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THE FRANKLIN COUNTY BOARD OF ELECTIONS

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In Re: :  
:  
Regular Meeting. :

- - -

May 3, 2021

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

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 Friday, May 3, 2021, beginning at approximately 3:10 p.m., and concluding at approximately 3:26 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**  
**Amy L. Hiers, Esquire**  
**Assistant Prosecuting Attorneys**  
**373 South High Street, 13th Floor**  
**Columbus, Ohio 43215,**

On behalf of the Board.

**ALSO PRESENT:**

**Erin Gibbons**  
**Laurie Gatton**  
**Jeff Mackey**  
**Joe Motil**

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I N D E X

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AGENDA ITEMS PAGE

Hiring of Laurie Gatton as PEO Clerk

Candidate Replacement and Statement  
by Joe Motil

B. Fink Consulting Contract

Opening of Polls for Special Election

Motion to Recess Board

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Monday Afternoon Session  
May 3, 2021  
3:10 p.m.

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DEPUTY DIRECTOR PAYNE: I will take roll. But prior to that, I want to remind everybody to state their name so that our court reporter, Carla Castle, can capture everything and attribute it to the right person. So I will take roll.

Kim Marinello.

MEMBER MARINELLO: Here.

DEPUTY DIRECTOR PAYNE: Mike Sexton.

MEMBER SEXTON: Here.

DEPUTY DIRECTOR PAYNE: Brad Sinnott.

MEMBER SINNOTT: Here.

DEPUTY DIRECTOR PAYNE: And Doug Preisse.

CHAIRMAN PREISSE: Here.

DEPUTY DIRECTOR PAYNE: We indeed have a quorum.

The first item on the agenda is to hire Laurie Gatton as a PEO clerk. And I've known Laurie for the seven years that I've been here at the Board of Elections. She's been here as a PEO,

1 a Precinct Election Official, trainer for nine  
2 years. She has a bachelor of arts degree from  
3 Cedarville University. She's an interpreter for  
4 the deaf, which helps us at our polling locations  
5 as well as our early vote center. We utilize her  
6 often for that. She was a part-time teacher at  
7 Worthington Christian High School where she taught  
8 American Sign Language; and she's an independent  
9 captionist, which is like an interpreter. And  
10 she's a PEO trainer and a BOE -- Board of Elections  
11 Youth at the Booth coordinator.

12 So I'm going to give up my seat and  
13 let Laurie have the seat so you can put a face with  
14 a name and hopefully she can garner four votes for  
15 support.

16 MS. GATTON: Hi, I'm Laurie.

17 MEMBER MARINELLO: Hi, Laurie.

18 MEMBER SEXTON: Hi, Laurie

19 MS. GATTON: Hi. How are you guys  
20 today? Thanks for having me.

21 CHAIRMAN PREISSE: Didn't take you  
22 long to get to the Deputy Director's chair.

23 MS. GATTON: It's a record.

24 DEPUTY DIRECTOR PAYNE: I guess I'll  
25 entertain a motion to hire Laurie.

1                   MEMBER SINNOTT: This is Sinnott. I  
2 move that the Franklin County Board of Elections  
3 hire Laurie Gatton as a full-time clerk in the  
4 precinct election officials' department beginning  
5 April 30, 2021, at a salary of \$40,040 per year or  
6 \$19.25 cents per hour.

7                   DEPUTY DIRECTOR PAYNE: Is there a  
8 second?

9                   MEMBER SEXTON: This is Michael  
10 Sexton and I will second.

11                  DEPUTY DIRECTOR PAYNE: It's been  
12 properly moved and seconded to hire Laurie Gatton  
13 as a full-time PEO clerk. I will take roll.

14                  Kim Marinello.

15                  MEMBER MARINELLO: Yes.

16                  DEPUTY DIRECTOR PAYNE: Mike Sexton.

17                  MEMBER SEXTON: Yes.

18                  DEPUTY DIRECTOR PAYNE: Brad  
19 Sinnott.

20                  MEMBER SINNOTT: Yes.

21                  DEPUTY DIRECTOR PAYNE: And Doug  
22 Preisse.

23                  CHAIRMAN PREISSE: Yes.

24                  DEPUTY DIRECTOR PAYNE: Fantastic.  
25 That's four for four. Congratulations, Laurie.

1 MS. GATTON: Thank you very much.

2 DEPUTY DIRECTOR PAYNE: The next  
3 item on the agenda is candidate replacement in the  
4 office of Columbus City Council. I will turn this  
5 over to Jeff Mackey for some explanation.

6 MR. MACKEY: On February 16th the  
7 Board met and certified Mitchell Brown as a  
8 candidate for Columbus City Council. Subsequently,  
9 on April 2nd, 2021, we received written  
10 notification from Mitchell Brown that he was  
11 withdrawing as a candidate for Columbus City  
12 Council. And on April 19th we received  
13 certification of selection of candidate to fill  
14 vacancy and nomination from the committee of five  
15 that appeared on Mitchell Brown's petition for  
16 Columbus City Charter, Section 41-6. They're  
17 allowed to choose a candidate to replace him on the  
18 ballot, and they selected Nick Bankston to replace  
19 him. We recommend the Board certify that  
20 replacement for the November general election,  
21 then.

22 DEPUTY DIRECTOR PAYNE: Are there  
23 any questions for Jeff regarding the candidate  
24 replacement?

25 CHAIRMAN PREISSE: Jeff, you and the

1 team there have checked and double checked, as you  
2 always do, all the paperwork and deadlines and all  
3 the filings appear to have been submitted in a  
4 timely and correct fashion?

5 MR. MACKEY: Yes. Everything  
6 appears to have followed the Charter and the  
7 Revised Code.

8 CHAIRMAN PREISSE: Okay. We have  
9 been made aware that there may be a member of the  
10 public who wishes to address the Board briefly on I  
11 think it may be the subject at hand. So if that is  
12 the case, I would like to suggest we make a few  
13 moments available to that member of the public at  
14 this time.

15 MS. HIERS: Chairperson Preisse, if  
16 I may, before that, --

17 CHAIRMAN PREISSE: Uh-huh.

18 MS. HIERS: -- my name is Amy Hiers.  
19 I am with the Franklin County Prosecutor's office,  
20 and I would just like to say that Mr. Mackey sent  
21 both the certification of selection of candidate to  
22 fill vacancy, the nomination, and the acceptance of  
23 nomination. Our office has reviewed the Revised  
24 Code and the Columbus City Charter and any  
25 applicable code regulations related to this.

1 Everything appears to be in order, and I just  
2 wanted to put that on the record. Thank you.

3 CHAIRMAN PREISSE: Thank you.

4 Antone or David or others here who  
5 are helping us manage the call, do we have  
6 confirmation that somebody wishes to speak here at  
7 this time?

8 DIRECTOR WHITE: Yeah. This is  
9 Director White. I believe Joe Motil wishes to  
10 address the Board. I see him on the call now.

11 CHAIRMAN PREISSE: Okay.

12 MS. HIERS: And if I may, -- this is  
13 Amy Hiers again -- I would ask that Mr. Motil  
14 please be placed under oath before he addresses the  
15 Board.

16 CHAIRMAN PREISSE: That sounds all  
17 right here.

18 You okay with that, Joe?

19 MR. MOTIL: Absolutely.

20 MS. GIBBONS: Carla Castle is here,  
21 I believe, to administer the oath. Carla.

22 (Witness sworn by reporter.)

23 MR. MOTIL: Thank you, Chairman  
24 Preisse, Board Members, Director White, Deputy  
25 Director Payne.

1 I'm speaking today so that I am on  
2 the record to state what I perceive and what many  
3 others throughout Columbus to be considered  
4 election fraud and deception of Columbus voters of  
5 those who signed the declaration of candidacy  
6 petition, a Shannon Hardin, Mitchell Brown,  
7 Pricilla Tyson, Lourdes de Padilla, and Nick  
8 Bankston.

9 The fact that these City Hall  
10 insiders, Nick Bankston and Lourdes de Padilla,  
11 hold petitions to run against three incumbent City  
12 Council members immediately drew a red flag that  
13 some type of fix was in the works. Anyone who  
14 follows city politics in Columbus knows that City  
15 Hall cronies do not run against City Council  
16 incumbents.

17 Nick Bankston was Mayor Ginther's  
18 former director of community affairs and resigned  
19 from the City earlier, and in January was appointed  
20 as CEO and President of the Gladden Community  
21 House. Bankston's appointment to a nonprofit fit  
22 right into City Council's musical chairs playbook,  
23 just as Michelle Mills, Pricilla Tyson, Matt  
24 Habash, and Andy Ginther, who all work for  
25 nonprofits as well. His appointment to Gladden

1 House was prearranged, we feel, to help beef up  
2 Bankston's resume with the help of its public image  
3 and the collection of \$58,000 part-time City  
4 Council salary once he is most likely elected to  
5 City Council.

6 Pricilla Tyson and Mitch Brown's  
7 retirement announcement after the fact that their  
8 declaration of candidacy petitions were certified  
9 by the Board of Elections was a predetermined ploy  
10 to avoid decades of criticism of City Council and  
11 going through the sham of selecting someone through  
12 the normal City Council appointment process.  
13 Pricilla Tyson and Mitch Brown intentionally  
14 deceived those who signed the petition, while  
15 knowing all along that they would be withdrawing  
16 their names from the November ballot. While  
17 basically serving as placeholder candidates without  
18 letting those know who signed the petition, Tyson  
19 and Brown most likely kept other potential  
20 candidates from getting on the ballot. They were  
21 more interested in running against lesser-known  
22 challengers than those going up against the three  
23 incumbents, Hardin, Brown, and Tyson.

24 Nick Bankston never publicly  
25 expressed any genuine heartache over the fact that

1 he did not get enough signatures to get on the  
2 ballot, knowing that his fate would be sealed with  
3 the announcement of Mitch Brown's request on April  
4 2nd that his name not appear on the November 2nd,  
5 2021, ballot. On Sunday, April 18th, 2021, Mr.  
6 Bankston was selected by the Hardin, Tyson, Brown  
7 nominating committee to replace Mitchell Brown on  
8 the ballot and Mr. Bankston immediately accepted  
9 the nomination that same day. The following day,  
10 Monday, April 19th, 2021, the vacancy selection and  
11 acceptance of nomination paperwork was filed with  
12 the Board of Elections and later that same day City  
13 Council President and candidate, Shannon Hardin,  
14 made a bombshell announcement to the media -- and I  
15 say that sarcastically -- that he, Mr. Bankston,  
16 and Lourdes de Padilla would be running as a team.  
17 And what a big surprise that was. The two new  
18 candidates along with City Council President,  
19 Shannon Hardin, will run as a team while benefiting  
20 from Hardin's financing of the campaign and more  
21 than likely the cherished sample ballot endorsement  
22 of the Franklin County Democratic Party. All the  
23 while Hardin, Brown, Tyson, Lourdes de Padilla, and  
24 Nick Bankston deceived the public and especially  
25 those that signed the petitions were not aware of

1 the behind-the-scenes alleged scheming that had  
2 been decided months ago that would create the  
3 Hardin, de Padilla, Bankston campaign change.  
4 Thank you very much for the time.

5 CHAIRMAN PREISSE: Thank you,  
6 Mr. Motil.

7 Well, if there are no questions for  
8 Mr. Motil, -- we've had our presentation from  
9 Jeff -- I think we can proceed, Director.

10 MEMBER SEXTON: Thank you,  
11 Mr. Chairman. Michael Sexton. I move that the  
12 Board accept the April 19th, 2021, appointment of  
13 Nicholas J. Bankston by the committee of five whose  
14 names appears on the face of the nominating  
15 petition for the slate of candidates, namely,  
16 Mitchell J. Brown, Shannon Granville Hardin, and  
17 Pricilla R. Tyson for the office of member of  
18 Columbus City Council to replace the vacancy by the  
19 withdrawal of Mitchell J. Brown, and that the name  
20 Nicholas J. Bankston shall appear on the November  
21 2nd, 2021, general election ballot.

22 CHAIRMAN PREISSE: Doug Preisse. I  
23 second the motion.

24 DEPUTY DIRECTOR PAYNE: It's been  
25 moved and seconded to replace the name of Mitchell

1 Brown with Nicholas Bankston. I'll take roll.

2 Kim Marinello.

3 MEMBER MARINELLO: Yes.

4 DEPUTY DIRECTOR PAYNE: Mike Sexton.

5 MEMBER SEXTON: Yes.

6 DEPUTY DIRECTOR PAYNE: Brad

7 Sinnott.

8 MEMBER SINNOTT: Yes.

9 DEPUTY DIRECTOR PAYNE: And Doug

10 Preisse.

11 CHAIRMAN PREISSE: Yes.

12 DEPUTY DIRECTOR PAYNE: Motion

13 carries.

14 The next item on the agenda is the  
15 B. Fink consulting contract, and I'll turn that  
16 over to Director White for some explanation.

17 DIRECTOR WHITE: Hi. Good

18 afternoon. This is Director White. This is our

19 standard agreement to contract with vendor B. Fink

20 Consulting to perform election cost allocation and

21 recovery of services otherwise known as

22 charge-backs for the May, August, and November 2121

23 elections.

24 Since 2015 the Board has contracted

25 with vendor Maximus to perform these services. The

1 account manager at Maximus that managed our account  
2 and performed our services left that company in  
3 2020 and joined B. Fink Consulting. We valued her  
4 service so much to the Board that we made the  
5 decision to switch to B. Fink Consulting. B. Fink  
6 Consulting provides the same service for 16 other  
7 counties in Ohio and the pricing is lower than what  
8 we contracted with Maximus. For example, Maximus  
9 charged us \$20,000 for a general election, while B.  
10 Fink Consulting charges us \$17,500. These services  
11 provide a tremendous value to the Board as it  
12 accurately calculates all election cost and for  
13 each election properly prorates the cost back to  
14 the subdivision pursuant to Ohio Revised Code, and  
15 they also provide all of the necessary reporting  
16 and supporting documentation required by the  
17 Franklin County Auditor.

18                                   And unless there are any questions,  
19 I would ask for authorization to enter this  
20 contract.

21                                   MEMBER MARINELLO: I don't have any  
22 questions.

23                                   This is Kim Marinello. I move that  
24 the Board authorize the Director and Deputy  
25 Director to enter into a contract with B. Fink

1 Consulting in an amount not to exceed \$26,000 for  
2 election cost allocation and recovery of services,  
3 charge-backs, for the May, August, and November  
4 elections of 2021.

5 CHAIRMAN PREISSE: This is Doug  
6 Preisse with a second.

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

9 Kim Marinello.

10 MEMBER MARINELLO: Yes.

11 DEPUTY DIRECTOR PAYNE: Mike Sexton.

12 MEMBER SEXTON: Yes.

13 DEPUTY DIRECTOR PAYNE: Brad  
14 Sinnott.

15 MEMBER SINNOTT: Yes.

16 DEPUTY DIRECTOR PAYNE: And Doug  
17 Preisse.

18 CHAIRMAN PREISSE: Yes.

19 DEPUTY DIRECTOR PAYNE: The motion  
20 carries.

21 The next item on the agenda is the  
22 opening of the polls for the special election  
23 tomorrow at 6:30.

24 MEMBER SINNOTT: This is Sinnott. I  
25 move that the polls be declared open on Tuesday,

1 May 4, 2021, for the special election beginning at  
2 6:30 in the morning and closing at 7:30 in the  
3 evening, and that in accordance with Ohio Revised  
4 Code Section 3501.32 any voter in line prior to the  
5 closure of the polls at 7:30 shall be permitted to  
6 vote.

7 MEMBER MARINELLO: This is Kim  
8 Marinello. I second that.

9 DEPUTY DIRECTOR PAYNE: It's been  
10 properly moved and seconded for the opening of the  
11 polls for the special election. I'll take roll.

12 Kim Marinello.

13 MEMBER MARINELLO: Yes.

14 DEPUTY DIRECTOR PAYNE: Mike Sexton.

15 MEMBER SEXTON: Yes.

16 DEPUTY DIRECTOR PAYNE: Brad  
17 Sinnott.

18 MEMBER SINNOTT: Yes.

19 DEPUTY DIRECTOR PAYNE: And Doug  
20 Preisse.

21 CHAIRMAN PREISSE: Yes.

22 DEPUTY DIRECTOR PAYNE: Motion  
23 carries.

24 The next item, then, would be a  
25 motion to recess the Board.

1                   MEMBER MARINELLO: Mr. Chairman,  
2 this is Kim Marinello. I move that the Board  
3 recess this meeting of the Franklin County Board of  
4 Elections subject to recall by the Chair until the  
5 close of the election being held on Tuesday, May 4,  
6 2021.

7                   CHAIRMAN PREISSE: Doug Preisse with  
8 a second.

9                   DEPUTY DIRECTOR PAYNE: I'll take  
10 roll for a recess.

11                   Kim Marinello.

12                   MEMBER MARINELLO: Yes.

13                   DEPUTY DIRECTOR PAYNE: Mike Sexton.

14                   MEMBER SEXTON: Yes.

15                   DEPUTY DIRECTOR PAYNE: Brad

16 Sinnott. X

17                   MEMBER SINNOTT: Yes.

18                   DEPUTY DIRECTOR PAYNE: And Doug  
19 Preisse.

20                   CHAIRMAN PREISSE: Yes.

21                   DEPUTY DIRECTOR PAYNE: We are in  
22 recess.

23                   (Thereupon, the proceedings were  
24 recessed at approximately 3:26 p.m.)

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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 26th day of May, 2021.

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

My Commission Expires: September 29, 2021.

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