

**Butler County Board of Elections
Board Meeting Minutes
August 20, 2012**

The Butler County Board of Elections met on Monday, August 20, 2012, at 9:05 a.m. for a regular meeting. Roll call was taken and present were Chairman Frank Cloud, Member Bruce Carter, Member Judy Shelton, Director Lynn Edward Kinkaid, Deputy Director Jocelyn Bucaro, Administrative Coordinator Donna DeFazio, and Administrative Coordinator Tiffany Harmon. Absent from the meeting was Member Tom Ellis.

Minutes were reviewed from the meeting of August 07, 2012. Member Shelton moved to approve the Minutes. The motion was seconded by Member Carter.

Roll call:

Chairman Cloud	yea
Member Carter	yea
Member Shelton	yea

All in favor; motion carried.

Diane Noonan, Registration Manager joined the meeting to present provisional ballots from the August 7, 2012 Special Election. She presented eighty-six valid provisional ballots, twelve invalid provisional ballots, and two provisional ballots that were undetermined under the NEOCH Consent Decree. She explained the first provisional in question was cast in the incorrect precinct due to the poll worker selecting the odd side of the street and directing the voter to the incorrect precinct. The second ballot in question was not signed. Ms. Bucaro explained that both undetermined ballots show clear poll worker error and only have the last four digits of the Social Security number listed, thus falling under the exception in the NEOCH Consent Decree requirements. Member Carter moved to accept the two ballots as valid under the NEOCH exception. Member Shelton seconded the motion. Roll call:

Chairman Cloud	yea
Member Carter	yea
Member Shelton	yea

All in favor; motion carried.

Ms. Noonan presented the twelve invalid provisional ballots to the Board. She explained that of the twelve ballots, nine were not registered voters in the State of Ohio and the additional three had attempted to vote twice. Member Carter moved to reject the twelve invalid ballots. Member Shelton seconded the motion.

Roll call:

Chairman Cloud	yea
Member Carter	yea
Member Shelton	yea

All in favor; motion carried.

Member Carter moved to accept the eighty-six valid provisional ballots as reviewed by the Board of Elections staff. Member Shelton seconded the motion.

Roll call:

Chairman Cloud	yea
Member Carter	yea
Member Shelton	yea

All in favor; motion carried.

Member Carter moved to add the valid 446 timely mailed absentee ballots to the official run. Member Shelton seconded the motion. Roll call:

Chairman Cloud	yea
Member Carter	yea
Member Shelton	yea

All in favor; motion carried.

Member Carter stated the Board should commend the poll workers and their training for doing so well processing voters. Member Shelton stated if it is a reflection of how voters will be processed in the Presidential Election, she is delighted.

Chairman Cloud explained the next task on the agenda was the certification of non-partisan candidates and issues to the November ballot.

Member Carter moved to certify Robert H. Lyons as a candidate for Judge of the County Court- Area I. Member Shelton seconded the motion. Roll call:

Chairman Cloud yea
Member Carter yea
Member Shelton yea

All in favor; motion carried.

Deputy Director Bucaro informed the Board of a problem with the Village of Millville and Reily Township's language on the resolutions submitted. She explained they had been rejected by the Secretary of State prior to the certification meeting. She explained the Village of Millville is a renewal tax levy which according to the Secretary of State needs to use the language that was previously approved by the taxpayers in the original levy. Ms. Bucaro explained the Village of Millville was incorrectly advised by the Prosecutor to use new ballot language reflected in changes to the Ohio Revised Code. The Board of Elections has the original language on file and may approve the original language for certification. She then explained that Reily Township similarly needed to use original language for its replacement levy. Unlike Millville, Reily filed one resolution with the new language that was rejected by the Secretary of State. The Prosecutor's Office wrote the ballot language for Reily Township and is in dispute with the Secretary of State on its correctness. She explained that today is the deadline to certify and she would like to have the Prosecutor's recommendation on how to proceed before the Board votes.

Member Carter moved to certify the issues for the November ballot filed by the City of Fairfield, City of Trenton, City of Middletown, St. Clair Township, Village of Seven Mile, Village of New Miami, Monroe Local School District, and Butler County; with the exception of the Village of Millville and Reily Township. Member Shelton seconded the motion. Roll call:

Chairman Cloud yea
Member Carter yea
Member Shelton yea

All in favor; motion carried.

Member Carter moved to approve the initial filing language submitted for the proposed tax levy renewal for the Village of Millville. Member Shelton seconded the motion. Roll call:

Chairman Cloud yea
Member Carter yea
Member Shelton yea

All in favor; motion carried.

Ms. Bucaro explained that there are several local option petitions that do not meet the signature requirements and should not be certified to the ballot.

Member Carter moved to reject the local option petitions for Bobby J's Sports Café, Shenanigans, The Shop at Main, and Carmody Kwik Stop. Member

Shelton seconded the motion. Roll call:

Chairman Cloud yea
Member Carter yea
Member Shelton yea

All in favor; motion carried.

Ms. Bucaro presented the overlapping issues to be certified by Hamilton and Preble County.

Director Kinkaid reviewed the following Directives with the Board:

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| 08/08/2012 | 2012-31 | Verifying the Accuracy of District Relationships and Establishing the Order of Offices and Issues for the General Election Ballot
<i>This Directive provides instructions on ballot order for candidates and issues and requires boards to ensure that district-to-precinct relationships are accurate.</i> |
| 08/09/2012 | 2012-32 | Online Change of Address System
<i>The Secretary of State's Office has developed and launched an Online Change of Address System available to voters at www.MyOhioVote.com. Using this web portal, registered voters of the State of Ohio will be able to change their residential address online, either within a county or from one county to another, as an alternative to completing a paper voter registration form. This Directive provides guidance to boards of elections on the local processes necessary to implement this new system.</i> |

08/09/2012 2012-33 Instructions Regarding the Examination and Verification of Nominating Petitions from Independent Joint Candidates for President and Vice-President
This Directive provides instructions on the examination and certification of nominating petitions for independent joint candidates for president and vice-president that have been filed with the Ohio Secretary of State for the 2012 General Election and transmitted to the county boards of elections for examination and verification. Petition examination and verification must be complete, and the certification forms sent to the Secretary of State's Office, no later than 4:00 p.m. on Monday, August 20, 2012.

08/15/2012 2012-34 Ballot Layout Instructions
This Directive provides instructions to boards of elections for the layout of ballots for the November 6, 2012 General Election. Prior to starting any programming, all boards of elections should review the AIGA/Election Assistance Commission's report entitled Effective Designs for the Administration of Federal Elections, specifically chapters 2, 3, and 5, and the National Institute of Standards' Use of Language in Ballot Instructions

08/15/2012 2012-35 In Person Absentee Voting Days and Hours
This directive requires the adoption of uniform days and hours for in person absentee voting as specified.

Member Carter moved to withdraw the approval of the extended early voting hours previously approved by the Board and follow the hours as set by Directive 2012-35. Member Shelton seconded the motion. Roll call:

Chairman Cloud yea
Member Carter yea
Member Shelton yea

All in favor; motion carried.

08/15/2012 2012-36 In Person Absentee Voting Eligibility Verification
This Directive provides guidance to county boards of elections on the processing of absentee ballots cast at the offices of the board of elections (or alternate location established by the Board) between the opening of in person absentee voting (35th day before the election) and the close of registration (30th day before the election) when the voter, in the same instance, has registered to vote for the first time in that county and requested an absentee ballot. This time period has been previously euphemistically dubbed "golden week."

08/15/2012 2012-37 Ballot Quantities

This Directive provides minimum standards for ballot quantities for the November 6, 2012 General Election. Providing ballots is one of the most essential duties of a board of elections. It is not acceptable for a Board to run out of ballots for an election. Likewise, it is unacceptable for a Board, its Director, or Deputy Director to delegate to any other person or entity the authority and responsibility for determining ballot quantities and machine allocation.

Ms. Bucaro explained that the Board has already approved our ballot quantities and this Directive will raise those numbers for provisional ballots. She stated we received this Directive late on Friday and updated quantities will be ready for review at the next Board Meeting.

08/15/2012 2012-38

Ballot Proofing Requirements

This Directive provides guidance to boards of elections on the requirements and procedures for proofing ballots as well as establishing a process for counties within a multi-county district to proof candidate names and question/issue ballot language. It also directs all boards of elections to provide to the Secretary of State's Office a copy of one ballot at the time the Board publicly posts its ballots.

The following Memoranda from the Secretary of State were reviewed with the Board by Director Kinkaid.

08/06/2012-08/09/2012

SOS Conference Call and Webinar Announcement (Laura Pietenpol and Matthew McClellan)

Secretary of State Jon Husted conducted a conference call with Board of Elections on Thursday, August 9, 2012 to provide information in advance of a press conference scheduled later that morning announcing the new online change of address tool. This new service will make it easier for voters to meet their responsibilities, while enhancing the overall accuracy and security of Ohio's voter rolls.

08/08/2012

Secretary of State Precinct Election Official Training and Resource Materials Update (Laura Pietenpol)

All precinct election official training and informational materials have been produced for the November 6, 2012 general election. Included is a list of materials available to county boards of elections.

08/09/2012

Update: Secretary Husted Launches Online Change of Address, Roughly 660 Voters Served (Matthew McClellan)

Since Secretary Husted announced the launch of the new Online Change of Address tool earlier,

approximately 660 Ohio voters have taken advantage of this service to update their address online.

08/13/2012

Weekly Countdown Bulletin

On August 13, 2012 there were 85 days remaining until the 2012 Presidential Election. Included in this email are key tips and reminders for the upcoming election.

08/13/2012

BMV Mandatory Updates (Matt Masterson)

There were 66,138 BMV mandatory update files that remain unprocessed. These should be processed immediately.

Under old business, the Board reviewed the update to the Administration Record Retention Schedule. Ms. Harmon explained the wording on BOE.ADM.902 needed to be updated due to pending litigation concerning non-statutory boards and changing the language to two years after transcribed and minutes approved would comply with the Records Commission's requirements. She explained that updating the Administration Retention Schedule has corrected multiple errors in the previous retention schedule. Member Carter questioned whether he would be required to maintain his emails under the retention schedule for the open records act. Ms. Bucaro questioned the Board Members if there was any communication the Director and Deputy Director are not copied on. After discussion, Board Members agreed that the Director and the Deputy Director are copied on all correspondence between Board Members so those records would be maintained at the Board of Elections. Ms. Bucaro explained that any communication taking place would include the Director and Deputy Director so any communication requested from the Board Members would be a duplicate and therefore would not be subject to public records request.

Member Carter moved to accept changes to the record retention schedule as presented. Member Shelton seconded the motion. Roll call:

Chairman Cloud yea
Member Carter yea
Member Shelton yea

All in favor; motion carried. The Board recessed.

Ms. Bucaro informed the Board that she and Director Kinkaid met with County Administrator Charlie Young and OMB Director Pete Landrum the week before on the county's budget. She explained the county is facing budget shortfalls and the Commissioners are asking each department to reduce their budget to help alleviate the problem. Mr. Young requested the Board of Elections reduce their budget by 3%, which amounts to approximately \$111,000 and return an additional 2%, which amounts to approximately \$70,000, at the end of the year. Ms. Bucaro explained after a thorough review of the budget with Ms. Robinson, there would be significant amount of additional savings which include overtime and temporary staff salaries. Looking at the additional savings, she feels that the Board can satisfy the request and return 3% to the General Fund now and the Board can revisit the request for the additional 2% at the end of the year. The amount will come from the Salaries and Postage accounts of the budget. Member Carter moved to approve the Commissioners' request to reduce the Board of Elections budget by 3% due to the Board's increased efficiency.

Member Shelton seconded the motion. Roll call:

Chairman Cloud yea
Member Carter yea
Member Shelton yea

All in favor; motion carried. The Board recessed.

Director Kinkaid told the Board that he and Deputy Director Bucaro addressed a meeting of the heads of each Chamber of Commerce in Butler County at the Knolls of Oxford. He explained there was a positive outcome and has potential to help the Board with poll worker recruitment. He stated that it was a pleasant discussion and he and Ms. Bucaro distributed brochures and information on the upcoming election. Deputy Director Bucaro told the Board that inserts have been prepared for newsletters and they have been very well received. Director Kinkaid informed the Board that a Public Service Announcement for West Chester television has been completed and turned out very nice. Deputy Director Bucaro said the Public Service Announcement was set up thanks to Judith Boyko, the West Chester Township Administrator, who attended our community forum and she offered to send the video to Hamilton, Fairfield, Middletown, and Oxford

television as well. Deputy Director Bucaro said the Poll Worker Department sent out direct mail of recruitment brochures last week to 17,000 active voters in Butler County and inserts went out in 27,000 electric bills in the City of Hamilton. She informed the Board that she believed the recruitment deadline will be met with all of the efforts working so well.

Member Carter moved to recess briefly to check on the communication from legal counsel concerning Reily Township. Member Shelton seconded the motion. Roll call:

Chairman Cloud	yea
Member Carter	yea
Member Shelton	yea

All in favor; motion carried. The Board recessed.

Following recess, Ms. Bucaro explained legal counsel's suggestion was to certify pending successful resolution to the question about language.

Member Carter moved to certify the Reily Township issue to the November ballot on advice of counsel, subject to being revisited once the Prosecutor and Secretary of State reach an agreement. Member Shelton seconded the motion.

Roll call:

Chairman Cloud	yea
Member Carter	yea
Member Shelton	yea

All in favor; motion carried.

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

Chairman Cloud	yea
Member Carter	yea
Member Shelton	yea

All in favor, motion to adjourn.

The meeting was adjourned at approximately 10:20 a.m.

Frank Cloud, Chairman

Lynn Edward Kinkaid, Director

Absent

Thomas W. Ellis, Member

Judith A. Shelton, Member

Bruce Carter, Member