

BEFORE THE FRANKLIN COUNTY BOARD OF ELECTIONS

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In Re: :  
: Regular Meeting. :  
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- - -

PROCEEDINGS

before Deputy Director David Payne, and Board Members  
Bradley K. Sinnott, Gregory K. Haas and Kimberly E.  
Marinello, at the Franklin County Board of Elections,  
1700 Morse Road, Columbus, Ohio, called at 3:00 p.m.  
on Monday, October 5, 2015.

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ARMSTRONG & OKEY, INC.  
222 East Town Street, Second Floor  
Columbus, Ohio 43215-5201  
(614) 224-9481 - (800) 223-9481  
Fax - (614) 224-5724

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APPEARANCES:

Franklin County Prosecutor's Office  
By Mr. Tim Lecklider, Esq.  
Assistant Prosecuting Attorney  
373 South High Street, 13th Floor  
Columbus, Ohio 43215

On behalf of the Board.

Jeffrey O. Mackey  
Franklin County Board of Elections

Renee Klco  
Franklin County Board of Elections

ALSO PRESENT:

Ms. Suzanne Brown,  
Executive Assistant to the Board.

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P R O C E E D I N G S

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DEPUTY DIRECTOR PAYNE: I think we are ready to get started. Director Anthony is on vacation, so I'll be pinch-hitting today as -- to be leading here. I think the first item is to take roll.

So Brad Sinnott.

MEMBER SINNOTT: Here.

DEPUTY DIRECTOR PAYNE: Greg Haas.

MEMBER HAAS: Here.

DEPUTY DIRECTOR PAYNE: Kim Marinello.

MEMBER MARINELLO: Here.

DEPUTY DIRECTOR PAYNE: All right. It looks like we have a quorum.

The first item on the agenda, I think Suzanne sent out the minutes from the September 14th meeting, and you all had an opportunity to, presumably, look at those. I have a hard copy here, if anybody would like to take a second glance.

Otherwise --

MEMBER MARINELLO: Otherwise, I move that the minutes of the Franklin County Board of

1 Elections meeting held on September 14th, 2015, be  
 2 approved as submitted.

3 MEMBER HAAS: Second.

4 DEPUTY DIRECTOR PAYNE: Fantastic.

5 The next item on the agenda --

6 MEMBER MARINELLO: Are we going to vote  
 7 on that?

8 MEMBER SINNOTT: A vote on that perhaps.

9 DEPUTY DIRECTOR PAYNE: That would be a  
 10 good idea. Let's vote on that.

11 MEMBER MARINELLO: Aye.

12 MEMBER HAAS: Aye.

13 DEPUTY DIRECTOR PAYNE: Mr. Sinnott.

14 MEMBER SINNOTT: Me, too.

15 DEPUTY DIRECTOR PAYNE: Very good.

16 The next item on the agenda is the voter  
 17 registration challenge, and I will bring up Renee  
 18 Klco to speak about that.

19 MS. KLCO: We have Tiffany Kessler, who  
 20 is challenging Jason Allen Jones, saying that he has  
 21 never lived at this address at 6059 Hayden Farms  
 22 Road. She also goes on to say he applied for a  
 23 driver's license and vehicle registration listing her  
 24 address without consent, her consent or knowledge,

1 and both have been since revoked by the BMV. So we  
2 check with the BMV. His driver's license is valid at  
3 that address.

4 We also show that both voters had  
5 absentee ballots delivered to the same address in  
6 Pittsburgh while they were at the university in 2012.  
7 Both voted their absentee ballot using the Hayden  
8 Farms Road. It is our recommendation that we let  
9 this -- the voters stay on the roll, they are  
10 inactive, and let them go through the purge process.

11 MEMBER SINNOTT: Renee, could you remind  
12 us of what it means to be inactive and go through the  
13 purge process?

14 MS. KLCO: It means there's been no  
15 voter activity on the voter's record since 2012, so  
16 they'll be up for purging 2016 -- 2017.

17 MEMBER SINNOTT: Okay. Has Mr. Jones  
18 ever voted from this Hayden Farms Road address?

19 MS. KLCO: Yes, he did, in 2012.

20 MEMBER SINNOTT: Okay. I move that the  
21 Board deny the Challenge of Right to Vote filed by  
22 Tiffany Kessler, of 6059 Hayden Farms Road, Dublin,  
23 against Jason Allen Jones, of the same address, and  
24 order that Jason Allen Jones' registration be

1 preserved in Franklin County.

2 MEMBER MARINELLO: Second.

3 DEPUTY DIRECTOR PAYNE: All right.

4 We'll take roll.

5 Kim Marinello.

6 MEMBER MARINELLO: Yes.

7 DEPUTY DIRECTOR PAYNE: Greg Haas.

8 MEMBER HAAS: Yes.

9 DEPUTY DIRECTOR PAYNE: Brad Sinnott.

10 MEMBER SINNOTT: Yes.

11 DEPUTY DIRECTOR PAYNE: All right.

12 The next item on the agenda refers to a  
 13 candidate withdrawal, and I'll ask Jeff Mackey if  
 14 he'll present that.

15 MR. MACKEY: On September 29th we  
 16 received an e-mail containing a letter from Canal  
 17 Winchester Mayor candidate Victor Paini indicating  
 18 that he needed to withdraw from the ballot for  
 19 purposes related to his job, and we have constructed,  
 20 along with the other two candidates who withdrew  
 21 after the 70-day deadline, a notice to be included  
 22 with the absentee ballots that go out that will still  
 23 have his name on the ballot and will be listed --  
 24 posted at the polls in the voting machines,

1 indicating that any votes cast for withdrawn  
2 candidates will not be counted.

3 MEMBER SINNOTT: Jeff, did you say that  
4 there were two other candidates, then, who have  
5 qualified --

6 MR. MACKEY: We've accepted their --  
7 well, we've accepted the withdraw of one other  
8 candidate for Truro Township Trustee, and then the  
9 third candidate I spoke of was a candidate who  
10 overlaps from Pickaway County. I assume they  
11 accepted their withdrawal. They notified us not to  
12 approve her on the ballot for one of our overlap  
13 school districts.

14 MEMBER SINNOTT: Okay. But it's the  
15 mayor's contest in Canal Winchester where Mr. Paini  
16 and Ebert appears?

17 MR. MACKEY: Correct. That will be  
18 uncontested for Mr. Ebert.

19 MEMBER SINNOTT: All right. I move that  
20 the Board accept the withdrawal of Victor Paini as a  
21 candidate for Canal Winchester Mayor on the November  
22 3, 2015, general election ballot.

23 MEMBER HAAS: Second.

24 DEPUTY DIRECTOR PAYNE: Great. We'll

1 take roll.

2 Kim Marinello.

3 MEMBER MARINELLO: Yes.

4 DEPUTY DIRECTOR PAYNE: Greg Haas.

5 MEMBER HAAS: Yes.

6 DEPUTY DIRECTOR PAYNE: And Brad

7 Sinnott.

8 MEMBER SINNOTT: Yes.

9 DEPUTY DIRECTOR PAYNE: All right. The  
10 last item on the agenda, and this might not be ready  
11 for a vote, but we can decide on that, Suzanne was  
12 good enough to talk to our folks at Securitas. We  
13 have security out here. You may see anywhere from  
14 two to three people. We have them for 120 hours each  
15 week, and presently they're charging us an hourly  
16 rate of 22.50 an hour, and Suzanne, in talking with  
17 the company, if we go with the yearlong contract, we  
18 can get that down to 18.94 an hour. That's \$3.50 --  
19 56 cents an hour savings, and over a year that would  
20 be a savings of \$22,215.

21 Our security is here Monday through  
22 Friday from 5:30 to 7:00 p.m., and then sometimes we  
23 have them after hours or on weekends if we have  
24 personnel in the building, but as long as we, in the

1 contract, reflects --

2 Suzanne, you can correct me on this, but  
3 as long as we give a 48-hour notice of additional  
4 time, the hourly rate would still be 18.94.

5 MS. BROWN: Correct.

6 DEPUTY DIRECTOR PAYNE: In the past  
7 we've always given the 48 hours' notice, so that's  
8 not an issue, so I think it would make a lot of sense  
9 to have a year contract. To date we are doing a week  
10 to week, and that's something I think -- we thought  
11 at some time we might have the Sheriff's Office come  
12 in and do some security for us or even manage  
13 Securitas, but they've indicated that that's not  
14 going to happen, so -- we're very satisfied with  
15 Securitas. We've looked at other companies. The  
16 Sheriff's Office actually recommends Securitas, and,  
17 again, we're very happy with them.

18 So there was some changes that our legal  
19 counsel recommended in the contract that Securitas  
20 sent us, and I don't know, Tim, if you want to  
21 address any of those proposed changes.

22 MR. LECKLIDER: Yes. I asked my  
23 colleague, Harold Anderson, whom you all know, about  
24 any specialty contract reviews for this and these

1 markups, the majority of which relate to  
2 indemnification, but a couple -- or the key points  
3 beyond that are that we need a definite term. You  
4 know, what they're proposing here is a contract  
5 without an end date and then also a sum certain, you  
6 know, which could be adjusted, you know, as time goes  
7 on, depending upon timing and that sort of thing.

8 MEMBER SINNOTT: How long have we had  
9 Securitas as a security company?

10 MS. BROWN: Since we moved here in July  
11 of '14.

12 MEMBER SINNOTT: And we're happy with  
13 them?

14 DEPUTY DIRECTOR PAYNE: Yes.

15 MEMBER SINNOTT: Tim, it looks as though  
16 on the contract drafts somebody has written in,  
17 "Shall terminate on 31 December, 2016"?

18 MR. LECKLIDER: And that was an  
19 arbitrary date that Harold inserted, that I'd just  
20 point out that it otherwise had an indefinite term.  
21 As I indicated in an e-mail to Miss Brown and Mr.  
22 Payne and Mr. Anthony, I just suggested -- again, it  
23 was only a suggestion, you know, of a term through  
24 December 31, 2016, but, of course, that's -- you

1 know, for the Board's staff to determine what is a  
2 reasonable length in negotiations and, you know, with  
3 respect to terms and so forth, and we're happy to  
4 review whatever it is that staff agrees to with  
5 Securitas.

6 MEMBER SINNOTT: How long do we want to  
7 do it, 12 months from today or all the way to the end  
8 of December of '16? I don't care.

9 MS. BROWN: I don't care either. I  
10 mean, if we can lock it in till the end of --  
11 December '16, let's try it.

12 MEMBER SINNOTT: Okay. Yeah, I think  
13 so. We need to execute a contract through December  
14 31, 2016, in the motion.

15 DEPUTY DIRECTOR PAYNE: Okay.

16 MR. LECKLIDER: If I could ask, have you  
17 all agreed to overtime rates and --

18 MS. BROWN: There is no overtime rate  
19 if we lock into a contract.

20 MR. LECKLIDER: Okay. All right.

21 MEMBER MARINELLO: Do we have to give  
22 them that notice, 48 hours, if we need them longer?  
23 Does that stay the same?

24 MS. BROWN: That's correct. The premium

1 time bill they talk about in the contract, that's if  
2 we do not give a 48-hour notice. So, like, if I tell  
3 them today I need them to stay until 2:00 in the  
4 morning, we know we have them scheduled for 10  
5 tonight, but those four extra hours would be at the  
6 premium rate bill, because they need a 48-hour  
7 notice.

8 DEPUTY DIRECTOR PAYNE: And all of our  
9 managers know that they need to give Suzanne ample  
10 time in order to -- I mean, there really aren't any  
11 surprises. We know our training schedule. We know  
12 our early-vote schedule. So there's not really any  
13 excuse for not giving them more than 48 hours'  
14 notice.

15 MR. LECKLIDER: And I would obviously  
16 defer to the staff and the Board. In this particular  
17 instance, my understanding is that we don't know yet  
18 whether Securitas agrees with the markups that we've  
19 made, so --

20 DEPUTY DIRECTOR PAYNE: That is correct.

21 MR. LECKLIDER: -- you might want to,  
22 you know, form your motion with that in mind, as  
23 opposed to approving it today.

24 MEMBER HAAS: Right. So rather than

1 "execute," pursue, pursue a contract?

2 DEPUTY DIRECTOR PAYNE: (Nods.)

3 MEMBER SINNOTT: I think that would be  
4 fine.

5 MEMBER HAAS: I move that the Board  
6 authorize the Director and the Deputy Director to  
7 pursue a contract with Securitas through December  
8 31st, 2016, to provide the Board with full-service  
9 security at the Franklin County Board of Elections.

10 MEMBER MARINELLO: I'll second.

11 DEPUTY DIRECTOR PAYNE: Great. We'll  
12 take a vote.

13 Kim Marinello.

14 MEMBER MARINELLO: Yes.

15 DEPUTY DIRECTOR PAYNE: Greg Haas.

16 MEMBER HAAS: Yes.

17 DEPUTY DIRECTOR PAYNE: And Brad

18 Sinnott.

19 MEMBER SINNOTT: Yes.

20 DEPUTY DIRECTOR PAYNE: Fantastic.

21 That's all that we have on the agenda.

22 I will let you know that today is the  
23 last day to register to vote if you want to vote in  
24 the November 3rd election, so if you haven't

1 registered to vote, you have until 9 p.m. tonight.  
2 We'll be open till 9, and then early vote starts at  
3 8:00 in the morning tomorrow morning, so --

4 MEMBER SINNOTT: When do we next  
5 convene? When do you want to see us again?

6 MS. BROWN: Well, our next regularly  
7 scheduled meeting would be November 2nd, the day  
8 before the election, unless we have something come  
9 up before that, that would require a special  
10 meeting, but we have to meet that day to open the  
11 polls.

12 MEMBER SINNOTT: All right. Shall we  
13 adjourn?

14 DEPUTY DIRECTOR PAYNE: At your  
15 pleasure.

16 MEMBER MARINELLO: Second.

17 DEPUTY DIRECTOR PAYNE: We'll take a  
18 roll.

19 Kim.

20 MEMBER MARINELLO: Yes.

21 DEPUTY DIRECTOR PAYNE: Greg.

22 MEMBER HAAS: Yes.

23 DEPUTY DIRECTOR PAYNE: Brad.

24 MEMBER SINNOTT: Yes.

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DEPUTY DIRECTOR PAYNE: Fantastic. All  
right.

(Thereupon, the meetings was concluded  
at 3:16 p.m.)

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CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Monday, October 5, 2015, and carefully compared with my original stenographic notes.

*Valerie J. Sloas*

Valerie J. Sloas, Registered Professional Reporter and Notary Public in and for the State of Ohio.



My commission expires June 8, 2016.

(VJS-79452)