

**Start of Official Canvass for the  
May 3, 2011 Special Election**

**Batavia Local School District, West Clermont Local School District,  
Village of New Richmond, Loveland City Schools and  
Little Miami Local School District**

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**May 16, 2011**

Chairman Tim Rudd called the meeting to order at 10:00 a.m. Rick Combs led the Pledge of Allegiance. Board Members present were Tim Rudd, Dave Lane, Rick Combs and Paul Campbell. Also present were Judy Miller – Director, Mike Keeley – Deputy Director and Becky Rudd – Clerk taking record.

**OTHER ATTENDEES:** Keith Corman-SOS Field Liaison.

**TEST DECK:**

Director Miller provided the Board with the Test Deck. Rick and Dave observed Nick Sommer run the Test Deck thru the 650 scanner. Tim (R) and Dave (D) compared the current results with the previous Test Deck results and found them to match.

**2011-32** – Paul Campbell made the motion to accept the Results of the Test Deck. Rick Combs seconded the motion. Upon roll call, all members voted “yes”.

**ABSENTEE BALLOTS:**

Director Miller advised the Board on the Absentee Ballots. The total AV Ballots received and counted thru Election Day was 1,758. There are 19 AV Ballots that require Board review.

**VALID ABSENTEE BALLOT:**

1 - postmarked before Election Day and received within the 10 day period.

**2011-33** – Dave Lane made the motion to Accept the additional Absentee Ballot and add it to the Absentee Count. Rick Combs seconded the motion. Upon roll call, all members voted “yes”.

**INVALID ABSENTEE BALLOTS:**

8 - refused by nursing home voters-requested a ballot but did not want to vote.

1 - not in the ID Security Envelope-voter was contacted with no action taken by voter.

1 - returned as non-deliverable-was mailed April 28<sup>th</sup> and returned to the BOE office May 12<sup>th</sup>.

Received after Election Day:

1 - no post mark-received May 6<sup>th</sup>.

7 - postmarked on Election Day or after.

**2011-34** – Rick Combs made the motion to Reject and not count the 18 Invalid Absentee Ballots. Dave Lane seconded the motion. Upon discussion Paul observed that all but one of the late postmarks was from Loveland. Judy stated that she would look into it. Upon roll call, all Members voted “yes”.

**PROVISIONAL BALLOTS:**

Judy reported to the Board that there were 218 Provisional Ballots issued.

**INVALID PROVISIONAL BALLOTS:**

Judy advised the Board that there were 34 Invalid Provisional Ballots for Board review to be rejected.

- 1 - no ID shown or listed.
- 2 - school district not in this election.
- 20 - voted in wrong precinct.
- 11 - not registered.

**2011-35** – Dave Lane made the motion to Reject the list of Provisional Ballots that should not be counted. Rick Combs seconded the motion. Upon roll call, all Members voted “yes”.

**VALID PROVISIONAL BALLOTS:**

Judy advised the Board that there were 184 Valid Provisional Ballots.

**2011-36** – Rick Combs made the motion to Accept the list of 184 Valid Provisional Ballots and add them to the Count. Dave Lane seconded the motion. Upon roll call, all Members voted “yes”.

The Board instructed the Office Staff to proceed with the Official Canvass.

**OTHER BUSINESS:**

Director Miller advised the Board that Mary Lynne Birck (Assistant Prosecutor) would like to be on the agenda at the May 24<sup>th</sup> Board Meeting. She would like an Executive Session regarding pending litigation.

At 10:27 a.m. the Chairman stated that the Board will stay in Session and will Reconvene May 24, 2011 at 10:00 a.m. to Certify the May 3, 2011 Special Election and hold the Regular May Board Meeting.

**Board Reconvenes**

**Certification and Regular Board Meeting**

**May 24, 2011 at 10:00 a.m.**

Chairman Tim Rudd reconvened the meeting at 10:00 a.m. Board Members present were Tim Rudd, Dave Lane and Paul Campbell. Also present were Judy Miller – Director, Mike Keeley – Deputy Director and Becky Rudd – Clerk taking record. Rick Combs was absent from the meeting.

**TEST DECK:**

Tim and Dave observed Nick Sommer-(IT) run the Test Deck thru the 650 scanner. The Board compared the previous Test Deck results with the current results and found them to match.

**2011-37** – Paul Campbell made the motion to Accept the Results of the Test Deck. Dave Lane seconded the motion. Upon roll call, all Members present voted “yes”.

Judy gave the Board the Certified Results of the May 3, 2011 Special Election. There were no changes in any of the races.

**CERTIFICATION OF SPECIAL ELECTION:**

**2011-38** – Paul Campbell made the motion to Certify the Results of the May 3, 2011 Special Election. Dave Lane seconded the motion. Upon roll call, all Members present voted “yes”.

Judy advised the Board that no Issues require an automatic recount. They may request a recount but none of the entities have contacted her about one.

**OTHER ATTENDEES:** Mary Lynne Birk – Prosecutor’s Office entered the meeting at 10:20 a.m.

**APPROVAL OF MINUTES:**

**2011-39** – Dave Lane made the motion to approve the Minutes of the April 21, 2011 Board Meeting. Paul Campbell seconded the motion. Upon roll call, all Members voted “yes”

**APPROVAL OF BILLS:**

**2011-40** – Dave Lane made the motion to accept and pay the May bills. Paul Campbell seconded the motion. Upon roll call, all members voted “yes”.

**DIRECTOR’S REPORT:**

Director Miller reviewed the Municipal Court Judge Candidates with the Board. Full Term commencing January 1, 2012 – Anthony Brock. Unexpired Term ending January 1, 2016 – George Pattison and Walter Kenneth Zuk. Their petitions will be Certified at the June Board meeting.

There were no entities that filed for an August Special Election (filing deadline was May 4<sup>th</sup>).

**REQUEST FOR LEAVE WITHOUT PAY – NICK SOMMER:**

Judy advised the Board that when Nick Sommer was employed by the BOE on April 18<sup>th</sup> of this year, his vacation hours from ISD could not be transferred and he was paid out for them. He had planned several vacation days and has requested to take them without pay. The days are June 10, June 13<sup>th</sup> and August 8<sup>th</sup> -10<sup>th</sup>. There are no conflicts with the work schedule at the BOE.

**2011-41** – Paul Campbell made the motion to approve Nick Sommer’s leave without pay for vacation time not accrued with the Board of Elections for the requested days of June 10, June 13 and August 8-10, 2011. Dave Lane seconded the motion. Upon roll call, all Members voted “yes”.

Judy gave the Board the updated Organizational Chart with the requested changes.

Judy updated the Board regarding the office/work space. Wade Grabowski (Facilities Management) stated that he and Dave Spinney did walk thru our work area. He did see the need to enlarge the Absentee Voting Room, perhaps 18 to 20 feet and the need for the ventilation in the annex. There has not been any decision on the second floor of the Heritage Building. If the new Legislation passes, the time frames for absentee voting will change and we will need more personnel and work space to get the absentee ballots processed and mailed. She also reminded the Board that we are required to train all of the poll workers before the 2012 Primary. Judy would like to send another letter to Dave Spinney reminding him of our needs and request for the Heritage Building second floor space.

**2011-42** – Dave Lane made the motion to direct the Director to go ahead with the Draft of the letter and put the appropriate Board Members names on it. Paul Campbell seconded the motion. Upon roll call, all members voted “yes”.

Judy discussed the Budget with the Board. She had to submit a tentative Budget to OMB (Office of Management and Budget). She reviewed with the Board the 2011 Appropriations and 2012 Budget Requests. We need \$1,182,000 to get us thru the rest of this year, we had projected \$1,176,000. Judy reminded the Board that \$43,198.41 (ballots and deployment) should have come out of the 2010 budget but because of problems with the new Munis System at the end of 2010, it was not taken out and was told that it would be drawn from the 2011 budget. We are under budget and are doing very well. Judy discussed the “Requested Equipment” submitted in the 2012 Appropriations Request. There is a possibility that each county may be required to use “electronic poll books” instead of signature books. This is a topic to be discussed at the Summer Conference; the State may pay for them or co-share the cost. We will also need more computer workstations, seminar work tables and chairs.

The Board discussed the probability of reducing the amount of precincts by combining smaller ones. Judy stated that in the proposed new election law, precincts would be a minimum size of 500 voters. She and Mike will be looking into this. Paul discussed having more than one table or 2 sets of poll workers to handle the larger precincts. Judy stated that we must have a minimum of 4 poll workers at each precinct, but can add more.

Judy will be on vacation May 26 thru June 3.

#### **DEPUTY DIRECTOR’S REPORT:**

Deputy Director Keeley reported to the Board that the lease on the copier machine has expired. The five-year lease was renewed with the same company, Donnellon McCarthy. The new copier will have color copy capabilities. He also was able to get a new scanner, for scanning the registration cards to be processed into the DIMSNeT software, which will be included in the lease agreement. This will be faster than the previous scanner. The monthly lease (De Lage Landen) on the copier will increase in cost because of the new registration card scanner.

Commercial Works sent checks for \$1,340.00 to cover the M-100 ballot cans damage and \$100.00 for Gregg Conrad’s time and labor. This covers the costs for the damages incurred during the November 2010 Election caused during the pick-up of the election equipment after the election.

**EXECUTIVE SESSION:**

**2011-43** – At 10:21 a.m. Dave Lane made the motion to go into Executive Session for the purpose of Discussing Pending Litigation with Assistant Prosecutor Mary Lynne Birck assigned to the Board of Elections, per Ohio Revised Code Ann. 121.22 (G)(3). Paul Campbell seconded the motion. Let the Record reflect that the Board’s Legal Counsel, Mary Lynne Birck (Prosecutor’s Office), is present. Upon roll call, all Members voted “yes”.

**2011-44** – At 10:28 a.m. Paul Campbell made the motion to come out of Executive Session. Dave Lane seconded the motion. Upon roll call, all Members voted “yes”.

The action taken by the Board is that the Board received advice from Legal Counsel and will proceed with the Board meeting at this time.

**2011-45** – Dave Lane made the motion that the Board agreed, based on her legal recommendation, to instruct Legal Counsel to proceed with the Appeal of the decision in the Hardin vs BOE Case. Paul Campbell seconded the motion. Upon roll call, all Members voted “yes”.

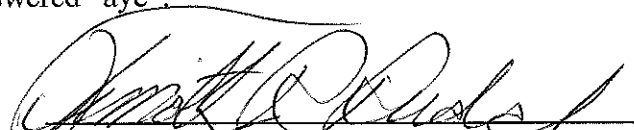
**NEXT MEETING DATE AND TIME:**

June 30, 2011 at 10:00 a.m., Regular June Board Meeting.

July 21, 2011 at 10:00 a.m., Regular July Board Meeting.

**ADJOURNMENT:**


**2011-46** – At 10:55 a.m. Dave Lane made the motion to adjourn. Paul Campbell seconded the motion. Upon direction of the Chairman all Members answered “aye”.

  
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**Timothy R. Rudd – Board Chairman**

  
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**Dave A. Lane – Board Member**

  
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**Rick W. Combs – Board Member**

  
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**Paul L. Campbell – Board Member**

  
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**Attest – Judith A. Miller - Director**

SUMMARY REPT-GROUP DETAIL

CLERMONT COUNTY, OHIO  
SPECIAL ELECTION  
MAY 03, 2011

CERTIFIED RESULTS

RUN DATE:05/23/11 10:16 AM

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	TOTAL VOTES	%	ELECTION DAY	ABSENTEE	PROVISIONAL
PRECINCTS COUNTED (OF 87)	87	100.00			
REGISTERED VOTERS - TOTAL	63,300				
BALLOTS CAST - TOTAL	16,712		14,769	1,759	184
VOTER TURNOUT - TOTAL		26.40			
01 - Batavia LSD Tax Levy					
{Vote For Not More Than , 1					
(WITH 12 OF 12 PRECINCTS COUNTED)					
FOR THE TAX LEVY	822	45.24	729	76	17
AGAINST THE TAX LEVY	995	54.76	820	162	13
Over Votes	0		0	0	0
Under Votes	0		0	0	0
02 - Little Miami LSD Tax Levy					
{Vote For Not More Than , 1					
(WITH 1 OF 1 PRECINCTS COUNTED)					
FOR THE TAX LEVY	5	33.33	5	0	0
AGAINST THE TAX LEVY	10	66.67	10	0	0
Over Votes	0		0	0	0
Under Votes	0		0	0	0
03 - Loveland City LSD Tax Levy					
{Vote For Not More Than , 1					
(WITH 11 OF 11 PRECINCTS COUNTED)					
FOR THE TAX LEVY	2,192	70.87	1,582	597	13
AGAINST THE TAX LEVY	901	29.13	782	112	7
Over Votes	0		0	0	0
Under Votes	0		0	0	0
04 - West Clermont LSD Tax Levy					
{Vote For Not More Than , 1					
(WITH 64 OF 64 PRECINCTS COUNTED)					
FOR THE TAX LEVY	4,574	39.78	4,285	199	90
AGAINST THE TAX LEVY	6,925	60.22	6,283	599	43
Over Votes	2		2	0	0
Under Votes	3		3	0	0
05 - New Richmond Village Tax Levy					
{Vote For Not More Than , 1					
(WITH 3 OF 3 PRECINCTS COUNTED)					
FOR THE TAX LEVY	123	43.46	117	6	0
AGAINST THE TAX LEVY	160	56.54	151	8	1
Over Votes	0		0	0	0
Under Votes	0		0	0	0

# APPROVAL OF BILLS FOR REGULAR BOARD MEETING

**MAY 24, 2011**

VENDOR	DESCRIPTION OF PAYMENT	AMOUNT
<b>INVOICES PRE-APPROVED BY DIRECTOR OR DEPUTY:</b>		
ALLEEN TENT RENTAL	TENT FOR MAY 3, 2011 SPECIAL ELECTION	\$ 821.05
ALPINE VALLEY	BOTTLED WATER	\$ 61.15
ALPINE VALLEY	BOTTLED WATER	\$ 52.20
BATAVIA ELECTRIC & SUPPLY	LIGHT BULBS FOR VOTING BOOTHS	\$ 18.80
BATAVIA ELECTRIC & SUPPLY	WORK LAMPS FOR TENT	\$ 21.40
CLERMONT SUN	ADV. FOR MAY SPECIAL - WEST CLERMONT LSD	\$ 97.84
CLERMONT SUN	ADV. FOR MAY SPECIAL - BATAVIA LSD	\$ 98.84
CLERMONT SUN	ADV. FOR MAY SPECIAL - NEW RICHMOND VILLAGE	\$ 87.54
CLERMONT SUN	PROCLAMATION FOR MAY SPECIAL	\$ 444.00
COMMERCIAL WORKS	DEPLOYMENT OF VOTING EQUIPMENT	\$ 2,017.00
COMMERCIAL WORKS	DEPLOYMENT OF VOTING EQUIPMENT	\$ 2,017.00
DE LAGE LANDEN	MONTHLY LEASE ON COPIER	\$ 147.00
DELL	12 BACK-UP BATTERY PACKS FOR COMPUTERS	\$ 662.28
DONNELLON MCCARTHY	MONTHLY MAINT. ON COPIER	\$ 439.02
ELECTION NIGHT WORKERS	PAY ROLL FOR MAY 3, 2011 SPECIAL ELECTION	\$ 2,340.00
ELECTION SYSTEMS & SOFTWARE	ANNUAL HARDWARE/SOFTWARE MAINT. FEE	\$ 64,345.00
ELECTION SYSTEMS & SOFTWARE	SHIPPING FOR REPAIRED AUTOMARK	\$ 73.25
ENQUIRER MEDIA	CPCR ROP PACKAGE	\$ 695.72
FRAMES ON MAIN	PICTURES FRAMED	\$ 147.42
JANITORIAL - PAY ROLL	MAY 3, 2011 SPECIAL ELECTION	\$ 2,100.00
OFFICE DEPOT	SHIPPING LABELS	\$ 39.04
OFFICE DEPOT	ENVELOPES 9 X 12	\$ 31.64
OFFICE DEPOT	CLEAR ZIPPER ENVELOPES	\$ 282.68
OHIO SEC. OF STATE	SUMMER CONFERENCE REGISTRATION	\$ 555.00
PITNEY BOWES	POSTAGE MACHINE RENT FOR MAY 2011	\$ 321.29
POLL WORKER PAY ROLL	MAY 3, 2011 SPECIAL ELECTION	\$ 46,682.50
RESIDENCE INN - COLUMBUS	LODGING FOR SUMMER CONFERENCE - COLUMBUS	\$ 1,253.00
SAMS CLUB	MISC OFFICE SUPPLIES	\$ 25.20
J. ROBERT TRUE	APRIL PHONE BILL	\$ 579.25
<b>INVOICES APPROVED BY BOARD MEMBERS</b>		
JUDY MILLER	CONFERENCE IN MANSFIELD, OHIO	\$ 459.68
JACKIE SMITH	CONFERENCE IN MANSFIELD, OHIO	\$ 24.23
STAFF SALARIES	PAY PERIOD 04-04-11 TO 04-17-11	\$ 13,571.22

**APPROVAL OF BILLS FOR REGULAR BOARD MEETING  
MAY 24, 2011**

BOARD SALARIES	PAY PERIOD 04-04-11 TO 04-17-11	\$ 1,953.40
TEMP EMPLOYEES	PAY PERIOD 04-04-11 TO 04-17-12	\$ 112.50
STAFF SALARIES	PAY PERIOD 04-18-11 TO 05-06-11	\$ 15,738.40
BOARD SALARIES	PAY PERIOD 04-18-11 TO 05-06-11	\$ 1,953.40
OVERTIME	PAY PERIOD 04-18-11 TO 05-06-11	\$ 374.72
	<b>TOTAL:</b>	<b>\$ 160,643.66</b>