire as Elections Operation

1 Department at a rate of \$22.84 per hour.

2 MR. SINNOTT: Looks good.

3 MR. SEXTON: Mr. Chairman, Michael
4 Sexton. I move that the Franklin County Board of
5 Elections hire Katrina McReynolds as a full-time
6 clerk in election operations, beginning March 16,
7 2021, at a salary of \$47,505 per year or \$22.84 per
8 hour.

9 MR. PREISSE: This is Doug Preisse
10 for the second.

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

13 Kim Marinello.

14 MS. MARINELLO: Yes.

15 DEPUTY DIRECTOR PAYNE: Mike Sexton.

16 MR. SEXTON: Yes.

17 DEPUTY DIRECTOR PAYNE: Doug
18 Preisse.

19 MR. PREISSE: Yes.

20 DEPUTY DIRECTOR PAYNE: And Brad
21 Sinnott.

22 MR. SINNOTT: Yes.

23 DEPUTY DIRECTOR PAYNE: Motion
24 carries.

25 I can attest that both the hiring of

1 Brady and Katrina are excellent hires. Well done.

2 - - -

3 CONSIDERATION TO DISMISS PROTEST FILED

4 BY STEPHEN M. CICAK

5 - - -

6 DEPUTY DIRECTOR PAYNE: The next
7 item on the agenda is the Consideration to Dismiss
8 the Protest Filed by Stephen M. Cicak. And I will
9 turn it over to Jeff Mackey, and then maybe some
10 words from our county prosecutor as well.

11 Jeff, are you on?

12 MR. MACKEY: I am. This is Jeff
13 Mackey.

14 On March 2nd, I received a protest
15 of the petition for Mildred Johnson, who's a
16 Democratic party candidate for Reynoldsburg
17 Auditor. A review of that protest revealed a
18 couple of deficiencies. First deficiency is that
19 protests in Primary Election are due the 74th day
20 before the Primary Election, which in this case was
21 February 19th. Again, indicated that we received
22 that protest on March 2nd. So that was after the
23 deadline to file that protest.

24 Also, same statute requires that
25 filers of a protest for a partisan primary petition

1 must be of the same party, and the filer of this
2 protest is of the opposite party.

3 Due to those two issues, staff
4 recommends, and I believe the county prosecutor
5 concurred, that you should dismiss this protest.

6 MS. HUMMER: Members of the Board,
7 we received a request to review the protest, and
8 provided that legal opinion and advice to Director
9 White and staff, and recommended dismissal of the
10 protest, that it is not meeting the requirements,
11 both a timely requirement and a status requirement
12 regarding partisanship.

13 MR. SINNOTT: This is Sinnott. I
14 have a question. When the Board proposes to
15 dismiss a protest, is the protester notified of the
16 prospective board action and given an opportunity
17 to appear?

18 MS. HUMMER: It was our advice to
19 Director White and his staff to notify the
20 protester of the ensuing action and recommendation
21 that would be made at this hearing. And it's my
22 understanding that that notice did go out.

23 MR. MACKEY: That is correct.

24 MR. SINNOTT: And Mr. Cicak is not
25 with us today?

1 MR. MACKEY: I do see him here in
2 the meeting.

3 DIRECTOR WHITE: Mr. Sinnott, he is
4 on -- I do see him logged in, if you would like for
5 him to have a chance to speak.

6 MS. HUMMER: I would recommend if he
7 does speak, you would at least place him under oath
8 since this would be an administrative matter.

9 MR. SINNOTT: Ms. Hummer, excellent
10 suggestion.

11 In as much as we have the protester
12 who's protesting, very well may be dismissed as
13 part of this meeting, I would be interested in
14 hearing Mr. Cicak's brief remarks regarding the
15 merit of his protest.

16 Mr. Cicak, are you available to be
17 sworn?

18 (No Response.)

19 MR. SINNOTT: Mr. Cicak.

20 MR. SEXTON: We are not hearing you,
21 Mr. Cicak, if you're speaking.

22 MR. SINNOTT: Well, in as much as we
23 are hearing no response from Mr. Cicak to the
24 invitation to be heard after taking an oath to tell
25 the truth, I think the Board is ready to proceed.

1 I move that the Board dismiss the
2 protest filed by Stephen M. Cicak against Mildred
3 M. Johnson, because Mr. Cicak has no standing and
4 his protest was filed late for reasons outlined by
5 the Board's counsel and Mr. Mackey in their review
6 of this situation.

7 MR. PREISSE: And this is Doug
8 Preisse with a second on the motion.

9 DEPUTY DIRECTOR PAYNE: It's been
10 moved and seconded. I will take roll.

11 Kim Marinello.

12 MS. MARINELLO: Yes.

13 DEPUTY DIRECTOR PAYNE: Mike Sexton.

14 MR. SEXTON: Yes.

15 DEPUTY DIRECTOR PAYNE: Doug
16 Preisse.

17 MR. PREISSE: Yes.

18 DEPUTY DIRECTOR PAYNE: And Brad
19 Sinnott.

20 MR. SINNOTT: Yes.

21 DEPUTY DIRECTOR PAYNE: Motion
22 carries.

23 - - -

24 PIEDMONT CONTRACT

25 - - -

1 DEPUTY DIRECTOR PAYNE: The next
2 item on the agenda is the Piedmont location
3 contract. And if Steve Bulen is on, I will let him
4 explain.

5 MR. BULEN: Thank you, Deputy
6 Director Payne, Mr. Chairman, Members of the Board.
7 Once a bank was set up in our parking lot, at 1700
8 Morse Road, no longer could we hold simultaneously
9 poll worker training and early vote because of
10 parking. At that point, we entered into an
11 agreement with the city of Columbus and secured
12 their Piedmont Building to hold our precinct
13 election official training. It that has worked out
14 really, really well. It has great space, great
15 parking. They take care of all of the maintenance
16 and all of the cleaning. And I would respectfully
17 ask that we consider extending that lease.

18 MR. PREISSE: Who was that that was
19 just speaking? I'm sorry. I was reading the
20 agenda, and I lost track of who was introducing
21 Piedmont.

22 MR. SINNOTT: That was Mr. Bulen.

23 MR. PREISSE: Thank you.

24 MS. MARINELLO: Mr. Chairman, I move
25 the Board authorize the Director and Deputy

1 Director to enter into a contract with the city of
2 Columbus in the amount of \$23,000 for the continued
3 use of the Piedmont Building at 750 Piedmont Avenue
4 from March 27, 2021 through November 30, 2021.

5 This is Kim Marinello.

6 MR. PREISSE: This is Doug Preisse
7 with the second on the motion.

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

10 Kim Marinello.

11 MS. MARINELLO: Yes.

12 DEPUTY DIRECTOR PAYNE: Mike Sexton.

13 MR. SEXTON: Yes.

14 DEPUTY DIRECTOR PAYNE: Doug
15 Preisse.

16 MR. PREISSE: Yes.

17 DEPUTY DIRECTOR PAYNE: And Brad
18 Sinnott.

19 MR. SINNOTT: Yes.

20 DEPUTY DIRECTOR PAYNE: Motion
21 carries.

22 - - -

23 CONSIDERATION TO ACCEPT WITHDRAWAL OF CANDIDATES
24 FOR COLUMBUS CITY COUNCIL

25 - - -

1 DEPUTY DIRECTOR PAYNE: The next
2 item on the agenda is the consideration to accept
3 the withdrawals of candidates for Columbus City
4 Council. I will turn that over to Jeff Mackey for
5 explanation.

6 MR. MACKEY: We have sent
7 certification of candidates for the ballot,
8 received withdrawals from two candidates for
9 Columbus City Council, Priscilla Tyson and Mitchell
10 Brown. I believe you have those documents in front
11 of you. It is generally the practice of the Board
12 to formally accept those withdrawals. The
13 committee of five indicated on their petition would
14 have until August 9th to appoint candidates to
15 replace them on the ballot at the General Election.

16 MS. MARINELLO: This is Kim
17 Marinello. I move that the Board accept the
18 request of Priscilla Tyson and Mitchell J. Brown to
19 withdrawal as candidates for Columbus City Council.

20 MR. SINNOTT: This is Sinnott,
21 second.

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

24 Kim Marinello.

25 MS. MARINELLO: Yes.

1 DEPUTY DIRECTOR PAYNE: Mike Sexton.

2 MR. SEXTON: Yes.

3 DEPUTY DIRECTOR PAYNE: Doug

4 Preisse.

5 MR. PREISSE: Yes.

6 DEPUTY DIRECTOR PAYNE: And Brad

7 Sinnott.

8 MR. SINNOTT: Yes.

9 DEPUTY DIRECTOR PAYNE: Are there
10 any new items to come before the Board that anybody
11 is aware of?

12 DIRECTOR WHITE: Yes, I would just
13 like to remind everybody -- this is Director
14 White -- tomorrow we have early vote starting here
15 at 1700 Morse Road. Our absentee team, led by Matt
16 Kelly, has done an outstanding job setting up our
17 early vote center. We will be set up in the front
18 room, and at the same time the Franklin County
19 Public Health is conducting their vaccination
20 clinic. They have been great partners with us and
21 we worked out all of the signage so voters can come
22 vote and folks can get their vaccine. So I just
23 wanted to remind everyone of early vote tomorrow.

24 MR. PREISSE: Thank you.

25 MR. SINNOTT: This is Sinnott,

1 hearing no other business, I move we adjourn.

2 MS. MARINELLO: Kim Marinello,
3 second.

4 DEPUTY DIRECTOR PAYNE: I believe we
5 are adjourned then.

6 - - -

7 Thereupon, the proceedings adjourned at
8 approximately 3:24 p.m.

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THE STATE OF OHIO:

SS:

COUNTY OF FRANKLIN:

I, Angela S. Moore, 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 either party and have no interest whatsoever in the event of this litigation.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal of office at Columbus, Ohio, this 29th of April, 2021.

/s/Angela S. Moore
Notary Public, State of Ohio

My Commission Expires: February 28, 2026.

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