Lorain County Board of Elections

Minutes November 18, 2014 Board Meeting

Prior to the call to order, Chairman Hurst asked those in attendance for a moment of silence in recognition of the passing of Board Chairman Robert G. Rousseau.

1. CALL TO ORDER
   The meeting was called to order at 4:08pm. Chairman Hurst and members Giardini and Smith were present. Also in attendance were Director Adams, Deputy Director Kramer and Marilyn Jacobcik, liaison from the Secretary of State’s office. Members of the press in attendance were Brad Dicken from the Chronicle and Rick Payerchin from the Journal.

2. APPROVAL OF NOVEMBER 3RD & 4TH MINUTES
   Motion to approve the November 3rd & 4th Minutes by Smith, seconded by Giardini, motion carried 3-0.

3. PRE-CERTIFICATION QUESTIONS & ISSUES
   a. Absentee Ballots
      Members voted and approved staff recommendations on all categories presented.

      Giardini asked Director Adams to explain the rules concerning the return of absentee ballots to the members of the press present. Adams explained that all regular absentee ballots must be post-marked the day before the election to be valid.

      Giardini made a motion to send letters to all 117 absentee voters whose ballots were post-marked after November 3rd. The letter would explain their absentee ballot was not counted and the requirement that the ballot be postmarked by the day before the election.

      Hurst stated for the purpose of consistency the same should be done for the other category of ballots.

      Smith stated he was uncertain if there were any confidentiality rules that would be broken. He stated he would like additional time to consider this motion.

      Motion to table the Motion on the floor by Smith, seconded by Giardini, motion carried 3-0.

   b. Approve counting of Absentee Ballots not rejected
      Motion to accept all absentee ballots not recommended for rejection by Smith, seconded by Giardini, motion carried 3-0.

   c. Provisional Ballots
      Members voted and approved staff recommendations on Provisional Ballots to be rejected.

      Motion to accept staff recommendation on Provisional Ballots to be rejected by Smith, seconded by Giardini, Motion passed 3-0.
d. Approve counting of Provisional Ballots not rejected
   Motion to accept all Provisional Ballots not voted on to be rejected by Smith,
   seconded by Giardini, motion carried 3-0.

4. APPROVE PAYMENT OF BILLS
   Smith asked if all expenses were within budget, Adams replied they were.
   Motion to approve the payment of bill by Smith, seconded by Giardini, Motion carried
   3-0.

5. MISCELLANEOUS
   Board members offered statements of appreciation and commendation for former
   Chairman Rousseau.
   Motion to close the office on the day of the funeral of Mr. Rousseau to permit staff to
   attend by Giardini, seconded by Smith, Motion carried 3-0.
   Chairman Hurst asked Deputy Director Kramer to explain the results of an
   investigation into ballot issues from the recent election.
   Kramer explained the investigation discovered 11 North Ridgeville voters at Spitzer
   Conference Center were given Avon ballots. Also, 9 voters in the Keystone district
   were issued ballots that did not include the Keystone levy.
   Hurst stated that the issue at Spitzer Conference Center appears to be from how
   close both the names and number designations are for North Ridgeville 1-C and Avon
   1-C.
   Giardini stated that these errors did not affect any state or county candidates since
   the candidates were the same on the ballots in both Avon and North Ridgeville.
   Hurst replied that that is generally true, but this could have affected the State
   Representative races.
   Hurst stated that electronic poll books were a possible solution to these problems, but
   expected all options to be reviewed and discussed.

6. ADJOURNMENT
   Motion to adjourn at 4:44pm by Smith, seconded by Giardini, Motion carried 3-0.

   ATTEST: ____________________________
   MARILYN JACOBCIK, CHAIR

   ATTEST: ____________________________
   PAUL R. ADAMS, DIRECTOR
Absentee Ballot Summary Report –
2014 General Election

Summary Information

Total Number of Absentee Ballots: 19910
Total Number of Absentee Ballots recommended to be rejected: 189

Percentage of Absentee Ballots recommended to be accepted: 99.1%
Percentage of Absentee Ballots recommended to be rejected: .9%

A (27 Ballots) ABSENTEE BALLOTS THAT DID NOT INCLUDE
PROPER IDENTIFICATION
Staff Recommendation: REJECT

Directive 2014-18 (page 10) “In order for an identification envelope to be
opened and the absentee ballot to be counted, the absentee voter must
provide the following information on the absentee ID envelope:”
  • Proper Identification
      o The voter’s driver’s license number;
      o The last four digits of the voter’s Social Security number; or
      o A copy of a current and valid photo identification, a military
         identification, or a current (within the last 12 months) utility
         bill, bank statement, government check, paycheck, or other
government document (other than a notice of voter
registration mailed by a board of elections) that shows the
voter’s name and address.

B (2 Ballots) ABSENTEE BALLOTS DID NOT INCLUDE STUB
Staff Recommendation: REJECT

ORC 3509.07(E) “Stub A is detached from the absent voter’s ballot... the
ballot shall not be accepted or counted.”

ballot in the following situations: Stub A is detached from the absentee
ballot.”
C.1 (30 Ballots) IDENTIFICATION ENVELOPE NOT COMPLETED
Staff Recommendation: REJECT

Directive 2014-18 (page 10) "In order for an identification envelope to be opened and the absentee ballot to be counted, the absentee voter must provide the following information on the absentee ID envelope:"

- Name;
- Residence Address,
- Date of Birth – “The birthdate is considered complete if the month and day match the month and day as reflected in the statewide voter registration database, the birthdate in the statewide voter registration database is January 1, 1800, or the board of elections has found by the vote of at least three members that the voter has completed satisfactorily all of the other required information (name, residence address, signature, and identification).”
- Signature; and (see “G” and “H”)
- Proper Identification (see “A”)

C.2 (1 Ballot) IDENTIFICATION ENVELOPE NOT COMPLETED – DATE OF BIRTH INCORRECT
Staff Recommendation: ACCEPT

Directive 2014-18 (page 10) "In order for an identification envelope to be opened and the absentee ballot to be counted, the absentee voter must provide the following information on the absentee ID envelope:"

- Date of Birth – “The birthdate is considered complete if the month and day match the month and day as reflected in the statewide voter registration database, the birthdate in the statewide voter registration database is January 1, 1800, or the board of elections has found by the vote of at least three members that the voter has completed satisfactorily all of the other required information (name, residence address, signature, and identification).”

D (0 Ballots) DIFFERENT ADDRESS ON IDENTIFICATION ENVELOPE THAN IN VOTER’S RECORD
Staff Recommendation: REJECT

Directive 2014-18 (page 10) "In order for an identification envelope to be opened and the absentee ballot to be counted, the absentee voter must provide the following information on the absentee ballot ID envelope:"

1 of 4

Rev. Date: 09-02-14
Rev. Level: C

LORAIN-00119
- Residence Address, which must match the address at which the voter is registered. Ohio law does not permit an absentee ballot identification envelope to be used as a voter registration form, change of name form, or change of address form. If the address on the absentee ballot identification envelope indicates that the voter's registration information is out of date and that the voter would be required to vote a provisional ballot, the absentee ballot cannot be counted.

E (9 Ballots) ABSENTEE BALLOTS RETURNED WITHOUT IDENTIFICATION ENVELOPE
Staff Recommendation: REJECT

Directive 2014-18 (page 12) "Ohio law requires all absentee voters to place their ballot in the ID envelope and seal the envelope."

F (117 Ballots) ABSENTEE BALLOTS NOT RECEIVED ON TIME / MISSED DEADLINE
Staff Recommendation: REJECT

Directive 2014-18 (page 4) "The absentee ballot must be postmarked no later than the day before Election Day and received at the board of elections office no later than the 10th day after Election Day OR if the absentee ballot does not have a postmark, it must be received at the board of elections office no later than 7:30 p.m. on Election Day."

G (3 Ballots) ABSENTEE BALLOTS RETURNED WITHOUT SIGNATURE
Staff Recommendation: REJECT

Directive 2014-18 (page 10) "In order for an identification envelope to be opened and the absentee ballot to be counted, the absentee voter must provide the following information on the absentee ballot ID envelope."
- Signature;

Directive 2014-18 (page 12) "Boards may not count an absentee ballot in the following situations:
- The required information provided on the absentee ballot identification envelope is incomplete (it is incomplete if it does not
Include the voter's name, the voter's residence address, the voter's date of birth, the voter's signature, and a qualifying form of identification.

H (1 Ballot) ABSENTEE BALLOTS RETURNED WITH NON-MATCHING SIGNATURE
Staff Recommendation: REJECT

Directive 2014-18 (page 12) "Boards may not count an absentee ballot in the following situations:
- The signature of the voter does not correspond with the voter's registration signature;"

ORC 3509.07(B) "If election officials find... the signatures do not correspond with the person's registration signature, the ballot shall not be accepted or counted."

I (0 Ballots) CONTAINS A BALLOT VOTER IS NOT ENTITLED TO VOTE
Staff Recommendation: REJECT

Directive 2014-18 (page 12) "Boards may not count an absentee ballot in the following situations:
- The voter is not a qualified elector in the precinct as of Election Day."

J (0 Ballots) MULTIPLE BALLOTS RETURNED IN ONE ENVELOPE
Staff Recommendation: REJECT

Directive 2014-18 (page 12) "Boards may not count an absentee ballot in the following situations:
- The ballot envelope contains more than one ballot of any one kind, or any voted ballot that the elector is not entitled to vote:"
Provisional Ballot Summary Report – 2014 General Election

Summary Information

Total Number of Provisional Ballots: 1305
Total Number of Provisional Ballots recommended to be rejected: 99

Percentage of Provisional Ballots recommended to be accepted: 92.4%
Percentage of Provisional Ballots recommended to be rejected: 7.6%

A (72 Ballots) PROVISIONAL VOTERS NOT REGISTERED IN THE STATE
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."

Directive 2014-20 (Step 4 - Page 4) "Determine whether the voter is a registered voter anywhere in the State of Ohio at least 30 days before the election.
- If the voter was not registered to vote anywhere in the State of Ohio at least 30 days before the election, then the Board must reject the provisional ballot."

B (21 Ballots) PROVISIONAL VOTERS WHO VOTED IN WRONG PRECINCT, BUT CORRECT POLLING PLACE
Staff Recommendation: ACCEPT

Directive 2014-20 (Step 5 - Pages 4 & 5) "Determine whether the voter is a resident of the county and precinct in which the voter offers to vote."
- "If the voter cast the provisional ballot in the wrong precinct, but in the correct polling place, including the board of elections office, and a precinct election official did not complete and attach SOS Form 12-D to the provisional ballot envelope, the Board must remake."

Plaintiffs' Exhibit P-293
and count the provisional ballot for only those contests for which the voter was otherwise eligible to vote."
- "If the voter cast the provisional ballot in the wrong precinct, but in the correct polling place, including the board of elections office, and a precinct election official did complete and attach SOS Form 12-D, but the Board verified that the precinct to which the precinct election official directed the voter was the incorrect precinct, the Board must remake and count the provisional ballot for only those contests for which the voter was otherwise eligible to vote."

C (20 Ballots) PROVISIONAL VOTERS WHO VOTED IN THE WRONG PRECINCT AND WRONG POLLING LOCATION
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:
(i) The individual named on the affirmation is not eligible to cast a ballot in the precinct..."

Directive 2014-20 (Step 5 - Pages 4 & 5) "Determine whether the voter is a resident of the county and precinct in which the voter offers to vote."
- "If the voter cast the provisional ballot in the wrong precinct and wrong polling place the Board must reject the provisional ballot."

Voters #1 through #13 Poll Worker error
Voter #14 – Voter referred to correct polling location but refused to go
Voter #15 – Voter referred to correct polling location but refused to go
Voter #16 – Voter referred to correct polling location but refused to go
Voter #17 – Voter referred to correct polling location but refused to go
Voter #18 – Voter referred to correct polling location but refused to go
Voter #19 – Voter referred to correct polling location but refused to go (she arrived at 7:25pm and stated that “she just wanted to vote”)
Voter #20 – Voter referred to correct polling location but refused to go (Voter stated “I vote here or I don’t vote at all”)

D (0 Ballots) PROVISIONAL VOTERS WHO FAILED TO PROVIDE IDENTIFICATION
Staff Recommendation: REJECT
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 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 (B) of section 3505.18 of the Revised Code.

Directive 2014-20 Step 2 - Page 3 “Determine whether the provisional voter indicated on the affirmation statement that he/she showed an acceptable form of identification to the precinct election official or whether the provisional voter provided at least one of the following on the affirmation statement: the last four digits of the voter’s social security number, the voter’s driver’s license, or state identification card number.

• If the voter did not provide identification on the provisional ballot affirmation, did not indicate on the affirmation statement that he/she showed the precinct election official an acceptable form of identification, and did not return to the Board within the seven (7) days after the election to remedy the missing item, the Board must reject the provisional ballot.”

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**E (1 Ballot) PROVISIONAL VOTERS WHO ALREADY CAST A BALLOT**

Staff Recommendation: REJECT

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:

(iv) The individual has already cast a ballot for the election in which the individual cast the provisional ballot.

Directive 2014-20 Step 6 - Page 5 “Determine whether the voter already requested and cast a ballot in the election

• If the voter has requested and cast an absentee ballot but either of the following exceptions apply...
  o Exception 1: The board of elections shall count the provisional ballot, instead of the absentee ballot, if the Board determines that the absentee ballot is invalid because the
elector's signature on the absent voter's identification envelope does not match the signature on file with the board of elections, and the elector cast the provisional in the voter's precinct on Election Day.

- Exception 2: The board of elections does not receive the voter's absentee ballot by the 10th day following the election, and the elector cast the provisional in the voter's precinct on Election Day.

- If the voter has cast another ballot, or requested and cast an absentee ballot and the exceptions above do not apply, the Board must reject the provisional ballot.

Voter #1 – Incident Log: “Voter said machine wouldn’t allow correct vote” – he also voted a Provisional Ballot

F (0 Ballots) PROVISIONAL VOTERS FAILED TO PRINT FULL NAME ON ENVELOPE
Staff Recommendation: REJECT

ORC 3505.183 (B)(1)(a) “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 printed name, signature, date of birth, and current address;"

Directive 2014-20 (Page 2 - Step 1 - 2nd Bullet) “If the affirmation statement does not contain both the voter's printed name and valid signature, then the Board must reject the provisional ballot.”

G (0 Ballots) PROVISIONAL VOTERS FAILED TO SIGN ENVELOPE
Staff Recommendation: REJECT

ORC 3505.183 (B)(1)(a) “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 printed name, signature, date of birth, and current address;"

Directive 2014-20 (Page 2 - Step 1 - 2nd Bullet) “If the affirmation statement does not contain both the voter's printed name and valid signature, then the Board must reject the provisional ballot.”
(0 Ballots) PROVISIONAL VOTERS WITH NON-MATCHING SIGNATURE ON ENVELOPE
Staff Recommendation: REJECT

Directive 2014-20 (Page 2 - Step 1 - 2nd Bullet) "If the affirmation statement does not contain both the voter’s printed name and valid signature, then the Board must reject the provisional ballot."

(1 Ballots) PROVISIONAL VOTERS WITH NO DATE OF BIRTH ON ENVELOPE
Staff Recommendation: REJECT

Directive 2014-20 (Page 2 - Step 1) "Determine whether the affirmation statement on the provisional ballot envelope contains each of the following five items: 1) voter’s printed name, 2) voter’s valid signature, 3) voter’s date of birth, 4) voter’s current address, and 5) voter’s identification.
- If the affirmation statement does not contain the voter’s date of birth or it does not fall into the exception below, then the Board must reject the provisional ballot.
  - Exception: If the affirmation statement contains the voter’s date of birth but the month and day are different from the month and day in the statewide voter registration database, the Board must reject the provisional ballot unless a) the voter’s date of birth in the database is 1/1/1800; or b) the board of elections finds by vote of at least three (3) of its members that the voter has met all of the other requirements of division (B)(3) of R.C. 3505.183."

(1 Ballots) PROVISIONAL VOTERS WITH INCORRECT DATE OF BIRTH ON ENVELOPE
Staff Recommendation: ACCEPT

Directive 2014-20 (Page 2 - Step 1) "Determine whether the affirmation statement on the provisional ballot envelope contains each of the following five items: 1) voter’s printed name, 2) voter’s valid signature, 3) voter’s date of birth, 4) voter’s current address, and 5) voter’s identification."
If the affirmation statement does not contain the voter's date of birth or it does not fall into the exception below, then the Board must **reject the provisional ballot**.

- **Exception**: If the affirmation statement contains the voter's date of birth but the month and day are different from the month and day in the statewide voter registration database, the Board must reject the provisional ballot unless:
  1. the voter's date of birth in the database is 1/1/1800;
  2. the board of elections finds by a vote of at least three (3) of its members that the voter has met all of the other requirements of division (B)(3) of R.C. 3505.183.

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**K** *(5 Ballots) PROVISIONAL VOTERS WITH NO CURRENT (OR INCOMPLETE) ADDRESS PROVIDED ON ENVELOPE*

*Staff Recommendation: REJECT*

Directive 2014-20 (Page 2 - Step 1) "Determine whether the affirmation statement on the provisional ballot envelope contains each of the following five items: 1) voter's printed name, 2) voter's valid signature, 3) voter's date of birth, 4) voter's current address, and 5) voter's identification."

- **Voter #1** - Did not provide current address (provided only the former address)
- **Voter #2** - Did not provide current address (provided only the former address)
- **Voter #3** - Did not provide mailing address (only provided PO Box)
- **Voter #4** - Did not provide street address (only provided city)
- **Voter #5** - Did not provide house number (only provided street name)
PROVISIONAL BALLOT NOTICE

This Notice must be provided to every person who votes a Provisional Ballot.

A PROVISIONAL VOTER HOTLINE IS AVAILABLE: To learn more about your provisional ballot, to learn if you need to provide any more information for it to be counted in the March 15, 2016 election, or to learn after March 25, 2016, whether it was counted, please call the PROVISIONAL VOTER HOTLINE AT:

1-866-OHIO-VOTE (1-866-644-6868)

This Hotline is available from March 15, 2016 to April 30, 2016. If you have questions on Election Day (March 15, 2016), please call the Secretary of State's Hotline at 1-877-868-3874. If you are required to provide more information (see below) for your ballot to count, you have until 7 days after Election Day (from March 16, 2016 through March 22, 2016) to supply the board of elections with the required information. You can learn whether you need to provide any other information by reading the information below or by calling 1-866-OHIO-VOTE, or you may call the board of elections directly. A directory of boards of elections is located online at:


Your Board of Elections is: ___________________________ County Board of Elections

Board office hours are: ______________ a.m. to ____________p.m., Monday through Friday.

The Provisional Voter Hotline will also allow you to learn whether your provisional ballot was counted, and if it was not counted, why it was not counted.

IN THE FOLLOWING SITUATIONS YOU MUST PROVIDE PROOF OF IDENTITY OR ADDITIONAL INFORMATION TO THE BOARD OF ELECTIONS WITHIN 7 DAYS AFTER THE ELECTION:

1. You had none of the required forms of identification, or you were unable to provide the required forms of identification.

2. Your right to vote had been challenged and heard by the board of elections at a hearing held before the election, and the board determined that the challenge had merit.

In these situations, the law requires that your ballot can be counted only if you appear at the office of the board of elections and provide to the board any additional information necessary to determine your eligibility. The following are acceptable forms of identity:

A current and valid photo identification, a military identification, or a copy of a current (within 12 months of Election Day) utility bill, bank statement, government check, paycheck, or other government document (other than a notice of voter registration mailed by a board of elections) that shows your name and current address.

It is acceptable for your Ohio driver's license or state issued identification card to not contain your current address.

"Other government document" may include, by way of example, fishing and marine equipment operator's licenses; license renewal notices and other notices; court papers; grade reports or transcripts, showing your name and current address. "Government office" includes any local (including county, city, township, school district and village), state or federal (United States) government office, branch, agency, commission, public college or university or public community college, whether or not in Ohio.

LORAIN-00074
Lorain County Board of Elections

Minutes November 17, 2015 Board Meeting

1. CALL TO ORDER
   Motion to adjourn the Election Day meeting of the board by Hurst, seconded by Smith, motion carried 4-0.

   The meeting was called to order at 3:16pm by Chair Jacobcik. Members Giardini, Hurst and Smith were in attendance. Director Adams, Deputy Director Kramer, Brad Dicken from the Chronicle Telegram, Mark Chestler and Bruce Laczio were also in attendance.

2. APPROVE NOVEMBER 3RD MEETING MINUTES
   Motion to approve the November 3rd Minutes by Smith, seconded by Hurst, motion carried 4-0.

3. APPROVE PAYMENT OF BILLS
   Hurst and Smith asked if all expenses were normal expenses and within budget, Director Adams replied they were.

   Motion to approve the payment of bills as presented by Smith, seconded by Hurst, motion carried 4-0.

4. PRE-CERTIFICATION QUESTIONS & ISSUES
   Absentee Ballots
   a. Absentee ballot questions & issues
      Director Adams reviewed categories for rejection of absentee ballots with the board and noted his concern about 17 ballots that either had no post-mark or an illegible post-mark. Without a legible post-mark the ballots in question were recommended for rejection. He further stated he had numerous conversations with the post office in Lorain, Elyria and Cleveland about the issue.

      Jacobcik stated that the problem needs to be investigated especially with the upcoming presidential election. Giardini stated that the problem needs to be solved immediately and asked the Director to call other counties and see what their experiences with the post office has been.

      Hurst stated that in the past election she heard of concerns about incorrect information from the post office being given to voters. She stated that voters were told in North Ridgeville their ballots required more postage than was listed on the absentee instructions sheet. In addition they were told if their ballots did not have enough postage they would not be delivered to the Board of Elections. She stated she discussed the matter with Deputy Director Kramer and found both statements were incorrect.

   Motion to accept staff recommendations on Absentee Ballots

   Provisional Ballots
b. **Provisional ballot questions & issues**

Director Adams reviewed categories for Provisional Ballots to be accepted and rejected.

Jacobcik asked Adams about the number of provisional ballots that were cast in the incorrect precinct and incorrect vote center. Adams replied that staff were currently looking into those 41 provisional ballots to determine if they were poll worker error or if they were due to voter's refusing to go to the correct vote center. Giardini stated that it appeared this was an increase from previous elections and was concerned.

Hurst asked that the seven voters who cast provisional ballots, but had already cast absentee ballots be contacted to ensure there was no concern of fraud.

Motion to accept staff recommendation on provisional ballots by Smith, seconded by Hurst, motion carried 4-0.

c. **Approve counting of Provisional Ballots not rejected**

Motion to accept all provisional ballots not rejection by staff for rejection by Smith, seconded by Hurst, motion carried 4-0.

5. **PROPOSED VOTE CENTER CHANGES – AVON**

Adams stated Providence Church had informed the board they were no longer interested in serving as a polling location. Adams recommended the precincts formerly assigned to Providence Church be divided between two new vote Centers, Christian Heritage Assembly of God and Hope Christian Church. He also recommended one of the two precincts at Avon Branch Library move to Christian Heritage Church.

The proposed changes would be:

Hope Christian Church – Avon City 4-A, 4-B, 4-C
Christian Heritage Church – Avon City 2-C, 3-A, 3-C
Avon Branch Library – Avon City 2-B

Motion to accept staff recommended on the Avon Vote Center changes by Smith, seconded by Hurst, motion carried 4-0.

6. **PEO TRAINING CONTRACTS – 2016 PRIMARY ELECTION**

Adams stated the longtime poll worker trainer, Mark Kernohan, was moving out of state and would no longer be able to continue his work with the Board of Elections.

Adams recommended that Bret Brown and Theresa Esterhazy be approved for the contract to train poll workers in the 2016 Primary Election at $12,500 each.

Smith asked what kind of experience each person had with training poll workers. Adams replied that both have previously served as poll workers themselves and both worked with Mark Kernohan in the past General Election to better understand his duties.

Hurst asked Adams how many class aids were hired for each election. Adams replied that there were typically six aids hired for classes each election. Hurst asked if any full-time staff members were dedicated to poll worker training and recruitment. Adams
replied two workers were primarily assigned these tasks. Hurst stated that while the board was looking to hire two individuals for training, the full cost of poll worker training was much higher than the amount of the contracts. She concluded by saying she supported adequate funding for poll worker training and the board should work to provide the best training for poll workers.

Motion to approve contracts at $12,500 for Bret Brown and Theresa Esterhazy for the 2016 Primary Election by Smith, seconded by Hurst, motion carried 4-0.

7. MISCELLANEOUS
   a. High Speed scanner Primary & General
      Adams informed the board that he had been in communication with Dominion about the rental of high speed scanners for 2016. He stated he was looking for one scanner for the Primary Election and two for the General Election. Due to savings from the reduction in cost of the Election Service Support contract for 2016, Adams believed no additional funds would be needed to rent the high speed scanners.

8. ADJOURNMENT
   Motion to adjourn at 3:44pm by Smith, seconded by Giardini, motion carried 4-0.

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Absentee Ballot Summary Report – 2015 General Election

Summary Information

Total Number of Absentee Ballots: 5598
Total Number of Absentee Ballots recommended to be rejected: 84

Percentage of Absentee Ballots recommended to be accepted: 98.5%
Percentage of Absentee Ballots recommended to be rejected: 1.5%

A (8 Ballots) ABSENTEE BALLOTS THAT DID NOT INCLUDE PROPER IDENTIFICATION

Staff Recommendation: REJECT

Directive 2014-18 (page 10) "In order for an identification envelope to be opened and the absentee ballot to be counted, the absentee voter must provide the following information on the absentee ID envelope:"
- Proper Identification
  - The voter's driver's license number;
  - The last four digits of the voter's Social Security number; or
  - A copy of a current and valid photo identification, a military identification, or a current (within the last 12 months) utility bill, bank statement, government check, paycheck, or other government document (other than a notice of voter registration mailed by a board of elections) that shows the voter's name and address.

B (4 Ballots) ABSENTEE BALLOT DID NOT INCLUDE STUB

Staff Recommendation: REJECT

ORC 3509.07(E) "Stub A is detached from the absent voter's ballot... the ballot shall not be accepted or counted."

Directive 2014-18 (pages 12 & 13) "Boards may not count an absentee ballot in the following situations: Stub A is detached from the absentee ballot."
C (5 Ballots) IDENTIFICATION ENVELOPE NOT COMPLETED
Staff Recommendation: REJECT

Directive 2014-18 (page 10) "In order for an identification envelope to be opened and the absentee ballot to be counted, the absentee voter must provide the following information on the absentee ID envelope:

- Name;
- Residence Address, (see "D")
- Date of Birth – "The birthdate is considered complete if the month and day match the month and day as reflected in the statewide voter registration database, the birthdate in the statewide voter registration database is January 1, 1800, or the board of elections has found by the vote of at least three members that the voter has completed satisfactorily all of the other required information (name, residence address, signature, and identification)."
- Signature; and (see "G" and "H")
- Proper Identification (see "A")

D (2 Ballots) DIFFERENT ADDRESS ON IDENTIFICATION ENVELOPE THAN IN VOTER'S RECORD
Staff Recommendation: REJECT

Directive 2014-18 (page 10) "In order for an identification envelope to be opened and the absentee ballot to be counted, the absentee voter must provide the following information on the absentee ballot ID envelope:

- Residence Address, which must match the address at which the voter is registered. Ohio law does not permit an absentee ballot identification envelope to be used as a voter registration form, change of name form, or change of address form. If the address on the absentee ballot identification envelope indicates that the voter's registration information is out of date and that the voter would be required to vote a provisional ballot, the absentee ballot cannot be counted;"
E (39 Ballots) ABSENTEE BALLOT RETURNED WITHOUT IDENTIFICATION ENVELOPE
Staff Recommendation: REJECT

Directive 2014-18 (page 12) "Ohio law requires all absentee voters to place their ballot in the ID envelope and seal the envelope."

F (64 Ballots) ABSENTEE BALLOTS NOT RECEIVED ON TIME / MISSED DEADLINE
Staff Recommendation: REJECT

Directive 2014-18 (page 4) "The absentee ballot must be postmarked no later than the day before Election Day and received at the board of elections office no later than the 10th day after Election Day OR if the absentee ballot does not have a postmark, it must be received at the board of elections office no later than 7:30 p.m. on Election Day."

Postmark Unreadable: 17
Postmark Readable: 47

G (4 Ballots) ABSENTEE BALLOTS RETURNED WITHOUT SIGNATURE
Staff Recommendation: REJECT

Directive 2014-18 (page 10) "In order for an identification envelope to be opened and the absentee ballot to be counted, the absentee voter must provide the following information on the absentee ballot ID envelope."

- Signature;

Directive 2014-18 (page 12) "Boards may not count an absentee ballot in the following situations:

- The required information provided on the absentee ballot identification envelope is incomplete (it is incomplete if it does not include the voter’s name, the voter’s residence address, the voter’s date of birth, the voter’s signature, and a qualifying form of identification)"
Ballots ABSENTEE BALLOTS RETURNED WITH NON-MATCHING SIGNATURE
Staff Recommendation: REJECT

Directive 2014-18 (page 12) "Boards may not count an absentee ballot in the following situations:
- The signature of the voter does not correspond with the voter's registration signature;"

ORC 3509.07(B) "If election officials find... the signatures do not correspond with the person's registration signature, the ballot shall not be accepted or counted."

Ballots CONTAINS BALLOT VOTER IS NOT ENTITLED TO VOTE
Staff Recommendation: REJECT

Directive 2014-18 (page 12) "Boards may not count an absentee ballot in the following situations:
- The voter is not a qualified elector in the precinct as of Election Day;"

Ballots MULTIPLE BALLOTS RETURNED IN ONE ENVELOPE
Staff Recommendation: REJECT

Directive 2014-18 (page 12) "Boards may not count an absentee ballot in the following situations:
- The ballot envelope contains more than one ballot of any one kind, or any voted ballot that the elector is not entitled to vote;"
Provisional Ballot Summary Report – 2015 General Election

Summary Information

Total Number of Provisional Ballots: 1877
Total Number of Provisional Ballots recommended to be rejected: 298

Percentage of Provisional Ballots recommended to be accepted: 84.1%
Percentage of Provisional Ballots recommended to be rejected: 15.9%

A (232 Ballots) PROVISIONAL VOTERS NOT REGISTERED IN THE STATE
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."

Directive 2014-20 (Step 4 - Page 4) “Determine whether the voter is a registered voter anywhere in the State of Ohio at least 30 days before the election.
- If the voter was not registered to vote anywhere in the State of Ohio at least 30 days before the election, then the Board must reject the provisional ballot.

B (36 Ballot) PROVISIONAL VOTERS WHO VOTED IN WRONG PRECINCT, BUT CORRECT POLLING PLACE
Staff Recommendation: ACCEPT

Directive 2014-20 (Step 5 - Pages 4 & 5) “Determine whether the voter is a resident of the county and precinct in which the voter offers to vote.
- "If the voter cast the provisional ballot in the wrong precinct, but in the correct polling place, including the board of elections office, and a precinct election official did not complete and attach SOS Form 12-D to the provisional ballot envelope, the Board must remake and count the provisional ballot for only those contests for which the voter was otherwise eligible to vote."
If the voter cast the provisional ballot in the wrong precinct, but in the correct polling place, including the board of elections office, and a precinct election official did complete and attach SOS Form 12-2, but the Board verified that the precinct to which the precinct election official directed the voter was the incorrect precinct, the Board must remake and count the provisional ballot for only those contests for which the voter was otherwise eligible to vote.

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(41 Ballot) PROVISIONAL VOTERS WHO VOTED IN THE WRONG PRECINCT AND WRONG POLLING LOCATION

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:
(i) The individual named on the affirmation is not eligible to cast a ballot in the precinct..."

Directive 2014-20 (Step 5 - Pages 4 & 5) “Determine whether the voter is a resident of the county and precinct in which the voter offers to vote."

- “If the voter cast the provisional ballot in the wrong precinct and wrong polling place the Board must reject the provisional ballot.”

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(3 Ballot) 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 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 (B) of section 3505.18 of the Revised Code."

Directive 2014-20 (Step 2 - Page 3) “Determine whether the provisional voter indicated on the affirmation statement that he/she showed an
acceptable form of identification to the precinct election official or whether the provisional voter provided at least one of the following on the affirmation statement: the last four digits of the voter's social security number, the voter's driver's license, or state identification card number.

- "If the voter did not provide identification on the provisional ballot affirmation, did not indicate on the affirmation statement that he/she showed the precinct election official an acceptable form of identification, and did not return to the Board within the seven (7) days after the election to remedy the missing item, the Board must reject the provisional ballot."

(7 Ballots) PROVISIONAL VOTERS WHO ALREADY CAST A BALLOT
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: (iv) The individual has already cast a ballot for the election in which the individual cast the provisional ballot."

Directive 2014-20 (Step 6 - Page 5) "Determine whether the voter already requested and cast a ballot in the election
- If the voter has requested and cast an absentee ballot but either of the following exceptions apply...
  o Exception 1: The board of elections shall count the provisional ballot, instead of the absentee ballot, if the Board determines that the absentee ballot is invalid because the elector's signature on the absent voter's identification envelope does not match the signature on file with the board of elections, and the elector cast the provisional in the voter's precinct on Election Day.
  o Exception 2: The board of elections does not receive the voter's absentee ballot by the 10th day following the election, and the elector cast the provisional in the voter's precinct on Election Day."
- If the voter has cast another ballot, or requested and cast an absentee ballot and the exceptions above do not apply, the Board must reject the provisional ballot."
**(1 Ballots) PROVISIONAL VOTERS FAILED TO PRINT FULL NAME ON ENVELOPE**
Staff Recommendation: **REJECT**

ORC 3505.183 (B)(1)(a) "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 printed name, signature, date of birth, and current address;"

Directive 2014-20 (Page 2 - Step 1 - 2nd Bullet) "If the affirmation statement does not contain both the voter's printed name and valid signature, then the Board must reject the provisional ballot."

**(2 Ballot) PROVISIONAL VOTERS FAILED TO SIGN ENVELOPE**
Staff Recommendation: **REJECT**

ORC 3505.183 (B)(1)(a) "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 printed name, signature, date of birth, and current address;"

Directive 2014-20 (Page 2 - Step 1 - 2nd Bullet) "If the affirmation statement does not contain both the voter's printed name and valid signature, then the Board must reject the provisional ballot."

**(0 Ballots) PROVISIONAL VOTERS WITH NON-MATCHING SIGNATURE ON ENVELOPE**
Staff Recommendation: **REJECT**

Directive 2014-20 (Page 2 - Step 1 - 2nd Bullet) "If the affirmation statement does not contain both the voter's printed name and valid signature, then the Board must reject the provisional ballot."

**(5 Ballots) PROVISIONAL VOTERS WITH NO DATE OF BIRTH ON ENVELOPE**
Staff Recommendation: **REJECT**
Directive 2014-20 (Page 2 - Step 1) "Determine whether the affirmation statement on the provisional ballot envelope contains each of the following five items: 1) voter's printed name, 2) voter's valid signature, 3) voter's date of birth, 4) voter's current address, and 5) voter's identification.

- If the affirmation statement does not contain the voter's date of birth or it does not fall into the exception below, then the Board must reject the provisional ballot.
  - Exception: If the affirmation statement contains the voter's date of birth but the month and day are different from the month and day in the statewide voter registration database, the Board must reject the provisional ballot unless a) the voter's date of birth in the database is 1/1/1800; or b) the board of elections finds by vote of at least three (3) of its members that the voter has met all of the other requirements of division (B)(3) of R.C. 3505.183."

J (0 Ballots) PROVISIONAL VOTERS WITH INCORRECT DATE OF BIRTH ON ENVELOPE
Staff Recommendation: ACCEPT

Directive 2014-20 (Page 2 - Step 1) "Determine whether the affirmation statement on the provisional ballot envelope contains each of the following five items: 1) voter's printed name, 2) voter's valid signature, 3) voter's date of birth, 4) voter's current address, and 5) voter's identification.

- If the affirmation statement does not contain the voter's date of birth or it does not fall into the exception below, then the Board must reject the provisional ballot.
  - Exception: If the affirmation statement contains the voter's date of birth but the month and day are different from the month and day in the statewide voter registration database, the Board must reject the provisional ballot unless a) the voter's date of birth in the database is 1/1/1800; or b) the board of elections finds by vote of at least three (3) of its members that the voter has met all of the other requirements of division (B)(3) of R.C. 3505.183."

K (6 Ballot) PROVISIONAL VOTERS WITH NO CURRENT (OR INCOMPLETE) ADDRESS PROVIDED ON ENVELOPE
Staff Recommendation: REJECT

Directive 2014-20 (Page 2 - Step 1) "Determine whether the affirmation statement on the provisional ballot envelope contains each of the following"
five items: 1) voter’s printed name, 2) voter’s valid signature, 3) voter’s date of birth, 4) voter’s current address, and 5) voter’s identification.

Advisory 2008-33 "Directive 2008-103 provided notice to boards of election that the United States District Court for the Southern District of Ohio issued two court orders in the case The Northeast Ohio Coalition for the Homeless v. Brunner, Case No. C2-06-896. In compliance with the court’s second order, dated October 27, 2008, I directed the boards of elections as follows:

2. Provisional ballots may not be rejected for failing to list a building address on the provisional ballot envelope if the voter resides at a location that does not have an address.

(0 Ballot) PROVISIONAL VOTERS ELIGIBILITY CHALLENGED
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

Directive 2014-20 (Step 5 – Pages 4 & 5) "Determine whether the voter is a resident of the county and precinct in which the voter offers to vote."

- If the voter cast the provisional ballot in the wrong precinct and wrong polling place the Board must reject the provisional ballot.”

(M Ballot) PROVISIONAL VOTER VOTED BALLOT NOT ENTITLED TO VOTE
Staff Recommendation: REJECT

Frequently Asked Questions About Voting “You are qualified to register to vote in Ohio if you meet all the following requirements:

- You will be at least 18 years old on or before the day of the next general election. (If you will be 18 on or before the general election, you may vote in the primary election to nominate candidates, but you cannot vote on issues or party central committees until you are 18);”
PROVISIONAL BALLOT NOTICE

This Notice must be provided to every person who votes a Provisional Ballot.

A PROVISIONAL VOTER HOTLINE IS AVAILABLE: To learn more about your provisional ballot, to learn if you need to provide any more information for it to be counted in the March 15, 2016 election, or to learn after March 25, 2016, whether it was counted, please call the PROVISIONAL VOTER HOTLINE AT:

1-866-OHIO-VOTE (1-866-644-6868)

This Hotline is available from March 15, 2016 to April 30, 2016. If you have questions on Election Day (March 15, 2016), please call the Secretary of State's Hotline at 1-877-866-3874. If you are required to provide more information (see below) for your ballot to count, you have until 7 days after Election Day (from March 16, 2016 through March 22, 2016) to supply the board of elections with the required information. You can learn whether you need to provide any other information by reading the information below or by calling 1-866-OHIO-VOTE, or you may call the board of elections directly. A directory of boards of elections is located online at:


Your Board of Elections is: ___________________ County Board of Elections

Board office hours are: __________ a.m. to __________ p.m., Monday through Friday.

The Provisional Voter Hotline will also allow you to learn whether your provisional ballot was counted, and if it was not counted, why it was not counted.

IN THE FOLLOWING SITUATIONS YOU MUST PROVIDE PROOF OF IDENTITY OR ADDITIONAL INFORMATION TO THE BOARD OF ELECTIONS WITHIN 7 DAYS AFTER THE ELECTION:

1. You had none of the required forms of identification, or you were unable to provide the required forms of identification.
2. Your right to vote had been challenged and heard by the board of elections at a hearing held before the election, and the board determined that the challenge had merit.

In these situations, the law requires that your ballot can be counted only if you appear at the office of the board of elections and provide to the board any additional information necessary to determine your eligibility. The following are acceptable forms of identity:

A current and valid photo identification, a military identification, or a copy of a current (within 12 months of Election Day) utility bill, bank statement, government check, paycheck, or other government document (other than a notice of a voter registration mailed by a board of elections) that shows your name and current address.

It is acceptable for your Ohio driver's license or state issued identification card to not contain your current address.

"Other government document" may include, by way of example, fishing and marine equipment operator's licenses; license renewal notices and other notices; court papers; grade reports or transcripts, showing your name and current address. "Government office" includes any local (including county, city, township, school district and village), state or federal (United States) government office, branch, agency, commission, public college or university or public community college, whether or not in Ohio.