

**Butler County Board of Elections  
Board Meeting Minutes  
September 10, 2012**

The Butler County Board of Elections met on Monday, September 10, 2012, at 9:00 a.m. for a regular meeting. Roll call was taken and present were Chairman Frank Cloud, Member Bruce Carter, Member Judy Shelton, Member Tom Ellis, Director Lynn Edward Kinkaid, Deputy Director Jocelyn Bucaro, Administrative Coordinator Donna DeFazio, and Administrative Coordinator Tiffany Harmon. Guests were Keith Corman, SOS Regional Liaison and Bob Selak, Attorney at Law.

Chairman Cloud asked for approval of the bills. Member Shelton moved to approve the bills as submitted; seconded by Member Carter. Roll call:

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

All in favor; motion carried.

Minutes were reviewed from the meetings of August 20, 2012, and August 22, 2012. Member Carter moved to approve the Minutes from the August 20, 2012, meeting; seconded by Member Ellis. Roll call:

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

All in favor; motion carried.

Member Carter moved to reject the August 22, 2012 minutes as written due to an error. Member Ellis explained the proper procedure is to make a correction to the Minutes in the motion to approve and the correction will be on record of the meeting. Member Carter amended his motion to correct the Minutes of August 22, 2012 Board Meeting. He would like to change the motion concerning the title and salary of Erin Clendenin on a two to one vote as a failed motion under ORC 3501.14; Member Ellis seconded the motion. Member Ellis stated that he was of

the opinion that the motion did pass because the Board voted to reclassify Erin Clendenin's title and not to fix her salary. He believed a simple majority would have carried the motion. Member Shelton stated that she was also of that opinion. 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 Minutes from the August 22, 2012 meeting as amended; 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.

Director Kinkaid explained the next order of business was to appoint poll workers for the November General Election. Deputy Director Bucaro referenced ORC 3501.22 (Precinct Officials) and explained that four poll workers are appointed to each precinct and there would be no more than two poll workers from any one party serving in a single precinct. She then stated that each of the poll workers have been evaluated based on the Ohio Secretary of State's guidelines and have performed well in the past. Member Carter moved to accept the appointment recommendation of the judges for the November General Election. 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.

Deputy Director Bucaro informed the Board that she and Director Kinkaid met with County Administrator Charlie Young and OMB Director Pete Landrum to discuss the budget. They explained that Butler County is facing budget shortfalls, and that the County's credit rating was reduced. She then explained

that the Commissioners plan to cut the County budget by \$2,000,000 in 2013. The Board of Elections will be requesting less than in previous years which will assist with the county-wide budget reduction. Member Shelton asked if, under the salary section of the Board's budget for 2013, retirements were factored in. Ms. Bucaro explained the cost of any payout for a retiree would come out of the reduced salary their replacement would be paid. Chairman Cloud asked if the pay scale increases were built into the 2013 salary section of the budget. Deputy Director Bucaro explained that they were not factored in, and it would be difficult to get approval for additional increases with the dramatic cuts being made to the General Fund, and because full time salaries with overtime are currently \$1,271,550. This amount is approximately \$200,000 more than in 2011. She explained that the Board has also been advertising the efficiencies and savings within the department which will be looked at closely as well. The Board agreed to reconvene and hold a special meeting to review details of the budget on September 25, 2012 at 9:00 a.m.

Joe Andrews, Vote Center Manager, joined the meeting to present changes to polling locations in Middletown. He explained that he spoke with Mr. Long of the Middletown School District and discussed using Highview 6th Grade Center and Miami University Verity Lodge as polling locations, replacing Manchester School and Middletown High School. He added that there will be four precincts at Highview 6th Grade Center, and three precincts at Miami University Middletown-Verity Lodge. Member Ellis questioned if there would be suitable parking at Verity Lodge. Mr. Andrews explained that there is a reasonably sized parking lot near the entrance and it will not be necessary for voters to use the tiered parking below. Member Carter moved to accept the polling location changes as presented; Member Ellis seconded the motion. Roll call:

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

All in favor; motion carried.

Director Kinkaid reviewed the following Directives with the Board:

- 08/24/2012 2012-39 Candidates for Statewide Office**  
*The candidates listed in this directive have been certified to the November 6, 2012 General Election*
- 09/04/2012 2012-40 Obama Decision: Voting Hours**  
*On August 31, 2012, a federal court struck the portion of Ohio Revised Code 3509.03 that ends in-person absentee voting the Friday before the election at 6:00 p.m. Obama v. Husted Case No 12-cv-636. The decision is being appealed. If the appellate courts uphold the trial court's decision, the Secretary of State will be required to issue a consistent uniform schedule for statewide in-person voting hours for the last three days before the election. The constitutionality of the statute setting in-person absentee voting hours is still subject to court review. This Directive strictly prohibits county boards of elections from determining hours for the Friday, Saturday, Sunday or Monday before the election.*
- 09/07/2012 2012-41 Candidates for President and Vice President: Write-In Candidates**  
*This Directive provides the names of the major parties' joint candidates for President and Vice President. Joint candidates for President and Vice President who filed valid declarations of intent to be write-in candidates for those offices are also provided.*
- 09/07/2012 2012-42 Obama for America v. Husted**  
*Directive 2012-42 is rescinding Directive 2012-40. This Directive will be submitted to the U.S. District Court for the Southern District of Ohio together with a filing in Obama for America v. Husted.*

Member Ellis questioned if the Board should set in-office early voting hours for the weekend before the election because of Directive 2012-42. Chairman Cloud explained that he felt the Director and Deputy Director should be prepared for extended hours but no changes should be made at this time and that uniform hours will be set by the Secretary of State for all Boards.

Member Ellis then began discussion on the date of October 8, 2012, Columbus Day, on which Secretary Husted has ordered that all Boards in Ohio are to be closed. He explained that he is not comfortable with staff working on site and being closed to the public. Deputy Director Bucaro informed the Board that she received communication from Secretary of State Elections Counsel Krissy Rine and Assistant County Administrator Gary Sheets concerning this question and they both stated that the staff could use the day as a work day to catch up and remain closed to the public. The Board agreed that, per legal guidance, the

Board will be open but closed to the public with a sign posted at our front entrance announcing that we will be closed for Early Voting on that date.

Member Ellis moved to recess briefly; 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, Director Kinkaid reviewed the following Memoranda from the Secretary of State with the Board.

- 08/22/2012**                      **Webinar Announcement: The Ballot: Layout and Proofing (Laura Pietenpol)**  
*This webinar provided important information to boards related to the topic "The Ballot: Design Layout and Proofing."*
- 08/24/2012**                      **Form of official ballot (Matthew Damschroder)**  
*Attached to this email was the form of the official ballot for the November 6, 2012 General Election. The language for state issues one and two were also attached.*
- 08/27/2012**                      **OLVR (Robin Fields)**  
*When boards of elections receive a change of address from the online change of address system (OLVR), and the change is for a different county, please contact Robin Fields. If you receive a signature that cannot be read and are 'bad signatures', please contact the county the voter came from and ask them to rescan the signature.*
- 08/27/2012**                      **2012 November ballot language (Serena Henderson)**  
*Attached was the returned ballot language from the Secretary of State.*
- 08/28/2012**                      **PEO Quick Reference Guides (Flip Charts) Update (Laura Pietenpol)**  
*Boards that ordered flip charts for the upcoming election should receive them by the end of the week in advance of starting PEO training for the November General Election (which may begin on September 7, 2012).*
- 08/30/2012**                      **Statewide Absentee Ballot Application Mailing (Matthew Damschroder)**  
*As noted in Directive 2012-24, and discussed at the Secretary's summer regional conferences, Secretary Husted mailed an absentee ballot application to every*

*active voter in the state for the November 6 General Election. The mailing was presented to the post office for delivery on Friday, August 31, 2012.*

**08/31/2012**

**Screen Shots on the TSX Machines (Matt Masterson)**

*Directive 2012-38 instructs all counties who use DRE's as their primary voting machine to provide screenshots of each race for each ballot style. The Secretary of State is aware that TSX machines are unable to take screenshots. The requirements can be met in one of two ways. 1. Take digital photos. 2. Send an Absentee TSX card to Serena Henderson at the SOS office.*

**09/05/2012 &  
09/06/2012**

**UOCAVA Online Ballot Marking & UOCAVA Ballot Delivery (Matthew Masterson)**

*The Secretary of State's office has contracted with Microsoft/Democracy Live to offer an online ballot marking portal for UOCAVA voters. This portal will allow UOCAVA voters to sign in, mark a ballot online, print that ballot, and send it back to boards of elections. These ballots will not be returned via the internet, they still need to be mailed back. Attached is a data request for all 88 counties to complete by Friday, September 7, 2012.*

**09/05/2012**

**Assure Instructions from Dominion (Matthew Masterson)**

*Two sets of instructions provided by Dominion voting systems is included in this email. The first describes how to save your absentee ballot reports to a memory card. The second is a description of how to properly layout the ballot on TSX machines per directive 2012-34.*

**09/05/2012**

**Report Deadlines (Patricia A. Wolfe)**

*Attached is a list of reporting deadlines for reports and surveys which each board will be required to submit to the Secretary of State's office.*

**09/06/2012**

**Survey Announcement: November 6, 2012 General Election Survey 1 (Laura Pietenpol)**

*The office of the Secretary of State required Butler County to participate in a short survey regarding the latest data related to absentee ballot applications for the November General Election. All county boards of elections must submit their data for the survey no later than on Monday, September 7 2012.*

**09/06/2012 &  
09/07/2012**

**UOCAVA Ballot Delivery System Discussion (Laura Pietenpol & Matt Masterson)**

*The office of the Secretary of State is pleased to announce that it is offering a Webinar presentation to Boards of Elections at no cost Friday, September 7, 2012. This webinar will cover important information related to the topic: "UOCAVA Ballot Delivery System."*

Director Kinkaid presented the September Certificate of Records Disposal (RC3) to the Board. Member Carter moved to approve the Certificate of Records Disposal (RC3) as presented by Director Kinkaid; Member Shelton seconded the motion. Roll call:

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

All in favor; motion carried.



Ohio Historical Society  
 State Archives of Ohio  
 Local Government Records Program  
 1982 Velma Avenue  
 Columbus, Ohio 43205

Board Approved: yes Date: 9/10/12

For State Archives - LGRP Use Only	
Date Received:	
Date Reviewed:	
Items requested for transfer:	YES NO
if YES, attach copy of transfer form	

**CERTIFICATE OF RECORDS DISPOSAL (RC-3) – Part 1**

See instructions before completing this form. Must be submitted with PART 2

Butler County	Board of Elections	Lynn Edward Kinkaid	887-3700	Boe & Record Center
(local government entity)	(unit)	(contact person)	(telephone number)	(location of records)
1802 Princeton Rd., Suite 600	Hamilton	45011	Butler	
(address)	(city)	(zip code)	(county)	(date mailed to LGRP)

Questions: Contact Record Commission Secretary, Rhonda Freeze: 887-3437 or [freezer@butlercountyoio.org](mailto:freezer@butlercountyoio.org)

I hereby certify that the records listed on this RC-3 and attachments are being disposed of according to the time periods stated on the **approved Records Retention Schedules (RC-2) or Application for One-Time Records Disposal (RC-1)** listed below. No record will be knowingly disposed of which pertains to any pending legal case, claim, action or request. In addition, microfilm created in place of any original record listed on this RC-3 will be stored according to ANSI Standards and all microfilm master negatives will only be used to create use copies. It is a responsibility of the local government to ensure the preservation and accessibility of any records retained in electronic format.

(signature of responsible official)

Director  
 (title)

887-3700  
 (telephone number)

**Please Note: The State Archives retains RC-3 forms for seven years. It is strongly recommended that the Records Commission retain a permanent copy of this form.**



**Ohio Historical Society**  
 State Archives of Ohio  
 Local Government Records Program  
 1982 Velma Avenue  
 Columbus, Ohio 43205

**CERTIFICATE OF RECORDS DISPOSAL (RC-3) – Part 2**

See instructions before completing this form. Must be submitted with PART 1.

Butler County

Board of Elections

(political subdivision name)

(unit)

(1) Records Series Title	(2) Authorization for Disposal		(3) Media Type To be destroyed	(4) Media Type To be retained (if any)	(5) Inclusive Dates of Records		(6) Proposed date of destruction  (15 business days from receipt by OHS-LGRP)	(7) For OHS-LGRP use
	Schedule Number	Date the RC-1 or RC-2 was approved by the Records Commission			From	To		
Absentee Ballot Applications	BOE1		Paper		3/2008		10/05/2012	
Ballots used and unused	BOE6		Paper		11/2/2010		10/05/2012	
VVPAT -Voter verified paper audit trail	BOE48		Paper		11/2/2010		10/05/2012	

Board of Elections Dept: All departments

Date Submitted to Admin.: Sept 7, 2012

Total Boxes: 74

Form: SAO/LGRP-RC3 (part 1), Revised March 2009



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 State Archives of Ohio  
 Local Government Records Program  
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(political subdivision name)

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	Schedule Number	Date the RC-1 or RC-2 was approved by the Records Commission			From	To		
Poll books and summary sheets	BOE19		Paper		03/04/2006- 08/08/2006		10/05/2012	
Poll officials record/precinct record	BOE21		Paper		2/2010-5/2010		10/05/2012	
Absentee identification envelopes	BOE38		Paper		05/04/2010- 11/02/2010		10/05/2012	

Board of Elections Dept: All departments

Date Submitted to Admin.: Sept 7, 2012

Total Boxes: 74

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Butler County

Board of Elections

(political subdivision name)

(unit)

(1) Records Series Title	(2) Authorization for Disposal		(3) Media Type To be destroyed	(4) Media Type To be retained (if any)	(5) Inclusive Dates of Records		(6) Proposed date of destruction  (15 business days from receipt by OHS-LGRP)	(7) For OHS-LGRP use
	Schedule Number	Date the RC-1 or RC-2 was approved by the Records Commission			From	To		
Registration confirmation notices	BOE41		Paper		01/01/2009- 12/31/2009		10/05/2012	
			Paper					
			Paper					

Board of Elections Dept: All departments

Date Submitted to Admin.: Sept 7, 2012

Total Boxes: 74

Form: SAO/LGRP-RC3 (part 1), Revised March 2009

Deputy Director Bucaro informed the Board that 959 applications were processed on Friday, September 7, from the Secretary of State's mailing, and that as of Friday more applications have been received than at this point in 2008.

Member Shelton moved to go into Executive Session for the purpose of discussing personnel under O.R.C. 121.22, G1, regarding Promotion & Compensation; Member Ellis 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 return to Regular Session; 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 adjourn the meeting; 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 meeting was adjourned at approximately 11:50 a.m.

**BILLS**  
**September 10, 2012**

<b>0001-0076-200000</b>	<b>Office supplies</b>	<b>2,350.87</b>
<b>0001-0076-210000</b>	<b>Postage</b>	<b>20,093.46</b>
<b>0001-0076-290000</b>	<b>Other mat'l &amp; supplies</b>	<b>4,372.11</b>
<b>0001-0076-300310</b>	<b>Rental/lease - equip &amp; vehicles</b>	<b>1,733.28</b>
<b>0001-0076-300550</b>	<b>Employee job related mileage</b>	<b>32.00</b>
<b>0001-0076-300750</b>	<b>Telephone &amp; communications</b>	<b>1,042.26</b>
<b>0001-0076-390000</b>	<b>Contract services</b>	<b>12,059.11</b>
<b>0001-0076-390000-10</b>	<b>Advertising</b>	<b>496.50</b>
<b>0001-0076-390000-12</b>	<b>Election Mileage &amp; Cell Phone</b>	<b>2,108.75</b>
	<b>TOTAL BILLS</b>	<b>44,288.34</b>
<b>PAID FROM THE GENERAL FUND</b>		

\_\_\_\_\_  
 Frank Cloud, Chairman

\_\_\_\_\_  
 Lynn Edward Kinkaid, Director

\_\_\_\_\_  
 Thomas W. Ellis, Member

\_\_\_\_\_  
 Judith A. Shelton, Member

\_\_\_\_\_  
 Bruce Carter, Member