

**Butler County Board of Elections
Board Meeting Minutes
November 18, 2013**

The Butler County Board of Elections met on Monday, November 18, 2013, at 9:00 a.m. for a special meeting. Roll call was taken and present were Member Bruce Carter, Member Judy Shelton, Member Dave Kern, Director Lynn Edward Kinkaid, Deputy Director Jocelyn Bucaro, Administrative Coordinator Donna DeFazio and Administrative Coordinator Tiffany Harmon. Members of the media and members of the public were also in attendance. Chairman Frank Cloud was absent; therefore Member Carter served as Acting Chairman for the meeting.

Director Kinkaid gave the summary for the Provisional Ballots. There were a total of 464 valid Provisional Ballots; a total of 75 invalid. Below is a breakdown of invalid Provisional Ballots by reason:

Invalid Breakdown	
40	Not Registered
1	No Identification
3	No Signature
8	Wrong Precinct-Wrong Polling Location
10	Wrong precinct-Correct Polling Location
13	Second Vote
75	Total

Member Shelton moved to accept the 464 valid provisional ballots; seconded by

Member Kern. Roll call:

Member Carter yea
Member Shelton yea
Member Kern yea

All in favor; motion carried.

Member Kern moved to reject the forty invalid provisional ballots for the reason that the voters are not registered in the state of Ohio; seconded by Member

Shelton. Roll call:

Member Carter yea
Member Shelton yea
Member Kern yea

All in favor; motion carried.

Member Shelton moved to reject the four invalid provisional ballots for the reason that the provisional envelope was missing required information; seconded by

Member Shelton. Roll call:

Member Carter	yea
Member Shelton	yea
Member Kern	yea

All in favor; motion carried.

Member Kern moved to reject the eight invalid provisional ballots for the reason the votes were cast in the wrong precinct and wrong polling location; seconded

by Member Shelton. Roll call:

Member Carter	yea
Member Shelton	yea
Member Kern	yea

All in favor; motion carried.

Deputy Director Bucaro explained the next group of ballots in question had been cast in the incorrect precinct but the correct location, and a precinct election official did not fill out an affirmation statement stating they instructed the voter to the correct precinct and the voter refused. Per Directive 2012-54, these ballots may not be rejected. Member Kern moved to accept and remake the ten “right church wrong pew” provisional ballots to the correct precinct; seconded by

Member Shelton. Roll call:

Member Carter	yea
Member Shelton	yea
Member Kern	yea

All in favor; motion carried.

There were thirteen ballots in question under the category of second vote.

Deputy Director Bucaro explained in eight cases, the incorrect voter signed the electronic pollbook as the signature captured does not match the voter’s signature. When these voters appeared to vote, they were forced to vote a provisional ballot as the pollbook indicated a ballot had already been issued.

She explained that it is common for this to happen with a father voting under his

son's name or vice versa. She stated the recommendation is to accept these ballots due to the fact that these voters did not vote twice. Member Shelton moved to accept the eight provisional ballots; seconded by Member Kern. Roll call:

Member Carter	yea
Member Shelton	yea
Member Kern	yea

All in favor; motion carried.

Deputy Director Bucaro then explained two of the provisional ballots under the second vote category have comments from the pollworkers that indicate machine error. The pollworkers gave the voters provisional ballots to resolve the issue and they should have been processed as optical scan. Member Kern moved to accept the two provisional ballots and have them remade as optical scan; seconded by Member Shelton. Roll call:

Member Carter	yea
Member Shelton	yea
Member Kern	yea

All in favor; motion carried.

Deputy Director Bucaro explained there was a single double vote where the judge indicated in the notes that the voter was originally processed on the TSX but they noticed the voter had a name change and were then processed as a provisional voter. She explained the number of cards cast on the TSX units in that location is one vote lower than the number of signatures on the electronic pollbook, showing the voter did not cast a vote on the TSX unit. She then explained there are two additional provisional ballots under the double vote category that do not have comments from the pollworkers regarding these specific voters. In one location, the judge did indicate technical errors with the TSX units. Both voters were processed on the electronic pollbooks and are believed to be given a provisional ballot because of technical errors. The number of cards cast on the TSX units at these locations is one vote lower than the number of signatures on the electronic pollbooks, indicating the voters did not vote twice. Member Shelton moved to accept the three provisional ballots in the

double vote category and to remake the single ballot that is not a provisional as optical scan; seconded by Member Kern. Roll call:

Member Carter	yea
Member Shelton	yea
Member Kern	yea

All in favor; motion carried.

Once the changes were made, there are 484 valid Provisional Ballots; a total of 52 invalid and an additional three optical scan ballots.

Member Shelton moved to allow the staff to open the valid provisional ballots; seconded by Member Kern. Roll call:

Member Carter	yea
Member Shelton	yea
Member Kern	yea

All in favor; motion carried.

Director Kinkaid presented the absentee voter summary and statistics to the Board. Member Shelton moved to accept the additional 101 absentee ballots and add them to the official run; seconded by Member Kern. Roll call:

Member Carter	yea
Member Shelton	yea
Member Kern	yea

All in favor; motion carried.

Member Kern informed the Board that he wished to discuss the recent resignation of two employees before the meeting is adjourned. Member Carter explained the rules during a Special Meeting, no additional subjects are to be discussed outside of the stated Agenda. The Board will discuss the resignation of these staff members at the next regular meeting, which is to be held on Monday, November 25 at 9:00 a.m.

Deputy Director Bucaro announced the next Board meeting is a Special Meeting to be held on Wednesday, November 20, 2013 at 9:00 a.m.

Member Shelton moved to adjourn the meeting; seconded by Member Kern. Roll call:

Member Carter yea
Member Shelton yea
Member Kern yea

All in favor; motion carried.

The meeting was adjourned at approximately 9:40 a.m.

Absent

Frank Cloud, Chairman

Lynn Edward Kinkaid, Director

David E. Kern, Member

Judith A. Shelton, Member

Bruce Carter, Acting Chairman