DECLARATION OF DANIEL B. MILLER

I, Daniel B. Miller, declare the following based upon my personal knowledge:

1. I am an attorney for Plaintiffs Northeast Ohio Coalition for the Homeless (“NEOCH”) and Service Employees International Union (“SEIU”) Local 1199 in this action.

2. On May 22, 2012, I submitted public record requests to the following twenty Ohio county boards of elections: Belmont County Board of Elections, Butler County Board of Elections, Clark County Board of Elections, Clermont County Board of Elections, Coshocton County Board of Elections, Cuyahoga County Board of Elections, Franklin County Board of Elections, Greene County Board of Elections, Hamilton County Board of Elections, Logan County Board of Elections, Lorain County Board of Elections, Lucas County Board of Elections, Madison County Board of Elections, Miami County Board of Elections, Montgomery County Board of Elections, Putnam County Board of Elections, Seneca County Board of Elections, Stark County Board of Elections, Summit County Board of Elections, and Warren County Board of Elections. These public records requests were identical in content. As an example, a true and correct copy of the request I submitted to Belmont County is attached to this declaration as Exhibit A. To date, I have received responses from most but not all of these counties.

3. This Declaration describes and attaches as exhibits documents that were provided by the county boards of elections in response to these public records requests regarding poll-worker error and the casting and counting of provisional ballots in the elections subsequent to the entry of the April 19, 2010 Consent Decree in this lawsuit (“NEOCH Consent Decree”). (As discussed below, the only exception is Exhibit F, which is an official record of the Cuyahoga County Board of Elections but was not provided in response to the public records requests.) Responses from the county boards of elections were accompanied by certifications. True and
correct copies of these certification that relate to the documents discussed in and attached to this Declaration are attached hereto as Exhibit B.

4. Several county boards of elections produced minutes or transcripts of the Board of Elections meetings held immediately following elections in 2010, 2011, and 2012, at which the counting and rejection of provisional ballots were discussed and voted on, and also where poll-worker error with respect to provisional ballots was discussed.

5. **Butler County.** Attached as Exhibit C is a true and correct copy of the Butler County Board of Elections Board Meeting Minutes from March 19, 20, and 21, 2012. At the March 19, 2012 meeting, the Board voted on provisional ballots cast at the March 6, 2012 Primary Election, including ballots segregated as subject to the NEOCH Consent Decree. The Board voted to count these NEOCH ballots as resulting from poll worker error after concluding that: “Each location had a minimum of one poll worker processing provisional ballots incorrectly….” Ex. C at 2 (emphasis added.)

6. At the March 20, 2012 meeting of the Butler County Board of Elections, the Board concluded that non-NEOCH ballots had been “cast in the correct polling place, but incorrect precinct, due to poll worker error” but nonetheless voted to reject those ballots. Ex. C at 12.

7. At the March 21, 2012 meeting of the Butler County Board of Elections, the Board minutes reflect the following discussion of poll-worker error in processing provisional ballots in the March 2012 primary election:

The problems we saw on Election Day with our Provisional table were due to poll workers not being adequately trained on processing Provisional Voters on the Electronic Poll Books. Last-Minute-Instructions were provided to election workers, however, in some cases it was evident they were not read…. The Board discussed methods to streamline this process and better train the poll workers on sending voters to the correct Provisional table and providing appropriate ballots to the voters. The suggestion was made to place an additional person at the
Provisional Table to guide voters to the correct provisional ballot precinct poll worker.

Ex. C at 31.

8. Attached hereto as Exhibit D is a true and correct copy of the Butler County Board of Elections Board Meeting Minutes from November 19, 2011, at which the Board voted to count or reject provisional ballots cast in the November 2011 General Election. The Board voted to “remake” the 49 correct location, wrong precinct ballots, but to reject the 53 wrong location, wrong precinct ballots. Ex. D at 2. The Board stated that “the law about voting in the wrong polling location which makes those voted invalid.” Id. After voting to reject those provisional ballots cast in the wrong precinct and location, a Board member “suggested not giving these provisional voters in the wrong precinct and wrong polling place an ‘I voted’ sticker.” Id.

9. Clark County. Attached hereto as Exhibit E is a true and correct copy of the transcript of the November 23, 2010 Meeting of the Clark County Board of Elections, at which the Board voted on counting or rejecting the provisional ballots cast in the 2010 General Election. The Board voted to reject the provisional ballots that were cast in the wrong precinct, despite the following discussion of the poll-worker error that led to voters being given the wrong precinct ballots:

Ms. Smith: 91 percent seems pretty high.

Ms. Pickarski: That’s pretty good. It’s 9 percent that did not count so only 100 basically out of the 1147 did not count.

Ms. Smith: I know people get upset when they have to vote provisional.

Ms. Pickarski: We stress the maps and everything in training that’s, you know, you come in, let’s say I live on Detrick Jordan Pike, they can go into the big red map book and they can look up the address, but they can call us, I tell them call us and we can tell you where to send them [voters]. But for whatever reason, I don’t know if they
[poll workers] just get frustrated, you don’t know what happens out there on that day of election.

**Ms. Smith:** What they are dealing with at that time.

**Ms. Pickarski:** It will show in your breakdown there by each precinct and it will say voted in the wrong precinct and if I have one of them, I have upteen of them.

**Mr. Rhine:** Once it starts, it continues.

Ex. E at 11-12.

10. **Cuyahoga County.** Attached hereto as Exhibit F is a true and correct copy of the minutes of the November 29, 2011 meeting of the Cuyahoga County Board of Elections, which I obtained from the Board’s website, http://boe.cuyahogacounty.us, under the “Notices & Calendar” page. Cuyahoga County rejected 47 provisional ballots cast “in-house” by lawfully registered voters who voted at the Board of Elections but were given the wrong precinct ballot. Ex. F. at 1. The minutes state: “Director Platten stated there were 47 ballots cast in-house that were in the wrong precinct. She further states this problem was a staffing issue; staff had been advised to improve training and to set up additional safety nets to eliminate the incidence of wrong precinct ballots.” *Id.* at 1 (Emphasis added.) The Board also rejected 499 ballots cast by lawfully registered voters who voted in the correct polling location but were given the wrong precinct ballot. *Id.* at 8 (in the “Provisional Data” table).

11. **Franklin County.** Attached hereto as Exhibit G is a true and correct copy of the transcript of the Franklin County Board of Elections November 19, 2010 Special Meeting, at which the Board voted on whether to count or reject provisional ballots cast during the November 2011 election. The Board discussed the inconsistent ways counties have implemented the “poll worker” error requirement in the NEOCH Consent Decree because of a lack of guidance as to how to determine error. *Ex. G* (Trans. at 5-6). The Board voted to count right
location, wrong precinct ballots (“this right church, wrong pew category”) after it heard testimony from elections staff that at the multi-precinct locations (“our consolidated voting location approach”) there “is a single table and a single set of poll workers assigned to the task of provisional ballots for all precincts in a location, [and] it would be pretty difficult in this county to conceive of a situation where it would be voter error.” Ex. G (Trans. at 6) (emphasis added).

12. Hamilton County. Attached hereto as Exhibit H is a true and correct copy of the minutes and transcript of the Hamilton County Board of Elections Special Meeting held November 21, 2011, at which the Board voted on the provisional ballots cast in the November 2011 General Election. The transcript reflects that the Board discussed and rejected 452 provisional ballots that fell in “Wrong Precinct” category, including one ballot that was cast at the Board of Elections, but cast on the wrong precinct ballot form because of admitted poll-worker error; and discussed and rejected 360 provisional ballots covered by the NEOCH consent decree because the face of the ballot did not reveal poll worker error. Ex. H (Trans. at 14-17).

13. Members of the Board were troubled by their understanding that, in the absence of the NEOCH Consent Decree, they could not count a ballot because of poll-worker error. The following exchange reflects this:

MR. FAUX: So, he was a City of Cincinnati resident. He was changing his address from one location inside the City of Cincinnati to another location inside the City of Cincinnati, and he was handed an Anderson Township ballot.

MS. KRISEL: Correct.

MR. FAUX: And his vote will not be counted now due to that.

MS. KRISEL: Correct.

MR. FAUX: I have a real serious problem with that. He was deprived of his vote on those grounds.
MR. BURKE: Clearly, his vote on the Anderson Township issues shouldn’t be counted; other than that, I agree with Caleb. What you’re telling us is the screw up was entirely our staff’s?

MS. KRISEL: Correct.

MR. FAUX: How we can justify not counting this vote under these circumstances? Please explain, how can we justify that?

MS. MCCAFFERTY: We have a clear opinion from the Ohio Supreme Court saying do not count wrong precinct ballots period. There are no exceptions within that group, except for those ballots that are considered NEOCH ballots that are subject to the decree.

Ex. H (Trans. at 16-17).

14. The transcript of the November 21, 2011 Hamilton County Board of Elections meeting also reflects confusion regarding the standard for investigation of poll-worker error and some Board members’ concerns that appropriate investigation would have established the existence of poll-worker error and that the failure to investigate meant that voters’ ballots would not be counted. This is evident in the following comments and exchanges:

MR. FAUX: I think what we are hearing here regarding the standard of the investigation of this question of NEOCH ballots of poll worker error is very much reflective of what we were hearing a year ago, which is that the investigation that takes place is simply a review of paperwork to see if any poll worker makes a note of the fact that they made an error. And what we have learned rather clearly I think is when poll workers make errors, they don’t make notes to tell us that they did. So, an investigation simply looking at paperwork is no investigation at all. So, my question is: Was any attempt made to speak with the poll workers who handled these ballots? No. So, I would reiterate my point of view, no investigation has taken place. We have no basis upon which to reject these ballots.

. . . .

CHAIRMAN TRIANTAFILOU: Any further discussion on the motion to reject them?

MR. BURKE: I am going to vote to reject all of these ballots. I have said in the past, I do so with great regret with regard to the Right Church, Wrong Pew voters.
I sincerely hope that we will soon have in Federal Court a decision which will provide us guidance on this, and will make it appropriate for us to count those voters who get to the right place and for one reason or another voted the wrong table.

MR. FAUX: But, again, we do have an obligation under the NEOCH consent decree to investigate how those ballots were cast and whether or not they were precinct poll worker error involved in casting those ballots. What I heard, there has been no investigation.

Ex. H (Trans. at 27-30).

15. Attached hereto as Exhibit I is a true and correct copy of the minutes of the Hamilton County Board of Elections Regular Meeting held March 19, 2012. The Board voted not to count provisional ballots subject to the NEOCH Consent Decree where the voter affirmation was not complete because there was no evidence of poll worker error on the face of the ballot. Ex. I at 4-5. The Board also voted to reject a non-NEOCH ballot cast in the correct location but wrong precinct where there was a poll worker note because the Board could not consider error. Ex. I at 4.

16. Lorain County. Attached hereto as Exhibit J is a true and correct copy of the minutes from the Lorain County Board of Elections March 15, 2012 Board Meeting, at which the Board voted to count or reject the provisional ballots cast during the March 2012 primary. The minutes describe the discussion of instructions from the Secretary of State to reject provisional ballots that contain the proper voter identification information if it is written on the wrong side of the envelope:

Hurst asked Adams how the percentage of provisional ballots rejected in the election compared with past elections. Adams replied that the rejection rate, 18.76% was somewhat higher than normal. He attributed this difference to the fact that a new form was used in this election and that some voters placed required information on one side, but not the required side. The Secretary of State’s office has confirmed that required information, printed name,
identification and a signature must be placed on the front of the provisional envelope. If this information is missing on the front of the envelope, but appears on the back of the envelope, where a voter registration form is provided, it cannot be counted.

Ex. J at 1.

17. Some county Boards of Elections produced “Incident Reports” or “Problem Sheets” from the 2010, 2011, or 2012 elections that include descriptions of problems reported by elections officials, poll workers, or voters themselves. Excerpts from the Incident Reports, Problem Sheets, and “Election Day Tracker” produced by Clermont County for the 2012 and 2011 elections, Stark County for the 2012 and 2011 election, and Franklin County for the 2012 election are attached hereto as Exhibit K, and include descriptions of the following types of problems, which have been highlighted for the Court’s convenience:

a. **Voters reported being directed by poll workers to incorrect locations.**

   “Quite a few voters from Precinct MI – CIC told me they were sent instructions to vote at Milford Church of Christ – 844 St. Rt. 131 instead of Milford Assembly of God Church – 1301 St. Rt. 131.” Ex. K at 1 (emphasis in original).

   Voter stated that “the Poll workers sent him away because they did NOT have his ballot. It is his proper voting location.” Ex. K at 2.

   “Polling Location sent them to another location 2 times.” Ex. K at 3.


b. **Voters reported receiving the wrong ballots.**

   “[Voter] [r]eceived the wrong ballot in a split precinct.” Ex. K at 27.

c. **Poll workers reported insufficient staff to direct voters to the right precinct location/table within multi-precinct locations.**

“I hope for the Nov. election we have someone posted by the entrance whose sole job is to look up the precincts for those who do not know them, & to direct them to the correct location.” Ex. K at 5.

d. **Poll workers reported not having sufficient staff or the proper books or maps to look up voter addresses to direct them to the correct precincts.**

Polling location reported not having a “polling location street and road guide” and it took five hours to resolve the situation. Ex. K at 6-7.

Larger polling locations needed more precinct guides than they had. Ex. K at 8.

“No county street and road guide[.]” Ex. K at 9.


e. **Poll workers reported giving voters incorrect ballots.**

“She [voter] was register[ed] in another precinct within Clermont County – vote provisional.” Ex. K at 11.


f. **Poll workers reported confusion regarding how to determine from the address books where a voter should vote when precincts were split between the odd or even sides of a street.**

“Voters being told wrong precinct by woman on outside of cafeteria w/ the Master Street Index. She’s having trouble w/ odd & even house #’s, so is sending voters to wrong precinct.” Ex. K at 32.


g. *Poll workers reported not being able to read or find addresses in the guidebooks to tell voters where to vote.*

Poll worker misread voter’s voting location because of confusion about location abbreviations. Ex. K at 12.

Poll worker “did not know how to read the voter street guide.” Ex. K at 13.

“Voter’s address did not appear in the proper place in the CWSRG. ‘East Maple’ address in on[e] range was listed under ‘E’. Neighboring addresses were under ‘M[.]’ [P]wers were able to locate the address using another Precinct’s EP unit.” Ex. K at 19.

“High Mill incorrectly sent many voters to this location; error in their CWSRG[.]” Ex. K at 19.

Not able to find address in street guide; had voter vote provisionally. Ex. K at 14.

Voter’s “new address is not listed in book of street guide[.]” Ex. K at 15.

h. *Poll workers failed to instruct voters on how accurately to fill out a provisional ballot such that it would be counted, or to provide appropriate provisional voting materials.*


“We didn’t see the DL# column on provisional book. Client didn’t enter on provisional envelope.” Ex. K at 17.

“Not issuing Provisional Envelopes.” Ex. K at 22.

“Pwers did not have enough Provisional Envelopes.” Ex. K at 29.

I declare under penalty of perjury that the foregoing is true and correct.

s/ Daniel B. Miller
Daniel B. Miller

Executed this 30th day of May, 2012.
May 22, 2012

VIA FAX ((740) 526-0512), EMAIL (Belmont@sos.state.oh.us), AND CERTIFIED MAIL

William F. Shubat
Director
Belmont County Board of Elections
103 Plaza Drive, Suite B
St. Clairsville, OH 43950

RE: Request for Public Records

Dear Director Shubat:

Pursuant to Ohio Revised Code Chapter 149, I request copies of the following “public records,” as that term is defined by R.C. 149.43 & R.C. 149.011(G):

1. Current poll worker training manual(s) containing training and/or instructions regarding provisional ballots.

2. A blank provisional ballot envelope.

3. Poll worker instructions for handling provisional ballots.


5. For each of the November 2008, November 2010, November 2011 and March 2012 elections, minutes, transcripts, reports or other records reflecting the public Board meetings where provisional ballots were counted or rejected.

6. For each of the November 2008, November 2010, November 2011 and March 2012 elections, a list of precincts and polling locations.
William F. Shubat  
May 22, 2012  
Page 2

7. For each of the November 2008, November 2010, November 2011 and March 2012 elections, any reports or summaries of voter complaints regarding provisional ballots, precinct locations, or poll worker error.

Please also produce an Authentication Certificate or similar notarized document attesting that the documents produced are official copies of the documents kept in your office's files.

Please provide me with the requested public records by Friday, May 25. The copies may be sent to me via overnight delivery, at my expense. Thank you for your prompt attention to this request. Please do not hesitate to contact me with any questions.

Very truly yours,

Daniel B. Miller

cc: Caroline H. Gentry (via e-mail only)
May 24, 2012

Porter Wright
Morris & Arthur LLP
41 South High Street
Suites 2800-3200
Columbus, Ohio 43215

RE: Public Records Request

Dear Mr. Daniel B. Miller:

Please find attached our response to your Public Records Request # 2012-74, dated 5/22/2012.

Please find the information below pursuant to your request:

1. Copies of Polling Location and Precinct lists (We have copied November 2008, November 2010, November 2011, March 2012)

2. Instructions for processing NEOCH Ballots

3. Copy of our in office Provisional Label

4. Blank Provisional Envelope

5. Copy of our March 6, 2012 Primary Election instruction manual


7. Copies of Board Meeting Minutes (We have copied November 19, 2008; November 13, 2010; November 15, 2010; November 17, 2010; November 8, 2011; November 19, 2011; November, 21, 2011; November 22, 2011; March 19, 2012; March 20, 2012; and March 21, 2012)

At this time, we consider this public records request filled. If you have any questions, please contact us at (513) 887-3700.

Respectfully,

Lynn Edward Kinkaid
Director
May 25, 2012

Dan Miller
Porter Wright Morris & Arthur LLP
41 South High Street
Columbus, Ohio 43215-6194

RE: Records request

Dear Mr. Miller,

Please note:
Item 3 is included in our training manual. A quick reference guide is also furnished to each poll worker and to our scouts.

Item 4- We follow the most recent S.O.S. Directive for each election and we follow the enclosed “Notice Issued Pursuant to Court Order”.

Item 7- We have had no formal complaints in the areas outlined.

Thank you,

Mark Oster
Director

3130 EAST MAIN STREET, P.O. BOX 1766, SPRINGFIELD, OHIO 45501-1766
Dear Mr. Miller:

Attached are the following documents in electronic format:

- Quick Guide March 2012
- Comp Manual (Provisional section) March 2012
- Comp Manual cover

This completes Items 1 and 3 of your public records request dated May 22, 2012.

Carolyn E. Ford
Hamilton County Board of Elections
Records/Document Clerk
824 Broadway, 3rd Floor
Cincinnati, Ohio 45202
Phone: 513.632.7062
Dear Mr. Miller:

Pursuant to your conversation with Amy Searcy, Director of the Board of Elections, we have attached electronic copies of the November 2008, November 2010, November 2011, and March 2012 polling location lists. These lists include both the precincts and poll locations. This completes Item 6 of your public records request dated May 22, 2012.

Thank you,

Carolyn E. Ford  
Hamilton County Board of Elections  
Records/Document Clerk  
824 Broadway, 3rd Floor  
Cincinnati, Ohio 45202  
Phone: 513.632.7062
Mr. Miller: please see attached; note that it is a zip drive. This completes number #5 of the public records request dated 5-22-12.

I have further comments:
- #2 is included in the poll worker manual sent as response to #1. You do not need it sent separately, do you?
- #7 requires more research on our end, so you will hear from us as soon as we can ascertain the response
- Per our conversation, #4 is a request for specific instructions we provide to our poll workers for handling NEOCH ballots. Is that correct? Are you asking for instructions we provide to poll workers? I am unclear exactly what you are requesting.

Thank you,

Amy Searcy, Director
Hamilton County Board of Elections
Miller, Daniel B.

From: Paul Adams [padams@loraincountyelections.com]
Sent: Friday, May 25, 2012 4:32 PM
To: Magley, Tammie S.
Cc: Gentry, Caroline H.; Miller, Daniel B.
Subject: FW: Lorain Co. Request for Public Records
Attachments:

Tammie,

In reply to items #1, #3 & #4 see attachment “Lorain – Pollworker Manual” Note that the poll worker manual is being reviewed by staff and will be updated before poll worker training begins for the 2012 General Election. (Due to the size of documents this will be attached in a separate e-mail)

In reply to item #2, Though modeled after the Secretary of State prescribed provisional envelope, a consent decree with the U.S. Department of Justice requires our provisional ballot envelopes include Spanish as well as English. The envelope that was used in the 2012 Primary Election is attached. Modifications to this envelope may be made after further review by the U.S. Department of Justice and our requirements under the consent decree.

In reply to item #5 the minutes for those meetings are attached

In reply to item #6 the voter center lists for those elections are attached

In reply to item #7 see attachment “Complaints”

These items have also been faxed to you.

Paul Adams
Director, Lorain County Board of Elections
(440) 326-5940

From: Magley, Tammie S. [mailto:TMagley@porterwright.com]
Sent: Tuesday, May 22, 2012 2:21 PM
To: Paul Adams
Cc: Gentry, Caroline H.; Miller, Daniel B.
Subject: Lorain Co. Request for Public Records

Please call with any questions.

**********Notice from Porter Wright Morris & Arthur LLP**********
This message may be protected by the attorney-client privilege. If you believe that it has been sent to you in error, do not read, print or forward it. Please reply to the sender that you have received the message in error. Then delete it. Thank you.

To comply with certain U.S. Treasury regulations, we inform you that any federal tax advice contained in this message, including attachments, is not a covered opinion as described in Treasury Department Circular 230 and therefore cannot
be relied upon to avoid any tax penalties or to support the promotion or marketing of any federal tax transaction.

***********************End of Notice***********************
May 24, 2012

Daniel M. Miller  
Porter, Wright, Morris & Arthur, L.L.P.  
41 S. High St. – Suite 2800-3200  
Columbus, Ohio 43215-6194

Re: Public Records Request of May 22, 2012

Dear Dan:

Enclosed please find all information requested per your request of May 22, 2012. (Attached please find a copy of the Request received.)

All Documents attached hereto are the actual documents or is a true and accurate copy of the records on file with the Clermont County Board of Elections.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

[Signature]

Judith A. Miller, Director  
Clermont County Board of Elections.
Per your records request, please see attached documents. As we discussed, the attached documents have already been copied at a cost of $17.00 and ready to be picked up. Your request asks for a provisional envelope. I can scan it if you like unless you want the actual envelope. Please let me know.
Jeanette Mullane
330-451-7002

>>> Stark County Board of Elections Stark County Board of Elections 5/22/2012 2:53 PM >>>

>>> "Magley, Tammie S." <TMagley@porterwright.com> 5/22/2012 2:48 PM >>>
Please call with any questions.

**************Notice from Porter Wright Morris & Arthur LLP**************
This message may be protected by the attorney-client privilege. If you believe that it has been sent to you in error, do not read, print or forward it. Please reply to the sender that you have received the message in error. Then delete it. Thank you.

To comply with certain U.S. Treasury regulations, we inform you that any federal tax advice contained in this message, including attachments, is not a covered opinion as described in Treasury Department Circular 230 and therefore cannot be relied upon to avoid any tax penalties or to support the promotion or marketing of any federal tax transaction.

***************End of Notice***************
Butler County Board of Elections  
Board Meeting Minutes  
March 19, 2012  

The Butler County Board of Elections met on Monday, March 19, 2012 at 9:00 am, for a special meeting to approve the opening of Valid Provisional Ballots from the March 6, 2012 Primary Election. Roll call was taken and present were Chairman Frank Cloud, Member Bruce Carter, Member Thomas Ellis, Member Judy Shelton, Director Lynn Kinkaid, and Deputy Director Jocelyn Bucaro. Also present were Administrative Assistant Tiffany Harmon, Sr. Executive Assistant Nancy Piper; Registration Manager, Diane Noonan; Early Voting Clerk, JacRisla McKinnon; and IT Manager, Jay Klein. T.C. Rogers, Candidate for Butler County Commissioner; Courtney Combs, Candidate for Butler County Commissioner; Sheila McLaughan, Reporter for the Cincinnati Enquirer; and Beth Ryan, Attorney for the law firm of Taft Stettinius & Hollister LLP.

Chairman Cloud referred to the Agenda and declared that the purpose of the meeting was to vote on the validity of provisional ballots per Directive 2012-01.

Member Ellis moved to begin review of the Ballots and Member Shelton seconded the motion. Roll call:

Chairman Cloud  yea  
Member Carter  yea  
Member Ellis  yea  
Member Shelton  yea

All in favor; motion carried.

Diane Noonan presented the provisional ballots to the Board. She explained the first seven Provisional Ballots were cast in the incorrect polling location.

Member Carter moved to invalidate the seven provisional ballots due to incorrect polling location per directive Directive 2012-01, seconded by Member Shelton.

Member Ellis suggested that in the future poll workers should be required to sign a document stating they directed the voter to the correct location and inform them that their vote will not count if cast in the incorrect location. Roll call:

Chairman Cloud  yea  
Member Carter  yea
Member Ellis     yea
Member Shelton   yea

All in favor, motion carried.

Diane Noonan presented fifty provisional ballots to the Board. These voters were at the correct location and voted in the wrong precinct due to poll worker error. She explained that all of these voters included a Social Security Number on the envelope and do fall under the NEOCH exception. Member Ellis moved to approve all fifty provisional ballots for opening under Directive 2012-06. Member Shelton seconded the motion. Member Carter requested to separate the Provisional Ballots into two groups based on proven poll worker error and hypothetical poll worker error. Member Ellis stated there is no way to differentiate which poll worker in each precinct processed the provisional ballot. Each location had a minimum of one poll worker processing provisional ballots incorrectly and stood fast with his motion that the fifty provisional ballots should be accepted under Directive 2012-06 as NEOCH Ballots. Roll call:

Chairman Cloud   yea
Member Carter   nay
Member Ellis     yea
Member Shelton   yea

Motion carried by majority vote.

Member Carter moved to recess briefly. Member Shelton seconded the motion and roll call was taken:

Chairman Cloud  yea
Member Carter   yea
Member Ellis    yea
Member Shelton  yea

All in favor, Motion carried.

Following recess, Chairman Cloud moved to resume the meeting. Member Shelton seconded the motion.

Roll Call:

Chairman Cloud   yea
Member Carter    yea
Member Ellis     yea
Member Shelton   yea

All in favor, Motion carried.
Diane Noonan contacted the Secretary of State's office for an explanation of the NEOCH exception. It was explained to her that if a provisional envelope has both a social security number and a driver's license number as identification they can not be classified as NEOCH under Directive 2012-06. In order to be a NEOCH ballot, the voter can only list the Social Security number as identification on the provisional envelope. Member Ellis moved to rescind his previous motion to accept all fifty ballots based on the clarification from the Secretary of State, and Member Shelton seconded the motion. Roll call:

Chairman Cloud  yea
Member Carter    yea
Member Ellis     yea
Member Shelton  yea

All in favor; motion carried.

Upon further discussion the board decided to separate the fifty provisional ballots into two groups. These groups included twenty-eight Provisional Ballots that clearly meet NEOCH standards under Directive 2012-06 and the twenty two additional ballots in question.

Member Carter moved to accept the twenty eight NEOCH ballots where the voter provided only the Social Security number as identification on the provisional envelope. Member Shelton seconded the motion. With no further discussion, roll call was taken:

Chairman Cloud  yea
Member Carter    yea
Member Ellis     yea
Member Shelton  yea

All in favor; motion carried.

Member Carter moved to reject the twenty-two provisional ballots that have both the voters' Social Security numbers and the driver's license numbers listed as a form of identification and therefore do not meet the NEOCH exception. Chairman Cloud seconded the motion. Roll call:

Chairman Cloud  yea
Member Carter    yea
Member Ellis     yes
Member Shelton  yes

All in favor; motion carried.
Diane Noonan presented eight provisional ballots that were cast in the correct location, incorrect precinct, and did not list the Social Security Number as identification. Director Kinkaid stated that the poll worker department are working on procedures geared on prevent poll worker error. Member Carter moved to reject the eight provisional ballots before the Board. Chairman Cloud seconded the motion. Roll call:

Chairman Cloud       yea
Member Carter        yea
Member Shelton       yea
Member Ellis         yes

All in favor; motion carried.

Deputy Director Bucaro presented a single provisional ballot cast in the wrong precinct that should have been processed as an optical scan ballot. The envelope does not fall under the NEOCH exception. A hand-written note from the Presiding Judge stated that the signature pad was out of order, and the voter had erroneously been given a provisional ballot. Ms. Bucaro stated that there is a procedure in place for a failed signature pad in which the voter would be given an optical scan. Member Carter moved to reject the ballot, Chairman Cloud seconded the motion. Member Ellis questioned if the Board has the ability to reclassify a Provisional Ballot to an Optical Scan. Member Carter rescinded his motion to reject the Provisional Ballot pending clarification from the Secretary of State.

Ms. Noonan presented seven provisional ballots that should have been processed as Optical Scan Ballots. She requested the Ballots be opened and reclassified as an Optical Scan. Member Carter moved to reclassify the seven Provisional Ballots as Optical Scan. Member Shelton seconded the motion. Roll call:

Chairman Cloud       yea
Member Carter        yea
Member Shelton       yea
Member Ellis         yea

All in favor; motion carried
Member Carter moved to accept all 313 provisional ballots deemed valid by the
Board of Elections Staff in bipartisan teams per Directive 2012-01. Member
Shelton seconded the motion. Roll call:

Chairman Cloud yea
Member Carter yea
Member Shelton yea
Member Ellis yea

All in favor; motion carried

Member Cloud informed the board that they must follow Provisional Law and are
unable to count the single provisional ballot cast because of a failed signature
pad because it does not fall under NEOCH. Member Carter moved to reject the
ballot even though there was gross poll worker error. Chairman Cloud seconded
the motion. There was no further discussion and roll call was taken:

Chairman Cloud yea
Member Carter yea
Member Shelton yea
Member Ellis yea

All in favor; motion carried

Ms. Noonan presented three provisional ballots with no identification. Krissy
Rine, legal counsel from the Secretary of State’s office informed the Board that
they are unable to use the identification on the back of the envelope since the
back is actually for voter registration. Member Carter moved to invalidate the
three Provisional Ballots. Member Shelton seconded the motion and roll call was
taken:

Chairman Cloud yea
Member Carter yea
Member Shelton yea
Member Ellis yea

All in favor; motion carried

Ms. Noonan presented a single provisional ballot with no printed name and a
social security number as the only form of identification which triggers a question
of NEOCH under Directive 2012-06. Member Carter moved to accept the ballot.
Member Shelton seconded the motion. Roll call:

Chairman Cloud yea
Member Carter yea
Member Shelton yea
Member Ellis yea
All in favor; motion carried

Ms. Noonan presented a provisional ballot missing a printed name. Reluctantly Member Carter moved to invalidate ballot. Member Shelton seconded the motion. Roll Call:

Chairman Cloud  yea
Member Carter     yea
Member Shelton    yea
Member Ellis      yea

All in favor; motion carried

A single ballot that was voted in Butler County was presented to the Board. The voter filled out the provisional envelope stating he currently lives in Hamilton County. Member Carter moved to invalidate the ballot. Chairman Cloud seconded the motion. Member Shelton questioned how this happened. Deputy Director Bucaro explained that the voter filled out a change of address to Hamilton County on the provisional envelope but voted the ballot in Butler County. Roll call:

Chairman Cloud  yea
Member Carter     yea
Member Shelton    yea
Member Ellis      yea

All in favor; motion carried

Ms. Noonan presented thirty-eight provisional ballots whereas the voters were not registered in the state of Ohio. Member Carter moved to reject the thirty-eight provisional ballots. Member Shelton seconded the motion. There was no discussion. Roll call:

Chairman Cloud  yea
Member Carter     yea
Member Shelton    yea
Member Ellis      yea

All in favor; motion carried

Member Carter moved for a ten-minute recess. Member Shelton seconded the motion. Roll call:

Chairman Cloud  yea
Member Carter     yea
Member Shelton    yea
Member Ellis      yea
All in favor; motion carried

Chairman Cloud called the meeting back into order. The next order of business was to review absentee ballots. Nancy Piper presented the ballots that were received by mail. Ten absentee ballots were received on March 7, 2012 and one ballot was received on March 12, 2012. Dates are difficult to read and Ms. Piper explained that they must be postmarked by March 5, 2012 to be valid absentee ballots. Ms. McKinnon explained the ballots can be received up to ten days after the deadline if they are postmarked by March 5, 2012.

Member Carter moved to reject the first nine Absentee Ballots containing postmarks on the sixth. Member Shelton seconded the motion. Roll call:

Chairman Cloud    yea
Member Carter     yea
Member Shelton    yea
Member Ellis      yea

All in favor; motion carried

The tenth ballot was received on March 7th and the board employees could not determine the date postmarked on the envelope. Member Carter moved to accept, absent any evidence that it was mailed after March 5th. Member Shelton seconded the motion. Roll call:

Chairman Cloud    yea
Member Carter     yea
Member Shelton    yea
Member Ellis      yea

All in favor; motion carried

The eleventh ballot was received on March 12, 2012. Member Carter stated that he believed that this was postmarked March 6th, and Member Shelton agreed. Member Carter moved to reject the ballot due to the late postmark. Member Shelton seconded the motion. Roll call:

Chairman Cloud    yea
Member Carter     yea
Member Shelton    yea
Member Ellis      yea

All in favor; motion carried
Member Carter moved to add thirty-six additional absentee ballots that have been scanned to be included in the official count, totaling ninety ballots to be added to the official run. Member Shelton seconded the motion. It was explained by Mr. Klein that three decks which account for the thirty six ballots were scanned after 11:00 pm on election night. They had not been added to the unofficial count due to staff error. Member Carter withdrew his motion to clarify and restate.

Member Carter moved to add the thirty-six ballots that were scanned late on election night to be added to the official tally. Chairman Cloud seconded the motion. Roll call:

Chairman Cloud    yea  
Member Carter     yea  
Member Shelton    yea  
Member Ellis      yea  

All in favor; motion carried

Member Carter moved to approve the scanning and add the additional fifty-four absentee ballots to the official tally. Member Shelton seconded the motion. Member Shelton stated she was glad to have such a great response from voters and received so many timely absentee ballots after Election Day. Roll call:

Chairman Cloud    yea  
Member Carter     yea  
Member Shelton    yea  
Member Ellis      yea  

All in favor; motion carried

Lynn Kinkaid gave the breakdown of provisional ballots as follows;
Total valid 352. Total invalid 81. Total Provisional Ballots 426.

At approximately 12:43 p.m. Member Ellis moved to adjourn the meeting.

Member Shelton seconded the motion. Roll call:

Chairman Cloud    yea  
Member Carter     yea  
Member Shelton    yea  
Member Ellis      yea  

Motion passed.
The meeting was adjourned at approximately 12:45 p.m.
Butler County Board of Elections
Board Meeting Minutes
March 20, 2012

The Butler County Board of Elections met on Tuesday, March 20, 2012 at 2:00 p.m., for a special meeting to validate Provisional Ballots and approve the remakes of Provisional and Absentee Ballots from the March 6, 2012 Primary Election. Roll call was taken and present were Chairman Frank Cloud, Member Bruce Carter, Member Thomas Ellis, Member Judy Shelton, Director Lynn Kinkaid, Deputy Director Jocelyn Bucaro, and Administrative Assistant Tiffany Harmon. Also present was Mr. Will Ellis, son of Board Member Ellis.

Director Lynn Kinkaid presented three Provisional Ballots that were Seventeen-Year-Old-Voters who had over voted and, six Provisional Ballots with invalid markings.

Member Ellis moved to approve the nine Provisional Remakes as submitted to the Board. Member Carter seconded the motion. Roll call:

Chairman Cloud  yea
Member Carter    yea
Member Ellis     yea
Member Shelton   yea

All in favor; motion carried.

There were two Absentee ballots. One ballot had a timing mark error and the other was remade for voter intent.

Member Carter moved to remake the absentee ballot as a vote for Josh Mandel for Senator. Member Shelton seconded the motion. There was no discussion.

Roll call:

Chairman Cloud  yea
Member Carter    yea
Member Ellis     yea
Member Shelton   yea

All in favor; motion carried.
Member Ellis moved to approve the single remake due to a timing mark error as
presented to the Board. Member Carter seconded the motion. There was no
discussion. Roll call was taken:

Chairman Cloud    yea
Member Carter     yea
Member Ellis      yea
Member Shelton    yea

All in favor; motion carried.

Member Carter moved to accept the remake of a single Provisional Ballot with
invalid markings. Member Shelton seconded the motion. Roll Call

Chairman Cloud    yea
Member Carter     yea
Member Ellis      yea
Member Shelton    yea

All in favor; motion carried.

Lynn Kinkaid presented two provisional ballots that were cast in the correct
polling place, but incorrect precinct, due to poll worker error.

Member Carter moved to reject two ballots. Chairman Cloud seconded the
motion. Roll call:

Chairman Cloud    yea
Member Carter     yea
Member Ellis      yea
Member Shelton    yea

All in favor; motion carried.

Member Ellis moved to adjourn. Member Shelton seconded the motion. Roll call:

Chairman Cloud    yea
Member Carter     yea
Member Ellis      yea
Member Shelton    yea

All in favor; motion carried.

The meeting was adjourned at approximately 2:30 p.m.
Butler County Board of Elections  
Board Meeting Minutes  
March 21, 2012

The Butler County Board of Elections met on Wednesday, March 21, 2012, at 11:00 a.m. for a regular meeting and to certify the March 6, 2012 Primary Election. Roll call was taken and present were Chairman Frank Cloud, Member Judy Shelton, Member Tom Ellis, Member Bruce Carter, Deputy Director Jocelyn Bucaro, and Sr. Executive Assistant Nancy Piper. Also present was Mr. T.C. Rogers, Candidate for Butler County Commissioner. Absent from the meeting was Director Lynn Edward Kinkaid.

There were no Bills to Approve.

Minutes to be reviewed and approved were from the meetings of March 5, 6, 7, 2012, and March 13, 2012. Member Ellis moved to approve both sets of Minutes, and the motion was seconded by Member Carter, who requested that the Minutes be edited to reflect “moved” rather than “motioned” in several instances. Roll call was taken:

Chairman Cloud    yea
Member Carter      yea
Member Shelton    yea
Member Ellis       yea

All in favor; motion carried as amended.

Results of the March 6, 2012 Primary Election were reviewed by the Board.

Deputy Director Bucaro led the discussion of the results which were as follows:

| Election Summary Report | 03/21/12  
| MARCH 2012 PRIMARY | 16:36:55 |
| Summary For Jurisdiction Wide, All Counters, All Races |  
| Official Results |  
| Board Certified |

Registered Voters 231396 - Cards Cast 42689 18.45%  
Num. Report Precinct 299 - Num. Reporting 299 100.00%
### Case: 2:06-cv-00896-ALM-TPK Doc #: 276-3 Filed: 05/30/12 Page: 15 of 33 PAGEID #: 6414

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### Newt Gingrich

- **Total**: 6089
- **Percentage**: 15.94%
- **Precincts Reporting**: 147 (0.38%)
- **Times Counted**: 2689 (7.04%)
- **Rick Perry**: 149 (0.39%)
- **Mitt Romney**: 15993 (41.86%)
- **Rick Santorum**: 13140 (34.39%)

### Barack Obama

- **Total**: 3239
- **Precincts Reporting**: 299 (100.0%)
- **Times Counted**: 3770/12808 (29.4%)
- **Total Votes**: 3239

### DISTRICT DELEGATES

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| Newt Gingrich | 6645 | 17.66% |
| Jon Huntsman | 195 | 0.52% |
| Ron Paul | 2919 | 7.76% |
| Rick Perry | 240 | 0.64% |
| Mitt Romney | 14974 | 39.80% |
| Rick Santorum | 12646 | 33.62% |

### UNITED STATES SENATOR- R

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| David W. Dodt | 1593 | 5.84% |
| Donna K. Gilsman | 3894 | 14.28% |
| Eric LaMont Gregory | 1581 | 5.80% |
| Josh Mandel | 16728 | 61.35% |
| Michael L. Pryce | 3316 | 12.16% |
| Russell P. Blais Jr. | 21 | 0.08% |
| Write-in Votes | 133 | 0.49% |

### UNITED STATES SENATOR- D

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<td><strong>Robert R. Cupp</strong></td>
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| **SUPREME COURT JUSTICE** | **DEM** |
| 1-2-13-D | Total |
| Number of Precincts | 299 |
| Precincts Reporting | 299 | 100.0% |
| Times Counted | 3770/12808 | 29.4% |
| Total Votes | 3114 |
| **Fanon A. Rucker** | 1051 | 33.75% |
| **William M. O’Neill** | 2063 | 66.25% |

| **SUPREME COURT JUSTICE** | **REP** |
| 12-31-14-R | Total |
| Number of Precincts | 299 |
| Precincts Reporting | 299 | 100.0% |
| Times Counted | 38625/34411 | 112.2% |
| Total Votes | 24948 |
| **Sharon L. Kennedy** | 24948 | 100.00% |

| **SUPREME COURT JUSTICE** | **DEM** |
| 12-31-14-D | Total |
| Number of Precincts | 299 |
| Precincts Reporting | 299 | 100.0% |
| Times Counted | 3770/12808 | 29.4% |
| Total Votes | 2819 |
| **Yvette McGee Brown** | 2819 | 100.00% |

| **COURT OF APPEALS 12TH DISTRICT-R** | **REP** |
| Total |
| Number of Precincts | 299 |
| Precincts Reporting | 299 | 100.0% |
| Times Counted | 38625/34411 | 112.2% |
| Total Votes | 25454 |
| **Stephen W. Powell** | 25454 | 100.00% |

<p>| <strong>STATE CENTRAL COMMITTEE DEMOCRAT - DEM</strong> |
| <strong>MAN 4TH DISTRICT</strong> | Total |
| Number of Precincts | 287 |
| Precincts Reporting | 287 | 100.0% |
| Times Counted | 3576/12181 | 29.4% |
| Total Votes | 2544 |
| <strong>Ronnie Wardrup</strong> | 2544 | 100.00% |</p>
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| Jocelyn Bucaro | 2708 | 100.00% |

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| Patricia F. Alderson | 16478 | 61.35% |
| --- | --- |
| Beat Lyons | 10381 | 38.65% |

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| Jennifer O'Donnell | 157 | 100.00% |

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| Maggi Cook | 95 | 15.99% |
| Rebecca Heimlich | 380 | 63.97% |
| Joan Raga | 49 | 8.25% |
| Lori Viars | 70 | 11.78% |

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| Bill Coley | 24017 | 100.00% |

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<td><strong>Nancy Nix</strong> 27281 100.00%</td>
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<td><strong>Gregory J. Wilkens</strong> 25759 100.00%</td>
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<td><strong>Lisa K. Mannix</strong> 25900 100.00%</td>
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<td><strong>Andrew A. Peelman</strong> 2 100.00%</td>
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<td>Bonnie Kelly</td>
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<td>John Young</td>
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<td><strong>Issue 1 Midd5wd4 LO</strong></td>
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<td>32.43%</td>
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Deputy Director Bucaro informed the Board that the Official Run was conducted the previous day, March 20, 2012, and added to the unofficial tabulation were 343 Provisional Ballots as well as 90 absentee ballots. The results were as expected and balanced perfectly.

Member Carter moved to certify the March 6, 2012 Primary Election. Member Shelton seconded the motion. There was no discussion, and roll call was taken:

Chairman Cloud    yea
Member Carter     yea
Member Shelton    yea
Member Ellis      yea

All in favor; motion carried.

The County Commissioner race between candidates Courtney Combs and T.C. Rogers resulted in a difference of less than ½ of 1% margin which requires that an automatic recount be ordered by the Board, Deputy Director Bucaro explained. Member Ellis questioned the Chairman whether this item should be under New Business, and Chairman Cloud agreed.

Member Shelton stated that she was very pleased to see that 5,133 absentee ballots were returned of the 5,370 issued. Member Carter added that the number of invalid absentee ballots was very low – only 41 out of 5,100 returned.
Deputy Director Bucaro reviewed the following Memorandum from the Secretary of State's Office with the Board:

03/20/2012

Refers to Directive 2012-12 Post-Election Audits – SOS Selection of Statewide Office for Post-Election Audit

The contested Ohio Supreme Court contest for the Democratic nomination is the office selected for the post election audit. Also, we are to use the At-Large race for Republican Presidential Delegates as the "top of the ticket." In addition, the Board must also select at least one other contest to be included, and must determine whether it will conduct its audit by precinct, by polling place, or by individual voting machine.* (*This selection must take place at today's meeting.)

Deputy Director Bucaro further explained that because our county has multi-precinct polling locations, the smallest unit which we may audit is by polling location. The Board agreed to address determining the unit of audit, the selection of a county-wide contested race to be audited, and randomly select precincts whose vote total must be at least 5% of the total votes cast in the County under New Business later in the meeting.

Further Memoranda from the Secretary of State were reviewed as follows:

03/12/12

Tie Vote on March 6, 2012 Regarding Appointment of Director (Jon Husted)
Breaks tie vote of 3/6/2012 Reorganization Meeting, appointing Lynn Kinkaid to serve as Director.

03/13/12

ADA Publications Distribution Update (Laura Pietenpol)

03/14/12

Tie Vote on March 13, 2012 Regarding Appointment of Deputy Director (Jon Husted)
Breaks tie vote appointing Jocelyn Bucaro as Deputy Director.

03/15/12

Reimbursement Form Paper Ballots (Pat Wolfe)
Reporting expenses of providing backup paper ballots per Directive 2012-04. We are awaiting invoices and will submit by deadline of 4/6/12.

Deputy Director Bucaro reviewed with the Board the following "Other Communications:"

03/05/12

Submitted Petition for Initiated Constitutional Amendment – Freedom to Marry and Religious Freedom Amendment (Mike DeWine, Ohio Attorney General)
There were 2 valid part-petitions, 1 invalid part-petition, 2 valid signatures and 1 invalid signature.

03/15 – Misc Correspondence – Aaron Ockerman
03/20/12 Regarding SB284, SB295, HB194, HB 430.

Under Old Business, the Board reviewed the Service Agreement from Advanced Ballot Solutions, LLC, and Chairman Cloud asked if the Commissioners had approved the agreement. Deputy Director Bucaro stated that both the Board and the Commissioners have approved the bid, and the contract before the Board today has been reviewed and approved by Roger Gates of the County Prosecutor's Office. To summarize, Deputy Director Bucaro advised the Board that Advanced Ballot Solutions, not ES&S, will be designated as the second party of the contract. Also, ABS provides us with a written guarantee that if our equipment fails, they will bring us a machine within 24 hours for our use. The final change was under Termination of the Agreement. The equipment itself shall be purchased by the County and will belong to the County. In other words, should our software license expire or is terminated, the County will still own the equipment. When the contract is executed, we are prepared to pay the invoice amount of $40,686 (purchase price of $53,586.00 less the $11,900 paid for use of the equipment thus far). Within ten days of the contract being executed, ABS will submit a Performance Bond to the County as required by the bid. Member Shelton moved to accept the contract, seconded by Member Cloud. Roll call was taken:

Chairman Cloud yea
Member Carter abstain
Member Shelton yea
Member Ellis yea

All in favor; motion carried.

Under New Business, Deputy Director Bucaro reminded the Board that the results of the Commissioner's race from the March 6, Primary Election between Courtney Combs and T.C. Rogers falls within the one-half of 1% threshold which requires an automatic recount to be ordered by the Board today. Member Carter moved to order the Recount, Member Shelton seconded. Roll call:
Chairman Cloud  yea
Member Carter  yea
Member Shelton  yea
Member Ellis  yea

All in favor; motion carried.

Deputy Director Bucaro advised the Board that we must give the candidates at least five days notice of the Recount, so the earliest we could conduct the Recount would be Monday, March 26th. The Recount has been tentatively scheduled to take place on that date beginning at 10:00 a.m.

Directive 2012-11 states that “the board will randomly select precincts whose vote totals for the race or issue to be hand-counted equal at least 5% of the total vote in the race to be recounted,” which would be 1,627 in this race. Both candidates have agreed in writing to waive the twenty-four hour notice required to notify them when the drawing of the precincts to be hand-counted will take place. The waiver has been approved by the Secretary of State, and the drawing of the precincts may take place at the next Board Meeting, scheduled for Thursday, March 22, 2012 at 9:00 a.m. Member Ellis moved to randomly select the precincts to be included in the Recount at that meeting. The motion was seconded by Member Carter. Roll call was taken:

Chairman Cloud  yea
Member Carter  yea
Member Shelton  yea
Member Ellis  yea

All in favor; motion carried.

The Board discussed whether it was necessary to finish the Recount in the same day as begun, in order to cut down on possible overtime by the staff. Member Carter suggested that the Secretary of State be consulted as to whether we may break up a Recount. Our legal counsel at the Secretary of State was called, and a message was left. (Note: although there was no reply during the meeting, we have since been told that while it is not recommended, a Recount does not have to be completed in one day.) The Board also agreed that the start of the Recount begin at 8:30 a.m. Member Carter moved to schedule the Recount for Monday.
March 28, 2012 to begin at 8:30 a.m. The motion was seconded by Member Shelton. Roll call:
Chairman Cloud yea
Member Carter yea
Member Shelton yea
Member Ellis yea

All in favor; motion carried.

The next order of business was in regard to the Audit. The Board must set a unit for the audit, randomly select a contested, county-wide race to be included in the audit, and draw the polling locations whose total to be hand-counted shall equal at least 5% of the total number of votes cast for the county (countywide voter turnout), a figure of 2,135 - 5% of total cards cast which was of 42,689. Member Ellis moved that for the post-election audit, the unit will be polling places. The motion was seconded by Chairman Cloud. Roll call:
Chairman Cloud yea
Member Carter yea
Member Shelton yea
Member Ellis yea

All in favor; motion carried.

A coin toss was selected in order to randomly select the race to be audited: the Clerk of Courts race was to be represented by heads, and the Commission race represented by tails. The Commissioner’s race was selected.

Member Carter moved that the Board go into a brief recess while the Board employees prepare for the random selection of polling locations. Member Shelton seconded the motion. Roll call:
Chairman Cloud yea
Member Carter yea
Member Shelton yea
Member Ellis yea

All in favor; motion carried. The Board recessed.

Following recess, the Board proceeded to randomly draw the polling locations for the audit. The random drawing sufficiently met the number of required votes cast according to Directive 2012-12.
There was no other New Business.

Due to the absence of the Director, there was no Director’s Report.

Ms. Bucaro proceeded with the Deputy Director’s Report and began by informing the Board that the Poll Worker Department has completed their payroll for election workers, and that the March, 2012, election expenses were approximately $5,000 less than the same line items as November, 2012 expenses. She presented the Board with a breakdown as follows:

- **Election Workers Salaries**: $196,997.78
- **Election Workers Reimbursements and Mileage**: $4,213.00
- **Total Election Workers Cost**: $201,210.78
- **Polling Place Rentals**: $910.00
- **GRAND TOTAL MARCH**: $202,120.78

In the November, 2011 General Election, expenses were as follows:

- **Election Workers Salaries**: $201,701.79
- **Election Workers Reimbursements and Mileage** (Higher mileage due to Rover Mileage): $5,564.23
- **Polling Place Rentals**: $207,275.02
- **GRAND TOTAL NOVEMBER**: $208,185.02

Deputy Director Bucaro stated that we were very happy to be able to save the County roughly $6,000.

Ms. Bucaro reported to the Board the following information:

- The Board of Elections website is still under design, and we hope to launch the new site by the end of April.
- She and Director Kinkaid are meeting with individual departments and conducting post-election assessments.
- Changes implemented in Candidates and Ballot Services have improved in that area significantly.
- Polling place issues during the March 2012 Election included some problems encountered with the Manchester School (Banquet Hall), mainly regarding directional signage. This problem was addressed on Election Day. The reason we originally utilized the Manchester School was due to accessibility problems encountered at Miami University in Middletown, the
former location for those precincts. Middletown High School officials refused to meet with our staff, therefore the staff reached out to the Events Coordinator and the Superintendent for assistance. At this time, we were near the deadline to secure a location and the Manchester School was offered for our use. The Manchester School did not meet accessibility requirements, however, and we were advised by the Secretary of State that grant money would most likely not be available due to the High School being so close. Middletown Schools did offer to bring the Banquet Hall into compliance with accessibility requirements, and we did utilize that space for March. However, if we may not use Middletown High School for the November Presidential Election, we will find a private location and will not return to Manchester Banquet Hall due to multiple problems with this location. Ms. Bucaro explained that the school did not want our voters there while school is in session, however, it was her understanding that Middletown Schools will be closed on Election Day in November, so it may not be a problem to secure the high school as a polling location. Ms. Bucaro stated that by Statute, the school must provide the space and we simply need to provide Notice to that school. Member Ellis stated that we simply must plan to utilize this space continuously.

Deputy Director Bucaro continued to address the Board and commented on the current Poll Worker Training Program, especially addressing the Electronic Poll Books. Overall, the training went very well. The problems we saw on Election Day with our Provisional table were due to poll workers not being adequately trained on processing Provisional Voters on the Electronic Poll Books. Last-Minute-Instructions were provided to election workers, however, in some cases it was evident that they were not read. Therefore, Mr. Kinkaid and Ms. Bucaro plan to work closely with poll worker training on this subject. The Board discussed methods to streamline this process and better train the poll workers on sending voters to the correct Provisional table and providing appropriate ballots to the voters. The suggestion was made to place an additional person at the Provisional Table to guide voters to the correct provisional ballot precinct poll worker. Ms.
Bucaro assured the Board that we have sufficient election workers to staff a
Provisional Table, and that this was a very good suggestion. Ms. Bucaro also
informed the Board that during the opening of the polls, there was some
confusion regarding hooking up the signature pad. This issue will be addressed
for the November Election, and she added that more time is needed for hands-on
training of processes involved when a voter is not a “regular voter.”

Member Shelton then moved that the Board go into Executive Session for the
purpose of discussing personnel under O.R.C. 121.22 (G) (1). Member Ellis
seconded the motion. Roll call:

Chairman Cloud    yea
Member Carter     yea
Member Shelton    yea
Member Ellis      yea

All in favor; motion carried.

After Executive Session, Member Shelton moved to return to Regular Session,
seconded by Member Ellis. Roll call:

Chairman Cloud    yea
Member Carter     yea
Member Shelton    yea
Member Ellis      yea

All in favor; motion carried.

Member Shelton moved to adjourn the meeting, seconded by Member Cloud.

Roll call:

Chairman Cloud    yea
Member Carter     yea
Member Shelton    yea
Member Ellis      yea

All in favor; motion carried.

The meeting was adjourned at 1:15 p.m.
Frank Cloud, Chairman

Absent

Lynn Edward Kinkaid, Director

Thomas W. Ellis, Member

Judith A. Shelton, Member

Bruce Carter, Member
Butler County Board of Elections
Board Meeting Minutes
November 19, 2011

The Butler County Board of Elections met on Saturday, November 19, 2011. Roll call was taken and present were Chairman Thomas Ellis, Member Judy Shelton, Member John Holcomb, Director Jocelyn Bucaro, Deputy Director Lynn Kinkaid, Sr. Executive Assistant Nancy Piper and Administrative Assistant Janaya Scott.

There were no Minutes or Bills to approve.

Director Bucaro explained the requirement of the Board to meet prior to the staff opening the Provisional Ballots of the November 8, 2011 General Election, and to review invalid paper ballots per Directive 2011-36, Directive 2008-101, and R.C. 3505.183. She stated that this date is eleven days following the Election and it is the first day that the staff may begin opening Provisional Ballots. Director Bucaro informed the Board that there were 2,296 Provisional Ballots cast, of which 2,022 were determined to be valid. Two hundred and seventy two were deemed invalid and there are two ballots which the Board must review individually.

Director Bucaro provided the Board with an Opening Summary of 2,022 ballots believed to be valid. The Summary explained the breakdown of 223 ballots considered invalid, and those would not be opened. Member Holcomb moved to open the 2,022 provisional ballots deemed valid, and Member Shelton seconded.

Roll Call:

Chairman Ellis  yea
Member Holcomb  yea
Member Shelton  yea

All in favor; motion carried.

Chairman Ellis questioned as to whether our office notifies Provisional voters whose vote did not count, and Director Bucaro explained that each Provisional
voter is given an informational sheet with a “hotline” number where they can call to determine if their vote was counted or not counted after review. If the voter is not registered to vote and must vote a Provisional ballot, the voter will be contacted to register for the next election with the information provided on the Provisional envelope.

Director Bucaro pointed out to the Board that of the 102 voters who voted in the wrong precinct, forty-nine were in the correct polling place, but at the wrong table. Member Holcomb moved to remake the forty-nine ballots to the correct precinct, and Member Shelton seconded. Roll Call:

Member Holcomb  yea
Member Shelton    yea
Chairman Ellis    yea

All in favor; motion carried.

Fifty-three provisional ballots were cast in the wrong precinct and the wrong polling location. Director Bucaro mentioned the law about voting in the wrong polling location which makes those votes invalid. Member Holcomb suggested not giving these provisional voters in the wrong precinct and wrong polling place an “I voted” sticker. Director Bucaro stated a single case where a voter had participated in In-Office voting five days prior so that provisional wouldn’t count, and there were nine provisional envelopes where a voter did not sign. Also mentioned were nine provisional ballots that were invalidated because the voter forgot to print their name on the form, and three where the voter did not have proper ID at the polls.

Voter Registration Manager Diane Noonan then presented the two ballots requiring Board review. Member Holcomb moved to validate both provisional ballots, Member Shelton seconded. Roll Call:

Member Holcomb  yea
Member Shelton    yea
Chairman Ellis    yea
All in favor; motion carried.

Director Bucaro also provided the Board with a Summary of the Absentee Ballots. Absentee Ballots Issued: 16,636. Ballots Returned: 15,860. Of those 15,591 were valid and 269 were invalid. The Summary also showed the breakdown of why the ballots were invalidated. Roll call:

Chairman Ellis  yea
Member Holcomb yea
Member Cloud  yea

All in favor; motion carried.

The Board mentioned that it would be in their interest to attend Poll Worker training as well as possibly become Poll Workers.

Director Bucaro stated that she would be involved in doing an assessment of each department as it relates to the election and would present a copy to the Board for review.

A motion for adjournment was made by Member Holcomb seconded by Member Shelton. Roll call:

Chairman Ellis  yea
Member Holcomb yea
Member Cloud  yea

All in favor; motion carried.

Meeting adjourned.
Thomas W. Ellis, Chairman

Jocelyn Bucaro, Director

John M. Holcomb, Member

Judith A. Shelton, Member

ABSENT
Frank Cloud, Member
In The Matter Of:
BOARD OF ELECTIONS

November 23, 2010

BRITTON AND ASSOCIATES
CLARK COUNTY BOARD OF ELECTIONS

SPRINGFIELD, OHIO

November 23, 2010, Meeting

Meeting held at the Clark County Board of Elections, 3130 East Main Street,
Springfield, Ohio, on Tuesday, November 23, 2010, at 2:00 p.m.

* * * * * *

PRESENT:

Mr. Roger Evans, Board Chairman
Mr. Ted A. McClenen, Board Member
Mr. Ron Rhine, Board Member
Ms. Lynda Smith, Board Member

Mr. Mark Oster, Director
Ms. Sally Pickarski, Acting Deputy Director

ALSO PRESENT:

Mr. Andrew Pickering, Attorney
Mr. Brett Rapp, ES&S
Mr. Dale Henry, Secretary of State Representative

* * * * * *
CHAIRMAN EVANS: We will call this Board of Commissioners for the Clark County Board of Elections together to order and the first thing on our agenda is the approval of the minutes for October 28 and November 2, 2010.

MR. MCCLENEN: I move we approve the minutes.

MR. RHINE: Second.

CHAIRMAN EVANS: It's been moved and seconded to approve the minutes for October 28 through November 2, 2010. Any questions on the motion?

Hearing none, we will proceed to vote. Those in favor signify by saying aye.

MR. MCCLENEN: Aye.

MR. RHINE: Aye.

CHAIRMAN EVANS: Aye.

MS. SMITH: Aye.

CHAIRMAN EVANS: Nays? Hearing none, motion carried.

We are going to go out of order here and we are going to skip over to the remake of provisions and check double bubbles.

MR. OSTER: These are some remakes I'd like the Board to take a look at if you would.
We've got, it looks like five, and I ran the new ballot. You can take a look at the old ballot.

Next thing I'd like the Board to look at, I'll show you this ballot. We actually had a write-in provisional for David Sergeant. He was the only one out of the whole county. We had one vote for the guy who was properly a candidate as a write-in and that was the only one in the whole county so there it is. We have to run that one, too.

The next thing I need the Board to look at are double bubbles. As you recall, on election night these write-ins come in, you guys took a look at them. The Secretary of State came out with a directive talking about double bubbles and we have to do the write-ins on these. What I need you to do is just verify what they are and what we will have to do is manually enter these for any that you approve. So if they voted for, as an example, John Kasich on this first one and then wrote it in down here and colored in the oval then that's a double bubble but it tripped it as an overvote.

MS. SMITH: But they are going to allow it?
MR. OSTER: They are going to allow these on these write-ins.

Wrote in here to Rob Portman. So that is what I'm going to have you look at first. The first stack here are absenteees that came in prior to 11-2-10 that were counted on election.

MS. SMITH: As long as they filled in the oval and wrote?

MR. OSTER: Yeah.

MR. MCCLENEHEN: That is pretty much what we --

MR. PICKERING: That's the same thing that happened in '08.

MR. MCCLENEHEN: Yeah.

MS. SMITH: A lot of them didn't do the oval they just wrote in.

MR. OSTER: Yeah. The directive also talks about if there is any candidates and actually Yvette Brown, candidate for Lieutenant Governor so I think we should probably count this as a vote. I think you had one of each so. Not that that makes any difference.

MR. MCCLENEHEN: So any marked we are counting as a vote?

MR. OSTER: Because she is a
candidate on the ballot.

    MS. SMITH: Now, this one they
didn't fill in the oval by the write-in.

    MR. OSTER: They did on the one.

    MS. SMITH: Yeah. But on the
other one they didn't. The other one wouldn't
count?

    MR. OSTER: And we manually enter.

    MR. RAPP: Are you going to do
your tally sheet?

    MR. OSTER: Yeah. I'm going to
have to look at these and when we get up there I'm
going to do it real quick.

    CHAIRMAN EVANS: Okay.

    MR. OSTER: These are precinct
counties through the M100's, treat them as a
write-in, same thing.

    This one kicked it out because of
that, which is all right. And then this one. That
didn't make any difference.

    MR. MCCLENNEN: Portman still gets
counted on this?

    MR. OSTER: Exactly. It didn't
kick it out because of that, it kicked it out
because of Strickland.
CHAIRMAN EVANS: All right.

MR. OSTER: What we had to do on these, we had to hold up until the Board took a look at all these ballots. Now, I'm going to go up there with Brett real quick and he is going to manually enter these that you okayed and also he is going to run the provisionals through. While I am doing that, Sally is going to go over the approval of the provisional report. And I will be back down in a couple minutes.

CHAIRMAN EVANS: Before we get out of whack, we need a motion to approve the bills for November 3 through November 17.

MR. MCCLENEN: So moved.

MR. RHINE: Second.

CHAIRMAN EVANS: It's been moved and seconded to approve the bills for the period of November 3 through November 17. Any questions on the motion? Hearing none, we will proceed to vote. Those in favor signify by saying aye.

MR. MCCLENEN: Aye.

MR. RHINE: Aye.

CHAIRMAN EVANS: Aye.

MS. SMITH: Aye.

CHAIRMAN EVANS: Nays? Hearing
none, motion carried.

Now, we will go to the approval of the provisional report.

MS. PICKARSKI: You have the breakdown there of all the 1147 additional ballots and out of those we had 100 that we could not count and 91 percent of them came out to be that were counted out of the 1147.

CHAIRMAN EVANS: What was the main reason?

MS. PICKARSKI: Your breakdown is here. The biggest one was they voted in the wrong precinct. 51 voted in the wrong precinct.

The next one was 26. They just were not registered in the State of Ohio.

The next one, 19 --

MR. MCCLENEN: So we don't have the form right there?

MS. PICKARSKI: No. This is the form that I am going to send into the State. I can make a copy of it for you.

MR. MCCLENEN: Yeah.

MS. PICKARSKI: 19 had, there were no signatures on the blue envelope. Three failed to provide ID and one was a duplicate. They had
already voted and it had been counted so they came in, which happens.

    MR. MCCLENEN: So they voted early and still sent in?

    MS. PICKARSKI: Yes. We have it a lot of times they come and get mom and dad, have you voted? No, they voted by mail and they just forgot.

    MS. SMITH: Of the ones that counted, did it seem like that was a large number that we made provisional that should have been able to vote at the precinct?

    MS. PICKARSKI: Well, we marked the book such that we put provisional stickers over each place where they would sign. That they were sent or we received an absentee ballot. Then, if we got something back, the majority of it is coming back from the post office. If it comes back undeliverable, then we mark provisional trying to see --

    MS. SMITH: Where they are.

    MS. PICKARSKI: We need an update of a new address or sometimes it's just the post office they don't deliver it. They have a new carrier or something and they don't want to mess
with it for whatever reason and it comes back to us as undeliverable which really it isn't.

MS. SMITH: But they don't deliver it.

MS. PICKARSKI: We don't have any way of knowing that until somebody comes in and says, well, I've lived there for --

MR. MCCLENEN: When they deliver that, do they have to sign for it?

MS. PICKARSKI: No. We just get back, if it's an acknowledgment card or confirmation card or whatever, it comes back to us. They usually have a yellow sticker on it. A lot of times if it's in the system to be forwarded, they will forward onto the new address but a lot of times that forwarding has expired and so then it comes back to us, no forwarding address or forwarding has expired. If it comes back to us with another address, we turn right around and in our system we can send out another card to that new address to see, confirmation card, to see if we get them to say, yes, we live at 123 West Main Street, you know, whatever.

MS. SMITH: Do we find it's mainly at apartments that they don't deliver them?
MS. PICKARSKI: That I can't tell.

A lot of times it has to do with apartments, changing within the same building but, you know, just different apartment or the P.O. Box, they haven't give us a P.O. Box number as far as having the full address. Very few do we get that we have in our system that we can put where they reside at where they want their mail mailed to a different location for whatever reason. It's not a P.O. Box, it's just a completely different location. That doesn't happen to often.

MS. SMITH: I know there was one where there was a husband and wife. He could vote but she had to vote provisional. Would that just be a mix up maybe?

MS. PICKARSKI: If we sent out, a lot of times we send out cards --

MS. SMITH: And one comes back.

MS. PICKARSKI: When we change the precinct, they say they didn't get it but it didn't come back to us.

MR. HENRY: Can I ask a question? How many of the provisionals were contacted to let them know they had 10 days to come in and give you their information and straighten out their reason
for voting provisional?

MS. PICKARSKI: You mean the
hotline number? You mean to see if it counted?

MR. HENRY: No. People who vote
provisionally have an opportunity to come in 10
days, up to 10 days after the election to prove
their identity.

MS. PICKARSKI: That's only on the
identity ones.

MR. HENRY: How many were there of
those?

MS. PICKARSKI: I think only --

MS. SMITH: There were three --

MS. PICKARSKI: There were three
that didn't come in.

MR. HENRY: Oh, only three didn't
come in.

MS. PICKARSKI: Yes. To provide
whatever information that they had. It was only
three that failed to provide acceptable
identification.

MS. SMITH: 91 percent seems
pretty high.

MS. PICKARSKI: That's pretty
good. It's 9 percent that did not count so only
100 basically out of the 1147 did not count.

MS. SMITH: I know people get upset when they have to vote provisional.

MS. PICKARSKI: We stress the maps and everything in training that's, you know, you come in, let's say I live on Detrick Jordan Pike, they can go into the big red map book and they can look up the address, but they can call us, I tell them call us and we can tell you where to send them. But for whatever reason, I don't know if they just get frustrated, you don't know what happens out there on that day of election.

MS. SMITH: What they are dealing with at that time.

MS. PICKARSKI: It will show in your breakdown there by each precinct and it will say voted in the wrong precinct and if I have one of them, I have umpteen of them.

MR. RHINE: Once it starts, it continues.

MS. SMITH: Did there seem to be a trend where one precinct was having more trouble than another or were they all --

MS. PICKARSKI: We had one particular precinct, yes, but we are going to
justify, remedy that I should say. We are making
some changes in there.

CHAIRMAN EVANS: The ballots says
empty, run through scanner, what was the problem
with that?

MS. PICKARSKI: The person got
away from them and they just went over and stuck it
in the scanner and then bring it back to the table
to be put into the envelope so it was counted, you
know, that night but it wasn't, you know, we don't
have a ballot now to run through to count it on
election night in the unofficial count.

CHAIRMAN EVANS: All right.

MR. MCC LENEN: I'll move we
approve --

MS. PICKARSKI: We had about 900
that night of election that came in and about 247
then.

MR. MCC LENEN: I'll move we
approve the provisional report.

MS. SMITH: I'll second that.

CHAIRMAN EVANS: It's been moved
and seconded to approve the provisional report as
amended. Any questions on the motion?

Hearing none, we will proceed to
vote. Those in favor signify by saying aye.

MR. MCCLENEN: Aye.

MR. RHINE: Aye.

CHAIRMAN EVANS: Aye.

MS. SMITH: Aye.

CHAIRMAN EVANS: Nays? Hearing none, motion carried.

Next on the agenda is Certifications of results for the November 2 election.

MR. OSTER: Okay. It is going to be a few minutes while Brett is running those reports. He just had to put those in manually.

CHAIRMAN EVANS: Okay. Let's skip down to the update on ES&S maintenance contract.

MR. OSTER: Okay. Did you get a chance to look at that contract?

MR. PICKERING: That's the other guy?

Well, it's pretty skimpy.

MR. OSTER: I thought so, too.

MR. PICKERING: It didn't backup, I didn't keep track of everything, all his big promises, but I certainly didn't keep track of everything he said.
MR. MCCLENEN: You mean, all those things he said he would do for us, he didn't put it in writing?

MR. PICKERING: I know you're stunned.

MR. MCCLENEN: You catch up quick.

MR. PICKERING: Whether you wanted to mess with him about wanting to do that or not, that's up to you.

CHAIRMAN EVANS: I don't think so.

MS. SMITH: ES&S came down from their first offer, didn't they?

MR. OSTER: They did and I actually e-mailed them and asked them because they had talked about over the phone they would match whatever.

MR. MCCLENEN: So did you give them a figure?

MR. OSTER: No. I just said if it ends up being lower down the road.

MR. MCCLENEN: You gave ES&S a figure, didn't you?

MR. OSTER: Yeah. I got an e-mail back from their ES&S contact person and he said they would match it and so I forwarded it to Andrew
and basically said if it's not in the contract,
although it's in writing, take it for what it's
worth.

MR. PICKERING: I don't
specifically remember the ES&S contract but all of
the big ones will have something that says,
everything you see in here, the contract, nothing
else before or after is, unless it's signed by both
parties, et cetera, et cetera and just an e-mail
saying, oh, yeah, we'll match it. He might as well
promise he's going to bring the moon down for you.

MR. OSTER: He might not even be
working there next month.

MR. PICKERING: And that is just
as enforceable. If they want to match, there ought
to be a change to the contract that does that.
Otherwise, they can force you to pay the higher
price or if somebody else comes down lower, they
could; and if somebody comes down lower for Fayette
or Greene County or something, you say, well, you
promised, well, you signed the contract, you're
stuck.

MR. OSTER: Although I will say in
passing on their behalf, there has been a couple of
times when we had signed up for a years worth of
contract days with them, I think you had to
contract 10 days over a two-year period. The
bottom line after the 10 days was they would keep
on going at the same price. Well, a couple of
times I've gotten bills that are higher after the
10 days and all I did was get on the phone with
Jerry and they redid the price on them so for what
that's worth.

MR. MCCLENNEN: After you called
them.

MS. SMITH: When do we have to
have this contract signed?

MR. OSTER: Well, we've got that
money appropriated and I thought I would like to
get it paid by the end of the year because it is
off of this year's budget but it is actually for
next year so I think we have until March 31 to do
it.

MS. SMITH: But we've got it in
this year's budget?

MR. OSTER: Yes. I've got the
money appropriated even if it goes into next year
but if you want to get it settled, that's up to the
Board. If you think there is something else that
we need to do or can do, that's fine. I guess I
would suggest we go ahead.

        MS. SMITH: How much did they come
down? I don't remember.

        MR. OSTER: It was substantial
because we were looking at, when we talked to the
commissioners down there, I talked to Nate Kennedy
and we was talking at the time right after the
conference like it was going to end up being
$40,000, well, it's down to $31,000 so that's a
considerable savings over five years.

        MR. MCCLENEN: So you are thinking
maybe just go ahead and get it over with? They are
not going to come down any more certainly.

        MS. SMITH: Since we already have
it appropriated, we might as well.

        MR. MCCLENEN: We got the 40
appropriated for?

        MR. OSTER: Well, no, it's the
$31,565.

        MR. MCCLENEN: The new money?

        MR. OSTER: Yeah, and that's
what's in this contract. I evened it out over the
five years, that's what it is going to be every
year.

        MS. SMITH: I'll move that we go
ahead and sign the contract with ES&S.

MR. RHINE: I'll second that motion.

CHAIRMAN EVANS: We have a motion on the updated ES&S contract, to sign the contract. Any questions on the motion?

Hearing none, we will proceed to vote. Those in favor signify by saying aye.

MR. MCCLENNEN: Aye.

MR. RHINE: Aye.

CHAIRMAN EVANS: Aye.

MS. SMITH: Aye.

CHAIRMAN EVANS: Nays? Hearing none, motion carried.

MS. SMITH: That was $31,565?

MR. OSTER: Yeah.

CHAIRMAN EVANS: Okay. While we are waiting we also have a job posting.

MR. OSTER: I went back through some of the files and this is what was posted when Mary Beth and I came on board in 2007, and I talked to Andrew and he suggested a couple of things that had to go on this, like applicants are subject to a criminal background check and so I also talked to Michelle in personnel and showed her
the job posting that we are looking at doing. She
said she was okay with that.

MR. MCCLENNEN: It's not been
posted yet?

MR. OSTER: No, hasn't been posted
yet because I wanted to get it approved.

Also if you approve it the way it
is it probably will go in the paper on Friday.
I'll send it down to the News-Sun.

MS. SMITH: What's the date that
we are saying it has to be --

CHAIRMAN EVANS: No later than
December 15th. Let me read it to you, the posting
so we get through this.

Deputy Director, the Clark County
Board of Elections invites all qualified
individuals to make application for the position of
Deputy Director. The Board of Elections is
responsible for conducting elections within Clark
County. Up to four elections may be held each
year. The Director and Deputy Director are
responsible for managing the elections process. In
order to be considered, an applicant must be a
resident of Clark County, a registered elector, and
have the appropriate educational and work
experience to fulfill the responsibilities of the position. Applicants are subject to a criminal background check. The qualifications for the position have been prescribed, in part, by the Secretary of State in Directive 2010-02, available at http://www.clarkcountyohio.gov/personnel/job_openings.htm.

MR. OSTER: Okay. I'm going to stop you for just a minute. This is what the directive is and Michelle suggested that we put the link in the ad so they can go to the County's website. This will not be put on the paper, these six pages, but it will be on the website. Refer to that. And the other thing we need to do is send it to the Secretary of State and they will put it on their website also.

CHAIRMAN EVANS: If you don't have a computer, you can go to the library.

MR. OSTER: Or they can call here.

CHAIRMAN EVANS: The Board of Elections consists of four members, two Democrats and two Republicans. The Director and Deputy Director must be of opposite party. Any registered Republican may send their resume in care of Linda Smith and Roger Evans at Post Office Box 1766,
Springfield, Ohio 45501. All interested applicants are encouraged to submit their resumes no later than December 15, 2010. The Board of Elections is an equal opportunity employer.

We are going to post this for how many days?

MR. OSTER: Seven.

CHAIRMAN EVANS: Seven days in the newspaper and the applicants will have to send it to that post office box which is ours, the Board of Election, so it doesn't go to her house or my house and somebody say well, Linda didn't turn it in or Roger burned it up. Or I sent it in, why didn't I get it so if it come here then we will have a central spot. Once they get here then Linda and I will go over those applicants and decide who we think is a qualified person to submit to the Board for our approval.

Now, I need a motion to accept this posting.

MS. SMITH: I move we accept the posting.

CHAIRMAN EVANS: To be posted when?

MS. SMITH: To be posted Friday,
which is the 27th.

MR. OSTER: It will be, I'm hoping if not this afternoon, first thing in the morning get to the newspaper starting on Friday, but I'm going to get ahold of Michelle and she can go ahead and post it, the Secretary of State can go ahead and post it. I'm going to leave this on the County's website until the 15th anyway, if that is okay?

MS. SMITH: For seven days posting with returns to be in by December the 15th.

MR. RHINE: I'll second that motion.

CHAIRMAN EVANS: It's been moved and seconded to post the posting for the job position of Deputy Director being posted beginning Friday for seven days and applicants should have their application submitted by December the 15th. Questions on the motion? Hearing none, we will proceed to vote. Those in favor signify by saying aye.

MR. MCCLENNEN: Aye.

MR. RHINE: Aye.

CHAIRMAN EVANS: Aye.

MS. SMITH: Aye.
CHAIRMAN EVANS: Nays? Hearing

none, motion carried.

Having done that one, audit date.

MS. SMITH: What do we do about

the clerk's position?

CHAIRMAN EVANS: Can't fill it

until after this one.

MS. SMITH: Okay.

MR. OSTER: I understand we are

going to have to do an audit for this election and

I haven't seen any directives come down on that

yet. But what I would like to propose is that we

tentatively set that for Tuesday, December 7 and

make it at noon. That way if we get into any

problems we are going to have to count either three

or five percent of the votes.

Three or five, Dale?

MR. HENRY: Probably three.

MR. OSTER: Which could be

probably two precincts.

MS. SMITH: Is that second or

first Tuesday?

MR. OSTER: First Tuesday, the

7th.

CHAIRMAN EVANS: Are we going to
make that our regular meeting day also?

MR. OSTER: Yes.

CHAIRMAN EVANS: Do I have a motion to have that audit on Tuesday, December 7 at 12 noon and also our regular meeting?

MR. RHINE: So moved.

MR. MCCLENEN: Second.

CHAIRMAN EVANS: It's been moved and seconded to have our audit conducted on Tuesday, December 7 at 12 noon and also post for our regular meeting at the same time. Questions on the motion? Hearing none, we will proceed to vote. Those in favor signify by saying aye.

MR. MCCLENEN: Aye.

MR. RHINE: Aye.

CHAIRMAN EVANS: Aye.

MS. SMITH: Aye.

CHAIRMAN EVANS: Nays? Hearing none, motion carried.

MR. OSTER: Just a note on that also. I did send notices for today’s meeting to our observers and I’ll send notices on this also, the observers.

MS. SMITH: Do we get to pick which one we audit?
MR. OSTER: It's random.

CHAIRMAN EVANS: I'm not pulling out because remember the last time I did. Got the highest number.

Additional business to come before us is replacement of orange bags.

MR. OSTER: Okay. What I'd like the Board to consider is these are our orange supply bags that we have been using for a number of years. I'm going to pass this around.

MS. SMITH: I've smelled it.

MR. OSTER: By the time you get 100 of these up there on the shelves and we also have boxes of them back here in this room, it's horrible. What I'm proposing is, this is a bag, Dayton Legal, this is a sample that they got for us and it's got everything in there that we put in there. It's a little big, the handles are a little longer but it doesn't have that lining in it. It seems like it's got a good zipper on it and it also has the flap where we put our signature books, okay, just like we had before. They gave me a price of $28.90 a piece which I thought was pretty good.

CHAIRMAN EVANS: You need how many
of those?

MR. OSTER: Well, I'm going to order 105. It's $3,034.50 and for an additional one time charge of $60 you can have Clark County Board of Election put on it which I thought that is only 60 cents a bag. So it's probably worth that, too. We've got the money and it's the end of the year and I suggest we go ahead and get them because those things are going into the trash.

MS. SMITH: I know people complain about the smell.

MR. MCCLENEN: It seems good and durable. I think it's a very reasonable price.

MR. RHINE: I'll make a motion that we purchase the bags.

MR. MCCLENEN: Second.

CHAIRMAN EVANS: Also, before you do that, you want to include the $60 for name or writing of Clark County?

MR. RHINE: Yes. And the names on the bag.

MR. MCCLENEN: Second.

CHAIRMAN EVANS: It's been moved and seconded to purchase 100 bags and also --

MR. MCCLENEN: Wait. 105 bags,
right, Mark?

MR. OSTER: Yes.

CHAIRMAN EVANS: This way we have some spares and also have the Clark County name on it. Any questions on the motion? Hearing none, we will proceed to vote. Those in favor signify by saying aye.

MR. MCCLENEN: Aye.

MR. RHINE: Aye.

CHAIRMAN EVANS: Aye.

MS. SMITH: Aye.

CHAIRMAN EVANS: Nays? Hearing none, motion carried.

Mr. X and budget date.

MR. OSTER: Okay. Mr. X, I think you might all remember Mr. X from the primary.

MS. SMITH: Oh, the one who won't sign his name?

MR. OSTER: Yeah. Andrew sent him a letter. Well, after the election I checked the signature book and he put an X and because we talked about making him provisional, we said no, we didn't want to do that. I called the presiding judge and she told me that guy came in and raised seven types of cane with her because he was
only going to put an X and that was it. He wasn't
voting provisional, this and that and the other.
So she let him go through and there is an X again
and I think something should be done with this guy.
I don't know, I haven't talked to Sally, I don't
know if we can send him a confirmation card of some
sort.

MR. HENRY: What is on his
registration card?

MR. OSTER: It's got his
signature. It's a signature in the book and the
guy just, you know, just refuses to go by it.

MR. MCCLENNEN: I mean, he's smart
enough to sign his signature, right?

MR. OSTER: No, he isn't signing
his signature.

MR. MCCLENNEN: I'm saying he's
smart enough to sign?

MR. OSTER: We've got a
registration card with his signature on it. This
all started two years ago at the presidential when
he came up here to vote and wanted to put an X and
the ladies up front came back and got me. I went
around and around with this guy. He said, you
don't have my original signature on record. We
went back and got his original card out of the file
and took it up there and said you are going to have
to put your signature.

    MR. RHINE: What did Andrew put on
his letter to him?

    MR. OSTER: Well, he basically
told him it was illegal, you had to have a
signature and I'll guarantee you this guy doesn't
sign his checks with an X.

    MR. MCCLENEN: What's the date on
this letter?

    MR. OSTER: June 1 because he went
to the primary.

    MR. MCCLENEN: Okay, June. So he
did it well before the general election and he
still insists on doing it on the general election?

    MR. OSTER: And they let him do
it. But the lady told him, she said, she was a new
presiding judge, she hadn't worked in that precinct
but she worked in other precincts and when she saw
the X she said, we will have to have your
signature. I guess he really went off and was
pretty intimidating.

    MS. SMITH: I am thinking the next
time he comes in they will have to call us and
someone will have to go out. Say you can't vote
until we have someone come.

MR. OSTER: He didn't want to vote
provisional, he said, I'm not voting provisional
and you're not getting my signature. Then on top
of that we tried, you know, we got the signature
book there with his signature in miniature like all
of them and reached over and was going to scratch
that out and she stopped him.

MR. RHINE: Did anybody ever ask
the question, why, why won't you sign it and why
wouldn't you put your signature on it?

MR. OSTER: No.

MR. HENRY: He never responded to
your letter?

MR. OSTER: No.

MS. SMITH: I'd say it's going to
have to be one of those cases where they are going
to have to let us know and somebody is going to
have to go to the precinct and say you can't do it.

MR. MCCLENEN: Well, wait a
minute. If the man walks in and wants to do this,
how long is it going to take us to get out there?

Somebody from here, Mark for example, if you went
there, how long would it take you to get there and
they have got to put up with this stuff all the
time. Is there anyway we could get an officer of
some type out there waiting on him to come in?

MR. OSTER: Who knows when he
would come in. Somebody could be sitting out there
all day long.

MR. HENRY: What precinct is that?

MS. SMITH: Fellows Terrace.

MR. RHINE: Did they let him vote
by putting an X there just to hold down or they
just did it because they were concerned he was
going to start problems?

MR. OSTER: Well, she told me she
felt intimidated by him. The guy was really loud
and belligerent and apparently, the guy, the
gentleman sitting next to her who works there said,
we let him do that before.

MR. HENRY: Does he live on
Fellows Terrace?

MR. OSTER: No. 415 East
McCreight.

MR. RHINE: Does the law clearly
state you have to sign in order to be an eligible
voter?
MS. SMITH: It has to match what is in the poll book.

MR. OSTER: It says right there.

MS. SMITH: If they don't sign the same thing that is in the poll book --

MR. OSTER: It doesn't match.

They have to be provisional.

MR. MCCLENEN: So he refused to vote provisional and he refused to sign his name.

MR. OSTER: I'm not going to sign my name.

I don't think you can stop somebody from voting, that's the problem with that.

MS. SMITH: Well, you can make them vote provisional.

CHAIRMAN EVANS: You can't make them, you can ask them but you can't make them.

MS. SMITH: Say, if you don't want to vote provisional, I'm sorry.

CHAIRMAN EVANS: Can we put him in court process with this?

MR. PICKERING: Court process meaning?

CHAIRMAN EVANS: Can we charge him with anything?
MR. OSTER: Well, let me ask you this. If we sent him a card, either a confirmation card saying his signature didn't match and he refuses to send it back, he would be a, we could tag it as a provisional, right?

MS. SMITH: If you could send him something he would have to sign to send back.

MR. OSTER: He would have to sign a confirmation card.

MS. SMITH: Send him a registered letter where he has to sign for it.

MR. MCCLENEN: Andrew, there has got to be something that we can do to stop that man from doing this. It's just a power struggle now.

MR. RHINE: Andrew already told him on May 4 election you signed with an X. This does not match the signature you used when you registered to vote. Using this mark rather than your actual signature is not permitted by Ohio law.

CHAIRMAN EVANS: He refuses to respond. Can we charge him? Has he committed a criminal act?

MR. MCCLENEN: I think we got to take him on however it be.

MS. SMITH: But we can't afford to
pay an officer to sit there all election day.

    MR. OSTER: Well, the thought I had was, what if everybody did that. You would never be able to check signatures. It's not like the guy is not able to do it, he's just not going to do it.

    MR. HENRY: Did you let him know that if he signed with the X and it wasn't the same as the signature on the registration card that his vote wouldn't count?

    MS. PICKARSKI: But can't. He put it through the scanner. Because it was a regular ballot so you can't. They shouldn't have given him the regular ballot to begin with.

    MR. PICKERING: I mean, that's your control point is your poll workers. If that control point fails --

    CHAIRMAN EVANS: In other words, they refuse to give him a ballot because he won't sign.

    MR. PICKERING: If he refuses to sign and he refuses to vote provisional, he is just going to have to be unhappy and not vote.

    MS. SMITH: And if he causes a commotion then they call us and we call an officer
to come in.

CHAIRMAN EVANS: In other words, we can prevent him from voting?

MR. PICKERING: Well, and again, you're depending upon the front line folks. If they, for whatever reason, accommodate him then we get the same result we have this primary.

CHAIRMAN EVANS: If he comes in there and he refuses to do anything then they can refuse to give him a ballot except provisional. If he won't accept provisional, then that is up to him.

MR. HENRY: Roger, can Andrew send him a letter explaining to him if he doesn't vote provisionally then he can't vote?

MS. SMITH: I think that's what he already did.

CHAIRMAN EVANS: But he refuses to respond.

MR. RHINE: In our poll training, people, have you ever covered that type of situation?

MR. OSTER: No, because 99.9 percent of the people just come in and sign their name. This guy is just being --
MR. RHINE: I would just cover this in my poll training and if it occurs again --

MR. OSTER: Well, this a different worker. She caught it and said this isn't your signature. You have to sign your signature and that is when he really went off.

MS. PICKARSKI: I think whoever the presiding judge is next time, if there is a next time for him, that he specifically be told that this Mr. X cannot vote unless he signs. If there is a problem call us immediately.

MR. OSTER: We can make a point, we can even make it a point to put a sheet of paper on that page and say, you know, if Mr. Deal comes in, he needs to sign his name.

MS. SMITH: Do not let him vote.

MR. OSTER: He's not the Deal who is a poll worker, it's a different Deal. We do have a Deal that works the polls all the time.

MS. SMITH: Somebody, if there is somebody that is causing a disturbance at the polls, we will call the police.

MR. MCCLENEN: At that point we will call an officer and you or whoever from here and the officer will go to the polling place.
MS. SMITH: And if he refuses to leave, then he can be arrested.

MR. OSTER: Yes. And we are not refusing him the right to vote he just needs to do it like everybody else.

MS. SMITH: I agree with Ted, we need to face this one.

MR. OSTER: I guess we will just make it a point the next election, you know, we are going to put something in there and I'm going to make a point to tell all four poll workers at that precinct because it's not a double precinct, that if this guys come in we are going to put a stop to it.

MR. MCCLENEN: I guarantee he will vote again that way because he has gotten away with it.

MR. OSTER: Well, the thing about it is, when he came in the office here, Mary Beth and I went around with him up there. We had a line clear out the door and this guy is giving us a hard time about this. He voted provisional, he put an X and his vote didn't count so he didn't come here again.

MR. MCCLENEN: So he didn't come
in here again, he went to the polling place and got away with it so he will be back the next election.

MR. OSTER: He votes every election but I think this is the last one as an X.

MR. MCCLENNEN: Thank you.

MS. SMITH: Stop him because really there is no sense in it.

MR. OSTER: It's really disappointing because there is really no sense in it. He's already in our records. If somebody calls and wants something, he's in the records.

MR. RHINE: Too bad there are people like that.

CHAIRMAN EVANS: Next on our agenda is the budget date.

MR. OSTER: I was downtown yesterday for a meeting on the closing for the bills for the year and ran into Nathan down there and I was asking him about the budget because usually before this they have the budget, you know, date set up and they haven't done that yet. A couple reasons because they are not sure what the State is going to do yet as far as get anything and they have a new commissioner coming on. He said some of those dates have been pushed back. He said
he was going to have an e-mail out today but he didn't as of our meeting so I was going to try to set up a date with you but we are going to have a couple, looks like probably a couple other meetings.

MR. EVANS: What is the date of training, winter training?

MS. SMITH: The 25th, I think.

Yeah, January 25 through the 28th.

CHAIRMAN EVANS: When is the opening session?

MS. SMITH: Opening session is on, what is PECP class?

MR. OSTER: The classes we have to go to.

MS. SMITH: Okay, that's 4 to 7.

3 p.m. on Wednesday the 26th.

MR. MCCLENNEN: The first day of opening session?

MS. SMITH: That's the second day, Wednesday. Tuesday is when they have to go and Wednesday is when we have to go. Then on Friday all they have is breakfast buffet and closing session.

CHAIRMAN EVANS: I guess it
depends on how hungry you are whether you want to
drive to Columbus.

Okay. Now that we have our
representative here on our results, certification
results, we will do that now.

MR. RAPP: The process that we had
to go through was we zeroed out all of the counts
and then we did our public test so I am assuming
you are going to want to send them around for
signatures. That is our zero report to show that
everything was zero when we started our tally.

These are our precincts, the two precincts that we
tested. Carlisle one, actually instead of signing
each individual precinct report, we did a summary
that had the two precincts combined together so our
totals are 484,848 which matches the totals that we
did on election night. This is the one you guys
signed that election night was the summary detail
so that is the one I think we should sign. You
know what I'm saying? This one goes in the packet.
This is the next one in the packet, that goes next
but that is the only one we had to sign.

All right. Then before we did any

tabulation, that's our pre-official zero report.

We did our public test. We compared our public
test numbers to what we did on election night and
verified those are the same. Then we did a zero
report before we did any of the official count
tallies and we verified that it was correct so that
pre, the title is pre-official zero input. We
counted everything we had on election night.
Meaning that we counted the election day PC cards
and all of the absentee cards and we verified this
matched the election night tally and everything was
exactly the same meaning that none of the memory
cards got changed. This is not one that you had to
sign but I would put it in the packet. When that
comes around I would put that in the packet.

This is the official summary
report. These are the official tallies. You guys
usually read off the numbers like the ballots cast
or whatever? I don't know what you do for your
officials but that is the tallies of all of the
extra provisional ballots, the absentee and
election day. I have a copy of that for everybody.

So we will sign this one as it
goes around and then I will pass that -- do you
want them to sign precinct by precinct?

MR. OSTER: No, that is not
necessary.
MS. SMITH: That is official?

MR. OSTER: Yeah. We got copies
of that. They are making copies right now
upstairs. You can get those on your way out if you
want to.

MR. RHINE: Okay.

MR. RAPP: After we did all that
we had to go back through and zero everything out
again and do the test. So here is where I did the
post test zero showing you everything was zero at
the end. And here is our report with our four 8's
with our 2424's that match our election night
report. All of the tests matched all the way
through from the pre-public test, election night
test through the official count test. All the
numbers showed to be the same.

The very last thing is a zero
report to show that everything was all zeroed out
when we were all done. And that's it for official
count so those numbers are the official tally. It
includes every ballot plus it includes all the
double bubbles that we modified the results and
everything is all inclusive.

Once you approve them, I'll update
the website.
CHAIRMAN EVANS: Need a motion to approve the certification results for the November 2 election.

MR. RHINE: So moved.

MS. SMITH: Second.

CHAIRMAN EVANS: So moved and seconded that we approve the certification of results for the November 2 election. Any questions on the motion?

Hearing none, we will proceed to vote. Those in favor signify by saying aye.

MR. MCCLENEN: Aye.

MR. RHINE: Aye.

CHAIRMAN EVANS: Aye.

MS. SMITH: Aye.

CHAIRMAN EVANS: Nays? Hearing none, motion carried.

MR. OSTER: If I could get the Board to take a look at the last page of the official sheet, Issue 19, which means we are in a situation that we are going to need an automatic recount for Issue 19. I think everything else was okay. And if I could suggest under the recount procedure and directive we have to do it after five days of the certification. My suggestion is if we
can get it done on Monday the 29th at 2 o'clock, shouldn't take us long. Something we are going to have to get done.

CHAIRMAN EVANS: Okay. We will be back here on the 28th.

MR. MCCLENNEN: What happens if it still remains the same?

MR. OSTER: It fails. It has to be a majority plus one vote.

MR. MCCLENNEN: So those people that don't vote that think my vote don't count, there you go.

MR. OSTER: I also have sheets for the Board to sign off on for all of the candidates. I'm going to run some copies.

MS. SMITH: It looks like we probably will have a special in February?

MR. OSTER: No, nobody filed.

MS. SMITH: So we don't have to worry about that until the primary.

MR. OSTER: Also, I have to send a certified letter to Young Consultants in Columbus, they are the agents for the issue that will go in the mail today. I am going to also call them on the phone and let them know it is coming. I don't
know if they will show up or not but they may.

CHAIRMAN EVANS: Anything else to
come before the Board?

MR. OSTER: I have one more thing,
if I could ask. Usually in the every-other-year in
general election we give a bonus to our poll
workers of $25 and we do have that money in the
budget and I ask the Board to approve it for the
poll workers.

MR. HENRY: Can I ask a question
about the poll workers' assessments? Did you guys
do that?

MS. OSTER: We are working on
them.

Everything went pretty smooth and
I don't see any problem with it but, I mean, 400
people, we are about half way through it but we are
doing them now.

MR. MCCLENEN: How much money are
we talking about?

MR. OSTER: $10,000. It is up to
the Board. That's what we do every two years but
it is up to you.

MR. HENRY: How much is it per
poll worker?
MR. OSTER: $25, there are 400
poll workers.

CHAIRMAN EVANS: We, do we
generally do that?

MR. OSTER: We do it in the
presidential general and the governors.

CHAIRMAN EVANS: What month do we
give it to them?

MR. OSTER: December.

MS. SMITH: You have it budgeted
already? It's in the budget?

MR. OSTER: Well, actually it's in
the budget because, not per se that we budgeted for
that but we are at the end of the year and we do
have the money left. We went through four
elections this year and with employees being off
and paying extra people and stuff we weren't sure
how it was going to work out but we do have money.

MR. MCCLENEN: I don't think it
should be an automatic.

MR. OSTER: Well, no, no, no.

MR. MCCLENEN: I mean, times are
tough. You're saying we do it every two years.

MR. OSTER: It's up to you guys.

MR. RHINE: If we got the money.
MS. SMITH: If we don't use it, it goes back to the county?

CHAIRMAN EVANS: Which they say they need right now.

MS. SMITH: That's a tough one.

MR. RHINE: We did it in the past, we got the money. I don't know why.

MR. OSTER: It is entirely up to the Board.

MR. RHINE: You pay in December as part of Christmas?

I make a motion we go ahead and grant the bonus as we have in the past.

MS. SMITH: I'll second it.

CHAIRMAN EVANS: It's been voted and seconded to pay the poll workers their bonuses of $25 per person. Questions on the motion?

MS. SMITH: Do they, most of them know that that happens?

MR. OSTER: Well, we get questions all the time. They want it every election but they don't get it every election. New ones don't know it. They have already gotten their checks for working this time. We didn't really hear any complaints one way or the other.
MS. PICKARSKI: We have a few that have called in and asked about it.

CHAIRMAN EVANS: Any questions on the motion?

Hearing none, we will proceed to vote. Those in favor signify by saying aye.

MR. MCCLENEN: Aye.
MR. RHINE: Aye.
CHAIRMAN EVANS: Aye.
MS. SMITH: Aye.
CHAIRMAN EVANS: Nays? Hearing none, motion carried.

MR. PICKERING: Looking over the criminal provisions for election laws and Mr. X, I think the best that you are going to get is a M1 misdemeanor. No person shall attempt to intimidate an election officer, 3599.24A3 which is a first degree misdemeanor and then there is a general which covers, if you violate anything else that we didn't already cover like signing with the wrong signature, that is a first degree misdemeanor at best. I think the best, you're going to be dealing with the Municipal Court prosecutors office's would be the people you need to talk to about that.

CHAIRMAN EVANS: Okay.
MR. MCCLENNEN: But we can still keep him from voting?

MR. PICKERING: If in the future he comes in, will only sign with an X, you have to vote provisional, I will not, then he is not going to be able to vote.

MS. SMITH: How comfortable would a poll worker be because they would have to go to court?

MR. OSTER: I think, you know, what is done is done for this time but I think for the future we are going to tighten up on that and try to put a stop to it. We thought we had it covered this time and went around with him.

CHAIRMAN EVANS: I think in view of what Andrew, our legal advisor said, I think what we should do is take Ted's recommendation is that during our next election if the gentleman comes to the Board and wants to vote and he doesn't want to do anything but sign an X, he will not be given a ballot. If he doesn't want to sign or vote provisional, then he will not be voting. If he wants to bring it to the Board, fine.

MR. RHINE: I agree with your statement.
CHAIRMAN EVANS: Anything else to come before the Board? Any members have anything? State? Secretary of State's office?

MR. HENRY: No, sir. Just waiting for the directive for the audits to come in.

CHAIRMAN EVANS: We did have some, for the record, we did do a telephone call and got the members of the Board to extend the temporary work agreement for Sally and Sally until January 2 at which time we will make an appointment based on what we get on our interviews but that is where we are at so you don't have to worry about it.

MR. HENRY: Roger, I would like to share what Secretary Brunner is doing, what I consider to be an excellent job at assisting with the Secretary of State elect, John Husted, to make a smooth transition for the next administration and providing him with everything necessary to do that.

CHAIRMAN EVANS: Yeah. He will probably be signing those cards sometime in, well, he can't do it until after what, the 15th?

MR. PICKERING: I think the 9th.

The swearing in, I believe, is the 9th.

CHAIRMAN EVANS: Okay. Anything else? Sally, we are very glad to have you. You've
done great work and we appreciate what you are
doing. And I move to see all of you on the 29th of
November, 2 o'clock. Thank you. If nothing else,
I will entertain a motion to adjourn.

MR. RHINE: Motion to adjourn.

(WHEREUPON, the meeting was
concluded at 2:14 p.m.)
CERTIFICATE

I, Melinda D. Vest, a Court Reporter, do hereby certify that the foregoing is a full, true and correct transcript of my notes taken in the above-styled case and thereafter transcribed by me.

s/Melinda D. Vest
Melinda D. Vest, Court Reporter
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substantial (1)
18:4
suggest (3)
18:1;27:8;44:23
suggested (2)
19:22;21:10
suggestion (1)
44:25
summary (3)
41:14;18;42:14
supply (1)
26:9
sure (2)
39:22;47:17
swearing (1)
51:23
system (3)
9:14;20;10:7

T

table (1)
13:8
tabulation (1)
41:24
tag (1)
34:5
talk (1)
49:24
talked (7)
15:15;18:5;6;19:22;25;28:22;29:5
talking (3)
3:15;18:7;46:20
talks (1)
4:18
tallies (3)
42:4;15:18
tally (4)
5:10;41:11;42:9;43:20
Ted (1)
38:6
Ted's (1)
50:17
telephone (1)
51:7
temporary (1)
51:8
tentatively (1)
24:13
Terrace (2)
32:9;20
test (8)
41:8;25;42:1;43:9;10;14:15
tested (1)
41:13
tests (1)
43:13
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18:11;30:24
thought (6)
14:21;17:14;26:23;27:5;35:2;50:13
Three (8)
7:24;11:13;14;16;20;24:15;17;18
tighten (1)

50:12
times (8)
8:6;9;14;16;10:2;17;16:25;17:5;47:22
title (1)
42:5
today (2)
40:1;45:24
today's (1)
25:21
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2:3;41:15
told (6)
28:24;30:7;18;32:14;34:15;37:9
took (3)
3:14;6:3;30:2
top (1)
31:5
totals (2)
41:16:22	ough (2)
47:23;48:5
track (2)
14:23;24
training (5)
12:5;36:20;37:2;40:7;7
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51:17
trash (1)
27:9
treat (1)
5:16
trend (1)
12:22
tried (1)
31:6
tripped (1)
3:22
trouble (1)
12:22
try (2)
40:2;50:13
trying (1)
8:19
Tuesday (6)
turn (2)
9:19;22:12
two (8)
two-year (1)
17:2
type (2)
32:4;36:21
types (1)
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umteen (1)
12:18
undeliverable (2)
8:19;9:2
under (1)
44:23
unhappy (1)
35:23
unless (2)
16:8;37:10
unofficial (1)
13:12
up (29)
update (3)
8:22;14:15;43:24
updated (1)
19:5
upon (1)
36:5
upset (I)
12:3
upstairs (1)
43:4
use (1)
48:1
used (1)
34:17
using (2)
26:9;34:18
usually (4)
9:13;39:20;42:16;46:5

V

verified (3)
42:2;4:8
verify (1)
3:17
view (1)
50:15
violate (1)
49:19
vote (42)
voted (10)
3:19;7:12;13;8:1;3;7;7:12;17:38;22;48:15
voter (1)
Board Meeting
11-29-11

Attending:
Jeff Hastings, Chairman
Inajo Davis Chappell, Member
Eben O. (Sandy) McNair, IV, Member
Jane M. Platten, Director
Pat McDonald, Deputy Director
Reno Oradini, Assistant Prosecutor

Linda Steimle, Clerk to the Board
Dawn Peck, Court Reporter

Deborah L. Sutherland, Member absent

The Board returned into public session on November 29, 2011 at 11:35 a.m. and voted unanimously to adjourn the November 7, 2011 meeting.

The Board voted unanimously to excuse Board Member Sutherland from today’s meeting.

Agenda Item 1: Acknowledgement of Secretary of State Advisory:

The Board voted unanimously to acknowledge Advisory 2011-09: Sub. H.B. 318.

Agenda Item 2: Certification of Official Results of the November 8, 2011 General Election:

Shantiel Soeder, Manager of the Ballot Department, provided the Board with the Official Canvass Certification Data Summary Report. A copy of the Official Canvass Certification Data Summary Report is attached to this document as Exhibit A.

The Board reviewed the Summary Report and Chairman Hastings asked how many of the rejected provisional ballots cast were in-house voters. Director Platten stated there were 47 ballots cast in-house that were in the wrong precinct. She further stated this problem was a staffing issue; staff has been advised to improve training and to set up additional safety nets to eliminate the incidence of wrong precinct ballots.

Director Platten stated once voter history is completed there will be a further review of election data to compare what occurred this year with absentee and election day voting verses what the voters did in prior years.

Director Platten then presented information regarding 9 voters who cast 2 ballots. She stated there were 7 voters who moved and went to their old location and cast a regular ballot. These voters also went to their new location and cast a provisional ballot. These voters all had 1 vote count and their provisional ballot is secure in the vault.

The last 2 voters cast 2 provisional ballots each. The first voter cast 1 provisional ballot at the Board of Elections and also a provisional ballot at their new polling location on Election Day. Both ballots are secure in the vault with neither vote having been counted. The final voter cast both their provisional ballots here at the Board; the ballots are secure in the vault with neither vote having been counted.
Director Platten asked the Board to allow staff to make calls to these individuals to determine the circumstances as to why they cast 2 ballots. She stated the findings would be reported back to the Board at the next meeting.

The Board voted unanimously to adopt Director Platten’s recommendation to do further analysis on these 9 voters.

The Board voted unanimously to acknowledge the pre-and post-election test results of the vote tabulation system from the November 8, 2011 General Election.

The Board voted unanimously to remake 1,236 optical scan ballots from the November 8, 2011 General Election.

The Board voted unanimously to reject 1,988 absentee ballots from the November 8, 2011 General Election.

The Board voted unanimously to reject 2,048 provisional ballots from the November 8, 2011 General Election.

The Board voted unanimously to certify the Official District Wide Results for Cuyahoga, Geauga, Lorain, and Summit Counties from the November 8, 2011 General Election.

**Agenda Item 3: Approval of vouchers:**

The Board voted unanimously to approve the vouchers as submitted by the Fiscal Services Division.

**New Business:**

Discussion regarding the residency of State Senator Shirley A. Smith:

Chairman Hastings stated Tom Myers, an investigative reporter, had previously reported there was some question as to the residency of State Senator Shirley Smith. The Board had offered the Senator the opportunity to speak to the Board at today’s meeting to address these questions.

Senator Smith was represented by counsel, Roger Synenberg. After questioning and presentation of evidence Attorney Synenberg stated it is clear the intent to return was always a factor as well as Senator Smith’s residency is clearly 13901 Woodworth and has been for 34 years.

Chairman Hastings stated it was the Board’s duty to follow up and in light of the testimony under oath nothing further needs to be investigated.

Chairman Hastings stated there was one other item for discussion. He stated the Agency was in receipt of additional protest documents filed by Mr. Christopher Litwinowicz and Ms. Rose Hunter. The Board discussed waiving the attorney client privilege to release the Memorandum of Law provided by Assistant Prosecuting Attorney Reno Oradini.

The Board voted to waive the attorney client privilege and release the Memorandum of Law. Board Member Chappell voted against the motion.

Chairman Hastings read the Memorandum of Law into the record and stated in part: “The protest deadline was August 26, 2011 and these protests are untimely….Even if these protests can be deemed as election
contest, the Board does not have jurisdiction, because election contests must be filed in court. There is no reason to hold a hearing on the current filings.”

The Board voted unanimously not to have a hearing on the protest filed.

The protestors will be notified and provided with a copy of the Memorandum of Law.

Public Comment:

Adele Eisner: Questions regarding Official Results.

The Board voted unanimously to go into executive session to discuss pending/potential litigation.

The Board voted unanimously to return into public session.

The Board voted unanimously to rescind the bid awarded at the September 29, 2011 meeting to Election System and Software, Inc for the printing of optical scan Election Day ballot pages, in-house voting ballot pages, and absentee (ballot on demand) pages for all elections from January 1, 2012 through December 31, 2013.

The Board voted unanimously to reject all bids that were presented at the September 29, 2011 meeting for the printing of optical scan Election Day ballot pages, in-house voting ballot pages, and absentee (ballot on demand) pages for all elections from January 1, 2012 through December 31, 2013.

The Board voted unanimously to direct the staff to go out to bid as soon as possible for the printing of optical scan Election Day ballot pages, in-house voting ballot pages, and absentee (ballot on demand) pages for the March 6, 2012 Primary Election only.

The Board voted unanimously to adjourn at 1:10 p.m.
**Certification:** I have reviewed the above minutes and certify that they are an accurate summary of the actions taken by the Cuyahoga County Board of Elections at its meeting held on November 29, 2011.

Jeff Hastings, Chairman

Inajo Davis Chappell, Member

Eben O. (Sandy) McNair, IV, Member

Deborah L. Sutherland, Member

Jane M. Platten, Director
November 8, 2011 General Election Official Canvass Certification Data

SUMMARY OF OFFICIAL CANVASS

There were a total of 384,196 ballots tabulated for the November 8, 2011 General Election. Below is a breakdown of the ballots counted by category and a percentage of the total vote by category.

<table>
<thead>
<tr>
<th>Category</th>
<th>Ballots Cast</th>
<th>% of Total Ballots Counted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Election Day</td>
<td>241,633</td>
<td>62.89%</td>
</tr>
<tr>
<td>Absentee</td>
<td>130,413</td>
<td>33.94%</td>
</tr>
<tr>
<td>Provisional</td>
<td>11,288</td>
<td>2.94%</td>
</tr>
<tr>
<td>Post Absentee</td>
<td>722</td>
<td>0.19%</td>
</tr>
<tr>
<td>Post Election Day</td>
<td>140</td>
<td>0.04%</td>
</tr>
</tbody>
</table>
ABSENTEE / VOTE BY MAIL

The Cuyahoga County Board of Elections received a total of 148,046 valid Absentee/Vote by Mail applications. Of those requests, 133,123 ballots were returned (89.92%). The Ballot Department tabulated 131,135 Absentee / Vote by Mail Ballots (88.57%). There were 1,988 ballots challenged in this election resulting in a challenge rate of 1.49% for this election. Details of the challenges are below.

*The Absentee Ballot Challenge Rate is 0.61% when the Absentee Ballots postmarked after the deadline are excluded.

<table>
<thead>
<tr>
<th>Absentee Challenge Category</th>
<th># Challenged</th>
<th>% of Total Challenged Absentee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Returned Too Late*</td>
<td>1,186</td>
<td>59.66%</td>
</tr>
<tr>
<td>ID Envelope Not Returned</td>
<td>254</td>
<td>12.78%</td>
</tr>
<tr>
<td>No Signature on ID Envelope</td>
<td>243</td>
<td>12.22%</td>
</tr>
<tr>
<td>No Identification</td>
<td>115</td>
<td>5.78%</td>
</tr>
<tr>
<td>ID Envelope Not Completed</td>
<td>92</td>
<td>4.63%</td>
</tr>
<tr>
<td>No Printed Name on ID Envelope</td>
<td>39</td>
<td>1.96%</td>
</tr>
<tr>
<td>Ballot Not in ID Envelope</td>
<td>21</td>
<td>1.06%</td>
</tr>
<tr>
<td>No Ballot Returned with ID Envelope</td>
<td>10</td>
<td>0.50%</td>
</tr>
<tr>
<td>Returned to Polling Location</td>
<td>10</td>
<td>0.50%</td>
</tr>
<tr>
<td>Returned Ballot to Library</td>
<td>8</td>
<td>0.40%</td>
</tr>
<tr>
<td>Registration Address Does Not Match ID Envelope</td>
<td>4</td>
<td>0.20%</td>
</tr>
<tr>
<td>Invalid Signature on ID Envelope</td>
<td>3</td>
<td>0.15%</td>
</tr>
<tr>
<td>No Stub or Stub Removed</td>
<td>1</td>
<td>0.05%</td>
</tr>
<tr>
<td>Printed Signature</td>
<td>1</td>
<td>0.05%</td>
</tr>
<tr>
<td>Non-County Resident</td>
<td>1</td>
<td>0.05%</td>
</tr>
<tr>
<td>Total</td>
<td>1,988</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Absentee Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Ballots - COUNTED</td>
</tr>
<tr>
<td>Absentee Ballots - REQUESTED</td>
</tr>
<tr>
<td>Absentee Ballots - RETURNED</td>
</tr>
<tr>
<td>Absentee Ballots - COUNTED</td>
</tr>
<tr>
<td>Absentee Ballots - CHALLENGED</td>
</tr>
<tr>
<td>Challenges - CORRECTED</td>
</tr>
<tr>
<td>Challenges - NOT CORRECTED</td>
</tr>
<tr>
<td>Challenge - LATE RETURN</td>
</tr>
<tr>
<td>% Counted of All Ballots Counted</td>
</tr>
<tr>
<td>% Returned of Absentee Ballots Requested</td>
</tr>
<tr>
<td>% Counted of Absentee Ballots Requested</td>
</tr>
<tr>
<td>% Challenged of Absentee Ballots Requested</td>
</tr>
<tr>
<td>% Remaining Challenges of Absentee Ballots Returned</td>
</tr>
<tr>
<td>% Challenged Not Including Late</td>
</tr>
<tr>
<td>% Corrected of All Challenges</td>
</tr>
<tr>
<td>% Corrected Not Including Late</td>
</tr>
<tr>
<td>% Late of All Absentee Ballots Returned</td>
</tr>
<tr>
<td>% Late of All Remaining Challenges</td>
</tr>
</tbody>
</table>
% of Total Challenged Absentee

- Returned Too Late: 59.66%
- No Signature on ID Envelope: 12.22%
- ID Envelope Not Returned: 12.78%
- No Identification: 5.78%
- No Printed Name on ID Envelope: 1.96%
- Ballot Not in ID Envelope: 1.06%
- No Ballot Returned with ID Envelope: 0.50%
- Returned Ballot to Library: 0.40%
- Registration Address Does Not Match ID Envelope: 0.20%
- Returned to Polling Location: 0.50%
PROVISIONAL VOTING SUMMARY

A total of 13,336 Provisional Ballots were cast In-House and on Election Day. Of those ballots, 11,288 (84.64%) were valid and tabulated by the Ballot Department. There were 2,048 rejected Provisional Ballots resulting in a 15.36%* rejection rate for this election. Details of the rejections are below.

* The Provisional Ballot Rejection Rate is 14.76% when Provisional Voters who have already cast an Absentee Ballot are excluded.

<table>
<thead>
<tr>
<th>Reason for Rejection</th>
<th># Rejected</th>
<th>% of Total Provisional Rejections</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wrong Precinct**</td>
<td>991</td>
<td>48.39%</td>
</tr>
<tr>
<td>Not Registered</td>
<td>768</td>
<td>37.50%</td>
</tr>
<tr>
<td>Voted Absentee*</td>
<td>94</td>
<td>4.59%</td>
</tr>
<tr>
<td>No Signature</td>
<td>74</td>
<td>3.61%</td>
</tr>
<tr>
<td>No Printed Name</td>
<td>71</td>
<td>3.47%</td>
</tr>
<tr>
<td>Missing Identification</td>
<td>15</td>
<td>0.73%</td>
</tr>
<tr>
<td>Incorrect Address</td>
<td>12</td>
<td>0.59%</td>
</tr>
<tr>
<td>Board Review Required</td>
<td>9</td>
<td>0.44%</td>
</tr>
<tr>
<td>Out of County</td>
<td>7</td>
<td>0.34%</td>
</tr>
<tr>
<td>Signature Does Not Match Registration Record</td>
<td>6</td>
<td>0.29%</td>
</tr>
<tr>
<td>Signature in Wrong Place on Provisional Envelope</td>
<td>1</td>
<td>0.05%</td>
</tr>
<tr>
<td>Total</td>
<td>2,048</td>
<td></td>
</tr>
</tbody>
</table>

** 499 provisional ballots (3.74%) rejected for being cast in the wrong precinct, were cast in the correct location.

Provisional Data

<table>
<thead>
<tr>
<th>Provisional Ballots - CAST</th>
<th>13,336</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provisional Ballots - VALID</td>
<td>11,288</td>
</tr>
<tr>
<td>Provisional Ballots - REJECTED</td>
<td>2,048</td>
</tr>
<tr>
<td>Rejected – ABSENTEE VOTERS</td>
<td>94</td>
</tr>
<tr>
<td>Rejected - NOT INCLUDING ABSENTEE VOTERS</td>
<td>1,954</td>
</tr>
<tr>
<td>Rejected - WRONG PRECINCT (Total)</td>
<td>991</td>
</tr>
<tr>
<td>Rejected - WRONG PRECINCT/CORRECT LOCATION</td>
<td>499</td>
</tr>
<tr>
<td>% VALID of All Provisional Ballots Cast</td>
<td>84.64%</td>
</tr>
<tr>
<td>% REJECTED of All Provisional Ballots Cast</td>
<td>15.36%</td>
</tr>
<tr>
<td>% REJECTED Not Including Absentee Voters</td>
<td>14.76%</td>
</tr>
<tr>
<td>% Wrong Precinct (Total) of All Provisional Ballots Cast</td>
<td>7.43%</td>
</tr>
<tr>
<td>% Wrong Precinct/Correct Location of All Provisional Ballots Cast</td>
<td>3.74%</td>
</tr>
</tbody>
</table>
% of Total Provisional Rejections

- Missing Identification: 0.73%
- No Printed Name: 3.47%
- No Signature: 3.61%
- Voted Absentee: 4.59%
- Bad Address: 0.59%
- Board Review Required: 0.44%
- Out of County: 0.34%
- Signature Does Not Match Registration: 0.29%
- Signature in Wrong Place on Provisional Envelope: 0.05%

- Wrong Precinct: 48.39%
- Not Registered: 37.50%
BALLOT REMAKES

During the election, 1,236 ballots were processed in accordance with the CCBOE Remake Procedure (approved by the Board on August 4, 2010). Of those, 839 ballots were processed during the Unofficial Canvass; the remaining 397 were processed during the Official Canvass. The following is a breakdown by category:

<table>
<thead>
<tr>
<th>Reason for Remake</th>
<th>Number of Remakes</th>
<th>% of Total Remakes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 - Ripped or torn ballot.</td>
<td>357</td>
<td>28.88%</td>
</tr>
<tr>
<td>3 - Crossed out one choice.</td>
<td>221</td>
<td>17.88%</td>
</tr>
<tr>
<td>4 - Tried to erase one choice.</td>
<td>83</td>
<td>6.72%</td>
</tr>
<tr>
<td>5 - A dot or resting mark occurs on one contest. (Run As Is)</td>
<td>266</td>
<td>21.52%</td>
</tr>
<tr>
<td>6 - Used whiteout.</td>
<td>18</td>
<td>1.46%</td>
</tr>
<tr>
<td>7 - Dash marks are made outside of the ovals and nothing is inside of the ovals.</td>
<td>3</td>
<td>0.24%</td>
</tr>
<tr>
<td>8 - Majority of ovals marked with &quot;X&quot;, check mark or other mark.</td>
<td>16</td>
<td>1.29%</td>
</tr>
<tr>
<td>9 - Entire response crossed out. (Run As Is)</td>
<td>2</td>
<td>0.16%</td>
</tr>
<tr>
<td>10 - Used only (or majority of) circles, &quot;x&quot; or other marks.</td>
<td>11</td>
<td>0.89%</td>
</tr>
<tr>
<td>11 - Used words instead of filling in ovals.</td>
<td>195</td>
<td>15.78%</td>
</tr>
<tr>
<td>12 - Used green ink.</td>
<td>2</td>
<td>0.16%</td>
</tr>
<tr>
<td>14 - Ink transferred when ballot was folded.</td>
<td>15</td>
<td>1.21%</td>
</tr>
<tr>
<td>15 - Miscellaneous writing on ballot. (Run As Is)</td>
<td>2</td>
<td>0.16%</td>
</tr>
<tr>
<td>16 - Circle oval rather than filling it in.</td>
<td>27</td>
<td>2.18%</td>
</tr>
<tr>
<td>MOVE Act</td>
<td>18</td>
<td>1.46%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Stage of Election</th>
<th>Number of Ballots Remade</th>
<th>% of Total Remakes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unofficial</td>
<td>839</td>
<td>67.88%</td>
</tr>
<tr>
<td>Official</td>
<td>397</td>
<td>32.12%</td>
</tr>
</tbody>
</table>
OVER VOTES

There were a total of 2,795 over votes recorded resulting in a 0.086% over vote rate for the election. The exact number of over voted ballots is unknown as the Unity system reports over votes on a per-contest basis, thus a ballot containing multiple over votes is recorded multiple times. Details of the over votes by contest are below:

POLL BOOK JUSTIFICATION AND BALLOT RECONCILIATION

All 1,066 precincts were involved in this election. The number of signatures in the Poll Books matches the number of Ballots Cast in 883 (82.83%) precincts. Below is a breakdown of the range of discrepancies between than number of signatures in the poll books and the number of ballots cast on Election Day.

<table>
<thead>
<tr>
<th>Number of Precincts</th>
<th>Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>5 Discrepancies</td>
</tr>
<tr>
<td>9</td>
<td>4 Discrepancies</td>
</tr>
<tr>
<td>15</td>
<td>3 Discrepancies</td>
</tr>
<tr>
<td>44</td>
<td>2 Discrepancies</td>
</tr>
<tr>
<td>113</td>
<td>1 Discrepancy</td>
</tr>
</tbody>
</table>

TOTAL = 183

A review of the ballots cast on Election Day was completed for all of the precincts with a discrepancy.

We will begin our Ballot Reconciliation process later this week. We will report the findings of this analysis at our next scheduled Board Meeting.

RECOUNTS

The following five (5) contests result in a margin of victory that is less than one half of one percent - the threshold to conduct an automatic recount. A schedule of dates and times for automatic recounts will be released tomorrow.

<table>
<thead>
<tr>
<th>Contest</th>
<th>Precincts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bedford Heights Charter Review Commission</td>
<td>10</td>
</tr>
<tr>
<td>Cleveland Heights Council</td>
<td>37</td>
</tr>
<tr>
<td>Mayfield Heights Council - UTE 12/31/2013</td>
<td>15</td>
</tr>
<tr>
<td>University Heights Council at Large</td>
<td>10</td>
</tr>
<tr>
<td>4-Bedford City School District – Tax Levy (Additional)</td>
<td>31</td>
</tr>
</tbody>
</table>

The deadline to file for a requested recount is Monday, December 5th at 4:30 PM.

AUDITS

The Post-Election Audit for the November 8, 2011 General Election will begin the day following the completion of all requested recounts. If there are not any requested recounts, we will begin the Post-Election Audit on Monday, December 12th at 9:30 AM.
### HISTORICAL DATA FOR MUNICIPAL GENERAL ELECTIONS

The following data sets and graphs include comparisons related to election information and voting method distributions (ballot categories).

<table>
<thead>
<tr>
<th></th>
<th>November 6, 2007 General</th>
<th>November 3, 2009 General</th>
<th>November 8, 2011 General</th>
</tr>
</thead>
<tbody>
<tr>
<td>Precincts</td>
<td>1,436</td>
<td>1,069</td>
<td>1,066</td>
</tr>
<tr>
<td>Registered Voters</td>
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<td>984,397</td>
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<td>Ballot Cast - Counted</td>
<td>204,379</td>
<td>388,851</td>
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<tr>
<td>Election Day</td>
<td>172,604</td>
<td>205,785</td>
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<tr>
<td>Absentee</td>
<td>28,596</td>
<td>173,475</td>
<td>130,413</td>
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<td>Provisional</td>
<td>3,179</td>
<td>9,591</td>
<td>11,288</td>
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<tr>
<td>Post Absentee</td>
<td>Included in Absentee</td>
<td>Included in Absentee</td>
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<td>Post Election Day</td>
<td>Included in Election Day</td>
<td>Included in Election Day</td>
<td>140</td>
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<tr>
<td>Voter Turnout</td>
<td>19.33%</td>
<td>39.50%</td>
<td>43.38%</td>
</tr>
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</table>

**Voter Turnout**

- **November 6, 2007 General**: 19.33%
- **November 3, 2009 General**: 39.50%
- **November 8, 2011 General**: 43.38%
### Election Day Voting Trend

<table>
<thead>
<tr>
<th></th>
<th>November 6, 2007 General</th>
<th>November 3, 2009 General</th>
<th>November 8, 2011 General</th>
</tr>
</thead>
<tbody>
<tr>
<td>Election Day</td>
<td>84.45%</td>
<td>52.92%</td>
<td>62.93%</td>
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<tr>
<td>Absentee</td>
<td>13.99%</td>
<td>44.61%</td>
<td>34.13%</td>
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<tr>
<td>Provisional</td>
<td>1.56%</td>
<td>2.47%</td>
<td>2.94%</td>
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### Absentee Voting Trend

<table>
<thead>
<tr>
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<th>November 6, 2007 General</th>
<th>November 3, 2009 General</th>
<th>November 8, 2011 General</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>13.99%</td>
<td>44.61%</td>
<td>34.13%</td>
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### Provisional Voting Trend

<table>
<thead>
<tr>
<th></th>
<th>November 6, 2007 General</th>
<th>November 3, 2009 General</th>
<th>November 8, 2011 General</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1.56%</td>
<td>2.47%</td>
<td>2.94%</td>
</tr>
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## Absentee Data

<table>
<thead>
<tr>
<th></th>
<th>November 6, 2007 General</th>
<th>November 3, 2009 General</th>
<th>November 8, 2011 General</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL BALLOTS COUNTED</td>
<td>204,379</td>
<td>388,851</td>
<td>384,196</td>
</tr>
<tr>
<td>TOTAL ABSENTEE BALLOTS REQUESTED</td>
<td>33,830</td>
<td>205,655</td>
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<td>29,130</td>
<td>180,162</td>
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<td>TOTAL ABSENTEE BALLOTS COUNTED</td>
<td>28,596</td>
<td>173,475</td>
<td>131,135</td>
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<tr>
<td>TOTAL BALLOTS CHALLENGED</td>
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<td>7,144</td>
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<td>CHALLENGES CORRECTED</td>
<td>386</td>
<td>457</td>
<td>238</td>
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<td>CHALLENGES NOT CORRECTED</td>
<td>534</td>
<td>6,687</td>
<td>1,988</td>
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<td>ABSENTEE BALLOTS RETURNED LATE</td>
<td>7</td>
<td>2,135</td>
<td>1,186</td>
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<td>% RETURNED of Absentee Ballots Requested</td>
<td>13.99%</td>
<td>44.61%</td>
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</tr>
<tr>
<td>% COUNTED of Absentee Ballots Returned</td>
<td>86.11%</td>
<td>87.60%</td>
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<td>% CHALLENGED of Absentee Ballots Returned</td>
<td>98.17%</td>
<td>96.29%</td>
<td>98.51%</td>
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<tr>
<td>% CHALLENGED of All Challenges</td>
<td>1.83%</td>
<td>3.71%</td>
<td>1.49%</td>
</tr>
<tr>
<td>% CHALLENGED Not Including Late</td>
<td>1.81%</td>
<td>2.53%</td>
<td>0.61%</td>
</tr>
<tr>
<td>% CORRECTED of All Challenges</td>
<td>41.96%</td>
<td>6.40%</td>
<td>10.69%</td>
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<td>% CORRECTED Not Including Late</td>
<td>42.28%</td>
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<td>% LATE of Absentee Ballots Returned</td>
<td>0.02%</td>
<td>1.19%</td>
<td>0.89%</td>
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<tr>
<td>% LATE of All Remaining Challenges</td>
<td>1.31%</td>
<td>31.93%</td>
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### Challenge Rate

<table>
<thead>
<tr>
<th>Date</th>
<th>Rate</th>
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<tbody>
<tr>
<td>November 6, 2007 General</td>
<td>1.83%</td>
</tr>
<tr>
<td>November 3, 2009 General</td>
<td>3.71%</td>
</tr>
<tr>
<td>November 8, 2011 General</td>
<td>1.49%</td>
</tr>
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</table>

### Challenge Rate (Excluding Late)

<table>
<thead>
<tr>
<th>Date</th>
<th>Rate</th>
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<tbody>
<tr>
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<td>1.81%</td>
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<tr>
<td>November 3, 2009 General</td>
<td>2.53%</td>
</tr>
<tr>
<td>November 8, 2011 General</td>
<td>0.61%</td>
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Provisional Data

<table>
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<tr>
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<th>November 6, 2007 General</th>
<th>November 3, 2009 General</th>
<th>November 8, 2011 General</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL PROVISIONAL BALLOTS CAST</td>
<td>3,990</td>
<td>11,111</td>
<td>13,336</td>
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<tr>
<td>TOTAL BALLOTS VALID</td>
<td>3,179</td>
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<td>TOTAL REJECTED</td>
<td>811</td>
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<td>REJECTED Absentee Voters</td>
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<td>991</td>
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<tr>
<td>WRONG PRECINCT/CORRECT LOCATION</td>
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<td>499</td>
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<tr>
<td>% Valid</td>
<td>79.67%</td>
<td>86.32%</td>
<td>84.64%</td>
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<tr>
<td>% Rejected</td>
<td>20.33%</td>
<td>13.68%</td>
<td>15.36%</td>
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<tr>
<td>% Rejected Not Including Absentee Voters</td>
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<td>% Wrong Precinct/Correct Location</td>
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<td>3.16%</td>
<td>3.74%</td>
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Rejection Rate

- November 6, 2007 General: 20.33%
- November 3, 2009 General: 13.68%
- November 8, 2011 General: 15.36%

Rejection Rate (Excluding Absentee Voters)

- November 6, 2007 General: 20.23%
- November 3, 2009 General: 12.92%
- November 8, 2011 General: 14.76%

Wrong Precinct Rejection Rate

- November 6, 2007 General: NOT RECORDED
- November 3, 2009 General: 7.48%
- November 8, 2011 General: 7.43%
FRANKLIN COUNTY BOARD OF ELECTIONS
FRANKLIN COUNTY, OHIO

IN RE:
Special Meeting:

Proceedings before Chairman Douglas J. Preisse; Director William A. Anthony, Junior; Deputy Director Matt M. Damschroder; and Board Members Zachary E. Manifold and Kimberly E. Marinello; taken at the Franklin County Board of Elections, 280 East Broad Street, Columbus, Ohio, on Friday, November 19, 2010, at 3:12 o'clock p.m.
APPEARANCES:

Franklin County Board of Elections
373 South High Street
Thirteenth Floor
Columbus, Ohio 43215
By Mr. Anthony E. Palmer, Junior
Franklin County Prosecuting
Attorney's Office,

On behalf of the Department.

ALSO PRESENT:

Suzanne Brown, Secretary

Renee Klco - Manager, Voter Services

Ben Piscitelli - Media Relations

Charles Traylor - Liaison
DIRECTOR ANTHONY: I would like to call the Franklin County Board of Elections meeting to order. I'll do a roll call.

Kim Marinello?

BOARD MEMBER MARINELLO: Here.

DIRECTOR ANTHONY: Zachary Manifold?

BOARD MEMBER MANIFOLD: Here.

DIRECTOR ANTHONY: Doug Preisse?

CHAIRMAN PREISSE: Here.

DIRECTOR ANTHONY: All right. Mike Colley?

DEPUTY DIRECTOR DAMSCHRODER:

Mr. Colley is out of the state today.

DIRECTOR ANTHONY: Oh, okay.

DEPUTY DIRECTOR DAMSCHRODER: I'm going to be joining us.

DIRECTOR ANTHONY: So we do have a quorum.

The first order of business is the approval of the minutes from the last meeting.

BOARD MEMBER MARINELLO: Mr. Chairman,
I move that the minutes of the meeting of the Board held on November 1st, 2010, be approved as admitted.

DIRECTOR ANTHONY: Is there a second?

BOARD MEMBER MANIFOLD: Second.

DIRECTOR ANTHONY: All those in favor say aye?

BOARD MEMBERS: Aye.

DIRECTOR ANTHONY: The next item is the provisional ballots. Matt, did you want to talk about that?

DEPUTY DIRECTOR DAMSCHRODER: Sure. We have four motions for the Board to consider. The first three are kind of categories that are -- the staff considers to be exceptions from the normally accepted rules of validating provisionals that require a little bit of review.

The normally accepted categories would be, for instance, return of voter absentee ballot and voted a provisional as well so that provisional wouldn't count, et cetera, not a registered voter. So the first category is a -- is a series of 83 provisional ballots where the provisional ballot was cast in the wrong precinct
as evidenced by the name of the precinct written on
the envelope by the poll worker and/or the ballot
style and contained inside the envelope, but the
ballot was the -- the provisional ballot was cast
in the correct voting location, so it's the right
church, wrong pew issue.

Under the directive issued by the
Secretary of State earlier this year following the
Neoch consent order, the Secretary of State has
indicated that we're not permitted to invalidate a
provisional ballot that is in this right church,
wrong pew category if the error is attributable to
a poll worker mistake.

Unfortunately, the Court in its
infinite wisdom did not decide to define what poll
worker error is, and there is no evidence before
this Board, or at least the staff, that any of
these provisionals are the result of provisional --
or of poll worker error. There is also no evidence
before the Board that it isn't a result of poll
worker error.

Even before the Neoch decision, this
Board has taken a very broad approach in favor of
voter and franchise and have counted such ballots,
and so even though other counties are interpreting
the directive to say that because there's no
evidence -- there's no affirmative evidence that
there was poll worker error and rejecting those
ballots, our staff recommendation is that we go
ahead and count those ballots.

BOARD MEMBER MARINELLO: What would be
an example of a voter error in that? How could
they do that wrong?

DEPUTY DIRECTOR DAMSCHRODER: In
particularly -- and part of the reason why we do it
in this county is because with our consolidated
voting location approach where there's a single
table and a single set of poll workers assigned to
the task of provisional ballots for all the
 precincts in a location, it would be pretty
difficult in this county to conceive of a situation
where it would be a voter error.

But, again, there's -- there's --
absent of a definition of poll worker error from
the Secretary of State or the Court, there's no
evidence before the Board that there is or there
isn't, so we're just giving our unique practices
here taking the guess that it is poll worker error,
although it might not be.

BOARD MEMBER MANIFOLD: How are we doing overall with the past year results, and it looks like we're looking at somewhere -- 90 percent acceptance.

And, in particular, how about the -- I know it was contentious before, I think the printed name on the envelope? I think we had that issue in the past. Is that down? That looks like it's pretty far down, I think, from maybe what it was in the past.

DEPUTY DIRECTOR DAMSCHRODER: I'll let Renee speak to it a little bit, also, but I think it's this; Franklin County has traditionally, among our sister urban counties, had a higher rate of validation of provisionals than, again, our sister urban counties, and I think this is even higher than we've seen in the past.

MS. KLCO: This is the highest we've had for accepting provisional ballots. The one category that went down considerably is voting in the wrong precinct, at 5.66 percent, and all the other county categories were down as well, and I attribute a lot of that to the intense poll worker
training.

DEPUTY DIRECTOR DAMSCHRODER: So if you see Mary Hackett or Barcey McNeal, let them know that their work is paying off in terms of poll worker training.

I think the new training manual, the new approach to training that Mary and Barcey put together this summer, I think has really, really, helped, so if you see them, give them -- give them our thanks.

BOARD MEMBER MANIFOLD: Do we -- after the election, this election, do we, like -- I'd assume that we do -- do we take these, like -- do we look for certain areas or locations where there's issues or possibly there's, like, a spike, like, you know, maybe the presiding judge of that location isn't?

MS. KLCO: And we report the location, and I would -- whether or not it's the paper ballot judge or the roster judge who's sending people to the wrong places, we report all those to Mary Hackett so she can deal with that poll worker that she sees -- sees fit.

We also read all the problems and
correction pages from all the different workbooks
and, also, recommend to Mary which poll workers
we'd like to keep, which ones we want cloned, and
which ones we really don't want to work with
anymore.

BOARD MEMBER MANIFOLD: You guys are
doing a great job.

MS. KLCO: Uh-huh.

ATTORNEY PALMER: I need to jump in on
the issue that was raised about the provisional
ballots and poll worker error specifically.

I know in the Secretary of State
directives, poll worker error is not presumed. It
must be demonstrated through evidence.

I know that the Supreme Court of Ohio
had weighed in on that in State versus Skaggs, and
said that, you know, if there's -- if there is
evidence that poll workers failed to perform their
statutorily required duties, then -- you know, then
you could reverse it.

But the poll workers are going to be
presumed to have properly performed their duties
absent evidence of the contrary.

DIRECTOR ANTHONY: Any other discussion
BOARD MEMBER MARINELLO: So does this change anything? No?
Mr. Chairman, I move that the Board accept as valid those provisional ballots cast in the wrong precinct but within the correct voting location so long as the remaining, required information is provided on the provisional ballot envelope.

BOARD MEMBER MANIFOLD: I'll second it.

DIRECTOR ANTHONY: Is there a second?
All those in favor?
BOARD MEMBERS: Aye.
Should we do a --
CHAIRMAN PREISSE: I didn't vote.

DIRECTOR ANTHONY: You didn't vote, so --
CHAIRMAN PREISSE: I wanted to vote in the negative.

DIRECTOR ANTHONY: In the negative?
Okay. So should I do a voice vote?
CHAIRMAN PREISSE: No, you can just --
you just say those against.

DIRECTOR ANTHONY: Those against?
CHAIRMAN PREISSE: No.

DIRECTOR ANTHONY: All right. The motion carries.

The next item on the agenda, it has to do with -- we had a couple of ballots or some concern about -- in a poll book we had, it had the little stop sign in the poll book and it had a three on it. And there was two precincts that -- that we had a lot of discussion with on election night, that it was felt that they shouldn't have been stopped, because that meant that if they had stop three on it, they had to show identification because we had sent them in the mail vote verification, and it came back as undeliverable.

And so when they showed that to a poll worker on election day, they were required to show identification that they did live at their current address.

And there was two precincts out there that we had those -- or these two -- two areas, the Ohio Union and then Indianola Church of Christ that -- that there was some concern that there was an inordinate number of folks that the stop three -- or that had received notification that
they had to verify their -- their address when they went to the polls.

And we got a ruling, or at least an advisory statement, from the Secretary of State that said we shouldn't have sent that out, and so, at that point, we decided to go back and see how many -- how many folks were impacted by that. And upon discovery we found that there were a total of 30 -- 38 of them; is that right? Thirty-eight of them -- folks were impacted by that. And so what we would like to do is just not count those as provisional, but count them as -- as a regular ballot. So I guess that's what that motion is.

I know I kind of rambled on that. Anybody want to add anything to it?

CHAIRMAN PREISSE: So the 38 folks from two --

DEPUTY DIRECTOR DAMSCHRODER: It's actually just from one. The 38 are from Ohio Union. There were -- there were none --

DIRECTOR ANTHONY: None in the --

DEPUTY DIRECTOR DAMSCHRODER: -- from Indianola Church of Christ, despite the human cry
that came up on election night from ODP.

DIRECTOR ANTHONY: And I might add that -- I forget how many total provisional ballots were cast, and the area -- the area where we found the 38 was in the Ohio Union; and, Renee, how many provisional ballots were there?

MS. KLCO: I'm sorry. I don't remember.

DIRECTOR ANTHONY: You don't remember? I think it was something like 80 some provisional ballots.

MS. KLCO: It was more than that.

DIRECTOR ANTHONY: Yeah, I thought it was 100.

DEPUTY DIRECTOR DAMSCHRODER: It was 300 or something. It was a bunch.

CHAIRMAN PREISSE: These people -- so describe for me again the circumstance in which these people find themselves under.

DEPUTY DIRECTOR DAMSCHRODER: It's been the long time practice of this Board, when -- when a -- when we mail -- when a person registers to vote, then we send a voter acknowledgement card. If that card comes back as undeliverable, under
state law that person has to be flagged in the poll
book as -- as having a voter provisional ballot,
and we send a confirmation card to them asking them
to update their address.

We follow the same procedure if we
change a person's voting location. We send an
acknowledgement card letting them know their new
voting location. If that comes back as
undeliverable, we set them to inactive status, send
them a confirmation card asking them to update
their address, and we put them in the poll -- find
them in the poll book as having to cast a
provisional ballot because we have information with
the post office that they no longer live at the
address that they say they live at.

That long time practice was challenged
election night, and so I think it's going to be a
staff recommendation at a future meeting that the
Board ask the Prosecuting Attorney's Office for a
written opinion on whether our practice is within
the Board's discretion under Title 35, or if it's
outside that, our discretion, and, therefore, we
have to change that practice.

But ODP only raised concerns about
these two voting locations, so we looked at them
carefully. On election night they wanted us to go
through all the provisionals in the whole county,
find all of them that were in this category and
just count them as regular ballots, but they --
y they dropped that objection later in the evening.

So we looked at just these two
locations and, again, the 38 from Ohio Union are
all people who were flagged in the poll book as
having no provisional because they are -- the
address came back as not the address at which
they -- they lived.

BOARD MEMBER MANIFOLD: Do you know,
did we -- did we go ahead and -- of the 38, would
they have already -- would they already -- even
just bringing the stop three, which, I think, is
the motion here, right? Is -- is it -- it would be
counted anyway, right?

DEPUTY DIRECTOR DAMSCHRODER: Yeah.

BOARD MEMBER MANIFOLD: There wasn't
anything wrong? None of the --

DEPUTY DIRECTOR DAMSCHRODER: All of
the information was contained on the envelopes.

BOARD MEMBER MANIFOLD: Say, even if --
MS. KLCO: I would have counted them anyway.

BOARD MEMBER MANIFOLD: So they're all -- 38, they're getting -- they're all -- yeah, 38, there's nothing wrong with any of them?

MS. KLCO: No.

DEPUTY DIRECTOR DAMSCHRODER: No.

DIRECTOR ANTHONY: No.

BOARD MEMBER MANIFOLD: Okay.

DIRECTOR ANTHONY: It means moving from a provisional status to a non-provisional status.

CHAIRMAN PREISSE: Why are we counting them?

DEPUTY DIRECTOR DAMSCHRODER: Well, no, we're actually still counting them as provisionals.

DIRECTOR ANTHONY: Oh, okay.

DEPUTY DIRECTOR DAMSCHRODER: We're not making them regular ballots.

DIRECTOR ANTHONY: Right.

DEPUTY DIRECTOR DAMSCHRODER: We're counting -- we're voting to count their -- count those provisional ballots.

BOARD MEMBER MANIFOLD: So do we even need the motion, because if they get counted --
DEPUTY DIRECTOR DAMSCHRODER: I think the concern was given the unique issue that was raised on election night. We wanted to keep -- keep them out and handle them separately so that there was no confusion.

BOARD MEMBER MANIFOLD: Okay.

DEPUTY DIRECTOR DAMSCHRODER: After the fact for when folks want to know what we did --

BOARD MEMBER MANIFOLD: Okay.

DEPUTY DIRECTOR DAMSCHRODER: -- to respond to concerns that were raised at 7:20 p.m. election night.

CHAIRMAN PREISSE: So we will -- we're going to count them anyway?

DEPUTY DIRECTOR DAMSCHRODER: Yeah.

CHAIRMAN PREISSE: But even if they've been set aside?

DEPUTY DIRECTOR DAMSCHRODER: Yeah.

BOARD MEMBER MARINELLO: Okay. Ready?

Mr. Chairman, each having all the information otherwise required for a provisional ballot to be counted, I move that the Board accept as valid those provisional ballots cast at the Ohio Union (LID 3002) and Indianola Church of Christ
(LID 3028) by voters who were flagged in the signature poll books for reason number three.

DIRECTOR ANTHONY: Is there --

BOARD MEMBER MANIFOLD: Second. I'll second the motion.

DIRECTOR ANTHONY: Okay. Properly move to second. All in favor say aye?

BOARD MEMBERS: Aye.

DIRECTOR ANTHONY: Opposed same sign?

(No audible response.)

DIRECTOR ANTHONY: The ayes carry.

The next item on the agenda has to do with a provision -- two provisional ballots where a voter has signed the poll book, and their -- the precinct that was on file in the poll book, and then they also voted provisional ballot at another precinct --

MS. KLCO: Yeah.

DIRECTOR ANTHONY: Is that -- is that right? Yeah.

MS. KLCO: Uh-huh.

DIRECTOR ANTHONY: Okay. Do you want to give more information on that?

MS. KLCO: These two voters signed the
poll book and were given credit for voting in their
old precinct. There's no indication that they were
told then, oh, you have to go someplace else.
There's nothing written on any of the problems or
correction pages. Then these two voters went to
their new voting location and voted a provisional
ballot there.

DEPUTY DIRECTOR DAMSCHRODER: So we
really don't know whether they cast two ballots or
not. All of the evidence -- the signed poll book
indicates that they voted -- they signed the poll
book and cast a regular ballot, because you're not
supposed to sign the poll book unless you've been
issued a regular -- the opportunity for you to vote
to cast a regular ballot, so...

BOARD MEMBER MANIFOLD: Did the
machine -- did the machines in those locations show
the right number? Wouldn't it show up at the under
vote or vote? Wouldn't it show up if we had two --

MS. KLCO: I think they both showed up
with under votes. I think they --

BOARD MEMBER MANIFOLD: So there was a
long period. I see what you mean.

MS. KLCO: Like two people didn't sign
the poll book.

BOARD MEMBER MANIFOLD: Okay.

MS. KLCO: You see what I mean?

BOARD MEMBER MANIFOLD: I see.

DEPUTY DIRECTOR DAMSCHRODER: More votes than signatures.

BOARD MEMBER MANIFOLD: Okay.

BOARD MEMBER MARINELLO: Mr. Chairman,

I move that the Board reject as invalid the two -- excuse me -- identified provisional ballots from voters who signed the signature poll book in their former precinct, but voted a provisional ballot in their precinct.

DIRECTOR ANTHONY: Is there a second?

BOARD MEMBER MANIFOLD: I'll second.

DIRECTOR ANTHONY: All those in favor say aye?

BOARD MEMBERS: Aye.

DIRECTOR ANTHONY: That motion carries.

The next item on the agenda is the remaining provisional ballots. And as you can see from the sheets, I guess there's something like 13,986 of them, rejection of 1,426.

Are there any questions? Anybody
want -- Renee, you want to add anything to that?

MS. KLCO: No.

DIRECTOR ANTHONY: Okay. Any other questions on that?

(No audible response.)

DIRECTOR ANTHONY: We will entertain a motion.

BOARD MEMBER MARINELLO: Mr. Chairman, I move that the Board accept the staff recommendation for the validation of 13,986, and rejection, 1,426, of the remaining provisional ballots as submitted.

DIRECTOR ANTHONY: Is there a second?

BOARD MEMBER MANIFOLD: Second.

DIRECTOR ANTHONY: All those in favor say aye?

BOARD MEMBERS: Aye.

DIRECTOR ANTHONY: The motion carries.

The next matter is -- I guess we need to go into executive session?

DEPUTY DIRECTOR DAMSCHRODER: I don't think we need to, unless we -- unless we want -- unless there's anything in particular we want to discuss?
DIRECTOR ANTHONY: No, let's not. The next item has to -- I mean, does anybody want to go in executive session to discuss --

BOARD MEMBER MANIFOLD: No. No.

DIRECTOR ANTHONY: Okay. It has to do with accrual of comp time. What we would like to do is have our policy reflect what the county policy reflects as it relates to exempt employees.

BOARD MEMBER MARINELLO: I think that, Mr. Chairman, I move that effective today the Board amend its overtime and compensatory leave policy, as it relates to exempt employees, permitting the Director and Deputy Director to accrue a maximum of 80 hours of personal administrative leave up from the current maximum of 40 to closely follow the policy adopted by the county commissioners covering their exempt employees.

BOARD MEMBER MANIFOLD: I'll second.

DIRECTOR ANTHONY: All those in favor?

BOARD MEMBERS: Aye.

DIRECTOR ANTHONY: The motion carries. And the next motion, we normally at the end of the year allow our employees to have a --
our full-time employees, we give them some leeway on some personal leave.

Of course, this is my first year as Director doing this, so, Matt, can you explain that a little bit more?

DEPUTY DIRECTOR DAMSCHRODER: Sure. We have in the past -- the Director and Deputy Director have brought to the Board a request, particularly in even numbered years where staff has worked particularly hard and still has a lot of stuff to do between now and the holidays, to give staff four paid days of additional leave to use during the week before Christmas or the week before New Years.

The office will remain open to the public. We'll have -- continue to have equal numbers of Republicans and Democrats here to staff the office, but it just gives folks four extra days to take off around the holidays and spend time with family and friends that they didn't get to see for the last three months.

DIRECTOR ANTHONY: Again, this is something that we've done for a number of years.

DEPUTY DIRECTOR DAMSCHRODER: Correct.
DIRECTOR ANTHONY: Yes.

BOARD MEMBER MARINELLO: I move that the Board grant each regular full-time employee 32 hours of paid personal leave to be used between December 20th and December 30th.

BOARD MEMBER MANIFOLD: I'll second.

DIRECTOR ANTHONY: All those in favor say aye?

BOARD MEMBERS: Aye.

DIRECTOR ANTHONY: The motion carries.

Before we adjourn, we've got some upcoming meetings we want to advise everybody of. Next Tuesday, the 23rd, at 3:00 p.m., we're going to vote on the official certification of the election, and we're also going to draw precincts, if you guys recall, for our post election audit.

And then on Monday that following week, Monday, December 6th, we're going to meet again to certify results of recounts, if there are any, and the post election audit and conduct other business if needed.

So those are two dates you need, the 23rd and December the 6th.
BOARD MEMBER MARINELLO: Okay.

DIRECTOR ANTHONY: With that, I'll set the motion to adjourn.

BOARD MEMBER MARINELLO: So moved.

DIRECTOR ANTHONY: You've got to give the motion first.

BOARD MEMBER MARINELLO: Do I?

DIRECTOR ANTHONY: Yeah.

BOARD MEMBER MANIFOLD: I'll make a motion to adjourn.

DIRECTOR ANTHONY: And Kim so moved it.

BOARD MEMBER MARINELLO: So moved it.

DIRECTOR ANTHONY: So we stand adjourned. Thank you.

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Thereupon, the proceedings were concluded at 3:35 o'clock p.m.

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CERTIFICATE

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.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Columbus, Ohio, on this [redacted] day of December, 2010.

[Signature]
JENNIFER L. KOONTZ
Certified Digital Reporter
Notary Public - State of Ohio
My commission expires September 15, 2013.

[Signature]
GLORIA TOVAR SMITH
Certified Digital Transcriber
HAMILTON COUNTY BOARD OF ELECTIONS
SPECIAL MEETING HELD NOVEMBER 21, 2011

A special meeting of the Hamilton County Board of Elections was called to order at 9:10 a.m. by Chairman Triantafilou. Present were members Mr. Burke, Mr. Faux and Mr. Gerhardt. Also present from the Hamilton County Prosecutor’s office were Ms. Colleen McCafferty and Mr. James Harper.

Chairman Triantafilou noted that the notice of the meeting was duly provided as required by O.R.C. 121.22.

I. APPROVAL OF THE MINUTES FROM THE NOVEMBER 4 THROUGH NOVEMBER 8, 2011 BOARD MEETING

Mr. Gerhardt moved approval of the minutes from the November 4-8, 2011 Board meeting, Chairman Triantafilou seconded. Chairman Triantafilou-aye, Mr. Burke-aye, Mr. Faux-aye and Mr. Gerhardt-aye. The motion carried.

II. BOARD REVIEW OF PROVISIONAL BALLOTS CAST IN THE NOVEMBER 8, GENERAL ELECTION

Mr. Faux noted the large number of provisional ballots reported Election night and asked if staff had a chance to review these numbers. Director Krisel and Deputy Director Searcy responded.
See the attached transcript for the full discussion of the provisional ballot review, including specific categories for acceptance, rejection of the ballots.
Director Krisel reminded the Board that they meet tomorrow, Tuesday, November 22, 2011 at 2:30 pm. to review any absentee, un-scanned and provisional ballot remakes.

Mr. Gerhardt asked that the Board meeting scheduled for Monday, November 28, 2011, at 9:00 a.m. be moved to a later time. A Board meeting was set for Monday, November 28, 2011 at 1:30 p.m.

There being no further business to come before the Board, the meeting adjourned at 11:39 a.m.

APPROVED:

CHAIRMAN DIRECTOR
MORNING SESSION: November 21, 2011

CHAIRMAN TRIANTAFILOU: We will go ahead and call this meeting to order. We did properly notice the meeting.

First item on our agenda is Approval of the Minutes from the November 4, 2011 until November 8, 2011 board meeting. That would be the board meeting that we held open during the election. Those have been circulated to the board via e-mail.

MR. GERHARDT: So moved.

CHAIRMAN TRIANTAFILOU: Motion to approve those, Mr. Gerhardt. I'll second the motion.

Any discussion on the minutes?

All in favor? Aye.

MR. BURKE: Aye.

MR. GERHARDT: Aye.

MR. FAUX: Aye.

CHAIRMAN TRIANTAFILOU: Any opposed?

The ayes have it.

Provisional ballots.

MS. KRISEL: We're going to bring the provisional ballots out. We put in your packet the relevant directives and advisories for reviewing. You may also have the spread sheet. I'm just going to give you the top -- the top part is just for your own notes. This is how we are going to present the ballots in the categories at the top, that is the requirement from the Secretary's office.

And as I stall for time, the report is being written, finished downstairs. Staff worked 8 to 8 all -- since the election on this, and both Saturdays to complete the review and try to have everything resolved before we bring it to you for the various precincts that we still have left to resolve. So, the actual summary sheet is being prepared downstairs with the P numbers for you.

And more stalling of time. We actually used our new provisional module, both in office and on the actual voting and then on the reviewing process, which even though it took a long time to do, the staff is getting familiar with it.

We think it really produced -- is producing the statistics in a much clearer way for everybody. So, we're happy with that.

CHAIRMAN TRIANTAFILOU: Great.

MS. KRISEL: I stalled twice, Amy, do you want to say anything?

MS. SEARCY: I don't sing very well.

MR. FAUX: I do have a question while we're waiting. I have your copy from him -- a listing of provisional ballots by precinct, which I understand is not current. It's not updated.

MS. KRISEL: Probably not with what we have done -- what we did over the weekend.

MR. FAUX: But I note that there are truly dramatic swings in the number of provisional ballots from one precinct to the other. For example, Columbia C had 66 provisional ballots on election day, and Columbia E had zero. Have we done anything at all to look into why?

MS. KRISEL: I don't think those...
numbers are current. We had a couple of
places where the envelopes that came back
and got counted and put on the report --
again the reports from election night
said this is not a final report by any
means.

What we found was that people put
blank envelopes in with the regular
envelopes, so they got counted as a
count, but they weren't really --

MR. FAUX: They weren't really
provisionals.

MS. KRISEL: They weren't really
provisionals.

MS. SEARCY: Each precinct gets 50
empty provisional envelopes for their
processing votes on election day. We
found a couple of them, actually took the
50 empty ones and stuck them in there and
they all got pulled out of the ballot
bags.

Again, we are trying to put these
numbers to you very quickly on election
night. Some of them we found -- when we
said 50, they were actually 50.

the provisional were something like
7,066.

MR. FAUX: Right. And it's going
to be how many?

MS. KRISEL: Our provisionals that
were issued was 6,831.

MR. FAUX: We won't know as we look
at these here this morning --

MS. KRISEL: Where they are from.

MR. FAUX: -- where they are from.

MR. BURKE: The election day
provisions, just purely provisionals was
only 6,152. The 68 I think was -- the
7,066 was what you had on the scan.

MS. KRISEL: But, again, the 6,831
includes all of the looking in all the
boxes and everything else that we did.

MR. BURKE: Sure.

MS. KRISEL: Plus, we also did do
the equipment out at the warehouse and
looked underneath the scanners, found
one. So, we have been trying to learn
from all of those things that occurred
last year to make sure we have everything
we are supposed to have in the count.

This is the summary. And then the
actual P number reports coming out, it's
6,796.

MR. FAUX: Again, just a matter of
curiosity, we have 318 here who are
rejected because they are not registered.
Did we make any attempt at all to
determine out of that number how many of
these are people who were purged, meaning
how many of these are people that were
registered and then were purged --

MS. KRISEL: No.

MR. FAUX: -- for one reason or
another?

MS. SEARCY: Again, not required to
report to the Secretary of State. In the
time we have to gather the information
that has to be reported to the Secretary
of State, it is not a step that we take.

MS. KRISEL: We can look at that
later, but basically we did the -- you
know, the staff did its own initial
review. And all of these not registered
are checked against everything state
wide, if we find they are verified in
Then we also had our Registration Department do a second look at every nonregistered person in both places, again to make sure that we found them all.

MS. SEARCY: And, again, remember that provisional ballot envelope also serves as a registration form. So, now these are 318 people who will be registered to vote in Hamilton County for the next election.

MR. FAUX: I see.

MS. KRISEL: But we can look at those 318 later.

MR. FAUX: Yeah, I understand. You guys worked very hard doing things that are outside the mandatory steps. It's not something I expect, just a matter of curiosity.

MS. SEARCY: Do we want to start?

CHAIRMAN TRIANTAFILOU: Let's please start.

MS. KRISEL: So, we have 318 that are not registered, and they are in this bin. And the report that's coming up will have the P numbers on them.

MS. SEARCY: I do not --

MS. KRISEL: So, we put the actual number of them with the P numbers that are attached to the numbers. So if you wanted to refer to the number, not the P number.

MR. BURKE: The P numbers are not in sequential order at all?

MS. KRISEL: Correct.

MR. BURKE: Those were given numbers before?

MS. KRISEL: Those come out of the computer and goes in the order in which we are doing them.

MR. BURKE: I would move we reject Envelope Numbers 1 through 318.

CHAIRMAN TRIANTAFILOU: Should we in some way -- not to get in the way of your motion, I want to mark it as an exhibit or something. I don't know if they prefer that I should do it in some official way, what do you all recommend on that?

MS. SEARCY: If we're consistent with what we have done in the past, we simply refer to P numbers. I think it's best to --

MR. BURKE: Except we're not going to read all these P numbers.


CHAIRMAN TRIANTAFILOU: Okay. And that's what I was thinking.

MS. KRISEL: I guess maybe in the minutes we could -- yeah, attach them to the minutes. Although, we have a court reporter too, so, all right, let's not forget. We have a court reporter, speak up, all right.

All right. So there's a motion then that Mr. Burke has made regarding those folks that are indicated as not registered, if I understand it properly on the report?

MS. KRISEL: Umm-hmm.

CHAIRMAN TRIANTAFILOU: And the motion there is to reject those ballots.

I will second that motion.

Any discussion on rejecting those ballots as a part of that motion?
was given here at the Board of Elections. That's Ballot Number P211.

MR. BURKE: Do we have that envelope?

MS. KRISEL: No, it's back in --

MS. SEARCY: It's up here somewhere. These are not separated out. These are by precinct. We were hoping that we would present them as a whole as wrong precinct. Was that on top?

MS. KRISEL: Umm-hmm.

MS. SEARCY: Okay.

MR. GERHARDT: So is staff's recommendation that the category identified as Voted Wrong Precinct with the various categories underneath it be presented as a whole, to us as a whole with a recommendation?

MS. SEARCY: We're presenting these categories breaking them out, but for the fact that breaking them out for the report and looking at them individually they are presented to you as a category.

MR. GERHARDT: Just so I'm clear, staff's recommendation then would be the

13 450 ballots that were cast in the wrong precinct. That's what we're talking about, correct?

MS. SEARCY: Umm-hmm.

MR. GERHARDT: And what is staff's recommendation?

CHAIRMAN TRIANTAFILOU: It's 452.

MR. GERHARDT: I'm sorry, 452. I'm looking at the number and saying that wrong. 452. What is staff's recommendation with respect to those 452 ballots? And that would be -- just so we have it, that would be voted wrong precinct as the category, and it would be Number 1 through 452 in the category of voted wrong precinct, correct? Those are the ballots that we're discussing right now?

MS. KRISEL: Correct.

MR. GERHARDT: All right. Just so we know what we're talking about. Now, is there a staff recommendation with respect to those?

MS. KRISEL: It's our understanding of the directives that we had received that all wrong precinct ballots cannot be counted, but I will defer to the prosecutor.

MS. MCCAFFERTY: It is our recommendation that all of those ballots not be counted.

CHAIRMAN TRIANTAFILOU: Why don't we make a motion and we can have a discussion on the motion. I will make a motion that we reject Ballots 1 through 452. The ones that were voted wrong precinct. And that does include the one here at the Board of Elections. The Right Location -- five Right Location NEOCH ballots as well as the Wrong Location ballots, which number 360 in total. So, I will make a motion we reject those. Do I have a second?

MR. GERHARDT: Second.

CHAIRMAN TRIANTAFILOU: All right.

Discussion?

MR. FAUX: Yes, Mr. Chair, I have several questions I would like to raise regarding that. Frankly, I would prefer myself if, rather than vote on all of
problem with that. He was deprived of
his vote on those grounds.

MR. BURKE: Clearly, his vote on
the Anderson Township issues shouldn’t be
counted; other than that, I agree with
Caleb. What you’re telling us is the
screw up was entirely our staff’s?

MS. KRISSEL: Correct.

MR. FAUX: How we can justify not
counting this vote under these
circumstances? Please explain, how can
we justify that?

MS. MCCAFFERTY: We have a clear
opinion from the Ohio Supreme Court
saying do not count wrong precinct
ballots period. There are no exceptions
within that group, except for those
ballots that are considered NEOCH ballots
that are subject to the decree.

MR. FAUX: That was my next
subject.

MS. MCCAFFERTY: This ballot cast
at the Board of Elections, as I
understand it is not considered a NEOCH
ballot, therefore, the clear directions
from the Ohio Supreme Court as well as
the Secretary of State is the ballot
should not be counted.

MR. FAUX: I can’t think of a
clearer example of disenfranchisement.
Regardless of what the Ohio Supreme Court
has said, regardless of what the Ohio
Legislature has said, this voter is being
disenfranchised of their vote through no
fault of their own.

MR. BURKE: Mr. Chairman, I would
like to move to separate these ballots
from the others. I will tell you after
asking some questions, I’m prepared to
vote to support the staff’s
recommendations on all of the other
ballots, including the Right Church,
Wrong Pew ballots, but I will have some
comments on that. But I’m really
struggling with this one, I prefer to
separate it out.

CHAIRMAN TRIANTAFILOU: I am not
familiar with the rules. I think Roberts
says I have to take a vote on the motion
that’s on the floor.

MR. BURKE: I’m asking whether or
not the Chair would accept a friendly
amendment to separate this one out. You
can force us to take the vote on the
whole package, but I don’t know why you
would do that.

CHAIRMAN TRIANTAFILOU: I don’t
disagree. I agree with that. I’ll
withdraw the motion and then we can --
I’ll tell you what, you want to go ahead
and make the motion and we will clear it
up after that. So, I’ll withdraw the
motion, first, for the record.

MR. BURKE: Hang on just a second.
Let me ask a question before that
motion. I’m inclined to support Caleb’s
position on this. This was our mistake.
We know that it was our mistake. There’s
a simple solution to enfranchise this
particular vote. If Caleb and I were to
vote to reject the staff’s
recommendations, ultimately deadlock,
obviously that one vote would have to be
referred to the Secretary of State.

It’s a vote that will have no
impact on any race, as I understand it.
Would the pendency of that being
presented to the Secretary delay
certification?

MS. MCCAFFERTY: Yes. Because you
cannot count any provisional ballot until
you have voted on all of them.

MR. BURKE: I am not sure, maybe I
didn’t explain my question correctly.
We’re going to vote on all of those
today. Okay. When we are done, if we
have a tie vote on this one ballot, we
can go forward with everything else. You
are saying, no, we can’t, we have to stop
and not count?

MS. MCCAFFERTY: You don’t have
two votes to accept or reject that one
ballot.

MR. BURKE: I understand. What I’m
trying to understand is whether or not
that stops everything, because it
certainly is not our intention to do
that.

MS. MCCAFFERTY: Yes.

MR. BURKE: It stops what?
MS. MCCAFFERTY:  It stops all of the provisional ballots from being counted.

MR. BURKE:  Why?

MS. MCCAFFERTY:  It's under clear guidance from the Secretary of State.  I think the directive may be in here.

CHAIRMAN TRIANTAFILOU:  I thought it was also in the statute, as I recall from last year.  The same reason we're still sitting on 850 rather than having placed them out in 2010.


CHAIRMAN TRIANTAFILOU:  Section 5?

MS. MCCAFFERTY:  Also referred to in Ohio Revised Code 3505.183.

MR. BURKE:  You guys want to make a motion to accept that one ballot?  We're not going to hold this up, one of us is going to vote against it.

CHAIRMAN TRIANTAFILOU:  Well, I suppose procedurally perhaps that motion might not proceed to second.  But I'm not inclined to make a motion to accept if the Ohio Supreme Court has told us --

MR. BURKE:  No, make a motion to reject it.  If we make the other motion, then we need to second it.  In order to second the motion, we have to have a vote.

CHAIRMAN TRIANTAFILOU:  Technically, you don't.

MR. BURKE:  So make your motion to accept -- or reject it rather, consistent with staff's recommendation, and you will end up with your majority.

CHAIRMAN TRIANTAFILOU:  If I accepted your friendly amendment, I suppose I'll accept this request as well.  I'll make a motion we reject the one ballot that was casted here at the Board of Elections.  It was a Wrong Precinct ballot.  I do it on clear legal advice and because the Ohio Supreme Court said to.

And the one member of this board this morning has said regardless of what the Ohio Supreme Court says, we should do it otherwise.

MR. FAUX:  I didn't say that.  I said it's wrong.  I didn't say --

CHAIRMAN TRIANTAFILOU:  I recall the word "regardless." We exist here to follow the law, and that's what I'm going to do, so --

MR. FAUX:  We can also question the law, that's what I'm doing.

CHAIRMAN TRIANTAFILOU:  Not as a board we can't.

Anyway, as to the one ballot then, I will vote to reject it.

Do I have a second on that?  Okay.  All right.  As to the discussion, Mr. Faux, go ahead.

MR. FAUX:  Yes.  We do have some obligation to investigate the NEOCH ballots as to how they took place and whether or not any of these ballots were cast as they were due to poll worker error.

MR. BURKE:  Are the NEOCH ballots included in this group?

MS. KRISEL:  Some of them are.  Do you want to --

MS. SEARCY:  No, the NEOCH ballots --

The remaining 451 Wrong Precinct ballots, I will renew my motion -- not renew it, I'll make a new motion to reject the balance of the 451 Wrong Precinct ballots.

MR. FAUX:  Mr. Chair.

CHAIRMAN TRIANTAFILOU:  Do I have a second on that so we can have a discussion on this.

MR. GERHARDT:  Second.

CHAIRMAN TRIANTAFILOU:  Second.

All right.  As to the discussion, Mr. Faux, go ahead.

MR. FAUX:  I second.  Okay, All right.

CHAIRMAN TRIANTAFILOU:  Okay.  All right.

Mr. Faux, make your motion to reject the balance of the 451 Wrong Precinct ballots.
Mr. Faux: Okay. None of these ballots that we're voting or discussing here --

Ms. Kriisel: No.

Mr. Faux: -- are NEOCH ballots?

Ms. Searcy: No.

Ms. Poland: I think you might want to clarify that based on your spread sheet, because at the top of page 3 you have Right Location-NEOCH.

Ms. Kriisel: Yeah. You want to separate those. We separated these out this morning. That's what this new sheet is. So you want to take out 88, 89, 90, 91 and 92. And then we had 12 NEOCH, so that's five of them.

Chairman Triantafiloú: Why is the recommendation that we reject those five then?

Ms. Kriisel: Did you want to review those separately?

Chairman Triantafiloú: My motion that's been seconded is that we reject the 451 ballots, but there are some questions. I suppose my question would be why are those indicated as NEOCH ballots?

Ms. Kriisel: For recording purposes, and for the fact that we do have under directives an advisory as the obligation to review people who use the last four digits of their social only separately and hold them to a different standard.

Chairman Triantafiloú: Has that been done here?

Ms. Kriisel: Yes.

Mr. Gerhardt: And, Mr. Chairman, Advisory 210 -- excuse me, 2011-03 indicates that if it is a NEOCH ballot, then you look for poll worker error, and that the ballot can only be counted if poll worker error is shown, and it must not be presumed, it must be demonstrated.

So for these five ballots, were they reviewed under the NEOCH standards then?

Ms. Searcy: They were.

Mr. Gerhardt: By bipartisan teams?

Ms. Searcy: By bipartisan teams looking at all the documentation that we have here at the Board of Elections and Dusty Rhodes, the notes on the original ballots envelopes themselves. The troubleshooter notes and the BOE staff notes.

Mr. Gerhardt: And was there any evidence as determined by these bipartisan teams as to poll worker error in these five ballots?

Ms. Kriisel: No.

Mr. Faux: Mr. Chair.

Chairman Triantafiloú: Sir.

Mr. Faux: I think what we are hearing here regarding the standard of the investigation of this question of NEOCH ballots of poll worker error is very much reflective of what we were hearing a year ago, which is that the investigation that takes place is simply a review of paperwork to see if any poll worker makes a note of the fact that they made an error. And what we have learned rather clearly I think is when poll workers make errors, they don't make notes to tell us that they did. So, an investigation simply looking at paperwork is no investigation at all.

So, my question is: Was any attempt made to speak with the poll workers who handled these ballots? No. So, I would reiterate my point of view, no investigation has taken place. We have no basis upon which to reject these ballots.

Mr. Burke: What is the difference between the five NEOCH ballots, Voting in the Wrong Precinct and the others that are listed -- the three others that are listed as NEOCH?

Ms. Kriisel: There are different categories of NEOCH. If the voter did not sign, if the voter didn't put their printed name.

Mr. Burke: I see, okay.

Ms. Kriisel: Which we learned --

Ms. Searcy: We will get to those.

Ms. Kriisel: They are in the
MR. BURKE: I see.

CHAIRMAN TRIANTAFILOU: Any further discussion on the motion to reject them?

MR. BURKE: I am going to vote to reject all of these ballots. I have said in the past, I do so with great regret with regard to the Right Church, Wrong Pew voters. I sincerely hope that we will soon have in Federal Court a decision which will provide us guidance on this, and will make it appropriate for us to count those voters who get to the right place and for one reason or another voted the wrong table.

MR. FAUX: Does the motion stand to include the five NEOCH ballots?

CHAIRMAN TRIANTAFILOU: Yes. Well, they are -- just so it's more clear, they are not -- they are ballots that the NEOCH consent decree identifies, but they are ballots that despite the fact that they are reviewed under that NEOCH standard, there's a recommendation they not be counted. So, they are not NEOCH ballots.

MR. FAUX: But, again, we do have an obligation under the NEOCH consent decree to investigate how those ballots were cast and whether or not they were precinct poll worker error involved in casting those ballots. What I heard, there has been no investigation.

CHAIRMAN TRIANTAFILOU: At this point we disagree. I heard that there has been significant investigation, review of poll worker notes, poll books, and other methods to investigate which we have done here. So it is my position that we have investigated on those five ballots, which is why I'm prepared to take a vote.

All right. There being no further discussion, all in favor of the motion to reject 451, please say aye.

MR. FAUX: Aye.

MR. BURKE: Aye.

CHAIRMAN TRIANTAFILOU: Opposed?

MR. FAUX: No.

CHAIRMAN TRIANTAFILOU: One no.

MS. SEARCY: Before you leave Wrong Precinct.

MR. FAUX: Mr. Chair, just to make clear, I concur with Mr. Burke regarding what we refer to as Right Church, Wrong Pew votes. The law, as it stands today, says that we must reject those. I agree with him that that is objectionable, but we do have some obligation to follow the law here, much as we might think that law sometimes onerous.

My no vote here has to do with NEOCH ballots. I just want to make that clear. I don't think we can vote to reject those NEOCH ballots without having adequate investigation.

CHAIRMAN TRIANTAFILOU: Good enough. Amy.

MS. SEARCY: I didn't want to interrupt. Before we leave Wrong Precinct, because of reporting purposes on the spread sheet, we also have voted in wrong county. It's P1342, P1878, P4734 and P5587.

CHAIRMAN TRIANTAFILOU: So, kind of jump to the bottom of the summary report it looks like.

MS. SEARCY: Page 466 at the bottom, Voted Wrong County.

MR. BURKE: Why is there a subcategory called Wrong Location?

MS. SEARCY: Again, because of how it breaks down with module reporting, the provisional module -- the provisional module is very good to help us process these, but on the other hand it breaks down every single possible category, which is good, yet also difficult to sift through.

MR. BURKE: I guess what I don't understand is, why if they voted in the wrong county, why aren't all four of them wrong location?

CHAIRMAN TRIANTAFILOU: I guess a different question is, what is the difference between the two and the other two?

MS. POLAND: There is no difference...
between the four of them. Basically one bipartisan team entered in the note section Wrong Location, which we only required them to do if it was voted in any multi-county. Wrong County is Wrong County. The bipartisan team made a note in the note section.

MS. SEARCY: So, they are all wrong county.

MS. KRISEL: We're still learning how to generate the report from these.

MR. BURKE: I move to reject Numbers 1 through 4 in category Wrong County.

CHAIRMAN TRIANTAFILOU: Second. Discussion.

All in favor. Aye.

MR. FAUX: Aye.

MR. GERHARDT: Aye.

MR. BURKE: Aye.

CHAIRMAN TRIANTAFILOU: Any opposed? The ayes have it.

All right. Can we move out of Wrong Precinct now?

MS. SEARCY: Yes.

category means somewhere we do not have their proper identification. So there's -- that's a subset of the larger No ID category.

Like if your card was returned because the mail didn't deliver it to you, you get marked that you must vote provisionally, meaning you must show ID. And so, they didn't show the ID that they were supposed to show when they went and voted. And that's part of the group that we contact to say you have ten days to bring identification down to the board.

MR. FAUX: Would a voter in that category make ID requirements by providing the last four digits of social?

MS. KRISEL: They would be required to vote provisionally, and that's what they did, and they put something or nothing down. They could have put the last four digits of their social.

MR. FAUX: And that would have met the requirements had they done that?

MS. KRISEL: Yes.

MR. BURKE: Attached to the ballot of the voter who actually listed his driver's license, or somebody wrote a driver's license in down here, are a couple other sheets, screen prints, what are these? Is that information that they provided when they registered?

MS. SEARCY: That's our registration system.

MS. KRISEL: Right. We spent some time on this guy. I can't remember the specifics on him.

MR. BURKE: And how --

MS. SEARCY: To answer your question, the pieces of paper that you saw were generated from our voter registration system. We attached the envelopes for your review.

MR. BURKE: That was the only one that had any --

MS. SEARCY: Okay.

MR. BURKE: -- attached to it. I looked through all of these, all but three have absolutely nothing in the voter ID section. I take it a passport is not a valid ID under Ohio law?
MS. KRISEL: No, not currently.

MR. GERHARDT: What's passed 194?

Com'on.

MS. MALLORY: It's in 224 as well.

MR. BURKE: One of these has a passport number.

MS. MALLORY: It's in 224.

MR. FAUX: 224 says a passport is a valid ID, and 224 has taken effect as well.

MR. BURKE: Wait a minute.

MS. KRISEL: I didn't think a passport was in 224.

MS. SEARCY: Yes. Is there another reason?

MR. BURKE: Then there's a passport number.

MR. GERHARDT: When was 224 passed?

MS. MALLORY: October 27th.

MR. GERHARDT: It's not effective for 90 days, unless there's an emergency clause, which I don't think there was, it's a 90 day -- it doesn't become effective, the law does not become effective for 90 days.

MS. KRISEL: Wasn't that in -- now what we had the clarification from --

MR. FAUX: It was 224, that was cited as the reason we could not have early voting on Saturday and Monday prior to Election Day. So, from that it stands to reason that law was in effect.

CHAIRMAN TRIANTAFILOU: The Secretary issued an advisory, though, as a separate --

MS. KRISEL: Saying what was valid and what was not valid in it. Wasn't that correct? Do you have --

MS. MALLORY: I can go get it.

MR. GERHARDT: I don't know whether

224 had an emergency clause or not. I'm just saying that if it didn't, then it doesn't become effective.

MS. KRISEL: I didn't think the passport ID was effective. They sent --

MR. FAUX: The law was effective --

MR. BURKE: I don't understand how --

MS. SEARCY: The law isn't in effect until January 20th. It's correct that voting ended at six o'clock on Friday night before Election Day; not because of the law, but because of the directive from the Secretary of State.

MS. KRISEL: He issued a clarification about what was going to be affected as part of 224 and what wasn't -- or what we would adhere to. Can we look at Gary Todd?

MS. SEARCY: You're not supposed to say the name.

MS. KRISEL: I'm sorry. Provided an invalid driver's license.

MR. BURKE: Do we know what was invalid? Was it just a number that didn't match? I'm just trying to understand.

MS. KRISEL: I think it was expired.

MS. SEARCY: Expired.

MR. BURKE: You can't use an expired driver's license as ID.

MS. KRISEL: No, all ID has to be current.

MS. SEARCY: You can use a driver's license from another location where you lived. You have to get a new driver's license immediately when you move for voting purposes, as long you update with the BMV. But the expiration of a driver's license makes it invalid.

MR. BURKE: But you cannot use a Kentucky driver's license.

MS. POLAND: It has to be standard Ohio.

MR. BURKE: There was one other in here that the note said they were going to submit their social security number to the Board of Elections. I take it they did not do that.
MS. POLAND: We only had one voter that appeared during the ten days, and that's in with the one that's being accepted.

MR. BURKE: The two pages that were attached, are they still attached to it? I'm okay on all of these, except I just would like to know the answer to the passport.

CHAIRMAN TRIANTAFILOU: I'm looking at the bill, it doesn't say anything about emergency.

MS. MCCAFFERTY: Somebody have Internet? It's easier than on the phone.

MS. KRISEL: Out at the front desk.

MS. SEARCY: We can use my desk.

MS. KRISEL: Did you put the passport one on top?

CHAIRMAN TRIANTAFILOU: Yes. Do we want to pull that one aside. I'm prepared to vote on all the others while we're waiting.

MR. GERHARDT: Yes, and keep moving forward.

CHAIRMAN TRIANTAFILOU: That's fine.

MR. BURKE: I would move to reject all of the No ID ballots with the exception of --

MS. KRISEL: Number two, which is P1092.

MR. BURKE: -- with the exception of P1092.

CHAIRMAN TRIANTAFILOU: You know, for the record, I'll withdraw the previously -- well, who made that previous -- that's all right, just so -- I don't want somebody saying we're not following the rules.

Who made that previous motion, anybody remember? Motion rejecting No ID Ballots.

(Court Reporter searching notes.)

MR. BURKE: I did make a motion to reject all No ID with the exception --

CHAIRMAN TRIANTAFILOU: Got it. Thanks, Barb.

MR. GERHARDT: Second.

CHAIRMAN TRIANTAFILOU: Any discussion?

All in favor. Aye.

MR. GERHARDT: Aye.

MR. FAUX: Aye.

MR. BURKE: Aye.

CHAIRMAN TRIANTAFILOU: There was one ballot remaining in that No ID category that our legal counsel is currently looking to see if House Bill 224 has an emergency measure or not.

MS. SEARCY: Next category. No, Fifty-five. No NEOCHs are listed. No Signature on Provisional Envelope.

MS. KRISEL: No, we do have some NEOCH No Signatures. They are not in this.

CHAIRMAN TRIANTAFILOU: This is as indicated on the summary report?

MS. KRISEL: There's 51.

MR. GERHARDT: Excuse me, Mr. Chairman.

CHAIRMAN TRIANTAFILOU: Yeah.

MR. GERHARDT: The document, this one-page summary has 49 for No Signature. The multi-page document that breaks out the specific P numbers has 51. Is that --

we just reconcile --

MR. BURKE: He has 49 No Signature.

MR. GERHARDT: I'm sorry, No Signature. Did I say No ID?

MS. SEARCY: Yeah.

MR. GERHARDT: I'm sorry, I meant No Signature. Forty-nine No Signature on the one page and 51 here. So, I assume that this larger document is the one that --

MS. KRISEL: That's correct.

MS. SEARCY: Most recent.

MR. GERHARDT: Okay.

MS. SEARCY: So, it's 51. No Signature. Not NEOCH, 52, 53, 54, 55 are No Signature. Those are not ballots.

We're going to discuss those.

CHAIRMAN TRIANTAFILOU: That number is wrong. That six is wrong, too. Just so we're clear, that six is more like four, looks like.

MS. KRISEL: Yes, it's four.

MR. GERHARDT: Okay.

MS. KRISEL: And I do have the Advisory 2011-07 from the Secretary which
was issued on October 14th which talked about 224 and the summary and what was to be observed in it and what wasn't to be observed in it. And as you'll note, he wrote at the bottom of it what we weren't going to be following until it become effective, and the passport is one of them.

MS. SEARCY: That effective date is January 20th.

CHAIRMAN TRIANTAFILOU: Did the Advisory reference the effective date of January 20th?

MS. KRISEL: Well, it's confusing in that it says what -- what is followed and what you don't follow. It was effective on the 27th of October, then what's unchanged?

MS. SEARCY: My understanding is the Secretary of State consulting with the Ohio Attorney General's Office --

MR. GERHARDT: So, this directive says a passport is not a valid form of ID.

MS. SEARCY: It's actually an advisory?

CHAIRMAN TRIANTAFILOU: It's an advisory?

MR. GERHARDT: It's an advisory?

CHAIRMAN TRIANTAFILOU: But that has been a long-standing state law, but both bills seek to fix that.

MS. KRISEL: Correct.

CHAIRMAN TRIANTAFILOU: The question on the table is whether or not that particular provision has been stayed or not. And we're waiting on Colleen to provide the answer, although the Advisory makes it sound like it certainly --

MR. BURKE: I'm prepared just to vote with the Advisory.

CHAIRMAN TRIANTAFILOU: Good enough. All right. So I'll make a motion then that that final No ID ballot that was a passport identification, that ballot be rejected.

Is there a second?

MR. BURKE: Second.

CHAIRMAN TRIANTAFILOU: Any further discussion on the passport ballot?

All in favor. Aye.

MR. GERHARDT: Aye.

MR. BURKE: Aye.

CHAIRMAN TRIANTAFILOU: Thank you, Mr. Harper and Ms. McCafferty.

MR. BURKE: In the No Signatures there are a few I think we ought to at least take a look at because there is a signature. No Signature Match. There's a signature that certainly doesn't appear to --

MS. KRISEL: I think attached are the documents that you can look at to compare.

MR. BURKE: Where is the P number?

MS. KRISEL: On the back.

MS. POLAND: Left-hand bottom corner label.

MR. BURKE: If I'm looking at P-5321, there is a signature that purports to be a signature of the voter, but it certainly does not match any of the signatures on the registration form. It's not even close.

CHAIRMAN TRIANTAFILOU: I saw that.

MR. BURKE: I would accept that as not --
CHAIRMAN TRIANTAFILOU: Why is that one in the category of No Signature? There's also a note that says "signed by someone else." Is there maybe a note somewhere like by a poll worker or something that tells us that?

MS. POLAND: If you look at the signature where it says Signature of Voter, that's not that voter's name.

CHAIRMAN TRIANTAFILOU: Oh.

MR. BURKE: That's true, too.

MS. POLAND: We believe it's another poll worker. It could also be another poll worker, a relative, or -- we don't know where it came from.

MR. FAUX: Is there any chance that that is somebody that came to the poll to vote and was unable to read and write and therefore had somebody assist them?

MS. SEARCY: Those forms were filed, none of those forms indicated --

MS. KRISEL: We also checked --

CHAIRMAN TRIANTAFILOU: She's like four different people.

signed both envelopes. The name of the voter in this particular envelope is Betty J. Smith, and it's signed by --

MS. SEARCY: Can you strike the name?

MR. BURKE: Sure, you can strike the name.

MS. KRISEL: The husband signed for his spouse.

MR. BURKE: Based on having looked at all of these, I would agree the voter has not signed any of these.

CHAIRMAN TRIANTAFILOU: So just to be clear, this is still the no signature category, that's 51. We're going to deal with the four that you have identified as No Signature NEOCH separately.

MS. SEARCY: Yes, when we get to further review.

CHAIRMAN TRIANTAFILOU: So, we're kicking that category down then?

MS. SEARCY: Yeah.

MR. FAUX: Mr. Chair, I move we reject the 51 ballots indicated as No Signature.

Signature.

MR. GERHARDT: Second.

CHAIRMAN TRIANTAFILOU: Any further discussion?

All in favor?

MR. GERHARDT: Aye.

MR. FAUX: Aye.

MR. BURKE: Aye.

CHAIRMAN TRIANTAFILOU: Any opposed?

The ayes have it.

So, we're skipping the category of the four NEOCH then?

MS. SEARCY: Umm-hmm.

CHAIRMAN TRIANTAFILOU: And we're moving to Signature Mismatch?

MS. KRISEL: Right. We have three of those.

CHAIRMAN TRIANTAFILOU: Those -- I always like to look at them.

MR. BURKE: These get identified because in fact with each provisional ballot, staff looks at what signature records we have.

MS. KRISEL: Everything. Our teams
53 went through it. Our Registration

2 Department then went specifically after

3 them, and Amy and I rereviewed those. We

4 look for anything that possibly matches.

5 CHAIRMAN TRIANTAFILOU: I don't see

6 anything. I'm just curious.

7 All right. I'll go ahead and make

8 a motion that we reject the three

9 signature mismatch ballots that are

10 presented to us. Do I have a second?

11 MR. BURKE: Second.

12 CHAIRMAN TRIANTAFILOU: Any further

13 discussion?

14 All in favor?

15 MR. GERHARDT: Aye.

16 MR. FAUX: Aye.

17 MR. BURKE: Aye.

18 CHAIRMAN TRIANTAFILOU: Any

19 opposed?

20 The ayes have it.

21 Next category, No Printed Name.

22 The summary report says 33 ballots; is

23 that right?

24 MS. SEARCY: Looking first at 31.

25 Because NEOCH No Printed Name for further

54 review are --

1 MR. GERHARDT: Mr. Chairman?

2 CHAIRMAN TRIANTAFILOU: Huh-huh.

3 MR. GERHARDT: Amy, the one-page

document that we have has No Printed Name

33. Should that be 31 then?

4 MS. SEARCY: It should be 31, when

5 you break it down into NEOCH versus No

6 NEOCH.

7 MR. GERHARDT: And then there are

8 three NEOCH?

9 MS. SEARCY: Now we have broken
down three NEOCH No Printed Name.

10 MR. GERHARDT: So there are 34

11 total?

12 MS. SEARCY: Yes.

13 MS. KRISEL: No, I think -- I think

14 that we're going to find that 33 and 34

15 are not, are typo errors. So, we should

16 just deal with No Printed Name.

17 MS. SEARCY: So Number 32, P2980 is

18 the only NEOCH No Printed Name.

19 MR. GERHARDT: So, I have -- I want

20 to make sure I have this document. So

21 under No Printed Name, there should be

55 31. And then there's one NEOCH is

1 what you --

2 MS. KRISEL: Correct.

3 CHAIRMAN TRIANTAFILOU: But the

4 report has three listed.

5 MS. SEARCY: Because the last two

6 are just -- cross those out.

7 MS. KRISEL: We tried to do these

8 this morning to make sure the reports

9 match so you can look at NEOCH

10 separately, and we didn't get a chance

11 to --

12 MS. POLAND: So on the last two,

13 P1184 and P1367 are No Printed Names,

14 they are not NEOCHs. They are in that

15 stack with you. The bipartisan teams

16 entered notes in the notes field which

17 caused it to generate.

18 MS. SEARCY: If you see red ink,

19 that's our mistake.

20 MR. BURKE: One envelope has --

21 MR. GERHARDT: So the total would

22 be 32 under No Printed Name?

23 MS. SEARCY: Yes.

24 MR. GERHARDT: One of which is a
MS. SEARCY: Right now.

MS. POLAND: Correct.

MR. BURKE: I did look at all of those printed name lines. They are all blank except for the one I indicated where staff put a note in there as to who the voter was, and in eight cases the voter apparently wrote -- or printed their first name only.

MS. SEARCY: Do you want to see these?

MR. GERHARDT: No, thank you.

Mr. Chairman, I move that we recommend the 33 ballots listed in the No Printed Name category.

MR. BURKE: You recommend?

CHAIRMAN TRIANTAFILOU: You move to reject?

MR. GERHARDT: My motion is that we reject those 33 ballots. We reject those 33 ballots, the No Printed Name category.

MS. MCCAFFERTY: Yes, that is my recommendation. That voter did not properly complete the affirmation which includes the printed name and --

CHAIRMAN TRIANTAFILOU: I think the same issue may have gone up to the Secretary last year. I'm drawing a blank.

MS. MCCAFFERTY: It did.

CHAIRMAN TRIANTAFILOU: And came back it had to be a full name.

MS. MCCAFFERTY: Correct.

MR. BURKE: That was the one that involved the elderly --

MS. SEARCY: Yes.

CHAIRMAN TRIANTAFILOU: All right.

There's a motion on the table to reject 33. I have seconded it.

Any further discussion?

All in favor. Aye.

MR. BURKE: Aye.

MR. GERHARDT: Aye.

MR. FAUX: Aye.

CHAIRMAN TRIANTAFILOU: Next category that staff wants to deal with?

MS. KRISEL: Signature in Wrong Place. The voter signed in the wrong location.

MR. BURKE: Com'on. Well, in two cases the voter has signed right above what certainly appears to be a signature line. I got to tell you --

CHAIRMAN TRIANTAFILOU: Do we have any legal guidance on this topic, directive or advisory, anything that might tell us?

MS. MCCAFFERTY: The only thing is that the Secretary of State included that in the category of rejection on the spreadsheet. But, as I understand, we have never received no legal guidance from the Secretary of State about this category.

MR. HARPER: I think you can count it. It's not completely off.

MR. GERHARDT: I'm sorry, could you state that again.

MR. HARPER: I believe you can count those. The signature is close enough to the location. It is not clearly unlawful, and I do not know any directive that says it had to be on the
Mr. Gerhardt: For all three?
Chairman Triantafilo: Does your opinion change at all for the witnessing, the election official signed where it says Signature of Voter?
Mr. Burke: That I would think strengthens your position.
Mr. Faux: Mr. Chair, I would make a motion that we accept these three ballots.
Chairman Triantafilo: You're voting to accept all three?
Mr. Faux: All three, yes.
Mr. Burke: I'm comfortable --
Mr. Faux: Based on the advice of Counsel.
Mr. Gerhardt: Just to be clear --
Mr. Chair, you're advice is regarding --
your recommendation is regarding all three of those ballots, correct?
Mr. Harper: That is correct.
Mr. Gerhardt: Okay.
Chairman Triantafilo: Can I see the category sheet. The Secretary of State has given us a category that fits this explicit category, Rejected Ballots.
So in a roundabout way is the Secretary telling us that that's a reason for rejection?
I guess what I'd say is what -- was there an advisory or directive about these categories? Was it just kind of sent down to us? We received these categories, I guess --
Ms. KriSEL: These are part of the official certification accounting after the election, and it only lists the categories. It doesn't list details about the -- or it lists the forms. This is one type of form we fill out.
Ms. McCafferty: Is there any indication that the voter declined to complete the affirmation?
Mr. Faux: They thought they had completed it. They signed above the signature indication.
Ms. KriSEL: I don't think we have anything --
Mr. Faux: The envelope very clearly has the last name and signature of the person's last name.
Chairman Triantafilo: May I see them again. Step 8 on the affirmation is in my opinion the most important part of the affirmation. The last sentence: I hereby declare under penalty of election falsification the above statements are true and correct to the best of my knowledge and belief.
We have two signatures here -- three signatures that don't logically fall after that, they come before that.
Ms. KriSEL: We also have a NEOCH one that's signed in the wrong location that you may want to look at at the same time.
Chairman Triantafilo: A contract needs to be signed at its end, doesn't it? Mr. Harper, Ms. McCafferty? A contract typically is signed at the bottom of the document. I'm treating these differently under that scenario, right?
Mr. Harper: Proximity to the --
Ms. Poland: On this particular ballot, it's possible the poll worker signed in the place of a voter signature, therefore, the voter had to sign in a different location. You can't say that about the other two.
Mr. Harper: That is a question: Is the line within the proximity? Is it in relationship to the statement? It's within your discretion to accept it for its proximate location of the affirmation.
Mr. Burke: I think you should take a look at that the election official signed the line for the signature of the voter.
Chairman Triantafilo: Again, I'm still deciding on how to vote here. Candidly, my concern is how far does this go? We start talking about proximity, this board will have to make a decision each time about where it's okay to sign it because in two circumstances the person clearly just, the voter clearly erred in not voting next to the X in the
So here we are now, because the voter didn't do what they were supposed to do, we're going to get in this business of deciding how close can your signature be to where it is supposed to be. To me, it's a bit of a slippery slope, but I certainly understand the reasoning behind why we want to do it because they are close, but how close is close enough?

MR. FAUX: Mr. Chair, I think we have been told by counsel that this is within our discretion to make that determination. And it strikes me when you look at these simple common sense cases, that the voter has in their mind completed the affirmation correctly.

CHAIRMAN TRIANTAFILOU: No, common sense actually tells me the opposite. They didn't read through that important paragraph in Step 8, which to me is the most important one, and they signed above it. So, common sense tells me they signed before they read that. Again, we can -- we're trying to get in the mind of the voter. But, again, my concern is not necessarily with these, but are we going to go down this road now of determining how close you can be to the box because the voter didn't do the right thing?

MS. KRISEL: NEOCH Wrong Signature is P3586.

CHAIRMAN TRIANTAFILOU: The motion was just on three. We kind of talked on the NEOCH I think after --

MR. BURKE: Just take a look at it as the directive has suggested.

CHAIRMAN TRIANTAFILOU: Got it, okay. So about the motion that's on the table right now, is this -- so it's 100 percent clear -- it's the vote, it's the vote to count Ballots 5359, 934, and 6108. That's the motion. There's been a motion and a second. We're preparing to vote. All in favor?

MR. BURKE: Aye.
MR. FAUX: Aye.
MR. GERHARDT: Aye.

CHAIRMAN TRIANTAFILOU: So, we will move this. The NEOCH one, do you want us to deal with that one now, too?

MS. KRISEL: If you want to do all NEOCH at the end before we get into further review or take it up now, whatever you would like.

CHAIRMAN TRIANTAFILOU: Amy?

MS. SEARCY: Why don't you do the NEOCH at the end.

Next are Provisional Ballots. Go to AV first.

MR. FAUX: Just to be clear --

CHAIRMAN TRIANTAFILOU: You know what, guys, these should have been with those other three, Signature in the Wrong Place.

MR. FAUX: -- these are voters who basically completed the AV ballot, mailed back to board, subsequently went to the polling place on Election Day and voted a provisional ballot there as well.

MR. BURKE: And they had to vote a provisional ballot because that's what our inside poll workers -- our inside poll worker knew they voted AV and required them to vote provisionally.

MS. SEARCY: Everything was done properly. The poll worker indicated they voted absentee -- at least requested an absentee ballot, and the poll worker followed --

MR. BURKE: And these folks in fact did vote AV?

MS. SEARCY: From my understanding.

MS. KRISEL: Correct.

MS. SEARCY: It could be they just weren't sure -- there's a lot of reasons why.

MR. GERHARDT: Yeah, we can't speculate about that. I'm just asking the question about -- so the ten that we have here, they voted in absentee ballot, correct?

MS. SEARCY: Yes.

MR. GERHARDT: And they submitted -- this is their provisional ballot as well?

MS. SEARCY: Yes.

MR. GERHARDT: What is the
difference between this and voting twice?

MS. SEARCY: I'm going to talk about that next, Voted Twice --

MS. KRISEL: Voted on Election Day at the precinct and then voted provisionally.

MR. GERHARDT: Oh, elsewhere.

MS. KRISEL: Right. They may have voted at their original precinct where they were in the signature poll book, and then they went to their new precinct and voted a provisional ballot.

MR. GERHARDT: Okay. So the ten we have here, these are people that voted twice, correct? Okay. Well, we will deal with these, and then I think -- is there any further investigation about these with respect to people -- there are 14 votes here where people cast two ballots, is there any -- we can discuss that separately, but I just want to make sure I understood what these ten were about. Okay.

CHAIRMAN TRIANTAFILOU: I'll go ahead and make a motion that we vote to reject the folks who voted AV, and then attempted to vote on Election Day and were given a provisional ballot envelope. There are ten of those people indicated on our summary report.

Do I have a second?

MR. FAUX: Second.

CHAIRMAN TRIANTAFILOU: Seconded by Mr. Faux.

Any further discussion on those?

All in favor of rejection? Aye.

MR. GERHARDT: Aye.

MR. FAUX: Aye.

CHAIRMAN TRIANTAFILOU: Any opposed?

The ayes have it.

Next category is Voted Twice.

We're ready to move on?

MS. SEARCY: Yeah. Four voters who voted in their precinct on Election Day ballots scanned and counted and then provisional.

MR. BURKE: In the same place? Can these folks vote provisionally in the same place?

MS. SEARCY: I think it's a mix. One was in the same place, the others were different, went back to the other place unsure. Again, they wanted to make sure --

MR. FAUX: That they voted in a way that got counted.

MR. GERHARDT: I don't think we should speculate why people might do things, I mean, it's just, we have no idea. All we know is that these 14 people voted twice.

MR. FAUX: So just for clarification, one of their votes has already been counted; is that correct?

MS. SEARCY: It was scanned in the precinct. It was counted, yes.

MR. FAUX: One of their votes were?

MS. SEARCY: All four voted in precinct. All of them voted in precinct and all of their ballots were scanned and counted.

MR. FAUX: And then they subsequently vote provisional ballots or somehow another way?

MS. SEARCY: Yes. And only one actually voted original ballot in the same precinct that scanned a ballot.

MR. FAUX: Okay. So here we're simply determining because they had voted in precinct and had their vote counted, there's no reason for us to count the provisional ballot.

MS. SEARCY: Correct.

MR. FAUX: Why that took place is -- I agree with Chip, it's kind of hard for us to speculate on exactly why that happened.

CHAIRMAN TRIANTAFILOU: Well, why don't we deal first with the question of whether to count the ballots.

MR. FAUX: I would move we reject these ballots.

CHAIRMAN TRIANTAFILOU: I'll second the motion.

Any further discussion?

All in favor? Aye.

MR. GERHARDT: Aye.

MR. BURKE: Aye.
MR. FAUX: Aye.

CHAIRMAN TRIANTAFILOU: Any opposed?

They ayes have it.

I do -- while we're talking about it, I don't know if you need a board motion, I certainly think we should investigate these further, you know, we have done that in the past. It's not turned up anything, but I think we have an obligation to find out why people think they can try to vote twice. It's good that we caught them, but the attempt in and of itself is problematic in my mind.

MR. FAUX: Mr. Chair, I have no problem with the idea of investigation. I do recall last year we had an instance where somebody voted in a precinct and then came here to the board and voted provisionally, and we later learned they had done so at the specific direction of board staff employees because of a split precinct, I believe it was Loveland. So, there may be very benign explanations behind what took place. I have no problem checking into it.

CHAIRMAN TRIANTAFILOU: Agree. How do we do that? Do we do a board motion to make sure those are investigated?

MS. SEARCY: Do you want to clarify -- which ones are you discussing? The ones that were provisional and AV; provisional and in precinct; both; or one or two of the categories?

CHAIRMAN TRIANTAFILOU: I think anyone who attempted to vote twice at least ought to be looked at. To me, it's all four of them.

MR. GERHARDT: Yeah. Mr. Chairman, I would vote that the 14 provisional ballots that we just dealt with, voted AV and voted twice, under those two categories, be investigated as to why they cast two ballots.

CHAIRMAN TRIANTAFILOU: So, you're suggesting those 14 be investigated?

MR. GERHARDT: Correct.

CHAIRMAN TRIANTAFILOU: The question is do we do that or refer to the Prosecutor's Office. I think in the past -- why don't I suggest this. Why don't I suggest on those 14 we have staff do a preliminary look, and then report back to the board at some future date what your findings are. And then on those 14, we can make an individual -- we can make more of an independent recommendation as to whether or not a criminal investigation is required.

Any objection as to any of that by anyone?

MR. BURKE: No.

MR. FAUX: No.

MR. GERHARDT: No.

CHAIRMAN TRIANTAFILOU: That way we're being inclusive of the 14. Okay. Do we need a motion to do that or direct staff to do that?

MR. FAUX: I'm okay with direction.

MR. BURKE: Yes.

CHAIRMAN TRIANTAFILOU: So directed. The director is being directed.

Next category, Incomplete Envelope.

MS. KRISEL: Well, those are going to be in our further review that we need you to look at. Do you want to take up the final NEOCH ones before we move on to that?

MR. BURKE: The Invalid Address also --

MS. SEARCY: Invalid Address and Incomplete Envelope are -- this is your further review stack.

CHAIRMAN TRIANTAFILOU: You all can present to us any way you think is logical.

MS. KRISEL: Okay. Let's take NEOCH. We have the Name Not Printed. We have the Voter Signed in the Wrong Spot.

MR. BURKE: Let's do them --

MS. KRISEL: Separately, okay. Name Not Printed. And that's P Number 2980.

CHAIRMAN TRIANTAFILOU: This is NEOCH because the voter provided only the last four digits of their social, correct?

MS. KRISEL: Correct.
MR. FAUX: I would note --
MR. BURKE: There's nothing in it, is there, in the envelope?
MS. KRISEL: Oh, well -- it does feel like there's something in there. I just think they folded it in quarters. I can see a ballot.
MR. BURKE: Oh, okay.
MR. FAUX: Well, in this particular instance -- I'll pass it down the line. It seems pretty clear to me that the voter's signature is very shaky. This is a voter born in 1933. It's pretty clear from the handwriting that the poll worker filled out this envelope, and it's the poll worker who failed to print the name. And that strikes me as conclusive evidence of poll worker error right here in writing in front of us.
MR. GERHARDT: Mr. Chair, the staff recommendation for this also is that it be rejected, correct?
MS. KRISEL: It's our understanding that we cannot count a ballot that does not have a printed name. It does fall under the category of NEOCH, so that's why it's been further reviewed, in terms of any notes that we have in house.
MR. GERHARDT: So other than this being a NEOCH ballot, it's the same as the 33 others that we dealt with under the category of No Printed Name?
MS. KRISEL: Correct.
MR. FAUX: Mr. Chair, I request advise of counsel. It seems to me that we have a directive with respect to NEOCH ballots where we are to look at whether or not poll worker error contributed to what has created a problem here. It strikes me that we have evidence on its face right on the envelope poll worker error. How can we ignore that?
CHAIRMAN TRIANTAFILOU: I'm confused, maybe somebody can fix this. But doesn't that apply to Right Precinct, Wrong Location ballots?
MR. FAUX: No, I don't believe that's true. I believe the NEOCH directive indicates other aspects of provisional voting as well.

MS. KRISEL: We put it in for the board to discuss. I think it's very unclear what we are supposed to be looking at in terms of actual evidence of poll worker error, and I think we all know that.
MR. BURKE: But there is -- Caleb has a decent point. When he looks at that -- and there appears to be at very least a strong indication that someone other than the voter filled in most of the ballot because the voter has got a problem.
MS. KRISEL: That's a decision we cannot make.
MR. FAUX: The staff?
MS. KRISEL: Correct.
MS. FAUX: But as a board we can. MS. MCCAFFERTY: The standard has been whether there is objective evidence of poll worker error.
MR. FAUX: I would say we have objective evidence. Very clear objective evidence.
MR. BURKE: Perhaps it could be
solved if somebody would have picked up the phone and called the poll worker and asked whether or not they filled out any ballots for voters who might in fact have a handicap.

None of us are going to try to hang up all of these NEOCH ballots, there's not that many. Caleb has made a valid point. There's some indication on that envelope that another question should be asked that can't be answered certainly by looking at our paper record.

MR. FAUX: The provisional envelope is part of the paper record.

MR. BURKE: I agree with that. You got an indication to ask another question. It could have been filled out by his wife, I don't know.

CHAIRMAN TRIANTAFILOU: That's my concern.

MR. BURKE: I agree with that. But at the very least, I don't think it takes that long to pick up the phone and call in an instance where you have a unique situation like that. And I know staff has worked very hard on this stuff. I am not trying to overburden them. It seems to me on this one other question should have been asked that couldn't be answered just for our paperwork.

MR. FAUX: It strikes me the question that would be simple to ask is: We have a signature of a poll worker on that envelope. From my observation, the handwriting on everything but the signature is matching that of the poll worker. So, it would have been a very simple question to ask that poll worker: Did you fill out this envelope. And if the answer was, yes, and it was that poll worker who failed to print the name, that to me is pretty conclusive evidence of poll worker error to this ballot being called into question.

MS. MCCAFFERTY: I think the board should apply the same level of review for all of the NEOCH ballots. So based on information you have in front you today, you should determine whether there is clear, demonstrated evidence of poll worker error.

CHAIRMAN TRIANTAFILOU: Stands clear and convincing evidence.

MR. GERHARDT: Mr. Chairman, I make a motion to reject this ballot.

CHAIRMAN TRIANTAFILOU: All right.

So we're clear, this is Ballot P2980.

There's a motion to reject it. I'll second the motion.

MR. BURKE: I'll vote yes.

CHAIRMAN TRIANTAFILOU: I have not called a vote, yet.

MR. BURKE: Sorry.

CHAIRMAN TRIANTAFILOU: That's all right. The vote is to be rejected --

MR. BURKE: The point is on this, we don't want to hold up certification on a ballot that doesn't appear to impede -- have any impact on the outcome of the election. I am voting yes.

CHAIRMAN TRIANTAFILOU: All in favor? Aye.

MR. GERHARDT: Aye.

MR. BURKE: Yes.

MR. FAUX: No. And, again, I would reiterate, we have been down this path with NEOCH ballots before, whether or not we are adequately investigating the question of poll work error. In this instance, I think it's very clear there's evidence of poll worker error. We have not carried that investigation through as we are directed to do, and I really have a problem with that. Although, I understand Mr. Burke's vote in a desire not to hold up certification of this election.

MR. BURKE: We have folks who are going to be sworn in on December 1st, and we need to resolve the election to the extent we can.

CHAIRMAN TRIANTAFILOU: Next category.

MS. KRISEL: We're still on NEOCH. This is P3586. This is a voter who signed in the wrong spot.

MR. FAUX: I would argue in this instance we have again evidence of poll worker error, because the poll worker has
MR. BURKE: It's the same situation on the other one we did approve. Here the voter has in fact signed below the certification statement, but the poll worker signed on the line for the voter and the voter signed on the line below it, but I move to approve.

CHAIRMAN TRIANTAFILOU: There's a motion. Is there a second?

MR. FAUX: Second.

MR. GERHARDT: Counsel, but for the NEOCH aspect of this, this is the same as the other three ballots where the signature was in the wrong location but proximate to the signature line, correct?

MS. MCCAFFERTY: Yes.

MR. GERHARDT: Okay. For those reasons I agree with the motions.

CHAIRMAN TRIANTAFILOU: All right.

All in favor? Aye.

MR. BURKE: Aye.

MR. GERHARDT: Aye.

MR. FAUX: Aye.

MS. KRISEL: The final -- I want you to go back to page 5 in the P document, which just don't sound right. But anyway, under NEOCH, there's Number 52, 53, 54, those are P3061, P5170, P5175. Then we have additional P4165 and P3916. These are all No Signature NEOCH.

MR. GERHARDT: Could you add the Number 4 and 5. These are in addition to the first 52, 53 and 54, correct?

MS. KRISEL: Correct.

MR. GERHARDT: Okay. So, 55 would be --

MS. KRISEL: Well, we have 55 down there. We want to take up 55. So this would be -- P-4165 would be 56; and P3916 would be 57. Unfortunately, we're out of order.

MR. BURKE: I'm confused on this. How many ballots do we have in front of us now?

MS. KRISEL: We have five.

MR. BURKE: Last numbers you rattled off, are they part of these?

MS. KRISEL: Yes. We have three listed there, 52, 53 and 54. Those are three, and we're adding two additional.

MS. MCCAFFERTY: Sally, I think it's confusing because there's a 55.

MS. KRISEL: Right. That's what I said. Here -- we will renumber 55 to 57.

Then the additional two NEOCH would be 55 and 56.

MR. GERHARDT: And Number 57, which is P1372, is that a separate category?

MS. KRISEL: That's one that should have been under the No Signature originally. So, we will have to vote on that separately.

MR. GERHARDT: Okay. So, it is in the category of those 51 that we have already voted on?

MS. KRISEL: Correct.

MR. GERHARDT: Okay. So, we will deal with that shortly.

CHAIRMAN TRIANTAFILOU: So I can frame the issue, the question on these ballots is whether or not there's poll worker error for there not being a
warrant some attempt to contact the election official and ask for some explanation as to why this took place. We have not done it.

CHAIRMAN TRIANTAFILOU: Any further discussion on the motion?

MR. GERHARDT: Mr. Chair?

CHAIRMAN TRIANTAFILOU: Huh-uh.

MR. GERHARDT: I'm sorry. It was indicated that a number of these do not have a poll worker signature on them; is that correct?

CHAIRMAN TRIANTAFILOU: Right.

MR. GERHARDT: Counsel, I'm looking at Directive 2010-96 that indicates that failure of a poll worker to complete and sign the election official verification statement portion of that SOS Form 12B is clear evidence of poll worker error. Would that apply in the cases that were referred to here? Would that be evidence of poll worker error?

MS. MCCAFFERTY: If we do not have a poll worker signature, it appears it falls in the category you just read, Directive 2010-96.

CHAIRMAN TRIANTAFILOU: That presumes that there's a signature of the voter.

MS. MCCAFFERTY: That is true. The ballot has to otherwise be valid in order for it to count.

MR. GERHARDT: So if it's -- well, if it's invalid, is that -- is that in and of itself reason enough to count a ballot?

MS. KRISEL: We're unclear. The poll worker did sign on the back side of the envelope.

MS. SEARCY: Verification is on the back that the poll worker signed.

CHAIRMAN TRIANTAFILOU: Yeah. That ought to be clear for the record.

There's a verification on the back that the election official did sign where the witnessing elected official didn't sign because the voter didn't sign.

MR. GERHARDT: Well -- and just so to restate this, Mr. Chair, I'm sorry it's the signature of the election official verification statement that this section of 2010-96 refers to. Is there any -- is there any indication, Counsel, regarding the witnessing election official signature line?

CHAIRMAN TRIANTAFILOU: The election's official, all they did is sign the back. They didn't sign under the signature of the voter line because the voter didn't sign.

MR. GERHARDT: So according to this directive, it's the verification statement portion that needs to be signed, correct; and, if not, that is evidence of poll worker error?

MS. MCCAFFERTY: Correct.

MR. GERHARDT: Correct.

MS. MCCAFFERTY: Correct.

MR. GERHARDT: That, at least under the guidelines for the components of this directive, that is not the case here, correct? So the verification statement is signed in each one of these cases, true?

CHAIRMAN TRIANTAFILOU: Yes. As I look at them, yes. And the parts that aren't signed or where the witnessing election official signed, they shouldn't sign because the signature of the voter is not there. So, why would they sign witnessing an election? Why would they verify seeing the voter sign when the voter didn't sign? So, again, we have circumstances here where the voter didn't sign.

MR. GERHARDT: Mr. Chair, I make a motion to reject.

CHAIRMAN TRIANTAFILOU: I made the motion.

MR. GERHARDT: Oh, I'm sorry, yes, you did, and I seconded.

CHAIRMAN TRIANTAFILOU: All right. Any further discussion on the topic?

All right. All in favor of the motion. Aye.

MR. GERHARDT: Aye.

MR. BURKE: Aye.

MR. FAUX: I will put an aye in this instance. I don't think it was adequately investigated.
Mr. Burke beat me to it.

MR. FAUX: Could be a park bench.

MS. KRISEL: It doesn't say what it is. It's actually an address.

MR. BURKE: So this Park Avenue address doesn't exist on Park Avenue. Is that our understanding?

MS. KRISEL: Correct, yeah. We looked at all different types of possibilities for the house number.

MR. BURKE: Can I ask, on the first one is 12th Street in 6-A?

MS. SEARCY: Runs through. It's one of those streets.

MR. BURKE: I understand.
MS. KRISEL: Right. The problem is it was in several different wards or precincts -- not wards but precincts.

MR. BURKE: But the note on here says: Nothing on 12th Street is in 6-A.

MS. KRISEL: I don't know about that. But we personally sat down and looked through them and we found there is -- there are some in 6-A, I think. We sat down and did these on Friday. And it -- there were several precincts that went through 12th Street.

So without any other indication, we actually discussed whether that could have been the DropInn Shelter address. But without -- like, if that was the only 12th Street that was in -- if that was the only precinct 12th Street was in, that might give us a better clue.

But without any other indication, we actually discussed whether that could have been the DropInn Shelter address. But without -- like, if that was the only 12th Street that was in -- if that was the only precinct 12th Street was in, that might give us a better clue.

MS. SEARCY: 12 is 6C, 6D. 6C and 6D.

MS. KRISEL: So, it's not 6A.

MR. BURKE: So it doesn't run through, but this voter voted in 6A.

MS. KRISEL: Correct. If that's the note down there at the bottom.

The sticker. The sticker is 6A. It's 6A.

MR. FAUX: So, it's the wrong precinct.

MR. BURKE: Assuming they live someplace on 12th, it is the wrong precinct.

MS. KRISEL: Correct.

MR. BURKE: I'm sorry, I got sidetracked. What was the response to Caleb's question about the Park Avenue address? Is there no such address, is that --

MS. KRISEL: There's no such number there. We looked at several where there were -- the person put like transposed numbers, or not enough numbers, or too many numbers. And if they signed in the provisional signature poll book correctly, then we could verify they just had misnumbered it. And in that case, there was nothing in the provisional pages that showed a different number on Park Avenue.

MR. BURKE: I move to reject both of these ballots.

CHAIRMAN TRIANTAFILOU: Second.

Any further discussion?

All in favor?

MR. FAUX: Aye.

MR. GERHARDT: Aye.

MR. BURKE: Aye.

MS. KRISEL: Here is the other Wrong Precinct. Again, we could find nothing in the signature -- or that the provisional signature poll worker attached -- we could find nothing that matched this address in our file.

We actually did have a voter provisional envelope that listed the Gospel Mission as the address. And we were able to verify that address of the Gospel Mission and did count that and put that in the recommendation, or put it in recommendation to count. So, we did go through these with --

MS. SEARCY: A fine tooth crumb.

MS. KRISEL: -- a lot of scrutiny, yes.

MR. BURKE: So, on this one the voter voted in 7A, Cincinnati 7A. Is the voter just off by having too many ones in the street address?

MS. KRISEL: Well, we're not sure.

MR. FAUX: There's also -- looks like there's an issue with the zip code there.

MR. BURKE: Yeah.

MR. FAUX: They wrote one zip code and changed it.

MR. BURKE: But the correct zip code, if it was 7A, would be 29, isn't it?

MR. FAUX: No.

MS. KRISEL: Amy, we have the book. What is the street name?

MS. SEARCY: Eagan. We made a copy.

MS. KRISEL: Of the street thing, and it's attached.

MS. SEARCY: Printed it.

MR. BURKE: This says 1115 Eagan Court. And Eagan Court -- why isn't that right? Am I reading something wrong?
1. CHAIRMAN TRIANTAFILOU: No, the zip is wrong. The zip is 29?
2. MR. BURKE: Is the only problem with the address it should have said 29 instead of --
3. MS. KRISEL: What precinct is that in?
4. MR. BURKE: 7A. And this is 7A.
5. MS. KRISEL: I don't know without looking at it again.
6. No -- yeah, because they put 1115.
7. MS. KRISEL: I don't know without looking at it again.
8. MR. BURKE: Right.
9. MS. KRISEL: 115 is 7A.
10. MR. BURKE: Look at the --
11. MS. KRISEL: Oops. We went through that over and over.
12. MS. SEARCY: We looked at that over and over.
13. MS. KRISEL: We looked at that over and over.
14. MS. SEARCY: I thought it was something else.
15. MS. SEARCY: Wasn't there something else on that one?
16. MS. KRISEL: No, you're right.
17. CHAIRMAN TRIANTAFILOU: Do you want to look at it just to be sure?

1. MR. GERHARDT: Is there only one of these, Sally?
2. MS. KRISEL: No, there are two. They are the two that are listed.
3. MR. FAUX: Is this voter in fact a registered voter?
4. MS. KRISEL: We can't -- I don't think we can totally identify him.
5. MR. BURKE: You can't read that signature?
6. MS. KRISEL: We tried. The problem is that there were other ones that were just as funny in the same place.
7. MR. BURKE: No address, no identification.
8. MS. SEARCY: They didn't give us a lot of clues, no.
9. MR. BURKE: Reject.
10. CHAIRMAN TRIANTAFILOU: Second motion.
11. Any further discussion?
12. All in favor? Aye.
15. MR. GERHARDT: Aye.

1. MS. SEARCY: What was that P Number?
2. CHAIRMAN TRIANTAFILOU: 6544. MS. KRISEL: This is 6850, another Invalid -- or Incomplete.
3. MR. BURKE: There's absolutely nothing on here but the poll worker signature. I move to reject.
4. CHAIRMAN TRIANTAFILOU: Second. MS. KRISEL: We did go to the provisional book to see if there were anybody that we didn't have already, and we looked at that as --
5. CHAIRMAN TRIANTAFILOU: Any discussion on that one?
6. MR. BURKE: There's not even the name of the voter on it, nothing.
7. CHAIRMAN TRIANTAFILOU: All in favor of the motion? Aye.
8. MR. GERHARDT: Aye.
10. MR. FAUX: I would note, if you look at the notes here: Presiding judge slept and was on the phone most of the day and should have been --
MR. BURKE: I presume the presiding judge will not be here the next election.

MS. KRISEL: I would think that would be reviewed.

Here's an address issue. This is one for further review. The address listed is not in the CAGIS system. It's not in our County Auditor system. We had two of those. We actually located one on a street that was torn down, but then there were houses put up and nobody had --

MR. BURKE: Is this Lincoln Heights, Valley Homes?

MS. KRISEL: No, different locations, slightly different locations. This, however, is a house, and we sent our staff out to look at it. This is a house that you can see the street address runs one way, it's kind of a T. And it appears that somebody put a little house up and that could be the address, but they are not listed with the auditor.

So, we present that to you to determine whether you feel that's probably where that voter is living.

MR. BURKE: Is there an address on the house, specifically on the house?

MS. KRISEL: There's a number, but the staff couldn't see what it was. It appears to be three digits.

MR. FAUX: So aside from the question about the current address, there's nothing else problematic about this ballot?

MS. KRISEL: No, complete and provisional.

MR. FAUX: Proper identification signature, everything else is correct. And was this person in fact actually a registered voter?

MS. KRISEL: Correct.

MR. FAUX: Because they don't list a former address.

MR. GERHARDT: Mr. Chairman?

CHAIRMAN TRIANTAFILOU: Yes, sir.

MR. GERHARDT: We have a picture of a house, but do we even know that this is -- it sounds as though we don't even know that this is the address that is indicated on the outside of the provisional ballot envelope; is that correct?

MS. KRISEL: We're not sure, correct.

MR. GERHARDT: So, I mean, other than a picture of this house, the address listed is invalid. According to our records, there's no evidence that it even exists?

MS. KRISEL: Correct.

MR. BURKE: We don't have any records to tell us -- we don't have any records that have this address?

MS. SEARCY: That identify it, correct.

MR. BURKE: We don't have anything that tells us the address is invalid either.

MS. KRISEL: Again, we had the same thing happen with another location in the same area, where we didn't have the house on that street either.

MR. FAUX: Do we know what address that voter was in fact actually registered under?

MS. KRISEL: We can look it up.

MR. GERHARDT: That doesn't look like a newly erected structure.

MR. FAUX: No, it doesn't. But on the other hand, presuming the auditor's records are always complete and accurate.

MR. GERHARDT: Yeah, I understand that. But one of the things that I think we need to guard against is presuming -- presuming things. I mean, we have to work with the facts in front of us, and the facts today on this issue are that we have looked at CAGIS. We looked at the Auditor's website, and this is an invalid address according to those documents -- or it doesn't show that it even exists, and therefore invalid, right, if it doesn't exist?

MR. FAUX: Well, it might exist, but not show up in either CAGIS or the Auditor's records.

MR. POLAND: If I can give it a little bit of background information. There was a subdivision in Lincoln
Heights where a lot of the homes had been torn down and other homes redeveloped, streets changed, some streets were completely eliminated. We did research on that this summer using the assistance of CAGIS as well as the auditor. This was one of the streets that was determined no longer had homes that existed on it, this particular street in Lincoln Heights.

So that street was eliminated from our street index file, based on that information from CAGIS and the auditor. And any voters living on those were thrown into an invalid address field in our voter registration system. And then this particular voter showed up to vote on Election Day, because his street did not exist, he appeared in the signature poll book, but claimed to still live at that address, so he voted provisionally.

And then we sent a team to Lincoln Heights, and as you can see from the map, this is a map from CAGIS, and it matches the Auditor’s site as well. They do not have this home on their whatsoever. X would be the spot where after the team went out to research this where the house would be, they said it appears that it’s a home that actually faces the street above, but may have a side entrance on this street, and that’s the home that they took the picture of. They could not read the address on the building, is what they reported to me.

MR. BURKE: The home where the Auditor’s record says there is no building, there is in fact a building.

MS. POLAND: There is in fact a building. But as we can see from the voter registration record, the Election Day notice I believe from this voter was returned as undeliverable from this address by the Post Office.

MR. FAUX: What address was the voter registered?

MS. POLAND: This address.

MR. FAUX: Assuming that is the correct address, where the voter is registering.

MR. BURKE: What is that?

MS. GOLDSMITH: The National Change of Address list stated that they live at a different address than what we have on file. And so, it was --

MR. FAUX: What address would that be?

MS. GOLDSMITH: We sent a forwardable confirmation that you’re supposed to get at the address.

MR. FAUX: What address is listed?

MS. KRISIEL: What was the former address?

MS. POLAND: The former address is that address that appears on the envelope.

MR. FAUX: That was where they were registered?

MS. SEARCY: He’s saying, what is the address that NCOA says?

MS. POLAND: They did not give an address.

MS. GOLDSMITH: No, we don’t have that listed, because forwardable, it is supposed to be forward to their correct address, and they are supposed to fill it out and return it to us.

CHAIRMAN TRIANTAFILOU: Did you say that forwarded address, is it in Hamilton County?

MS. GOLDSMITH: Well, the U.S. Post Office would have it.

MR. GERHARDT: So, this individual has indicated an address on the envelope that is -- is it different than -- is it a different street address than where this building is, or is it the same street address?

MR. BURKE: It is the street address.

MS. KRISIEL: That’s on the street that he says he lives on.

MR. GERHARDT: Okay. But we have this person registered at a different address?

MR. BURKE: No. We have them registered at this address.

MR. GERHARDT: But the correspondence we sent to this address came back undeliverable, right?
MS. KRISEL: No.

CHAIRMAN TRIANTAFILOU: We struck it from our roll because that street no longer --

MS. GOLDSMITH: We get a list from the Secretary of State from the Post Office, they match our addresses to the U.S. Post Office addresses. It's called the National Change of Address List. And when we receive that CD from the Secretary of State, we send them a confirmation return. That's the reason they were sent a confirmation return. That confirmation notice was sent. I could go down and look at the National Change of Address.

MS. MCCAFFERTY: So as of May, he had changed his address?

MR. FAUX: I'm not entirely convinced of that, because what we had was the City of Lincoln Heights and the Auditor saying the street no longer existed and there is no house on that, and communicated that information to the Post Office. So, the Post Office might conclude it doesn't exist. This house doesn't exist. This voter doesn't exist when in fact we have evidence they do.

MS. MCCAFFERTY: It seems the Post Office does have a new address.

MR. FAUX: Well, I don't get any indication from them to that effect at all. All the Post Office has said is that exists -- that address no longer exists.

MS. GOLDSMITH: The Post Office didn't say -- they just say where this person is registered, or where this person -- their address now does not match our address. That's all they are saying. That's all the National Change of Address says. They don't say it doesn't exist, that's not their purview.

MR. FAUX: So, it is possible the City of Lincoln Heights in the process of rearranging their numbering system and their street system, assigned new address numbers to this building, which this voter apparently doesn't get.

Is the voter still in the same building, same place they always have been, but the address system has changed. The Post Office knows it. The city knows that. The auditor apparently knows that, knows something, I am not sure what, but the voter doesn't?

MS. SEARCY: I have no idea.

MR. FAUX: We do know this voter was registered at that address before. Do we know if the voter voted from that address before?

MS. POLAND: I'm looking at it.

That voter last voted in the November 2010 Election.

MR. FAUX: From that address?

MR. GERHARDT: From the address that's listed on --

MS. KRISEL: Yes.

MR. GERHARDT: -- which may or may not be that building. We don't know that building is the same building that was assigned that address, correct? We just know that there's a building back there that is on a street that this person was at least formally registered to vote from.

MS. KRISEL: Correct.

MR. GERHARDT: Correct.

CHAIRMAN TRIANTAFILOU: You can't tell if that was a provisional ballot last year, can you?

MS. POLAND: It was not a provisional ballot.

MR. FAUX: So last year this voter voted from that address. Came back this year to vote from the same address where he was registered. Now suddenly we're telling him his address building doesn't exist. And we send staff out there to look and sure enough there is a building there. It seems like Alice in Wonderland.

CHAIRMAN TRIANTAFILOU: I move to count the ballot.

MR. BURKE: Second.

CHAIRMAN TRIANTAFILOU: All in favor. Aye.

MR. FAUX: Aye.

MR. BURKE: Aye.
MS. SEARCY: Are you done with yours?

MS. KRISEL: No.

MS. SEARCY: Why don't you finish all yours, and then I'll do all mine.

CHAIRMAN TRIANTAFILOU: Did you vote? Wait, hold on, he hasn't voted yet.

MS. SEARCY: I'm sorry.

MR. GERHARDT: No.

CHAIRMAN TRIANTAFILOU: It's all right. We can disagree sometimes.

MS. KRISEL: Are you done voting?

CHAIRMAN TRIANTAFILOU: We're done voting.

MS. KRISEL: All right. This is where the -- for further review the signature does not match. It doesn't match any of our documents. And, of course, it's signed the same in the provisional book because that was the same day.

MR. BURKE: How many more do we have?

MS. SEARCY: I have four more voters.

MS. KRISEL: I have one more.

MS. SEARCY: It won't take long.

MR. FAUX: We're saying this signature doesn't match that?

MS. KRISEL: We're saying -- correct. We felt we didn't -- this doesn't match this.

MR. FAUX: But this is the signature that the voter signed.

MS. KRISEL: That's a previous year.

MR. FAUX: Oh, that's a previous year.

MR. GERHARDT: Chairman, I move that we reject this.

MS. KRISEL: His signature doesn't match his former signatures. That signature poll book is from a different year. We tried to look for anything.

MR. FAUX: I'll vote.

CHAIRMAN TRIANTAFILOU: All in favor? Aye.

MR. BURKE: Aye.

MR. FAUX: Aye.

MR. GERHARDT: Aye.

CHAIRMAN TRIANTAFILOU: Any opposed?

MS. KRISEL: That was P6854.

CHAIRMAN TRIANTAFILOU: Then I have P -- Amy, do you want to go ahead?

MS. SEARCY: P Number 6855. This voter has no identification. Did not
MS. SEARCY: I wish there was a time.

MR. BURKE: No notes either.

MS. SEARCY: No, we both looked.

MR. FAUX: So, there's no way to know which one of these two was cast first?

MS. SEARCY: No. We do not have that ability to discern that.

MR. GERHARDT: There's no number on the outside. The P number is assigned after --

MS. MCCAFFERTY: Exactly, it's assigned here. If you could open the envelope, which you cannot do -- and even with that, there's no guarantee you would be able to discern their --

MR. FAUX: So, which of the two --

MR. BURKE: The stub number would no longer be on the ballot, right?

MS. MCCAFFERTY: Yeah.

MR. FAUX: The stub number is taken off before the ballot is --

MS. KRISEL: And the ballot is separated from the pack.

MS. SEARCY: Separated from the stub.

CHAIRMAN TRIANTAFILOU: This is another one I'm going to have staff look at. Why did this gentleman think he could go and vote twice on the same day? That's fundamentally improper.

MR. FAUX: It's the same polling place.

CHAIRMAN TRIANTAFILOU: It was, right?

MS. SEARCY: Same place.

MR. BURKE: Only one signature in the poll book?

MS. SEARCY: In the precinct, correct. One signature. And you will note that it says -- it has one stub number and they crossed off the second. There's only five ballots in between.

MR. FAUX: So the poll workers were clearly aware this person had cast two provisional ballots and must have had some understanding of why that happened.

MR. BURKE: That certainly -- I think that is evidence the poll workers knew there were two ballots for some reason, we just don't know what the reason is.

CHAIRMAN TRIANTAFILOU: Which one do we count, if we're going to count one?

MS. SEARCY: Correct, you choose that.

MR. BURKE: We cannot under these circumstances open the envelopes in order to determine whether or not the voter has written something on the ballot and indicated it was a mistake and spoiled it.

MS. MCCAFFERTY: You can't look at it under any circumstance.

MS. SEARCY: We can't open one --

MR. BURKE: Well, we can look at ballots under circumstances.

MS. MCCAFFERTY: Before you vote on whether to --

MR. BURKE: Except what we're trying to do is figure out which one to count out of the two. But you're still -- yeah, I can understand that.

If the voter spoiled a ballot, said he made a mistake, gets another ballot, you have to turn it in.

MS. SEARCY: Right. Then it would go in the soiled face envelope and we wouldn't have this dilemma.

MR. BURKE: Right.

MR. GERHARDT: So, there's a chance it may --

CHAIRMAN TRIANTAFILOU: Well, if we reject one, do you ever open them?

MS. SEARCY: You do not open the one that we reject.

CHAIRMAN TRIANTAFILOU: So, it's entirely possible the answer could be within these documents and we could vote to reject the one and provide us an answer if one is soiled. That solves the problem.

MR. FAUX: You never know.

MS. SEARCY: That's true.

CHAIRMAN TRIANTAFILOU: Well, I mean, that's -- what about this? On the verification statement there's clearly a problem, because the provisional verification statement is corrected on
the one in Gary Hilliard's name.

MS. SEARCY: Be careful not to say the name.

CHAIRMAN TRIANTAFILOU: Sorry, I said the name. Well, he's a poll worker. These are election officials. So the election official's name is in place of where the voter's name ought to be on the one, so arguably this one is more correct. I'm just looking for a reason to count one rather than this one, if we're going to have to pick.

MR. BURKE: I agree.

CHAIRMAN TRIANTAFILOU: See what I'm saying? On this one somebody -- All right. I'm gonna make a motion that we count P5440, and that we --

MS. SEARCY: We do want to give it another number --

CHAIRMAN TRIANTAFILOU: Well, then I'll identify it by being the one that actually has the P number written on it. I'll move that we count that ballot and reject the other one. Second?

MR. BURKE: Second.

CHAIRMAN TRIANTAFILOU: Any discussion?

Anything else Staff wants us to consider?

MS. SEARCY: Uh-huh.

CHAIRMAN TRIANTAFILOU: Okay. Just so we're clear, Caleb, you're voting to count -- do they have the same P number?

MS. SEARCY: Same P number, same person.

CHAIRMAN TRIANTAFILOU: So P1957, 11 as Caleb -- he's moving that we count the one in the correct precinct. There's been a second by Mr. Burke.

All in favor? Aye.

MR. GERHARDT: Aye.

MR. FAUX: Aye.

MR. BURKE: Aye.

CHAIRMAN TRIANTAFILOU: Any opposed?

The ayes have it.

MS. KRISEL: The last one, P6856. This voter put down a transposed number for their identifying information, which was the last four digits of their social. CHAIRMAN TRIANTAFILOU: One more time on that, Sally, I'm sorry.

MS. KRISEL: You will see when it comes that they wrote down the wrong social security number, but you can see that they kind of transposed their numbers.

MR. GERHARDT: What is staff's
1. I recommend:
   - MS. KRISSEL: To present it to the board.
   - MR. FAUX: The only thing I would suggest, look at this provisional envelope. It's clear, again, we're dealing with somebody who is elderly. The handwriting is extremely shaky, although they did make the effort to complete the envelope in its entirety. This person is a registered voter; is that correct?
   - MS. KRISSEL: Yeah.
   - MR. BURKE: I would move that we count that ballot.
   - CHAIRMAN TRIANTAFLIOU: There's a motion. Is there a second? I don't hear a second. Okay. Prepare the motion then for lack of a second.
   - MR. BURKE: Let me just point out that I understand Caleb's point, it's not all that close in terms of numbers listed, five digits, not four. They are not sequential at all.
   - CHAIRMAN TRIANTAFLIOU: All right.

| Meeting, if we could push it back until ten, that would be helpful on the 28th. |
|---------------------------------|-----------------|
| MR. BURKE: I can do that.       |
| MR. FAUX: The 28th?             |
| MR. GERHARDT: Correct.          |
| MR. FAUX: I actually have a Zoning Board Appeals meeting I'm going to. So, if we could push it back even further, that would be helpful. |
| MR. GERHARDT: I'm free all afternoon. I have got an 11:45 appointment. |
| MR. BURKE: I'm open all afternoon. |
| MR. GERHARDT: From 1:30 to 4:30. |
| MS. KRISSEL: It would be a certification meeting. |
| CHAIRMAN TRIANTAFLIOU: Make it 1:30. |
| MR. FAUX: Great. |
| MR. GERHARDT: Yeah. |
| MR. BURKE: 1:30. |
| CHAIRMAN TRIANTAFLIOU: All right. |
| Any other business?              |
| Very good. All right. We will reconvene November 28th at 1:30 p.m. |
| We're here tomorrow at two o'clock. |
| MR. BURKE: Tomorrow as I understand it is Remakes? |
| MS. SEARCY: It should be rather quick. Two o'clock. |
| CHAIRMAN TRIANTAFLIOU: Tomorrow Remakes. And then the 28th is the day we certify, right? |
| MS. KRISSEL: We didn't do a vote on the accepted. |
| MS. SEARCY: On the accepted, right, because the report came up late. |
| CHAIRMAN TRIANTAFLIOU: That might be a good idea. |
| MS. KRISSEL: That would be good. |
| MR. BURKE: Move to approve the accepted ballots on the report. |
| CHAIRMAN TRIANTAFLIOU: Second. |
| MS. KRISSEL: 1 through 5875. |
| CHAIRMAN TRIANTAFLIOU: Second that. |
| MR. FAUX: 5876. |
| MS. KRISSEL: Oh, 76. |
| CHAIRMAN TRIANTAFLIOU: Yeah, I
Any further discussion on accepting those?

All in favor? Aye.

MR. GERHARDT: Aye.

MR. BURKE: Aye.

MR. FAUX: Aye.

CHAIRMAN TRIANTAFILOU: Any opposed?

The ayes have it.

All right. Back here tomorrow.

Anything else before we move to adjourn?

All in favor? Aye.

MR. FAUX: Aye.

MR. BURKE: Aye.

MR. GERHARDT: Aye.

CHAIRMAN TRIANTAFILOU: Stay adjourned.

(Meeting adjourned at 11:39 a.m.)

CERTIFICATE

I, BARBARA LAMBERS, RMR, the undersigned, an Official Court Reporter for the Hamilton County Court of Common Pleas, do hereby certify that at the same time and place stated herein, I recorded in stenotype and thereafter transcribed the within 133 pages, and that the foregoing Transcript of Proceedings is a true, complete, and accurate transcript of my said stenotype notes.

IN WITNESS WHEREOF, I hereunto set my hand this 22nd day of November, 2011.

BARBARA LAMBERS, RMR
Official Court Reporter
Court of Common Pleas
Hamilton County, Ohio
HAMILTON COUNTY BOARD OF ELECTIONS
REGULAR MEETING HELD MARCH 19, 2012

The meeting of the Hamilton County Board of Elections was called to order at 8:00 a.m. by Chairman Burke. Present were Members Mr. Triantafilou, Mr. Faux and Mr. Gerhardt. Also present were Director Amy Searcy, Deputy Director Sally Krisel and Assistant Hamilton County Prosecutor David Stevenson.

Chairman Burke noted that the notice of the meeting was duly provided as required by O.R.C. 121.22.

I. APPROVAL OF THE MINUTES FROM THE MARCH 5 & 6, 2012 BOARD MEETING

Mr. Faux made a motion to approve the minutes from the March 5th and 6th Board Meetings; Mr. Gerhardt seconded. Chairman Burke-aye; Mr. Triantafilou-aye; Mr. Faux-aye; Mr. Gerhardt-aye. The motion carried.

II. PROVISIONAL BALLOT REPORT

The Board was provided a Summary Report of Staff Recommendation on the March 6, 2012 Election Provisional Ballots (Copy attached). The total number of Provisional Ballots issued was 1,272.

The total number of Provisional Ballot envelopes staff recommended eligible to have the ballots contained in them be counted was 1,014. Mr. Gerhardt made a motion to accept the staff recommendation to count these ballots; Mr. Faux seconded. Motion passed unanimously.

The total number of Provisional Ballot envelopes staff recommended for rejection of the ballots contained in them was 258. Director Searcy reminded the Board of the new provisional envelope being used. Director Searcy also informed the Board of staff communication with the Prosecutor’s Office and the Secretary of State with regard to the approval/rejection process of ballots. Director Searcy indicated the recommendations made by the Secretary of State were made pursuant to
SOS Directives. Every recommendation by the SOS is included in the BOE staff report (i.e.: those approved are included in the approved report and those rejected are included in the rejected report).

The Board proceeded to consider ballot envelopes in the categories that caused the recommendations for rejection:

1. Not Registered (114):
   Mr. Triantafilou made a motion to reject these ballots; Mr. Faux seconded. Motion passed unanimously.

2. Voted in Wrong County(10):
   Mr. Gerhardt made a motion to reject these ballots; Mr. Triantafilou seconded. Motion passed unanimously.

3. No Identification (2):
   Mr. Triantafilou made a motion to reject these ballots; Mr. Faux seconded. Motion passed unanimously.

4. No Signature (25):
   Mr. Triantafilou made a motion to reject these ballots; Mr. Faux seconded. Motion passed unanimously.

5. Signature Mismatch (1):
   Chairman Burke asked to see this Provisional Envelope. Director Searcy presented the envelope and it was explained that the voter used a new name but did not complete the change of name affidavit. It was further explained that this was “example #10” provided to the SOS and the recommendation of the SOS was not to count this ballot. There being no further discussion on this ballot, Mr. Triantafilou made a motion to reject this ballot; Mr. Gerhardt seconded. Motion passed unanimously.

6. Voted Absentee (9):
   Mr. Gerhardt made a motion to reject these ballots; Mr. Faux seconded. Motion passed unanimously
7. Voted after 7:30pm (1):

Deputy Director Krisel provided explanation of this situation. The voter arrived at the polling location after 7:30pm. Chairman Burke and Mr. Triantafilou questioned the time and it was reported that the time on the eScan when the voter arrived at the polling location was 7:31pm; the voter had not yet been processed. The poll worker was instructed to allow the voter to cast a provisional ballot. Deputy Director Krisel reported that the voter would be given voter credit for this ballot however the ballot is recommended for rejection because the voter did not arrive until after 7:30pm. Mr. Gerhardt made a motion to reject this ballot; Mr. Triantafilou seconded. Motion passed unanimously.

8. Voted Wrong Precinct (96):

The report was broken down into two categories: a) wrong location; b) right location. Chairman Burke suggests the Board act on these recommendations pursuant to the further breakdown:

a. Wrong Precinct/Wrong Location (80):

Mr. Triantafilou made a motion to reject these ballots: Mr. Faux seconded. Motion passed unanimously.

b. Wrong Precinct/Right Location (16):

Chairman Burke asked to view the ballot envelopes to see the areas where this occurred. Director Searcy presented the 16 Wrong Precinct/Right Location ballot envelopes to the Board for review.

After reviewing the group of 16 Wrong Precinct/Right Location ballots the Board decided to set aside one ballot (P927) for further discussion. Mr. Triantafilou made a motion to reject the 15 remaining ballots; Mr. Gerhardt seconded. Mr. Burke commented that he is voting aye only because he believes he is required to do so based on current law and Secretary of State Directives pending the ultimate outcome of current litigation. Chairman Burke-aye; Mr. Triantafilou-aye; Mr. Gerhardt- aye; Mr. Faux-nay. The motion carried 3 in favor; 1 opposed.
The final ballot in the group of 16 (P927) was brought before the Board for discussion. This ballot was held from the group of 16 because it contained a note made by the poll worker. Mr. Gerhardt asked Mr. Stevenson for an opinion. Mr. Stevenson stated that the note made by the poll worker is irrelevant because this is not a NEOCH ballot. Mr. Stevenson advised the Board not to do a Poll worker error analysis on this ballot. There being no further discussion, Mr. Gerhardt made a motion to reject this ballot; Mr. Triantafilou seconded. Chairman Burke stated his objection but indicated he would vote in favor of the rejection. Chairman Burke-aye; Mr. Triantafilou-aye; Mr. Gerhardt-aye; Mr. Faux-nay. Motion carried 3 in favor; 1 opposed.

9. Ballots reviewed per NEOCH consent decree (4):
   There were four ballots to be reviewed pursuant to the NEOCH consent decree:
   
   a. Wrong Precinct/Right Location: Ballot #P177:
      Poll worker indicated their mistake in the signature poll book notes pages. Mr. Faux made a motion to accept this ballot to be counted; Mr. Triantafilou seconded. Motion passed unanimously.

   b. No signature or Printed name as follows:
      P260: No signature
      P361: No signature
      P747: No printed name
      Mr. Gerhardt asked if these ballots included any poll worker error. Director Searcy indicated they did not, however staff is not making any recommendations. Mr. Faux asked if there was any attempt by staff to contact the poll workers. Director Searcy indicated there was not. Chairman Burke asks Mr. Stevenson for an opinion on the Board’s obligation in this matter. Mr. Stevenson indicated the Board’s obligation under the “Painter decision” is to look at the Board documents; he further indicates that the NEOCH decree is silent on this matter. Mr. Triantafilou stated the provisional affirmation must have a printed name and signature. There being no further discussion, Mr. Gerhardt
made a motion to reject these ballots; Mr. Triantafilou seconded. Chairman Burke expressed his opinion on the envelope design relative to the signature section(s). Chairman Burke-aye; Mr. Triantafilou-aye; Mr. Gerhardt-aye; Mr. Faux-nay. Motion carried 3 in favor; 1 opposed.

A final ballot, which was held by staff for review was presented: P868. The voter provided the last four digits of their Social Security Number as Identification however the last four digits provided by the voter did not match the social security number on record with the BOE. Mr. Gerhardt asked Mr. Stevenson for an opinion regarding providing social security number as ID. Mr. Stevenson stated the number provided must be correct or it is the equivalent of no ID. Mr. Triantafilou agreed a voter must provide a correct social security number to vote. Chairman Burke asked if this ballot was presented to the SOS for review. Director Searcy replied it was not. Mr. Triantafilou made a motion to reject this ballot; Mr. Gerhardt seconded. Chairman Burke-aye; Mr. Triantafilou-aye; Mr. Gerhardt-aye; Mr. Faux-nay. Motion carried 3 in favor; 1 opposed.

III. REGISTERED VOTER CHALLENGES

The next item on the agenda was the Registered Voter Challenges. Director Searcy explained the elements of the report and spreadsheet provided to the Board. Registration Administrator Diane Goldsmith presented the report addressing the 20 voter challenges received by BOE staff:

Item 1-9 in report are voters with an “I” status and are already part of the BOE Voter Registration Maintenance program.

Item 10-20 in report are voters with an “A” status. Letters have been mailed to these voters requesting information. Staff will follow BOE procedures with respect to these voters depending upon the outcome of the letters sent.

After discussion, the Board decided to act on these challenges in two parts. Mr. Faux made a motion that voters 1-9 in the attached report be challenged in the precincts based on their “I” status in conjunction with the challenge; Mr. Triantafilou seconded. Motion passed unanimously.
Mr. Triantafilou noted that letters had been mailed to the “A” status voters (10-20) and time should be allowed to learn the results of these mailings. Mr. Triantafilou made a motion to table any action with respect to voters 10-20 in attached report until Friday; Mr. Faux seconded. Motion passed unanimously.

IV. DIRECTOR/DEPUTY DIRECTOR SALARY

Mr. Triantafilou made a motion to set the annual salary for Director Searcy at $105,499.00 and the annual salary for Deputy Director Krisel at $104,999.96; Mr. Gerhardt seconded. Motion passed unanimously.

V. BOARD OF ELECTIONS LOCATIONS UPDATE

Director Searcy reported the County received 3 proposals to review. A summary of these proposals was sent to the Board. Director Searcy and Deputy Director Krisel will be present on Tuesday, March 20, 2012 to observe the County review of the proposals. The locations of the three proposals received are:

- 7th and Elm Street
- 5500 Ridge Road
- 5445 Ridge Road

Proposal #4 would include a rehab of the BOE current location. A discussion followed of the BOE’s desire to expedite the process to the extent possible. Director Searcy indicated this item would remain in the forefront and would be an ongoing item on the Board’s future agendas.

VI. OTHER BUSINESS

Director Searcy reported the Voting Location Survey required by the Secretary of State has been completed and a copy was attached for the Board’s review.

Director Searcy informed the Board that a Post Election Audit is to be performed and will be the subject of discussion at the Friday, March 23, 2012 Board meeting.
There being no further business to come before the Board, Mr. Triantafilou made a motion to adjourn; Chairman Burke seconded. Motion passed unanimously.

APPROVED:
DATE: ________________________________

CHAIRMAN: ___________________________ DIRECTOR: ___________________________

TIMOTHY M. BURKE AMY SEARCY
Lorain County Board of Elections
Minutes March 16, 2012 Board Meeting

1. CALL TO ORDER
The meeting was called to order at 4:16pm. Chairman Rousseau and members Hurst and Smith were present, member Giardini was absent. Also in attendance were Director Adams, Deputy Director Kramer and Brad Dicken from the Elyria Chronicle Telegram.

2. APPROVAL OF MARCH 6th MINUTES
Motion to approve minutes from March 6th by Hurst, seconded by Smith, motion carried 3-0.

3. PRE- CERTIFICATION QUESTIONS AND ISSUES
   a. Absentee ballot questions and issues
      Motion to approve staff recommendations for Absentee ballot questions and issues by Smith, seconded by Hurst, motion carried 3-0.

   b. Provisional ballot questions and issues
      Motion to approve staff recommendations for Provisional ballot questions and issues by Hurst, seconded by Smith, motion carried 3-0.

Hurst asked Adams how the percentage of provisional ballots rejected in the election compared with past elections. Adams replied that the rejection rate, 18.76%, was somewhat higher than normal. He attributed this difference to the fact that a new form was used in this election and that some voters placed required information on one side, but not the required side. The Secretary of State's office has confirmed that required information, printed name, identification and a signature must be placed on the front of the provisional envelope. If this information is missing on the front of the envelope, but appears on the back of the envelope, where a voter registration form is provided, it cannot be counted.

4. BILINGUAL EXPENSES
Adams informed the board that there were $21,056.53 of expenses directly related to the implementation of the bilingual accommodations required by the U.S. Department of Justice. He also informed the board that these costs would be significantly higher in the upcoming General Election due to higher voter turnout and the potential for multiple page ballots due to state and local issues.

Hurst asked Adams if the board had received a report from the U.S. Department of Justice concerning issues in the 2011 General Election.

Adams replied that the observer reports for the 2011 General Election were provided to the board on February 22nd.

Hurst stated that receiving reports from the 2011 General Election less than two weeks before the Primary Election inhibits the board's ability to properly review and adjust procedures. She also pointed out that this was way too late to have any impact on poll worker training, since training classes had begun weeks before.

Hurst asked if a reply could be filed. Kramer said that after talking with both the representatives from the U.S. Department of Justice and Jerry Innes, the board was permitted to file a reply.
Hurst stated she believed the board should draft a reply to the observer reports. She further stated that this reply should be thorough and pleasant while expressing concerns the board has about the federal observer interactions with poll workers.

Rousseau asked that the federal observers be invited to poll worker training class so they could get a better understanding of Ohio election law.

5. POSTAGE UNIT CONTRACT RENEWAL
Adams informed the board that a renewal of the board's postage machine was up and that a newer model with more functions was available for a lower monthly cost. He said that the board was currently paying $390 a month and the upgraded unit would be $367 a month. Kramer added that the current postage machine has been in use since early 2008.

Rousseau stated that this choice seemed like a logical choice especially with the upcoming presidential election.

Motion to approve staff recommendation for renewal of postage unit contract by Smith, seconded by Hurst, motion carried 3-0.

6. MISCELLANEOUS
Adams informed the board that, due to the board's request at the last meeting, the security tape from General Johnnie Wilson Middle School had been acquired from Lorain City Schools. It did not show any election equipment violations and only showed security and police in the voting area while the bomb threat evacuation occurred.

Rousseau asked who had viewed the tape. Kramer replied that the file can only be watched on proprietary software, so it had to be viewed at the security office for the schools and staff had seen the tape played there.

7. ADJOURNMENT
Motion to adjourn by Smith at 4:38pm, seconded by Hurst, motion carried 3-0.

ATTEST:
ROBERT G. ROUSSEAU, CHAIRMAN

ATTEST:
P.A. ADAMS, DIRECTOR
Absentee Ballot Summary Report –
2012 PRIMARY Election

A  (21 Ballots) ABSENTEE BALLOTS THAT DID NOT INCLUDE
PROPER IDENTIFICATION
Staff Recommendation: REJECT

Directive 2008-82 (page 2-3) "The voters statement on the absent voter's
identification envelope (SOS Form 12-A) must contain at a minimum the
voters name, proper proof of identity and signature."

<table>
<thead>
<tr>
<th>Pamela Geason</th>
<th>01-26-54</th>
<th>Mary Flores</th>
<th>08-06-55</th>
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<tr>
<td>Mildred Finkel</td>
<td>01-22-35</td>
<td>Margaret Fairweather</td>
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<td>Sandra Dibbell</td>
<td>03-30-41</td>
<td>Steven Cornwell</td>
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<td>David Mcguide</td>
<td>08-03-42</td>
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<td>William Rauterkus</td>
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<td>Clell Jones</td>
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<td>Veronica Lane</td>
<td>11-08-21</td>
<td>Lois McGrath</td>
<td>10-13-32</td>
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<td>Vera Carpenter</td>
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B  (2 Ballots) IDENTIFICATION ENVELOPE (SOS FORM 12-A)
NOT COMPLETED
Staff Recommendation: REJECT

Directive 2008-82 (page 6) "Reasons and procedures for a board of
elections to reject an absentee ballot. Those reasons are:
1. The statement accompanying an absentee ballot or absentee
presidential ballot is insufficient."

SOS FAQ Sheet on Absentee Ballots (from Webinar September 22,
2011) "the minimum information required to be provided (voter’s name,
proper proof of identification, and signature).

Jennifer Keyser          | Elane Martin
C (1 Ballot) ABSENTEE BALLOT NOT RETURNED BY FAMILY MEMBER
Staff Recommendation: REJECT

ORC 3509.05 "The elector shall mail the identification envelope to the director from whom it was received in the return envelope, postage prepaid, or the elector may personally deliver it to the director, or the spouse of the elector, the father, mother, father-in-law, mother-in-law, grandfather, grandmother, brother, or sister of the whole or half blood, or the son, daughter, adopting parent, adopted child, stepparent, stepchild, uncle, aunt, nephew, or niece of the elector may deliver it to the director."

Herman Kelling

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D (1 Ballot) ABSENTEE BALLOT RETURNED WITHOUT IDENTIFICATION ENVELOPE
Staff Recommendation: REJECT

Directive 2008-82 (page 8) "All paper absentee voter's ballots, except armed service ballots cast pursuant to ORC 3511.11, MUST BE SEALED WITHIN THE ID ENVELOPE when returned to the board of elections in order to be counted."

Christine Oravets

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E (55 Ballots) ABSENTEE BALLOTS RETURNED TOO LATE
Staff Recommendation: REJECT

Directive 2008-82 (page 4) "All absentee ballots sent from within the United States must be postmarked by the day before the election in order to be counted... Additionally, all absentee ballots received by boards of elections before the eleventh day after an election are eligible to be counted with the official count of the votes at an election as long as the absentee ballot meets all other requirements of law."

~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
(2 Ballots) ABSENTEE BALLOTS RETURNED WITHOUT SIGNATURE
Staff Recommendation: REJECT

ORC 3509.07 "If election officials find... that the signatures do not correspond with the person's registration signature, ... the vote shall not be accepted or counted."

Joann Russell  02-11-36  Irene Davis  11-14-17
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~

7882 Total absentee ballots received
82 Total Absentee ballots rejected (10%)
Provisional Ballot Summary Report –
2012 PRIMARY ELECTION

A (42 Ballots) PROVISIONAL VOTERS NOT REGISTERED TO VOTE
Staff Recommendation: REJECT

ORC 3503.01 (A) "Every citizen of the United States who is of the age of eighteen years or over and who has been a resident of the state thirty days immediately preceding the election at which the citizen offers to vote, is a resident of the county and precinct in which the citizen offers to vote, and has been registered to vote for thirty days, has the qualifications of an elector and may vote at all elections in the precinct in which the citizen resides."

<table>
<thead>
<tr>
<th>Name</th>
<th>Date of Birth</th>
<th>Name</th>
<th>Date of Birth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jack Thornton</td>
<td>10-25-30</td>
<td>Janis Zamasarajs</td>
<td>04-23-62</td>
</tr>
<tr>
<td>Joyce Parker</td>
<td>10-28-76</td>
<td>Freeman Morgan</td>
<td>11-10-68</td>
</tr>
<tr>
<td>Sean Church</td>
<td>02-19-93</td>
<td>Elisa Anasuya</td>
<td>02-19-93</td>
</tr>
<tr>
<td>Samuel Potel</td>
<td>07-29-93</td>
<td>Stephen Hughes</td>
<td>04-03-91</td>
</tr>
<tr>
<td>Daniel Lajavic</td>
<td>10-07-82</td>
<td>Lashawn Darusa</td>
<td>07-09-93</td>
</tr>
<tr>
<td>Christina Stahl</td>
<td>05-18-89</td>
<td>Angelique Irizarry</td>
<td>05-26-91</td>
</tr>
<tr>
<td>Kelsey Feludy</td>
<td>05-30-93</td>
<td>Juliane McDonough</td>
<td>10-23-84</td>
</tr>
<tr>
<td>Kris Holloway</td>
<td>03-08-87</td>
<td>Joshua Kocsis</td>
<td>12-13-83</td>
</tr>
<tr>
<td>Alex Moore</td>
<td>11-29-54</td>
<td>Dominique Michel</td>
<td>03-23-55</td>
</tr>
<tr>
<td>Janet Michel</td>
<td>06-04-62</td>
<td>Alexa Marshall</td>
<td>04-01-93</td>
</tr>
<tr>
<td>Daniel Nelson</td>
<td>10-15-93</td>
<td>Maximilliano Lopez</td>
<td>04-14-86</td>
</tr>
<tr>
<td>Hannah Villagl</td>
<td>07-29-93</td>
<td>Ryan Ives</td>
<td>03-09-82</td>
</tr>
<tr>
<td>Jacob Wiegand</td>
<td>09-16-59</td>
<td>Dustin Wasil</td>
<td>09-24-91</td>
</tr>
<tr>
<td>Nereida Rivera</td>
<td>04-14-60</td>
<td>Mary Ketchesln</td>
<td>06-29-58</td>
</tr>
<tr>
<td>Thomas Ketchesln</td>
<td>05-21-78</td>
<td>Timothy McMullen</td>
<td>11-21-92</td>
</tr>
<tr>
<td>Buddy Ewing</td>
<td>04-28-77</td>
<td>Joel Salas</td>
<td>12-09-93</td>
</tr>
<tr>
<td>Jamie Gillum</td>
<td>08-22-59</td>
<td>Tracy Scott</td>
<td>02-23-67</td>
</tr>
<tr>
<td>Ellis Molina</td>
<td>06-26-64</td>
<td>Orval Carr</td>
<td>10-30-26</td>
</tr>
<tr>
<td>Angela Villagi</td>
<td>04-24-34</td>
<td>Michael Farrar</td>
<td>07-07-04</td>
</tr>
<tr>
<td>Ciara Debrenceny</td>
<td>08-03-89</td>
<td>Calliyn Lorenzo</td>
<td>01-14-93</td>
</tr>
<tr>
<td>Paul Prince</td>
<td></td>
<td>Anthony Todd</td>
<td>04-30-81</td>
</tr>
</tbody>
</table>

B (6 Ballots) PROVISIONAL VOTERS WHO VOTED IN THE WRONG PRECINCT, BUT CORRECT POLLING PLACE AND USED THE LAST 4 DIGITS OF THEIR SS# AND WAS DUE TO VERIFIED POLL WORKER ERROR.
Staff Recommendation: ACCEPT

Directive 2010-48 "Under the court order, a provisional ballot cast by a voter using the last four digits of his her social security number as identification may be counted if it is cast in the correct polling location but
not the correct precinct ONLY IF the reason the vote was cast in the wrong precinct was poll worker error. However, poll worker error may not be presumed and must be demonstrated by evidence."

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C

(20 Ballots) PROVISIONAL VOTERS WHO VOTED IN THE WRONG PRECINCT AND WHO DO NOT FALL UNDER THE EXCEPTIONS OF THE COURT RULING OUTLINED IN DIRECTIVE 2010-48

Staff Recommendation: REJECT

ORC 3505.183 "(4)(a) If, in examining a provisional ballot affirmation and additional information... the board determines that any of the following applies, the provisional ballot envelope shall not be opened, and the ballot shall not be counted:

(ii) The individual named on the affirmation is not eligible to cast a ballot in the precinct"

Rachel Vasquez 02-08-94 John Weekley 05-21-58
Edward Duff 01-19-68 Matthew Park 06-21-82
Joel Mardioke 06-22-84 Michael Vincent 02-04-86
Melissa Dolin 05-16-76 Lilie Childress 12-03-63
Miguel Lopez 03-24-64 Allison Hamrick 11-28-93
Jessica Harrick 09-28-89 Marcus Solo 11-24-77
Mario Vasquez 03-18-63 Barry Becken
Rebecca Manning
Denzel Palmer
David Johnson

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D

(18 Ballots) PROVISIONAL VOTERS WHO FAILED TO PROVIDE IDENTIFICATION

Staff Recommendation: REJECT

ORC 3505.183 "(4)(a) If, in examining a provisional ballot affirmation and additional information... the board determines that any of the following applies, the provisional ballot envelope shall not be opened, and the ballot shall not be counted:
(vii) The individual failed to provide a current and valid photo identification, a military identification, a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, with the voter’s name and current address, or the last four digits of the individual’s social security number or to execute an affirmation under division (A) of section 3505.18 or division (B) of section 3505.181 of the Revised Code.”

<table>
<thead>
<tr>
<th>Name</th>
<th>DOB</th>
<th>Name</th>
<th>DOB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anita Pitlak</td>
<td>09-24-29</td>
<td>Leonard T Schmutzer</td>
<td>12-01-34</td>
</tr>
<tr>
<td>Elaine Dawson</td>
<td>12-22-54</td>
<td>Ashley Kramer</td>
<td>06-05-00</td>
</tr>
<tr>
<td>Anne Pilecki</td>
<td>02-04-28</td>
<td>Sheila Marker</td>
<td>03-22-69</td>
</tr>
<tr>
<td>Barb Schafer</td>
<td>03-22-60</td>
<td>Bruno Gelonesse</td>
<td>04-12-38</td>
</tr>
<tr>
<td>Patricia Gelonesse</td>
<td>06-08-45</td>
<td>Tabitha Thorne</td>
<td>09-24-93</td>
</tr>
<tr>
<td>Grant Gradisk</td>
<td>02-26-89</td>
<td>Ronald Plato</td>
<td>07-16-71</td>
</tr>
<tr>
<td>Jocelyn McCully</td>
<td>09-13-62</td>
<td>Rebecca McNeal</td>
<td>05-31-63</td>
</tr>
<tr>
<td>Jessica Minney</td>
<td>08-18-88</td>
<td>Melissa Capasso</td>
<td>10-05-67</td>
</tr>
<tr>
<td>Rose A Stauder</td>
<td>08-21-71</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

E (1 Ballot) PROVISIONAL VOTERS WHO HAD ALREADY CAST AN ABSENTEE BALLOT Staff Recommendation: REJECT

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Donald Poore

F (5 Ballots) NAME NOT PRINTED ON PROVISIONAL AFFIRMATION Staff Recommendation: REJECT

ORC 3505.183 "the following information shall be included in the written affirmation in order for the provisional ballot to be eligible to be counted:
(a) The individual’s name and signature"

<table>
<thead>
<tr>
<th>Name</th>
<th>DOB</th>
<th>Name</th>
<th>DOB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Angela Stanziano</td>
<td>10-15-81</td>
<td>Roger Carpenter</td>
<td>06-08-69</td>
</tr>
<tr>
<td>Brianna Ellis</td>
<td>02-26-91</td>
<td>Debra Pleska</td>
<td>02-21-58</td>
</tr>
<tr>
<td>Earl Hedrick</td>
<td>12-05-48</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
(11 Ballots) SIGNATURE MISSING
Staff Recommendation: REJECT

Directive 2008-101
"(a) The individual named on the affirmation is not properly registered to vote;
(b) The individual named on the affirmation is not eligible to cast a ballot in the precinct or for the election in which the individual cast the provisional ballot;
(c) The individual did not provide the following:
   (1) His or her name and signature as the person who cast the provisional ballot;
   (2) A statement that he or she, as the person who cast the provisional ballot, is a registered voter in the jurisdiction in which he or she cast the provisional ballot; and
   (3) A statement that he or she, as the person who cast the provisional ballot, is eligible to vote in the particular election in which he or she cast the provisional ballot;
or
   (4) His or her name recorded in a written affirmation statement entered either by the individual or at the individual's direction recorded by an election official;"

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Name</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>David Longwell</td>
<td>02-26-57</td>
<td>Pamela Shrigley</td>
<td>10-14-32</td>
</tr>
<tr>
<td>Dennis Kyle</td>
<td>05-10-70</td>
<td>Emma Fox</td>
<td>04-13-37</td>
</tr>
<tr>
<td>Steve Schafer</td>
<td>05-22-61</td>
<td>Pamela Truxall</td>
<td>07-10-78</td>
</tr>
<tr>
<td>Scott Sukey</td>
<td>05-23-46</td>
<td>Carolyn Lisi</td>
<td>04-08-43</td>
</tr>
<tr>
<td>James Lisi</td>
<td>05-18-40</td>
<td>James Leprovost</td>
<td>06-18-66</td>
</tr>
</tbody>
</table>

517 Total Provisionals
96 Total Provisionals to be rejected (18.5%)
REMEMBER: POLL WORKERS DO NOT HAVE THE AUTHORITY TO DENY ANYONE THE OPPORTUNITY TO VOTE BEFORE VERIFYING THE SITUATION WITH THE BOARD OF ELECTIONS.

1. Document all calls to the Board of Elections: Include Name of Person you spoke to, nature of problem and how it was solved.
2. Anything you think we should be aware of.
3. **ALL POLL WORKERS** at the table have the responsibility of contributing to and maintaining an accurate election day record.
4. **_____** Check here if you had a perfect day and there were no problems to report.

[Quite a few voters from Precinct MI - C1C told me they were sent instructions to vote at midfield church of Christ - 844 st at 131 instead of midfield assembly of God Church - 1301 st at 131.]

[Several voters complained about the back side of the Republican ballot. The oval was very hard to see for Precinct MI-U.]
Election Day Tracker Summary

was not covered up
Solution: COTNER, DEBBY 3/20/2012 1:25:18 PM: VLM verified all PEOS followed proper procedures
HACKETT, MARY 3/6/2012 6:37:22 PM: check into after election

2089 SCIOTO RETIREMENT COMMUNITY
Caller: MARY E MANGAN () -
Operator: BURNS, BARBARA
Assigned to: GILBERT, PENNY L -- Date: 3/6/2012 6:24:34 AM Closed: 3/6/2012 4:07:20 PM
Reason: BURNS, BARBARA 3/6/2012 6:24:34 AM: Missing a worker (Sheryl Taft, Ride along and a rooster Judge) Can make do with the rooster judge, will try to get another to ride with her
Solution: COTNER, DEBBY 3/6/2012 4:07:20 PM: Betty Jackson
COTNER, DEBBY 3/6/2012 3:52:55 PM: Please find out who Ride-along will be

2089 SCIOTO RETIREMENT COMMUNITY
Caller: MARY E MANGAN () -
Operator: WHITE, KAREN S
Assigned to: COTTON, KAREN -- Date: 3/6/2012 6:45:18 AM Closed: 3/6/2012 10:33:40 AM
Reason: WHITE, KAREN S 3/6/2012 6:45:17 AM: voter in poll book but his 49 F3 is not on their machines
Solution: KLOO, RENEE 3/6/2012 10:33:42 AM: Called VLM explained situation and procedure to follow

2089 SCIOTO RETIREMENT COMMUNITY
Caller: Jonathan Krull
Operator:
Reason: CAMPBELL, STEVE O 3/6/2012 6:55:45 AM: Does not have his ballot style 49F 3 is not an option on the machine.
Solution: KLOO, RENEE 3/6/2012 10:34:14 AM: Called VLM explained situation and procedure to follow

2089 SCIOTO RETIREMENT COMMUNITY
Caller: Jeremy Moore Voter cell 614-917-3001
Operator: COUNTS, LYNNIE
Assigned to: COTTON, KAREN -- Date: 3/6/2012 7:07:19 AM Closed: 3/6/2012 10:34:38 AM
Reason: COUNTS, LYNNE 3/6/2012 7:07:19 AM: Voter at location. They're telling him a "number won't go in and are not allowing him to vote. VLM says voters are in the book but number will not go in for 49-F-3, 49-F-4, and 49-H-2
Solution: KLOO, RENEE 3/6/2012 10:34:39 AM: Called VLM explained situation and procedure to follow

2089 SCIOTO RETIREMENT COMMUNITY
Caller: Voter
Operator: TOMPKINS, WHITNEY
Assigned to: COTTON, KAREN -- Date: 3/6/2012 7:22:16 AM Closed: 3/6/2012 10:35:18 AM
Reason: TOMPKINS, WHITNEY 3/6/2012 7:22:15 AM: Stated that the Poll workers sent him away because they did NOT have his ballot. It is his proper voting location.
Solution: KLOO, RENEE 3/6/2012 10:35:19 AM: Called VLM explained situation and procedure to follow

2089 SCIOTO RETIREMENT COMMUNITY
Caller: GEORGE RICE - 409-0203
Operator: KLOO, RENEE
Assigned to: COTTON, KAREN -- Date: 3/6/2012 7:24:09 AM Closed: 3/6/2012 10:38:26 AM
Reason: KLOO, RENEE 3/6/2012 7:24:09 AM: VOTER CALL - VOTING MACHINE WOULD NOT ACCEPT BALLOT STYLE. VOTER WAS TOLD TO WAIT BUT HE COULD NOT. WANTS A CALL WHEN THE PROBLEM IS RESOLVED SO HE CAN GO BACK AND VOTE.
Solution: KLOO, RENEE 3/6/2012 10:38:27 AM: Called VLM explained situation and procedure to follow. Also explained

Ex. K-2
Election Day Tracker Summary

1094  
SALEM BAPTIST CHURCH  
Caller: LETITIA A HAAG (614) 804-6756  
Operator: SELLERS, AARON M  
Assigned to: HARRIS, PATRICK M --  
Date: 11/8/2011 4:15:15 PM  

1144  
SAVATION ARMY  
Caller: BRIAN LID 2174  
Operator: ESSIG, BRENDA X  
Assigned to: WIHL, MICHAEL --  
Reason: ESSIG, BRENDA X 11/8/2011 7:05:40 PM: Polling Location sent them to another location 2 times and Brian called us at 2174 according to their address 1144 is their polling location, lid 1144 was called and explained to them that they are to vote there.  
Solution: HACKETT, MARY 11/8/2011 7:23:45 PM: Mike check this into after election

1075  
SAVATION ARMY GREATER COLUMBUS AREA  
Caller: VICTOR K PEOPLES (614) 258-5609  
Operator: KYLE, JULIE D.  
Assigned to: COTTON, KAREN --  
Reason: KYLE, JULIE D. 11/8/2011 4:38:43 PM: need more ballots (10)and provisional envelopes.(8) on hand counts  
Solution:

1075  
SAVATION ARMY GREATER COLUMBUS AREA  
Caller: VICTOR K PEOPLES (614) 258-5609  
Operator: KYLE, JULIE D.  
Assigned to: COTTON, KAREN --  
Reason: KYLE, JULIE D. 11/8/2011 4:43:55 PM: Only have 10 ballots and 10 Provisional envelopes  
Solution:

1075  
SAVATION ARMY GREATER COLUMBUS AREA  
Caller:  
Operator: FULTON, ELIZABETH  
Assigned to: COTTON, KAREN --  
Reason: SEE, LISA 11/8/2011 5:31:13 PM: day driver called and said they need provisional ballots asap they are out  
Solution:

1075  
SAVATION ARMY GREATER COLUMBUS AREA  
Caller: VICTOR K PEOPLES (614) 258-5609  
Operator: GILBERT, PENNY L  
Assigned to: COTNER, DEBBY --  
Reason: GILBERT, PENNY L 11/10/2011 1:23:07 PM: Victor called and asked to have some help about 3:20pm, I sent Deanna Snoggrass as an extra to help him.  
Solution:

1075  
SAVATION ARMY GREATER COLUMBUS AREA  
Caller:  
Operator: HITE, SUSAN F  
Assigned to: COTNER, DEBBY --  
Reason: COTNER, DEBBY 11/10/2011 1:31:04 PM: Call VLM to see if Unique Shanks Y@B was a no-show  
Solution: HITE, SUSAN F 11/11/2011 2:53:48 PM: Per mother Unique didn't have dress slacks so she just didn't go
Election Day Tracker Summary

1173 WHITEHALL MOOSE 1245
Caller: BETTY L BRITT (614) 370-1559
Operator: SELLERS, AARON M
Assigned to: HARRIS, PATRICK M --
Date: 11/8/2011 7:07:31 AM Closed: 11/8/2011 7:09:00 AM
Solution: MAPLE, SALLY A 11/8/2011 7:09:00 AM: Worker called in and the phone is now working

3004 WHITEHALL UNITED METHODIST CHURCH
Caller: CRAIG S WOLLENSLEGEL (614) 563-7944
Operator: HANLEY, JANE
Assigned to: HACKETT, MARY --
Reason: HANLEY, JANE 11/8/2011 5:42:00 AM: PJ not there everyone else is
Solution: HANLEY, JANE 11/8/2011 5:43:33 AM: She just showed up

3004 WHITEHALL UNITED METHODIST CHURCH
Caller: JOANNE F LUNCEFORD (614) 986-1290
Operator: CHANNELL, CONNIE L
Assigned to: HACKETT, MARY --
Reason: CHANNELL, CONNIE L 11/8/2011 11:44:36 AM: Upset voter suppose vote at Whitehall Yearling HS, They sent someone else then they sent to you. When you told him he was suppose to vote at Whitehall Yearling HS he left and then his girlfriend came in with him and made a scene about having trans. issues and being used as a pingpong ball. VLM gave time to calm down went outside talked to them but didn't help and he said I just won't vote. He then called someone to tell them they wouldn't let him vote. Voter was Ryan K Johnson.
Solution:

1285 WICKLIFFE ELEMENTARY SCHOOL
Caller: ESTHER E BISARO (614) 270-5482
Operator: HINTON, MARSHA J
Assigned to: MUSICK, PENELlope --
Solution: MUSICK, PENELope 11/8/2011 7:51:59 AM: Stephany Lockett was replaced 11/7/11. It was reported she didn't go to class. She did go to class 11/6/11. She was placed in 63G (3048) on Election Day.

1285 WICKLIFFE ELEMENTARY SCHOOL
Caller:
Operator: HARRIS, PATRICK M
Assigned to: HARRIS, PATRICK M --

1285 WICKLIFFE ELEMENTARY SCHOOL
Caller: ESTHER E BISARO (614) 270-5482
Operator: MAPLE, SALLY A
Assigned to: HARRIS, PATRICK M --
Solution: MAPLE, SALLY A 11/8/2011 10:00:28 AM: pages were sent to location

2095 WINDERMERE ELEMENTARY SCHOOL
Caller: HACKETT, MARY
Assigned to: WILH, MICHAEL --
Reason: HACKETT, MARY 11/8/2011 8:53:22 AM: VLM grumpy and jumped all over day drivers; please call and see what's up
Solution:
REMEMBER: POLL WORKERS DO NOT HAVE THE AUTHORITY TO DENY ANYONE THE OPPORTUNITY TO VOTE BEFORE VERIFYING THE SITUATION WITH THE BOARD OF ELECTIONS.

1. Document all calls to the Board of Elections: Include Name of Person you spoke to, nature of problem and how it was solved.
2. Anything you think we should be aware of.
3. ALL POLL WORKERS at the table have the responsibility of contributing to and maintaining an accurate election day record.
4. □ Check here if you had a perfect day and there were no problems to report.

**ATTACHED SHEET**

**THE POLL LOCATION WAS TOTALLY UNACCEPTABLE.**

It was small, hot, not out of the way, and limited in plug ins. No way could the Nov. election be held here.

Instead of every precinct posting all of the signs for the voters, why not just have one set posted on a board located near the entryway? A layout of the precincts might be helpful if there are several located in the same area. Then at the precinct tables, there could be only four signs. The precinct letter. One in front of the presiding judge: STEP 1 State your name and address. Have ID ready. One in front of the recording judge: STEP 2 Judge records your name and address. And one in front of the ballot judge: STEP 3 Receive ballot for voting. And maybe there could be a sign posted on the M-100: Feed ballot into machine. If it beeps or rejects your ballot, please notify the table.

I hope for the Nov. election we have someone posted by the entrance whose sole job it is to look up the precincts for those who do not know them, & to direct them to the correct location.
Election Day Tracker Summary

1169  MILLS ELEMENTARY SCHOOL
Caller: STANLEY E JOHNSON (1)
Operator: HINTON, MARSHA J
Assigned to: WIHL, MICHAEL --
Reason: HINTON, MARSHA J 3/6/2012 9:38:42 AM: Annette Johns fell while placing the flags she hit both hands and left foot did not need medical attention Please call VLM
Solution: WIHL, MICHAEL 3/6/2012 10:13:45 AM: Called VLM no answer

1171  MODEL NEIGHBORHOOD FACILITY
Caller: BRENDA K CONTIZANO (2)
Operator: BALACH, CINDY
Assigned to: WIHL, MICHAEL --
Reason: BALACH, CINDY 3/6/2012 7:07:35 AM: william dorsey is a no show and she did acquire a ride along. does not need a replacement.
Solution:

1174  MOUNT CARMEL BAPTIST CHURCH
Caller: JACQUELINE L SAUNDERS (614) 593-6698
Operator: MARTIN, ROSE
Assigned to: COTNER, DEBBY --
Solution: GILBERT, PENNY L 3/6/2012 8:16:56 AM: good without any replacement needs
COTNER, DEBBY 3/6/2012 7:58:28 AM: call VLM and see if they need replacement only have 485 voters

1174  MOUNT CARMEL BAPTIST CHURCH
Caller: COTNER, DEBBY
Assigned to: COTNER, DEBBY --
Reason: COTNER, DEBBY 3/8/2012 10:02:02 AM: Address issue Jacqueline Saunders listed street address on payroll sheet but system has a PO Box for her mailing address. If she wants check mailed to PO Box tell her to list that address on payroll sheet. If she wants check mailed to street address inform her we will have to send her voter registration form to delete PO Box from mailing address
Solution: GILBERT, PENNY L 3/8/2012 11:25:38 AM: please use PO Box, she just forgot, she gets used to writing the street address

1174  MOUNT CARMEL BAPTIST CHURCH
Caller: COTNER, DEBBY
Assigned to: COTNER, DEBBY --
Reason: COTNER, DEBBY 3/8/2012 10:07:37 AM: Laura Barker Y@B student at Hamilton Twp listed street address on payroll sheet 295 Koebel ave and we have 695 Koebel ave in system. Please call to see if she miswrote address on payroll sheet or if it is different than system tell her we will mail her a voter registration form to change the address.
Solution: COTNER, DEBBY 3/8/2012 12:38:53 PM: address is 695 which is address on system verified w/mother

2083  MOUNT OLIVET BAPTIST CHURCH
Caller: Neva Dunn
Operator: Montalvo, Stacey
Assigned to: HARRIS, PATRICK M --
Reason: Montalvo, Stacey 3/6/2012 7:54:09 AM: No County Street and Road Guide
Solution:

2083  MOUNT OLIVET BAPTIST CHURCH
Caller: 39 John Whitten (208-4012
Operator: LANDUYT, DENNIS J.
Assigned to: HARRIS, PATRICK M --

Ex K-6
Election Day Tracker Summary

1177 MOUNT VERNON AME OUTREACH CENTER
Caller: Angie day driver
Operator: MARTIN, ROSE
Assigned to: ROBERGE, PRISCILLA A --
Reason: MARTIN, ROSE 3/6/2012 6:08:45 AM: David and Ebony are missing - 1 machine and roster judge

1177 MOUNT VERNON AME OUTREACH CENTER
Caller: QUEEN E HILL (614) 313-2423
Operator: CHANNELL, CONNIE L
Assigned to: WILH, MICHAEL --
Solution:

1177 MOUNT VERNON AME OUTREACH CENTER
Caller: QUEEN E HILL (614) 313-2423
Operator: WALTER, KIM R
Assigned to: HACKETT, MARY --
Reason: WALTER, KIM R 3/6/2012 9:23:29 AM: vlm (Queen Hill) clld in to say that David Glenn has returned. Left for personal reasons
Solution: WALTER, KIM R 3/6/2012 9:23:29 AM: Peo has returned

1177 MOUNT VERNON AME OUTREACH CENTER
Caller:
Operator: WALTER, KIM R
Assigned to: WALTER, KIM R --
Reason: WALTER, KIM R 3/6/2012 2:43:57 PM: didn't know if someone with a wrong out of state license could vote on machine or not
Solution: WALTER, KIM R 3/6/2012 2:43:57 PM: exp to her that they needed to vote provisional and not on the machine, they need to keep 83 in the manual out to refer to

1179 NEW ALBANY BRANCH LIBRARY
Caller: DOROTHY J HARRAH (614) 946-6384
Operator: BURNS, BARBARA
Assigned to: KLOO, RENEE --
Reason: BURNS, BARBARA 3/6/2012 7:17:26 AM: Voter voted on machine and choose the wrong party and wanted to vote again
Solution: BURNS, BARBARA 3/6/2012 7:17:26 AM: We said no she cannot vote again, sorry it a done deal

3032 NEW HORIZONS COMMUNITY CHURCH
Caller: JAMES D KUSAN (614) 551-4481
Operator: MAPLE, SALLY A
Assigned to: COTTON, KAREN --
Solution: MAPLE, SALLY A 3/6/2012 12:07:00 PM: DAY DRIVER SOLVED THE PROBLEM

Ex. K-7
Election Day Tracker Summary

3002  OHIO UNION
Caller: ELIZABETH TOWNS (614) 214-0030
Operator: HACKETT, MARY
Assigned to: HARRIS, PATRICK M --
Date: 3/6/2012 5:15:40 AM  Closed: 3/6/2012 12:40:49 PM
Reason: HACKETT, MARY 3/6/2012 5:15:40 AM: ohio union parking garage says its full and won't let our PEO's in; people was told to track down a guard to let them in as she says there are no cars in the garage but the gate won't go up to let them in
Solution:

3002  OHIO UNION
Caller: 78 Lori Banfield (633-6576)
Operator: LANDUYT, DENNIS J.
Assigned to: HARRIS, PATRICK M --
Date: 3/6/2012 8:48:46 AM  Closed: 3/6/2012 1:55:00 PM
Reason: LANDUYT, DENNIS J. 3/6/2012 8:48:45 AM: need 3 yellow packets with addresses to find precincts
Solution: UMBSTAETTER, BRENNA 3/6/2012 1:14:38 PM: this is the 2nd location that wanted multiple precinct st & rd guides - should we do more than one for large locations? Is there a way to run these if we need on el day?

3002  OHIO UNION
Caller: ELIZABETH TOWNS (614) 214-0030
Operator: MAPLE, SALLY A
Assigned to: HARRIS, PATRICK M --

1059  OLDE TOWNE VILLAGE CONDO LODGE
Caller: SHERRY S AUSTIN (614) 893-5619
Operator: BURNS, BARBARA
Assigned to: HARRIS, PATRICK M --
Date: 3/6/2012 6:26:27 AM  Closed: 3/6/2012 1:30:19 PM
Solution: UMBSTAETTER, BRENNA 3/6/2012 1:30:19 PM: crew sent out

1059  OLDE TOWNE VILLAGE CONDO LODGE
Caller: SHERRY S AUSTIN (614) 893-5619
Operator: MAPLE, SALLY A
Assigned to: HARRIS, PATRICK M --

1059  OLDE TOWNE VILLAGE CONDO LODGE
Caller: MAPLE, SALLY A
Assigned to: HARRIS, PATRICK M --
Date: 3/6/2012 10:27:49 AM  Closed: 3/6/2012 10:37:43 AM
Reason: MAPLE, SALLY A 3/6/2012 10:27:49 AM: MESSAGE ON SCREEN, NO RTAL PRINTER, ONE CLOCK OFF BY 1 HOUR

1059  OLDE TOWNE VILLAGE CONDO LODGE
Caller: MAPLE, SALLY A
Assigned to: HARRIS, PATRICK M --
Date: 3/6/2012 4:27:18 PM  Closed: 3/6/2012 5:18:24 PM
Solution:
Election Day Tracker Summary

Wednesday, May 23, 2012 2:01 PM

the ballot. She then went to the samples on the wall and realized she had the wrong ballot. Please have supervisor call her 614-905-8011, she is very upset. Please call her.
Solution: HACKETT, MARY 3/6/2012 2:53:56 PM: vm called back; said boe employee that she first talked to did not treat the voter very well, however voter was pleasant enough when I talked to her
HACKETT, MARY 3/6/2012 2:46:29 PM: called vm; cell phone was so distorted that we couldn't have a conversation; vm will try to call me back when she goes outside later
HACKETT, MARY 3/6/2012 2:42:24 PM: talked to voter who will register a complaint with SOS about pollworker error; I will call vm to discuss machine judge setting the voting machine incorrectly

2142  SLATE HILL ELEMENTARY SCHOOL
Caller: SHEILA STAR HOUT (614) 571-2852
Operator: CHANNELL, CONNIE L
Assigned to: MUSICK, PENELOPE --
Reason: CHANNELL, CONNIE L 3/6/2012 6:24:40 AM: THOMAS GORDON SCHROEDER, ROSTER JUDGE Hasn't shown up yet.
Solution: MUSICK, PENELOPE 3/6/2012 10:51:10 AM: Thomas Schroeder finally showed up. He had overslept.
MUSICK, PENELOPE 3/6/2012 7:08:11 AM: Left message on cell phone and at work.

2142  SLATE HILL ELEMENTARY SCHOOL
Caller: Sheila Hout
Operator: Montalvo, Stacey
Assigned to: HARRIS, PATRICK M --
Reason: UMBSTAETTER, BRENNIA 3/6/2012 7:16:50 AM: sending out a copy
MACKAY, JEFF O 3/6/2012 8:36:08 AM: No county street and road guide
Solution: MAPLE, SALLY 3/6/2012 9:08:36 AM: DAY DRIVER SOLVED PROBLEM

1234  SOUTH WESTERN CAREER ACADEMY
Caller: CAROLYN B MARTIN (614) 769-4276
Operator: ROBERGE, PRISCILLA A
Assigned to: HACKETT, MARY --
Reason: ROBERGE, PRISCILLA A 3/6/2012 6:00:02 AM: roster book shows all ballot styles the same 798 but they have both styles
HACKETT, MARY 3/6/2012 6:22:54 AM: 798 and 799 are ballot styles per carolyn gorup; will call vm
HACKETT, MARY 3/6/2012 6:20:35 AM: contacting carolyn gorup to research

1234  SOUTH WESTERN CAREER ACADEMY
Caller: CAROLYN B MARTIN (614) 769-4276
Operator: BALACH, CINDY
Assigned to: COTTON, KAREN --
Reason: BALACH, CINDY 3/6/2012 6:24:24 AM: all of the ballot styles have the same number.
Solution: COTTON, KAREN 3/6/2012 9:57:10 AM: Called to explain ballot splits in poll book

1234  SOUTH WESTERN CAREER ACADEMY
Caller: CAROLYN B MARTIN (614) 769-4276
Operator: HANLEY, JANE
Assigned to: COTTON, KAREN --
Reason: HANLEY, JANE 3/6/2012 6:32:32 AM: Ballot styles all the same missed phone call
Solution: COTTON, KAREN 3/6/2012 9:57:50 AM: Called to explain ballot splits in poll book

Ex. K-9
Election Day Tracker Summary

3014  EPHESES SEVENTH DAY ADVENTIST CHURCH
Caller: CLEVELAND T CUNNINGHAM (614) 452-1942  
Operator: SELLERS, AARON M  
Assigned to: HARRIS, PATRICK M  
Date: 11/8/2011 8:53:05 AM  

3014  EPHESES SEVENTH DAY ADVENTIST CHURCH
Caller: CLEVELAND T CUNNINGHAM (614) 452-1942  
Operator: SELLERS, AARON M  
Assigned to: COTTON, KAREN  
Date: 11/8/2011 9:03:02 AM  

3014  EPHESES SEVENTH DAY ADVENTIST CHURCH
Caller: MARCIA E ROBINSON (614) 312-0018  
Operator: ROBERGE, PRISCILLA A  
Assigned to: HACKETT, MARY  
Date: 11/11/2011 4:47:35 PM  
Reason: ROBERGE, PRISCILLA A 11/11/2011 4:47:34 PM: Fell election day stubbed toe. Hurt all day but didn't think too much about it. Wednesday was hurting very bad already had a doctor appointment, doctor said toe was broken.  

2051  FAIRMOOR ELEMENTARY SCHOOL
Caller: DEBRA GWINN (614) 237-9404  
Operator: MAPLE, SALLY A  
Assigned to: HARRIS, PATRICK M  
Date: 11/8/2011 9:31:53 AM  
Reason: MAPLE, SALLY A 11/8/2011 9:31:52 AM: # 10107 cell phone does not work Charged it last night but still not working  

2160  FAITH COVENANT CHURCH
Caller: DONN C CUPP (614) 937-2651  
Operator: MAPLE, SALLY A  
Assigned to: HARRIS, PATRICK M  
Date: 11/8/2011 7:34:51 AM  
Solution:

2160  FAITH COVENANT CHURCH
Caller: DONN C CUPP (614) 937-2651  
Operator: MAPLE, SALLY A  
Assigned to: HARRIS, PATRICK M  
Date: 11/8/2011 7:35:29 AM  
Reason: MAPLE, SALLY A 11/8/2011 7:35:28 AM: No Judge CARR,  
Solution:

2160  FAITH COVENANT CHURCH
Caller: DONN C CUPP (614) 937-2651  
Operator: MAPLE, SALLY A  
Assigned to: HARRIS, PATRICK M  
Date: 11/8/2011 7:36:25 AM  
Solution:

2160  FAITH COVENANT CHURCH
Caller: DONN C CUPP (614) 937-2651  
Operator: UMBSTAEETTER, BRENNA  
Assigned to: COTTON, KAREN  
Date: 11/8/2011 7:39:06 AM  
UNION TOWNSHIP D1D
PHONE NUMBER: 732-7275

RECORD OF PROBLEM SHEET

REMEMBER: POLL WORKERS DO NOT HAVE THE AUTHORITY TO DENY ANYONE THE OPPORTUNITY TO VOTE BEFORE VERIFYING THE SITUATION WITH THE BOARD OF ELECTIONS.

1. We had a problem with: _Equipment_ _Voter_ _Polling Place_ _Provisional Voter_ _Identification_ _Other_
The Problem was: Person was not in book but still in County
I spoke with: Person answered phone
I was told: She was registered in another precinct within

2. We had a problem with: _Equipment_ _Voter_ _Polling Place_ _Provisional Voter_ _Identification_ _Other_
The Problem was: Recently married moved, needs to come off
I spoke with: Jackie
I was told: Registered vote provisional, change of address needed

3. We had a problem with: _Equipment_ _Voter_ _Polling Place_ _Provisional Voter_ _Identification_ _Other_
The Problem was: Tables are too close together
I spoke with: Voters keep trying to go to another precinct, use other machine.
I was told: We keep try out of we have the problem

4. We had a problem with: _Equipment_ _Voter_ _Polling Place_ _Provisional Voter_ _Identification_ _Other_
The Problem was: Moved out of town
I spoke with: Tracy
I was told: Provisional + change of address

5. We had a problem with: _Equipment_ _Voter_ _Polling Place_ _Provisional Voter_ _Identification_ _Other_
The Problem was: Move
I spoke with: Casey
I was told: Referred to TIP as provisional

OVER
RECORD OF PROBLEM SHEET

REMEMBER: POLL WORKERS DO NOT HAVE THE AUTHORITY TO DENY ANYONE THE OPPORTUNITY TO VOTE BEFORE VERIFYING THE SITUATION WITH THE BOARD OF ELECTIONS.

1. We had a problem with: ___ Equipment ___ Voter ___ Polling Place ___ Provisional Voter ___ Identification
   ___ Other

The Problem was: Voter was not listed in Poll Book but DL had

I spoke with: [Signature]

I was told to: have him (Daniel Goodman) vote Provisional Ballot

2. We had a problem with: ___ Equipment ___ Voter ___ Polling Place ___ Provisional Voter ___ Identification
   ___ Other

The Problem was: She had a TN Driver's Lic but she was in the Poll Book w/ correct current address, she showed BMV Regist.

I spoke with: [Signature]

I was told to: make a note re: above in Poll Book and voter used regular ballot. 5:50 pm

3. We had a problem with: ___ Equipment ___ Voter ___ Polling Place ___ Provisional Voter ___ Identification
   ___ Other

The Problem was: Stodelick Woods Dr is in St. Etexy as BAT-AAA (My mistake. BAT = Turner) Book is correct.

I spoke with: [Signature]

I was told to: have her go to Batavia High School to vote Batavia Teacher

5:56 pm

4. We had a problem with: ___ Equipment ___ Voter ___ Polling Place ___ Provisional Voter ___ Identification
   ___ Other

The Problem was: ________________________________

I spoke with: ________________________________

I was told to: ________________________________

5. We had a problem with: ___ Equipment ___ Voter ___ Polling Place ___ Provisional Voter ___ Identification
   ___ Other

The Problem was: ________________________________

I spoke with: ________________________________

I was told to: ________________________________

______________________________

OVER

______________________________

Ex. K-12
the door. You have to be buzzed in
Solution: UMBSTAETTER, BRENNNA 3/6/2012 11:23:20 AM: Frank spoke to someone, they have checked and heat is
on
HACKETT, MARY 3/6/2012 11:14:14 AM: has this been looked into?

2116  THE KING ARTS COMPLEX
Caller: SHERRI N SMITH (614) 370-3583
Operator: WALTER, KIM R
Assigned to: WALTER, KIM R --
Reason: WALTER, KIM R 3/6/2012 3:31:36 PM: did not know how to read the voter street guide
Solution: WALTER, KIM R 3/6/2012 3:31:36 PM: looked on pg 173 explained it then understood

4009  THOMAS ELEMENTARY SCHOOL
Caller: Bob
Operator: Montalvo, Stacey
Assigned to: HARRIS, PATRICK M --
Reason: Montalvo, Stacey 3/6/2012 8:45:10 AM: Machine has wrong time

5003  THOMPSON RECREATION CENTER
Caller: 68
Operator: LANDUYT, DENNIS J.
Assigned to: HARRIS, PATRICK M --
Solution:

1262  THURBER TOWERS
Caller: CAROL SUE FOX HALEY (614) 448-6516
Operator: CHANNELL, CONNIE L
Assigned to: HACKETT, MARY --
Reason: CHANNELL, CONNIE L 3/6/2012 5:27:35 PM: Handing out literature, outside 100 ft. line  Thurber Towers
wants them off their property, They are the ones that have to tell them as we can't because they are beyond the 100ft
.line.
Solution:

2119  TREMONT ELEMENTARY SCHOOL
Caller: Leslie
Operator: Montalvo, Stacey
Assigned to: HARRIS, PATRICK M --
Reason: Montalvo, Stacey 3/6/2012 4:01:47 PM: 2 Machines out of RTAL tape
Solution:
**Election Day Tracker Summary**

**2173 WORTHINGTON KILBOURNE HIGH SCHOOL**

**Caller:**
Operator: WALTER, KIM R
Assigned to: WALTER, KIM R

**Date:** 3/6/2012 3:44:48 PM **Closed:** 3/6/2012 3:43:09 PM

**Reason:** WALTER, KIM R 3/6/2012 3:44:47 PM: cant find 634 Linworth Rd E 43235 in street guide (John Lehmkuhl)

**Solution:** WALTER, KIM R 3/6/2012 3:44:47 PM: she is having him vote prov

**2173 WORTHINGTON KILBOURNE HIGH SCHOOL**

**Caller:** RANGLAND L STOKLEY (614) 205-0580
Operator: MAPLE, SALLY A
Assigned to: HARRIS, PATRICK M

**Date:** 3/6/2012 7:55:38 PM **Closed:** 3/6/2012 8:00:56 PM

**Reason:** MAPLE, SALLY A 3/6/2012 7:55:37 PM: FIRE ALARM GOING OFF

**Solution:** MAPLE, SALLY A 3/6/2012 8:00:37 PM: ADVISED BY PHONE PER KAREN COTTON TO EVACUATE BLDG AND FOLLOW INSTRUCTIONS GIVEN BY FIRE DEPARTMENT. CLOSE WHEN U CAN

**2173 WORTHINGTON KILBOURNE HIGH SCHOOL**

**Caller:** RANGLAND L STOKLEY (614) 205-0580
Operator: MAPLE, SALLY A
Assigned to: HARRIS, PATRICK M

**Date:** 3/6/2012 7:58:44 PM **Closed:** 3/6/2012 8:02:08 PM

**Reason:** MAPLE, SALLY A 3/6/2012 7:58:44 PM: FIRE ALARM GOING OFF

**Solution:** MAPLE, SALLY A 3/6/2012 8:02:08 PM: NOTIFIED PER PHONE WITH KAREN COTTON TO EVACUATE AND FOLLOW PROCEDURES GIVEN BY FIRE DEPARTMENT

**2174 WORTHINGTON PARK ELEMENTARY SCHOOL**

**Caller:**
Operator: WIHL, MICHAEL
Assigned to: MUSICK, PENELLOPE

**Date:** 3/6/2012 5:11:19 AM **Closed:** 3/6/2012 9:14:37 AM

**Reason:** WIHL, MICHAEL 3/6/2012 5:11:18 AM: Machine Judge Down

**Solution:** WIHL, MICHAEL 3/6/2012 5:11:18 AM: Call VLM to see if they need someone, tell them they can place someone that comes into vote or we will send someone up asap.

**2065 WORTHINGTON PRESBYTERIAN CHURCH**

**Caller:** SAVANNAH ELIZABETH COEN (614) 209-6831
Operator: WIHL, MICHAEL
Assigned to: MUSICK, PENELLOPE

**Date:** 3/6/2012 4:55:46 AM **Closed:** 3/6/2012 6:45:17 AM

**Reason:** WIHL, MICHAEL 3/6/2012 5:06:07 AM: Down. Coach won't let her work today

**Solution:** WIHL, MICHAEL 3/6/2012 5:06:07 AM: Call VLM and see if they need another MJ

**2065 WORTHINGTON PRESBYTERIAN CHURCH**

**Caller:** CAROL L CAMPBELL (614) 563-1608
Operator: MARTIN, ROSE
Assigned to: MUSICK, PENELLOPE

**Date:** 3/6/2012 7:35:59 AM **Closed:** 3/6/2012 10:56:11 AM

**Reason:** MARTIN, ROSE 3/6/2012 7:35:59 AM: Youth judge - no show need a machine judge and they do not have any Vote tickers

**Solution:** MUSICK, PENELLOPE 3/6/2012 10:56:15 AM: Savannah Coen never did show up. They are getting along with the workers they have.

**2065 WORTHINGTON PRESBYTERIAN CHURCH**

**Caller:** CAROL L CAMPBELL (614) 563-1608
Operator: HANLEY, JANE
Assigned to: HARRIS, PATRICK M

**Date:** 3/6/2012 8:00:07 AM **Closed:** 3/6/2012 11:26:43 AM

**Reason:** HANLEY, JANE 3/6/2012 8:00:07 AM: Missing Street Road guide

**Solution:** UMBSTADTTER, BRENNA 3/6/2012 11:26:43 AM: have sent one out
Election Day Tracker Summary

1113 CANAAN BAPTIST CHURCH
Caller: GEORGE J SCHUTT (614) 935-0232
Operator: HINTON, MARSHA J
Assigned to: HACKETT, MARY --
Reason: HINTON, MARSHA J 11/8/2011 7:04:50 PM: found driver licenses in parking lot Ousmane Sow
Solution:

1036 CANAL WINCHESTER HIGH SCHOOL
Caller: CHRISTINE K PARSLEY (614) 316-3674
Operator: GILBERT, PENNY L
Assigned to: KLOCO, RENEE --
Reason: GILBERT, PENNY L 11/8/2011 7:27:02 AM: voters new address in not listed in book of street guide, has letter from BOE saying go to BOE or voting location in precinct assigned to new address
Solution: SEE, LISA 11/8/2011 7:44:55 AM: Left a message with Christine Parsley - told her to call me

3048 CARRIAGE PLACE RECREATION CENTER
Caller: JAMES A STEVENS (614) 783-7032
Operator: HINTON, MARSHA J
Assigned to: WIHL, MICHAEL --
Solution:

1093 CENTRAL BAPTIST CHURCH
Caller: TERRENCE M BREX (614) 313-8075
Operator: UMBSTAETTER, BRENNA
Assigned to: HARRIS, PATRICK M --

2022 CHAPMAN ELEMENTARY SCHOOL
Caller: VOTER
Operator: GORUP, CAROLYN
Assigned to: HANLEY, JANE --

2023 CHERRY BLOSSOM APARTMENTS
Caller: NORMAN O ROBINSON () -
Operator: COTNER, DEBBY
Assigned to: HINTON, MARSHA J --
Reason: HINTON, MARSHA J 11/10/2011 10:30:57 AM: He felt that BOE should have notified the precinct of the problem with the machines. Elizabeth VLM tried several times to reach the BOE .Y/B used her cell phone to call regarding machine problem. Cell phones very bad
Solution: GILBERT, PENNY L 11/10/2011 12:10:56 PM: Call and let him know robocall was sent out to all BOE cell phones very sorry

3009 CHRIST FELLOWSHIP CHURCH
Caller: voter
Operator: BALACH, CINDY
Assigned to: WIHL, MICHAEL --
Reason: BALACH, CINDY 11/8/2011 12:00:47 PM: voter said they were playing gospel music and possibly talking politics, voter did not leave name
Solution: WIHL, MICHAEL 11/8/2011 1:27:06 PM: talked on phone to VLM, they aren't talking politics or playing any music in the voting area.
REMEMBER: POLL WORKERS DO NOT HAVE THE AUTHORITY TO DENY ANYONE THE OPPORTUNITY TO VOTE BEFORE VERIFYING THE SITUATION WITH THE BOARD OF ELECTIONS.

1. Document all calls to the Board of Elections: Include Name of Person you spoke to, nature of problem and how it was solved.
2. Anything you think we should be aware of.
3. **ALL POLL WORKERS** at the table have the responsibility of contributing to and maintaining an accurate election day record.
4. _____ Check here if you had a perfect day and there were no problems to report.

---

- No Ballot Judge - will correct and take

- Wilson melody - stated registered when applying for voting, public - valid ID. Voted Provisional

- Wendell J. Walker - Listed in book

  Legal Name should be Windle J. Walker

- James P. BeHle - moved into precinct

  Did not change address. Did not fill out back of provisional form
RECORD OF PROBLEM SHEET

REMEMBER: POLL WORKERS DO NOT HAVE THE AUTHORITY TO DENY ANYONE THE OPPORTUNITY TO VOTE BEFORE VERIFYING THE SITUATION WITH THE BOARD OF ELECTIONS.

1. We had a problem with: ___Equipment ___Voter ___Polling Place ___Provisional Voter ___Identification ___Other
The Problem was: Book ahead was voted on claiming that it was unordered.
I spoke with: Teresa
I was told to: Vote Provisional

2. We had a problem with: ___Equipment ___Voter ___Polling Place ___Provisional Voter ___Identification ___Other
The Problem was: We didn't see the DR on the provisional ballot. Client didn't enter on provisional envelope.
I spoke with: 
I was told to: 

3. We had a problem with: ___Equipment ___Voter ___Polling Place ___Provisional Voter ___Identification ___Other
The Problem was: 
I spoke with: 
I was told to: 

4. We had a problem with: ___Equipment ___Voter ___Polling Place ___Provisional Voter ___Identification ___Other
The Problem was: 
I spoke with: 
I was told to: 

5. We had a problem with: ___Equipment ___Voter ___Polling Place ___Provisional Voter ___Identification ___Other
The Problem was: 
I spoke with: 
I was told to: 

OVER
<table>
<thead>
<tr>
<th>Name</th>
<th>Ethnicity/Other</th>
<th>Date of Visit</th>
<th>Notes/Comments</th>
</tr>
</thead>
</table>
| CAN. C7G  | Canton First Church of the Nazarene | 19 | Marc Shepherd | Yes, noted liquid. Good team. Good review.
| CAN. C7H  | Canton First Church of the Nazarene | 19 | Marc Shepherd | Yes, noted liquid. Good team. Good review.
| CAN. C7I  | Canton First Church of the Nazarene | 19 | Marc Shepherd | Yes, noted liquid. Good team. Good review.
| PLA 5     | Maitland Christian Fellowship | 19 | Marc Shepherd | Yes, noted. Good team. Good review. Good review.
| PLA 6     | Maitland Christian Fellowship | 19 | Marc Shepherd | Yes, noted. Good team. Good review. Good review.
| PLA 7     | St. George Romanian ORIDOC | 19 | Marc Shepherd | Yes, noted. Good team. Good review. Good review.
| PLA 8     | St. George Romanian ORIDOC | 19 | Marc Shepherd | Yes, noted. Good team. Good review. Good review.
| PLA 12    | City of Hope | 20 | George Mullane | Yes, noted. Good team. Good review. Good review.
| PLA 16    | City of Hope | 20 | George Mullane | Yes, noted. Good team. Good review. Good review.
| CAN. C3B  | Gulfwood Missionary | 20 | George Mullane | Yes, noted. Good team. Good review. Good review.
| PLA 27    | Grace Baptist Church | 20 | George Mullane | Yes, noted. Good team. Good review. Good review.
| CAN. C3C  | First Baptist Church | 20 | George Mullane | Yes, noted. Good team. Good review. Good review.
| PLA 17    | Diamond Sport Center | 21 | David Hunted | Yes, noted. Good team. Good review. Good review.
| PLA 26    | High Hill Church of the Resurrection | 21 | David Hunted | Yes, noted. Good team. Good review. Good review.
| PLA 30    | High Hill Church of the Resurrection | 21 | David Hunted | Yes, noted. Good team. Good review. Good review.
| PLA 9     | High Hill Church of the Resurrection | 21 | David Hunted | Yes, noted. Good team. Good review. Good review.
| NIM 2     | Pacific Grove | 21 | David Hunted | Yes, noted. Good team. Good review. Good review.
| NIM 3     | Pacific Grove | 21 | David Hunted | Yes, noted. Good team. Good review. Good review.
| NIM 6     | Pacific Grove | 21 | David Hunted | Yes, noted. Good team. Good review. Good review.
| PLA 28    | Plain Talk M. | 21 | David Hunted | Yes, noted. Good team. Good review. Good review.
| PLA 1     | Plain Talk M. | 21 | David Hunted | Yes, noted. Good team. Good review. Good review.
| N CAN. 2C | Church of Christ | 22 | Carol McCahan | Yes, noted. Good team. Good review. Good review.

Notes:
- Good team: indicates a positive review of the team's performance.
- Good review: indicates a positive review of the overall experience.
- Good team: indicates a positive review of the team's performance.
- Good review: indicates a positive review of the overall experience.
<table>
<thead>
<tr>
<th>Problem Description</th>
<th>TX Issue</th>
<th>AKA</th>
<th>Location</th>
<th>Obest</th>
<th>Pollworkers Returning</th>
<th>Purple Sheet Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meters: Card doors unlocked. Paper jams. Paper roll was sent out incorrectly on spindle.</td>
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<tr>
<td>DOE called EOT w/ voter info correction. Voters had the voter list on OS tab, but forgot to have her sign the Big Book.</td>
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<td>EOT locked memory card door</td>
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<tr>
<td>Pollworkers harassed by person requesting sign list early. Workers were serving voters first.</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>Unit taken down, broken bracket. Paper jams/low paper</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>Multiple paper jams/low paper errors. Paper walks off roll.</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>4 voters filed in poll book should have been provisional counted. Election right as orbital scan failed.</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>Poll book missing pages &amp; fold some double print pages</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<tr>
<td>Paper jams/low paper. Corrected printer housing. Paper walks off roll</td>
<td>Yes</td>
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<td>Yes</td>
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<td>Paper jams/low paper. Corrected printer housing. Paper walks off roll</td>
<td>Yes</td>
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<td>Paper jams/low paper. Corrected printer housing. Paper walks off roll</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>Paper jams/low paper. Corrected printer housing. Paper walks off roll</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>Paper jams/low paper. Corrected printer housing. Paper walks off roll</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>Paper jams/low paper. Corrected printer housing. Paper walks off roll</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<td>Case: 2:06-cv-00896-ALM-TPK Doc #: 276-11 Filed: 05/30/12 Page: 22 of 32 PAG: ED #: 6613</td>
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</tbody>
</table>
| Stark County Board of Elections  
General Election 2011  
Analysis |
| **CAN C48** | *EDT had an issue with a campaign volunteer. When asked to stay 10' from the entrance, the volunteer disagreed. EDT told volunteer to stay 10 ft away from the entry. EDT confronted volunteer. Volunteer said he was not working for the campaign.*  
*EDT reminded him to use Provisional Ballots.*  
*EDT reminded him to use Orange Bag.*  
*Provisional Ballot procedure, split precincts, AV voters.*  
*Provisional Ballot procedure, split precincts, AV voters.* |
| **CAN C49** | Did not receive Provisional Envelope. Processed some ballots improperly.  
*Provisional Ballot procedure, split precincts, AV voters.*  
*Provisional Ballot procedure, split precincts, AV voters.* |
| **CAN C45** | Group works well together  
*R is a good leader.*  
*Provisional Ballot procedure, split precincts, AV voters.*  
*Provisional Ballot procedure, split precincts, AV voters.* |
| **MEALS ON WHEELS OF STARK COUNTY** | **MASS50** | Yes  
No TSX set up when EDT arrived at 6:15AM. EDT set up units, had some trouble with basic troubleshooting items, in EDT sent out to assist.  
*Provisional Ballot procedure, split precincts, AV voters.*  
*Provisional Ballot procedure, split precincts, AV voters.* |
| **RITCHIEVILLE UNITED CHURCH OF CHRIST** | **PERK** | Good notes.  
Did not have TSX setup.  
*Student worker was not prepared.*  
*Location of OS ballots.* |
| **KNAPP ELEMENTARY SCHOOL** | **PERX** | PWR |
| **PERX** | | |
| **ST PAULS SENIOR HOUSING** | **CAN C32** | PWR  
*Provisional Ballots.*  
*Provisional Ballot procedure, split precincts, AV voters.*  
*Provisional Ballot procedure, split precincts, AV voters.* |
| **GIBBS ELEMENTARY SCHOOL** | **CAN C35** | Did not receive Orange Bag.  
*Provisional Ballot procedure, split precincts, AV voters.*  
*Provisional Ballot procedure, split precincts, AV voters.* |
<p>| <strong>AMERICAN LEGION POST 144</strong> | | |</p>
<table>
<thead>
<tr>
<th>Polling Location</th>
<th>EDT Completed Checklist</th>
<th>Polling Issues</th>
<th>Individual Worker Concerns</th>
<th>Questions</th>
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<tbody>
<tr>
<td>CAN.271</td>
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<td>CAN.272</td>
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<tr>
<td>CAN.C28</td>
<td>No checklists returned from this EDT</td>
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<td>CAN.C29</td>
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<td>CAN.C36</td>
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<tr>
<td>PHILMATHEMATIC SOCIETY OF THE DUKE</td>
<td>CAN.C37 Incomplete, minimal notes</td>
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<tr>
<td>CAN.C38</td>
<td>Did not get PI cell numbers</td>
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<tr>
<td>CEDAR ELEMENTARY SCHOOL</td>
<td>CAN.C39 Did not review closing</td>
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<td>CAN.C40</td>
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<td>MAYFIELD SENIOR CENTER</td>
<td>CAN.C41</td>
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<td>CAN.C42</td>
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<td>MAYFIELD NAXOR</td>
<td>CAN.C43</td>
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<td></td>
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<tr>
<td>24 Larry Pitts</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>16 Todd Daversen</td>
<td></td>
<td></td>
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<tr>
<td>WATSON ELEMENTARY SCHOOL</td>
<td>CAN.C44 Powers did not want to set up all TSA units.</td>
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<td>CAN.974</td>
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<td>NLW.466</td>
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<tr>
<td>WESEND CARVILLE BALL ROOM</td>
<td>CAN.C45 No1st shift.</td>
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<tr>
<td>Pollworker Comments</td>
<td>People Sheet Comments</td>
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<td>---------------------</td>
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<tr>
<td>Signature Book &amp; Express Polls</td>
<td>Would like training closer to home. Used tape.</td>
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<tr>
<td>Same voters showed out due to length of ballot text.</td>
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<tr>
<td>Paper jams</td>
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<tr>
<td>Paper jams</td>
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<tr>
<td>EDT canceled machines that were not assembled properly.</td>
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<tr>
<td>Paper jam/low paper error</td>
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<tr>
<td>Paper jam/low paper error, jam at closing, did not print copies of paper</td>
<td></td>
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<tr>
<td>Bed found, EDT returned to BCD for repair</td>
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<tr>
<td>EDT assisted with set-up; housing problem. Low error counts. EDT fixed error problem</td>
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<tr>
<td>EDT had to assist set-up on all 5 machines</td>
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<tr>
<td>Power issue: units were not plugged in properly</td>
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<tr>
<td>EDT head encoder problem</td>
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<tr>
<td>Unit will not stand</td>
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<tr>
<td>2 Provisional voters voted</td>
<td></td>
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<tr>
<td>Bad card reader</td>
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<tr>
<td>Paper jams</td>
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<td>Paper jams</td>
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<td>Paper jams</td>
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<td>Paper jams</td>
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**Ex. K-25**

Case: 2:06-cv-00896-ALM-TPK Doc #: 276-11 Filed: 05/30/12 Page: 25 of 32 PAGEID #: 6616
<table>
<thead>
<tr>
<th>Location</th>
<th>Nurse Name</th>
<th>Notes</th>
<th>EDF Complained/Checklist</th>
<th>Pollworker Issues</th>
<th>Individual Worker Comments</th>
<th>Questions</th>
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<tbody>
<tr>
<td>CANTON REGENCY</td>
<td>Edward</td>
<td>Hulcashi</td>
<td>Yes</td>
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<tr>
<td>NORTHWEST CHURCH OF CHRIST</td>
<td>PLAZ</td>
<td>No notes</td>
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<td>EMERITUS AT CANTON</td>
<td>PLAZ</td>
<td>No notes</td>
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<tr>
<td>PLAZ</td>
<td>PLA7</td>
<td>No notes</td>
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<td>Poller need more training</td>
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<td>TRINITY UNITED CHURCH OF CHRIST</td>
<td>PLAZ</td>
<td>No notes</td>
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<tr>
<td>PLAZ</td>
<td>PLA14</td>
<td>No notes</td>
<td></td>
<td>Poller need more training. Vote complained about poor voting machine</td>
<td></td>
<td>Issue with helping voter. She was upset about it not being her screen. EDF did not feel</td>
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<td></td>
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<td></td>
<td></td>
<td>her observation was fair.</td>
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<tr>
<td>CANLCY</td>
<td>Yes</td>
<td></td>
<td></td>
<td>EDF completed set up/primer hardware</td>
<td></td>
<td>Struggled with Provisional Ballots. Did not leave slit on.</td>
</tr>
<tr>
<td>CANLCB</td>
<td>Good notes.</td>
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<tr>
<td>CANLBP</td>
<td>Did not review</td>
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<td>PLA1</td>
<td>No TIX or Paper Questions</td>
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<td>ST GEORGE ROUMANIAN ORTHODOS</td>
<td>CANLCY</td>
<td>Yes</td>
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<td>CANLTP</td>
<td>Yes</td>
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<tr>
<td>CANTON FIRST CHURCH OF THE MAGN</td>
<td>PLA14</td>
<td>No notes</td>
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<td>CANLTP</td>
<td>Yes</td>
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<tr>
<td>MASON ELEMENTARY SCHOOL</td>
<td>CANLCB</td>
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<td>PLASKATERRACE</td>
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<td>Location</td>
<td>Issue</td>
<td>ABA</td>
<td>Exception</td>
<td>Observe</td>
<td>Pollworkers Returning</td>
<td>Purple Sheet Comments</td>
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<tr>
<td>Paper jam</td>
<td>no external lighting. Parking lot very dark at opening/closing. Crowded location.</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>more training needed on processing voters.</td>
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<td>Paper jam</td>
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<tr>
<td>Paper jam</td>
<td>Campaigner outside location.</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
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<tr>
<td>Paper jam</td>
<td>No</td>
<td>yes</td>
<td>yes</td>
<td>no</td>
<td>yes</td>
<td></td>
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<tr>
<td>Paper jam</td>
<td>2 optical scan ballots &amp; 5 provisional ballots were in privacy envelopes. Only 1 ballot out of 5 attended.</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td></td>
</tr>
</tbody>
</table>
| Signature book and paper for 482 voters. Process requires 2 PosiT. | Room too small for 2 precincts | yes | yes | yes | yes | "I liked training this time. Instructor covered material well."
| | | yes | yes | yes | yes | more training on form usage. |
| Provisional voters voted TSX. Missing printer housing. One sent by BOE. | yes | yes | yes | yes | |
| Paper Compaint: Received the wrong ballots in a split precinct. | yes | yes | yes | yes | |
| More paper jams/low paper errors. | yes | yes | yes | yes | "More Express Full training needed."
| Powers set up w/screen in wrong position. Confirmed by DFT. Paper jam didn't paper errors. Counters incorrectly labeled. | yes | yes | yes | yes | "Teacher is wonderful—never let her go!"
| | no | yes | yes | yes | |
| CPT Street Range Guide does not list Precinct portions for split precincts. | yes | yes | yes | yes | "Teacher is wonderful—never let her go!"
| DFT repaired Printer Housing | New equipment did not have room ready, as was done in previous elections. Powers reported that he was "uncooperative" | yes | yes | maybe | yes | "Teacher is wonderful—never let her go!"
| | Election day went well. Was very organized. Could have used more TSIT training. | yes | yes | yes | yes | "Teacher is wonderful—never let her go!"
| | Can voting be moved to the Community Room at this location? This room would accommodate equipment better & is closer to the parking area. | yes | yes | yes | yes | "Teacher is wonderful—never let her go!"
<table>
<thead>
<tr>
<th>Location</th>
<th>EDI Checklist</th>
<th>Zone飞扬er</th>
<th>Individual Worker Comments</th>
<th>Questions</th>
</tr>
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<tr>
<td>N.CAN3B</td>
<td></td>
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<td>6 voters cast ballots in the wrong precinct/part/split precinct.</td>
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<td>PLAS18</td>
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<td>PLAS25</td>
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<td>N.CAN4A</td>
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<td>N.CAN4G</td>
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<td>N.CAN4H</td>
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<td>PLA80</td>
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<td>PLA82</td>
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<tr>
<td>THE CHAPEL IN NORTH CANTON</td>
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<tr>
<td>N.CAN1A</td>
<td>Yes, with notes.</td>
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<tr>
<td>N.CAN1C</td>
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<tr>
<td>ZEPH LUTHERAN CHURCH</td>
<td></td>
<td>Poorly keeping U/A cards in sleeve</td>
<td>Good F1</td>
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<td>N.CAN18</td>
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<td>DAKERSBURY OF NORTH CANTON</td>
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<td>N.CAN19A</td>
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<td>N.CAN27</td>
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<td>NORTH CANTON CIVIC CENTER</td>
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<td>N.CAN4A</td>
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<td>N.CAN4E</td>
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<tr>
<td>GIRL SCOUTS OF NORTH EAST OGD</td>
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<td>N.CAN24</td>
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<td>CAN08</td>
<td>Incomplete, but included good notes</td>
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<td>CAN06</td>
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<td>LAN1</td>
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<td>LAN7</td>
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<td>LAN15</td>
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<td></td>
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<td>Process for Curbside voters</td>
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<td>N.CAN28</td>
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<td>Provisional ballot handling.</td>
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<tr>
<td>Registration/Provisional Envelopes</td>
<td>TSK Issues</td>
<td>ADA</td>
<td>Location</td>
<td>Other</td>
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<td>Signature Book and Pad Ball</td>
<td>Multiple paper jams, ML adjusted VBS Installation, power not on installed properly</td>
<td>North Central Health reporter was conducting exit interviews with tenants (outside)</td>
<td>North Central Health reporter was conducting exit interviews with tenants (outside)</td>
<td>North Central Health reporter was conducting exit interviews with tenants (outside)</td>
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<td>Multiple paper jams</td>
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<tr>
<td>Location</td>
<td>EDU Completed Checklist</td>
<td>EDU Issues</td>
<td>Individual Worker Comments</td>
<td>Questions</td>
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<tr>
<td>Washington Twp Admin Building</td>
<td>No purple survey sheets return/completed for this EDU.</td>
<td>EDU assisted with set up, VECs installed.</td>
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<td>Beechwood Christian Church</td>
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<td>EDU assisted with set up, printer hardware installation.</td>
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<tr>
<td>Precincts did not have enough 194 forms.</td>
<td>Multiple paper jams; Missing spindle. Extension cord needed in this precinct.</td>
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<tr>
<td>Precincts did not have enough 194 forms.</td>
<td>Multiple paper jams; Precinct should have had 12 vote access cards, only received 10; 1 VAC was bad. EDT replaced batteries in both boxes.</td>
<td>Multiple paper jams.</td>
<td>Multiple paper jams.</td>
<td>Multiple paper jams.</td>
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</table>
GOSHEN TOWNSHIP F
PHONE NUMBER=732-7275

RECORD OF PROBLEM SHEET

REMEMBER: POLL WORKERS DO NOT HAVE THE AUTHORITY TO DENY ANYONE THE OPPORTUNITY TO VOTE BEFORE VERIFYING THE SITUATION WITH THE BOARD OF ELECTIONS.

1. We had a problem with: ___ Equipment ___ Voter ___ Polling Place ___ Provisional Voter ___ Identification
   The Problem was: **NO 10-T FORMS (NONE WERE NEEDED, BUT,)**
   I spoke with: **NO ONE, I DIDN'T CALL**
   I was told to: __________

2. We had a problem with: ___ Equipment ___ Voter ___ Polling Place ___ Provisional Voter ___ Identification
   The Problem was: **NO DEATH NOTIFICATION FORMS**
   I spoke with: **NO ONE, I DIDN'T CALL**
   I was told to: __________

3. We had a problem with: ___ Equipment ___ Voter ___ Polling Place ___ Provisional Voter ___ Identification
   The Problem was: **Voters being told wrong precinct by women on outside of cafeteria**
   I spoke with: **W/ the Master Street Index, She's having trouble w/odd even house #5, so is sending voters to wrong precinct**
   I was told to: __________

4. We had a problem with: ___ Equipment ___ Voter ___ Polling Place ___ Provisional Voter ___ Identification
   The Problem was: __________
   I spoke with: __________
   I was told to: __________

5. We had a problem with: ___ Equipment ___ Voter ___ Polling Place ___ Provisional Voter ___ Identification
   The Problem was: __________
   I spoke with: __________
   I was told to: __________

OVER