

BAY COUNTY BOARD OF CANVASSERS
BANGOR TOWNSHIP RECOUNT
DECEMBER 1, 1992
(DAY 1 OF 4)

THE BAY COUNTY BOARD OF CANVASSERS MET ON TUESDAY, DECEMBER 1, 1992 FOR THE PURPOSE OF CANVASSING THE VOTES CAST FROM THE NOVEMBER GENERAL ELECTION FOR THE OFFICES OF BANGOR TOWNSHIP SUPERVISOR/TRUSTEES. CANDIDATE JUANITA MARTEK HAD FILED A PETITION FOR RECOUNT OF THE SUPERVISOR RACE. CANDIDATE ERNEST VAN TOL REQUESTED THE RECOUNT OF ALL TOWNSHIP TRUSTEES. THE BOARD MEMBERS MET AT THE BANGOR TOWNSHIP ADMINISTRATION BUILDING TO HOLD AN ORGANIZATIONAL SESSION. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN, DONALD CHEVALIER, AT 8:30 A.M. THE FOLLOWING MEMBERS AND GUESTS WERE IN ATTENDANCE.

ROLL CALL: DONALD CHEVALIER, CHAIRMAN
WALT WOZNIAK, VICE-CHMN.
RICHARD BRZEZINSKI, MEMBER
WALLACE NIELSEN, MEMBER

OTHER MEMBERS: BARBARA ALBERTSON, CLERK
CYNTHIA A. LUCZAK, SECRETARY
MARY IDA DOAN, TALLY CLERK
DELORES NIEDZINSKI, TALLY CLERK
MARY KAY WACKERLE, TALLY CLERK
BETTY CAVANAUGH, TALLY CLERK

GUESTS: JUANITA MARTEK, CANDIDATE
EARNEST VAN TOL, CANDIDATE
LYNN DALTON, CANDIDATE
MARGE CARLAND, FOR J. CARLAND
LOIS CLARK, FOR E. VAN TOL
OWEN COOLEY, FOR J. CARLAND
PETER DAHM, ATTORNEY AT LAW
JANICE CURILLO, BAY CITY TIMES
DOROTHY GIFFEL, REPUBLICAN PARTY
WM. VANOOTEGHEM, OBSERVER

ONCE THE MEETING WAS CALLED TO ORDER, THE BOARD MEMBERS AND GUESTS WERE INTRODUCED WITH THE GUESTS ALSO STATING WHO THEY WERE REPRESENTING DURING THE RECOUNT.

MR. CHEVALIER INDICATED THE BAY COUNTY BOARD OF CANVASSERS FOLLOWED THE RULES ESTABLISHED BY THE MICHIGAN STATE BOARD OF CANVASSERS.

AS DURING FORMER RECOUNTS, THE CANVASSERS DECIDED TO RECOUNT THE MACHINE TOTALS BEFORE PROCEEDING TO REVIEW THE A.V. PAPER BALLOTS AT THE TOWNSHIP ADMINISTRATION BUILDING. THE FIRST STOP FOR MACHINE RECOUNT WOULD BE BANGOR NORTH SCHOOL WITH THE LOCATIONS THEREAFTER TO BE ANNOUNCED.

ONCE AT THE MACHINE LOCATIONS, A BOARD MEMBER WOULD ANNOUNCE THE PUBLIC COUNTER NUMBER, PROTECTIVE COUNTER NUMBER AND SEAL NUMBERS. THESE RECORDED SEAL NUMBERS WOULD BE VERIFIED WITH THOSE FIGURES RECORDED BY WORKERS ON ELECTION NIGHT IN THE POLL BOOKS. THE MACHINE WOULD NOT BE OPENED NOR ANY TOTALS RECOUNTED SHOULD A PUBLIC, PROTECTIVE OR SEAL NUMBER NOT MATCH THE POLL BOOK WITHOUT AN EXPLANATION. CANDIDATES AND THEIR DESIGNATED REPRESENTATIVES WOULD BE GIVEN TIME TO LOOK OVER THE MACHINE TOTALS FOR VERIFICATION OF VOTES.

CLERK ALBERTSON HAD THE RETURN SHEET INFORMATION IN HER POSSESSION BUT DID NOT HAVE THE POLL BOOK FIGURES AT THIS LOCATION. THE POLL BOOKS HAD BEEN LEFT IN THE COUNTY CLERKS OFFICE. AS THE CLERK HAD THE RETURN SHEETS TO VERIFY PUBLIC, PROTECTIVE AND SEAL NUMBERS, NO ONE OBJECTED TO THE USE OF THE RETURN SHEETS INSTEAD OF THE POLL BOOKS.

A LISTING OF THE MACHINE PRECINCTS AND THE ADDRESSES OF THE LOCATIONS HAD BEEN DISTRIBUTED.

THE ORGANIZATIONAL SESSION WAS CONCLUDED AT 8:45 A.M. AS THE MEMBERS/GUESTS MOVED ON TO THE FIRST MACHINE PRECINCT OF BANGOR NORTH SCHOOL.

BANGOR NORTH-PRECINCT 2

RECOUNT AT THE BANGOR NORTH LOCATION BEGAN AT 9:00 A.M. WITH THE REVIEW OF VOTES CAST ON TWO VOTING MACHINES.

MACHINE	#73300	21A	CARLAND	181 VOTES
PUBLIC COUNTER	# 389	21B	MARTEK	148 VOTES
PROTECTIVE	#026309	24A	BENNETT	173 VOTES
SEAL	#86559	25A	BURLEY	161 VOTES
		26A	FRONCEK	167 VOTES
		27A	ZUBE	190 VOTES
		24B	DALTON	128 VOTES
		25B	ELEK	83 VOTES
		26B	RECHSTEINER	178 VOTES
		27B	VAN TOL	130 VOTES

BANGOR NORTH CONTINUED

MACHINE	#75541	21A	CARLAND	187 VOTES
PUBLIC COUNTER	# 375	21B	MARTEK	158 VOTES
PROTECTIVE	#019808	24A	BENNETT	177 VOTES
SEAL	#87219	25A	BURLEY	166 VOTES
		26A	FRONCEK	146 VOTES
		27A	ZUBE	198 VOTES
		24B	DALTON	125 VOTES
		25B	ELEK	77 VOTES
		26B	RECHSTEINER	184 VOTES
		27B	VAN TOL	132 VOTES

BANGOR LINCOLN-PRECINCT 1

MACHINE	#144322	21A	CARLAND	151 VOTES
PUBLIC COUNTER	# 348	21B	MARTEK	142 VOTES
PROTECTIVE	# 05779	24A	BENNETT	173 VOTES
SEAL	# 86901	25A	BURLEY	160 VOTES
		26A	FRONCEK	140 VOTES
		27A	ZUBE	180 VOTES
		24B	DALTON	108 VOTES
		25B	ELEK	62 VOTES
		26B	RECHSTEINER	163 VOTES
		27B	VAN TOL	94 VOTES

MACHINE	#95208	21A	CARLAND	145 VOTES
PUBLIC COUNTER	# 350	21B	MARTEK	150 VOTES
PROTECTIVE	#018984	24A	BENNETT	170 VOTES
SEAL	#87217	25A	BURLEY	156 VOTES
		26A	FRONCEK	142 VOTES
		27A	ZUBE	154 VOTES
		24B	DALTON	108 VOTES
		25B	ELEK	67 VOTES
		26B	RECHSTEINER	176 VOTES
		27B	VAN TOL	134 VOTES

MACHINE	#95209	21A	CARLAND	52 VOTES
PUBLIC COUNTER	# 120	21B	MARTEK	50 VOTES
PROTECTIVE	#019213	24A	BENNETT	62 VOTES
SEAL	#87215	25A	BURLEY	59 VOTES
		26A	FRONCEK	54 VOTES
		27A	ZUBE	60 VOTES
		24B	DALTON	46 VOTES
		25B	ELEK	21 VOTES

CONT. MACHINE	#95209	26B	RECHSTEINER	54 VOTES
		27B	VAN TOL	39 VOTES

BANGOR TRUSTEE CANDIDATE, LYNN DALTON, EXPRESSED CONCERN WITH THE PROPER FUNCTIONING OF MACHINE #95209. SHE QUESTIONED WHY SERVICEMEN WERE CALLED TO CHECK THE MACHINE AND WHY IT HAD BEEN SHUT DOWN FOR VOTING AT APPROXIMATELY NOON ON ELECTION DAY. MS. DALTON HAD VOTED AT THIS PARTICULAR LOCATION AND KNEW THAT THREE PERSONS HAD DIFFICULTY VOTING THE MACHINE PRIOR TO IT BEING SHUT DOWN ON ELECTION DAY. CLERK ALBERTSON RESPONDED TO THE INQUIRY OF MS. DALTON. REPAIRMEN WERE CALLED TO THE PRECINCT TO REMOVE ONE OF THE COMPENSATOR PINS THAT REGULATED MACHINE OPERATION. MS. DALTON'S DAUGHTER, WHO ACTED AS A CHALLENGER AT THAT PRECINCT, RECORDED THE OPENING OF THREE VOTING MACHINES ON THAT DATE. MS. DALTON ALSO QUESTIONED WHY THE NAMES OF THE CANDIDATES HAD NOT BEEN ROTATED IN SEQUENCE FROM THE TWO DIFFERENT MACHINE PRECINCTS. CLERK ALBERTSON RESPONDED THE ROTATION OF CANDIDATE NAMES OCCURED ONLY IN A PRIMARY ELECTION AND NOT A GENERAL ELECTION. RECOUNT OF MACHINES AT PRECINCT #1 WAS THEREFORE CONCLUDED AT 9:30 A.M.

BANGOR WEST-PRECINCT 3

MACHINE	#75552	21A	CARLAND	155 VOTES
PUBLIC COUNTER	# 325	21B	MARTEK	131 VOTES
PROTECTIVE	#017177	24A	BENNETT	169 VOTES
SEAL	#584442	25A	BURLEY	139 VOTES
		26A	FRONCEK	125 VOTES
		27A	ZUBE	162 VOTES
		24B	DALTON	104 VOTES
		25B	ELEK	65 VOTES
		26B	RECHSTEINER	148 VOTES
		27B	VAN TOL	106 VOTES

MACHINE	#144572	21A	CARLAND	154 VOTES
PUBLIC COUNTER	# 293	21B	MARTEK	102 VOTES
PROTECTIVE	#11951	24A	BENNETT	147 VOTES
SEAL	#584437	25A	BURLEY	142 VOTES
		26A	FRONCEK	112 VOTES
		27A	ZUBE	155 VOTES
		24B	DALTON	92 VOTES
		25B	ELEK	60 VOTES
		26B	RECHSTEINER	131 VOTES
		27B	VAN TOL	91 VOTES

BANGOR WEST CONTINUED

MACHINE	#144566	21A	CARLAND	165 VOTES
PUBLIC COUNTER	# 336	21B	MARTEK	129 VOTES
PROTECTIVE	#09779	24A	BENNETT	165 VOTES
SEAL	#584440	25A	BURLEY	150 VOTES
		26A	FRONCEK	137 VOTES
		27A	ZUBE	166 VOTES
		24B	DALTON	100 VOTES
		25B	ELEK	65 VOTES
		26B	RECHSTEINER	153 VOTES
		27B	VAN TOL	116 VOTES

RECOUNT AT BANGOR PRECINCT #3 FINISHED AT 10:00 A.M.

BANGOR JOHN GLENN-PRECINCT 6

MACHINE	#111506	21A	CARLAND	101 VOTES
PUBLIC COUNTER	# 250	21B	MARTEK	121 VOTES
PROTECTIVE	#018033	24A	BENNETT	104 VOTES
SEAL	#86686	25A	BURLEY	104 VOTES
		26A	FRONCEK	87 VOTES
		27A	ZUBE	130 VOTES
		24B	DALTON	91 VOTES
		25B	ELEK	64 VOTES
		26B	RECHSTEINER	118 VOTES
		27B	VAN TOL	93 VOTES

MACHINE	#75553	21A	CARLAND	104 VOTES
PUBLIC COUNTER	# 249	21B	MARTEK	120 VOTES
PROTECTIVE	#018120	24A	BENNETT	114 VOTES
SEAL	#86689	25A	BURLEY	105 VOTES
		26A	FRONCEK	96 VOTES
		27A	ZUBE	136 VOTES
		24B	DALTON	100 VOTES
		25B	ELEK	63 VOTES
		26B	RECHSTEINER	122 VOTES
		27B	VAN TOL	89 VOTES

MACHINE	#75546	21A	CARLAND	55 VOTES
PUBLIC COUNTER	# 144	21B	MARTEK	77 VOTES
PROTECTIVE	#015347	24A	BENNETT	62 VOTES
SEAL	#86685	25A	BURLEY	63 VOTES
		26A	FRONCEK	44 VOTES
		27A	ZUBE	65 VOTES
		24B	DALTON	51 VOTES

CONT. MACHINE	#75546	25B	ELEK	39 VOTES
		26B	RECHSTEINER	79 VOTES
		27B	VAN TOL	57 VOTES

CANDIDATE LYNN DALTON QUESTIONED IF MACHINE #75546 WAS IN NEED OF REPAIR ON ELECTION DAY AS SHE HAD HEARD TALK OF A SERVICE PROBLEM. CLERK ALBERTSON RESPONDED SHE HAD NOT BEEN MADE AWARE OF ANY PROBLEM BUT WOULD CHECK HER LOG OF SERVICE CALLS FOR THE DAY.

MACHINE	#73318	21A	CARLAND	86 VOTES
PUBLIC COUNTER	# 199	21B	MARTEK	86 VOTES
PROTECTIVE	#015677	24A	BENNETT	88 VOTES
SEAL	#86687	25A	BURLEY	91 VOTES
		26A	FRONCEK	66 VOTES
		27A	ZUBE	100 VOTES
		24B	DALTON	59 VOTES
		25B	ELEK	39 VOTES
		26B	RECHSTEINER	104 VOTES
		27B	VAN TOL	65 VOTES

EDISON SCHOOL-PRECINCT 8

MACHINE	#73280	21A	CARLAND	107 VOTES
PUBLIC COUNTER	# 283	21B	MARTEK	139 VOTES
PROTECTIVE	#018901	24A	BENNETT	134 VOTES
SEAL	#87276	25A	BURLEY	128 VOTES
		26A	FRONCEK	105 VOTES
		27A	ZUBE	151 VOTES
		24B	DALTON	101 VOTES
		25B	ELEK	67 VOTES
		26B	RECHSTEINER	130 VOTES
		27B	VAN TOL	96 VOTES

MACHINE	#75543	21A	CARLAND	133 VOTES
PUBLIC COUNTER	# 285	21B	MARTEK	115 VOTES
PROTECTIVE	#017339	24A	BENNETT	130 VOTES
SEAL	#87235	25A	BURLEY	129 VOTES
		26A	FRONCEK	108 VOTES
(NO PENCIL AT MACHINE)		27A	ZUBE	144 VOTES
		24B	DALTON	96 VOTES
		25B	ELEK	66 VOTES
		26B	RECHSTEINER	135 VOTES
		27B	VAN TOL	87 VOTES

MACHINE	#94775	21A	CARLAND	105 VOTES
PUBLIC COUNTER	# 272	21B	MARTEK	132 VOTES

CONT. MACHINE	#94775			
PROTECTIVE	#016129	24A	BENNETT	121 VOTES
SEAL	#86953	25A	BURLEY	120 VOTES
		26A	FRONCEK	97 VOTES
		27A	ZUBE	133 VOTES
		24B	DALTON	100 VOTES
		25B	ELEK	76 VOTES
		26B	RECHSTEINER	123 VOTES
		27B	VAN TOL	93 VOTES

FIRE STATION - PRECINCT 7

MACHINE	#73308	21A	CARLAND	84 VOTES
PUBLIC COUNTER	# 185	21B	MARTEK	76 VOTES
PROTECTIVE	#012360	24A	BENNETT	81 VOTES
SEAL	#86641	25A	BURLEY	95 VOTES
		26A	FRONCEK	84 VOTES
		27A	ZUBE	95 VOTES
		24B	DALTON	59 VOTES
		25B	ELEK	38 VOTES
		26B	RECHSTEINER	75 VOTES
		27B	VAN TOL	54 VOTES

MACHINE	#121580	21A	CARLAND	57 VOTES
PUBLIC COUNTER	# 144	21B	MARTEK	66 VOTES
PROTECTIVE	# 10354	24A	BENNETT	53 VOTES
SEAL	#86949	25A	BURLEY	58 VOTES
		26A	FRONCEK	54 VOTES
		27A	ZUBE	60 VOTES
		24B	DALTON	54 VOTES
		25B	ELEK	38 VOTES
		26B	RECHSTEINER	58 VOTES
		27B	VAN TOL	57 VOTES

BANGOR TWP. HALL-PRECINCT 5

MACHINE	#75502	21A	CARLAND	160 VOTES
PUBLIC COUNTER	# 322	21B	MARTEK	131 VOTES
PROTECTIVE	#016966	24A	BENNETT	163 VOTES
SEAL	#86621	25A	BURLEY	162 VOTES
		26A	FRONCEK	177 VOTES
		27A	ZUBE	187 VOTES
		24B	DALTON	81 VOTES
		25B	ELEK	63 VOTES
		26B	RECHSTEINER	114 VOTES
		27B	VAN TOL	90 VOTES

MACHINE	#94776	21A	CARLAND	159 VOTES
PUBLIC COUNTER	# 335	21B	MARTEK	135 VOTES
PROTECTIVE	#016108	24A	BENNETT	160 VOTES
SEAL	#86099	25A	BURLEY	157 VOTES
		26A	FRONCEK	196 VOTES
		27A	ZUBE	194 VOTES
		24B	DALTON	102 VOTES
		25B	ELEK	59 VOTES
		26B	RECHSTEINER	120 VOTES
		27B	VAN TOL	96 VOTES

MACHINE	#121578	21A	CARLAND	152 VOTES
PUBLIC COUNTER	# 327	21B	MARTEK	139 VOTES
PROTECTIVE	#12465	24A	BENNETT	156 VOTES
SEAL	#86625	25A	BURLEY	140 VOTES
		26A	FRONCEK	177 VOTES
		27A	ZUBE	183 VOTES
		24B	DALTON	94 VOTES
		25B	ELEK	63 VOTES
		26B	RECHSTEINER	111 VOTES
		27B	VAN TOL	101 VOTES

BANGOR TWP. -PRECINCT 4

MACHINE	#73309	21A	CARLAND	104 VOTES
PUBLIC COUNTER	# 253	21B	MARTEK	102 VOTES
PROTECTIVE	#021586	24A	BENNETT	113 VOTES
SEAL	#438441	25A	BURLEY	117 VOTES
		26A	FRONCEK	108 VOTES
		27A	ZUBE	128 VOTES
		24B	DALTON	72 VOTES
		25B	ELEK	45 VOTES
		26B	RECHSTEINER	106 VOTES
		27B	VAN TOL	81 VOTES

MACHINE	#94774	21A	CARLAND	106 VOTES
PUBLIC COUNTER	# 233	21B	MARTEK	93 VOTES
PROTECTIVE	#015125	24A	BENNETT	116 VOTES
SEAL	#86045	25A	BURLEY	112 VOTES
		26A	FRONCEK	118 VOTES
		27A	ZUBE	121 VOTES
		24B	DALTON	68 VOTES
		25B	ELEK	33 VOTES
		26B	RECHSTEINER	88 VOTES
		27B	VAN TOL	72 VOTES

CLERK ALBERTSON TOOK A MOMENT TO EXPLAIN HOW THE PINS

IN A VOTING MACHINE REGULATED WHO THE ELECTOR CHOOSE TO CAST THEIR VOTE FOR.

MACHINE	#94770	21A	CARLAND	99 VOTES
PUBLIC COUNTER	# 235	21B	MARTEK	97 VOTES
PROTECTIVE	#016248	24A	BENNETT	121 VOTES
SEAL	#87220	25A	BURLEY	108 VOTES
		26A	FRONCEK	112 VOTES
		27A	ZUBE	120 VOTES
		24B	DALTON	64 VOTES
		25B	ELEK	48 VOTES
		26B	RECHSTEINER	102 VOTES
		27B	VAN TOL	69 VOTES

THE CANVASSERS NOTED AN INCORRECT PROTECTIVE COUNTER NUMBER HAD BEEN RECORDED IN THE POLL BOOK. THE OPENING OF THE POLLS HAD BEEN RECORDED AS NUMBER 016013. WITH 235 VOTERS SHOWN ON THE PUBLIC COUNTER, THE CANVASSERS NOTED THE MISTAKE IN SUBTRACTION AND RECORDING. THE CANVASSERS HAD CORRECTED THE MATH ERROR DURING THE ORIGINAL CANVASS.

THE RECOUNT OF THE VOTING MACHINES CONCLUDED AT 12:00 NOON. THE TALLY CLERKS CALCULATED THE MACHINE VOTE TOTALS TO FOLLOW. UPON REVIEW IT WAS DETERMINED, NO CHANGE IN TOTAL VOTES RESULTED FROM MACHINE RECOUNT.

SUPERVISOR RECOUNT:	CARLAND	2802 VOTES
	MARTEK	2639 VOTES

TRUSTEE RECOUNT:	BENNETT	2952 VOTES
	BURLEY	2822 VOTES
	FRONCEK	2652 VOTES
	ZUBE	3212 VOTES
	DALTON	2003 VOTES
	ELEK	1301 VOTES
	RECHSTEINER	2772 VOTES
	VAN TOL	2042 VOTES

THE CANVASSERS DECIDED TO TAKE A ONE HOUR LUNCH BREAK AT THIS POINT AND WOULD RESUME THE RECOUNT BY REVIEW OF ABSENTEE BALLOTS SCHEDULED TO BEGIN AT 1:00 P.M.

UPON RETURN FROM THE BREAK, CHAIRMAN CHEVALIER TOOK A FEW MOMENTS TO EXPLAIN HOW RECOUNT OF THE ABSENTEE BALLOTS WOULD BE CONDUCTED. BALLOTS CHALLENGED FOR ANY REASON WOULD BE MARKED EXHIBIT #1, EXHIBIT #2 AND

SO ON. PAPER OF DIFFERENT COLORS WOULD ALSO INDICATE WHICH CANDIDATE/REPRESENTATIVE PROPOSED THE CHALLENGE. THE FOLLOWING COLORS OF PAPER WERE NOTED IN THE RECORD.

FUSHIA - CARLAND
GRAY - MARTEK

GREEN - VAN TOL
WHITE - RECHSTEINER
PINK - BURLEY
PURPLE - DALTON
RUST - BENNETT
GOLD - ZUBE
BLUE - FRONCEK
ORANGE - ELEK
BROWN - P. DAHM/ATTNY.

ONCE CHALLENGES WERE EVIDENCED AND PROPERLY LABELED, BE PUT ASIDE FOR FINAL CONSIDERATION OF THE CANVASSERS. FURTHER, BEFORE ANY BALLOTS WERE EXPOSED, OFFICIALS WERE TO CONFIRM THE CAN SEAL, BAG SEAL AND/OR TOTAL NUMBER BALLOTS AGREED WITH RECORDS KEPT FROM ELECTION NIGHT. THE CHAIRMAN INDICATED THE BOARD WOULD COMPLY WITH THE TWO OUT OF THREE RULING WHICH STATED THE BALLOTS WOULD BE RECOUNTED ONLY WHEN TWO OF THE ABOVE THREE FACTORS AGREED. SHOULD ANY TWO FACTORS NOT BE CONFIRMED, THE CANVASSERS HAD THE AUTHORITY TO REFUSE TO COUNT THE BALLOTS CONTAINED THEREIN UNDER STATE OF MICHIGAN LAW. CANDIDATES AND THEIR REPRESENTATIVES WERE ABLE TO LOOK AT ANY BALLOT BUT WERE UNAUTHORIZED TO TOUCH OR HANDLE A BALLOT IN ANY FASHION. A STATE ELECTION HANDOUT WAS DISTRIBUTED, THIS SHOWED THE ACCEPTABLE AND UNACCEPTABLE BALLOT MARKINGS IN DETAIL. MR. CHEVALIER STATED THE BOARD MEMBERS WOULD REVIEW THE BALLOTS AND THEN PAUSE MOMENTARILY BEFORE ANNOUNCING OUT LOUD, THE CANDIDATES WHICH TALLY CLERKS SHOULD CALCULATE VOTES FOR. TALLIERS WERE INSTRUCTED NOT TO MARK ANY CHALLENGED BALLOTS UNTIL CONSIDERED AT THE END OF THE BALLOT ROLL OR BALLOT CAN.

AT APPROXIMATELY 1:30 P.M., THE BOARD PROCEEDED WITH A.V. RECOUNT BY OPENING CAN #1. SEAL #438515 WAS CONFIRMED WITH THE POLL BOOK RECORD BEFORE BEING REMOVED. ONCE THE BALLOT BAG WAS TAKEN OUT AND SEAL #86562 WAS CHECKED, THE SEAL WAS REMOVED AND THE BALLOTS TAKEN OUT FOR THE RECOUNT. THE BALLOTS WERE REVIEWED AND VOTES WERE CALLED OFF BY BOARD OF CANVASS MEMBERS.

NOT VERY FAR INTO THE RECOUNT, CANVASSERS DISCOVERED A BALLOT SUBJECT TO QUESTION. THIS BALLOT APPEARED TO BE A STRAIGHT PARTY BALLOT. THE VOTER HAD ALSO MARKED

BOXES FOR VOTES FOR INDIVIDUAL CANDIDATES RECHSTEINER, ELEK, ZUBE & DALTON. IT WAS HARD FOR THE BOARD TO DETERMINE WHICH VOTES CANCELLED OTHER VOTES CAST, IN A CASE LIKE THIS, WHEN VOTES WERE CAST FOR TWO OR MORE PERSONS IN ONE OFFICE. REFERENCE WAS MADE TO STATE OF MICHIGAN STATUTE 168.737(C). CLERK ALBERTSON READ THE STATUTE "WHEN TWO OR MORE CANDIDATES WERE TO BE ELECTED TO THE SAME OR LIKE OFFICE...OR ELECTOR DESIRES TO VOTE FOR CANDIDATES NOT ON THE ELECTORS PARTY TICKET FOR THE OFFICE, THE ELECTOR SHALL MARK AN "X" OR A CHECK MARK IN THE CIRCLE UNDER THE ELECTORS PARTY NAME AND MARK A CROSS OR A CHECK MARK IN THE SQUARE BEFORE THE NAME OR NAMES OF THE CANDIDATE/CANDIDATES FOR WHOM THE ELECTOR DESIRES TO VOTE ON THE OTHER TICKET OR TICKETS AND ALSO CROSS OFF AN EQUAL NUMBER OF NAMES OF THE CANDIDATES FOR THE OFFICE ON THE ELECTORS PARTY TICKET. IF THE ELECTOR FAILS TO CROSS OFF THE NAMES OF AN EQUAL NUMBER OF CANDIDATES FOR THE OFFICE ON THE ELECTORS PARTY TICKET, THE ELECTOR SHALL BE CONSIDERED TO HAVE CROSSED OFF THE NAME OF EACH OF THE CANDIDATES FOR THE OFFICE WHICH IS PRINTED ON THE PARTY TICKET, OPPOSITE THE NAME OF THE CANDIDATE ON SOME OTHER PARTY TICKET IN FRONT OF WHICH THE NAME THE ELECTOR HAD MADE A CROSS OR CHECK MARK." IN THIS CASE, WALLY NIELSEN FELT THE VOTE CAST FOR VAN TOL WOULD BE LOST AND VOTES BE TALLIED FOR CANDIDATES IN THE REPUBLICAN RACE. MR. CHEVALIER FELT THE KEY TO THIS WAS TO COUNT THE VOTES OPPOSITE TO THE "X'S" PLACED BY THE VOTER. OTHER MARKS WERE ONLY PLACED FOR EMPHASIS, PER CLERK ALBERTSON. MR. DAHM FELT THE BOARD SHOULD PRESUME A VOTE FOR VAN TOL WAS ELIMINATED EVEN THOUGH IT WAS NOT CROSSED OUT. MR. VAN TOL SEEMED TO THINK THE INTENT OF THE VOTER WAS TO NOT CAST VOTES FOR ANY MORE THAN THREE CANDIDATES IN ALL. MR. CHEVALIER REMINDED MR. VAN TOL THAT MICHIGAN WAS NOT AN "INTENT" STATE. IF THE VOTER HAD NOT PUT ANY "X'S" ON THE BALLOT FOR EMPHASIS, IT WOULD BE THEN COUNTED AS A STRAIGHT PARTY TICKET. MR. DAHM ALSO REFERRED TO THIS PARTICULAR BALLOT AS A SPLIT PARTY BALLOT. ONE "X" VOTE CANCELLED THE OTHER IN ACCORDANCE WITH THE MICHIGAN LAW. CANVASSER BREZINSKI QUESTIONED HOW THE BOARD DETERMINED WHAT REPUBLICAN VOTES WERE TO BE CAST, AS IT WAS SOMEWHAT SUBJECT TO VARIOUS DETERMINATION DEPENDING ON THE VOTERS WISHES. THE CHAIRMAN RESPONDED, CANVASSERS MUST GO WITH THE OPPOSITE. SHOULD AN "X" BE CAST FOR A DIFFERENT CANDIDATE, WHICH REPUBLICAN VOTES WOULD BE ACCEPTABLE? THE CHAIRMAN FELT A BOARD COULD NOT COUNT EITHER VOTE WHEN ONE VOTE WAS TO CANCEL ANOTHER. THIS BALLOT WAS MARKED CANVASSERS

REVIEWED BALLOT WITH VOTES CAST FOR CANDIDATES ZUBE, DALTON, ELEK AND RECHSTEINER. SINCE RICHARD BRZEZINSKI WANTED FURTHER CLARIFICATION, STATE OFFICIALS WERE CONTACTED. FROM THIS PARTICULAR BALLOT CAME CHALLENGE NUMBER ONE (1) PROPOSED BY MR. VAN TOL. STATE OFFICIALS CONFIRMED THE CANVASSERS WERE CORRECT IN THEIR DETERMINATION OF THESE VOTES. BOARD OF CANVASSERS VOTE ON THIS 3 YEAS, 1 NAY-BRZEZINSKI.

CHALLENGE 1: IN REGARD TO THE BALLOT FORMERLY DISCUSSED, ERNEST VAN TOL CHALLENGED THE DECISION OF CANVASSERS TO CAST FOUR TOTAL VOTES FOR CANDIDATES ZUBE, DALTON, ELEK AND RECHSTEINER. HE FELT IT WAS THE "INTENT" OF THE VOTER TO ONLY CAST VOTES FOR THOSE PERSONS MARKED WITH AN "X" INCLUDING RECHSTEINER, ZUBE AND ELEK. CHAIRMAN CHEVALIER WELCOMED THE CHALLENGE BUT REITERATED A BOARD OF CANVASSERS MUST FOLLOW THE LAW AND NOT THE INTENT.

CANVASSERS LATER WITHHELD A BALLOT FOR CONSIDERATION WHICH HAD WHITE OUT SUBSTANCE CORRECTING A BALLOT MARK. NOTED WAS THE FACT THAT WHITE OUT WAS PERMITTED ON A BALLOT. IN THIS CASE, ALL MARKINGS WERE ACCEPTABLE WITH EXCEPTION OF ONE. THIS ONE PARTICULAR MARKING WAS A DIAGONAL LINE, NOT A COMPLETE "X" OR CHECK.

CHALLENGE 2: CHALLENGE #2 EVIDENCED BY VAN TOL AND ATTORNEY DAHM WAS BASED ON THE VOTERS STRAIGHT PARTY DESIGNATION AND PLACEMENT OF "X'S" IN ADDITION. THE BOARD TALLIED VOTES FOR TRUSTEES DALTON, ELEK, RECHSTEINER AND FRONCEK AS MARKED WITH "X'S". CHALLENGERS OBJECTED TO THE DECISION OF THE BOARD OF CANVASSERS. THIS BALLOT SIMILAR TO THE CHALLENGES EXPRESSED IN CHALLENGE #1.

AS IT APPROACHED 4:00 P.M. ON THE AFTERNOON OF DECEMBER 1, 1992, CANVASSERS MARKED THE BALLOTS WHICH HAD BEEN RECOUNTED AND THOSE WHICH HAD NOT BEEN RECOUNTED IN SEPERATE ROLLS. THE ROLLS OF BALLOTS WERE THEN PUT INTO SEPERATE BALLOT BAGS AND MARKED ONCE AGAIN. THE FINISHED BALLOTS WERE SEALED WITH MICHIGAN TAG #86277. THE UNFINISHED BALLOTS WERE PLACED IN A BAG AND ALSO SEALED WITH TAB #86214. BOTH BALLOT BAGS WERE PLACED

INTO BALLOT CAN NUMBERED ONE (1) AND SEALED WITH METAL SEAL #86212.

CANVASSERS DECIDED TO RECONVENE ON WEDNESDAY, DECEMBER 2, 1992 AT 8:30 A.M. AT THAT TIME, BALLOT CAN #1 WAS TO BE OPENED, AND THE BALANCE OF THE A.V. BALLOTS REVIEWED.

RECOUNT ON THIS DATE CONCLUDED AT 4:00 P.M.

Donald Chevalier, Chmn.

R. Brzezinski, Vice-Chmn.

Walt Wozniak, Member

Wally Nielsen, Member

BAY COUNTY BOARD OF CANVASSERS
BANGOR TOWNSHIP RECOUNT
DECEMBER 2, 1992
(DAY 2 OF 4)

THE BAY COUNTY BOARD OF CANVASSERS MET ON WEDNESDAY, DECEMBER 2, 1992 FOR CONTINUATION OF A RECOUNT OF THE VOTES CAST IN THE BANGOR TOWNSHIP GENERAL ELECTION FOR OFFICES OF SUPERVISOR/TRUSTEES. THIS WAS THE SECOND DAY OF FOUR DAYS IN WHICH VOTES WERE RECOUNTED. ON THIS DAY CANVASSERS WERE SCHEDULED TO REVIEW THE BALANCE OF A.V. BALLOTS CONTAINED IN BALLOT CAN #1 WHICH HAD NOT BEEN FINISHED ON THE PRIOR DAY. MEMBERS HAD ONCE AGAIN MET AT THE BANGOR TOWNSHIP ADMINISTRATION BUILDING. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN DON CHEVALIER AT 8:35 A.M. WITH THE FOLLOWING MEMBERS AND GUESTS.

ROLL CALL: DONALD CHEVALIER, CHAIRMAN
WALT WOZNIAK, VICE CHAIRMAN
RICHARD BRZEZINSKI, MEMBER
WALLY NIELSEN, MEMBER

OTHER MEMBERS: BARBARA ALBERTSON, CLERK
CYNTHIA A. LUCZAK, SECRETARY
MARY IDA DOAN, TALLY CLERK
BETTY CANANAUGH, TALLY CLERK
MARY KAY WACKERLE, TALLY CLERK
DELORES NIEDZINSKI, TALLY CLERK

GUESTS: JUANITA MARTEK, CANDIDATE
MARGE CARLAND, FOR J. CARLAND
LYNN DALTON, CANDIDATE
ERNEST VANTOL, CANDIDATE
LOIS CLARK, FOR E. VAN TOL
PETER DAHM, ATTORNEY AT LAW
JANICE CURILLO, BAY CITY TIMES

THE CANVASSERS BEGAN THE RECOUNT ON THIS DAY BY REMOVING METAL SEAL #86212 FROM BALLOT CAN #1. BOARD MEMBERS REMOVED THE BALLOT CAN CONTAINING BALLOTS WHICH HAD NOT BEEN RECOUNTED AND REMOVED SECURED TAG #86214. CLERK ALBERTSON CONFIRMED THAT THESE WERE THE TAGS PLACED ON THE BALLOT BAG AND BALLOT CAN THE DAY BEFORE.

CHALLENGE 3: MR. VAN TOL POSED CHALLENGE NUMBER THREE TOWARD A BALLOT WHICH EVIDENCED THE INITIALS "V.B." ON ITS FRONT AND THE WORD "ERROR" WRITTEN IN THE TRUSTEE CANDIDATE AREA. THE VOTER MAY HAVE CHANGED THEIR MIND WHILE VOTING & PUT THEIR INITIALS ON THE BALLOT AUTHORIZING THE CHANGE. THE CANVASSERS FELT THIS WAS A MARKED BALLOT AND THEREFORE

- CHALLENGE 3:** REFUSED TO COUNT THE VOTES CAST BY A VOTE OF 4 YEAS, 0 NAYS.
- CHALLENGE 4:** ATTORNEY PETER DAHM CHALLENGED THE DECISION OF THE BOARD BY ELIMINATING THE BALLOT WITH INITIALS V.B IN CHALLENGE 3. CHAIRMAN CHEVALIER STATED THE PRACTICE OF THE BOARD HAD BEEN THE SAME IN THE PAST, TO NOT COUNT VOTES ON A BALLOT THEY DETERMINED TO BE MARKED. MR. DAHM FELT THE RULES TO VOID A MARKED BALLOT DID NOT APPLY IN THIS PARTICULAR CASE AS THE BOARD COULD NOT CONFIRM THESE MARKINGS WERE ACTUAL INITIALS OF A VOTER.
- CHALLENGE 5:** ANOTHER BALLOT WAS CHALLENGED BY CANDIDATE ERNEST VAN TOL. THE VOTER IN THIS CASE VOTED THE BALLOT A STRAIGHT PARTY TICKET AND THEN INDICATED SEPERATE VOTES PER CANDIDATE, SIMILAR TO THE CONDITIONS EVIDENT IN CHALLENGE NUMBER ONE (1). IT WAS THE BOARD'S OPINION VOTES BE CAST FOR CANDIDATES ZUBE, DALTON, ELEK AND RECHSTEINER.

THIS CONCLUDED THE RECOUNT OF 350 BALLOTS CONTAINED IN BALLOT CAN #1. THE BOARD OPENED THE BALLOT BAG WHICH HELD THE COMPLETED BALLOTS FROM DECEMBER 1, 1992 SOAS TO COMBINE ALL BALLOTS INTO ONE BAG. SEAL #86277 WAS REMOVED FROM THE FIRST BAG OF FINISHED/TALLIED BALLOTS. ONCE ALL BALLOTS WERE PLACED INTO THE FINAL STORAGE BAG, WAS SEALED WITH METAL TAG NUMBERED 86293. THIS BALLOT BAG WITH THE TOTAL NUMBER OF RECOUNTED BALLOTS WAS PLACED INTO THE BALLOT CAN AND SEALED WITH SEAL NUMBER 86285.

THE BOARD OF CANVASSERS PROCEEDED TO RECOUNT BALLOT CAN MARKED #2 BY REMOVING METAL SEAL #8410. THIS SEAL NUMBER WAS CONFIRMED BY THE CLERK. THE BALLOT BAG WAS REMOVED AND SEAL #86047 WAS REMOVED. SINCE THIS CAN QUALIFIED UNDER THE TWO OUT OF THREE RULE, IT WAS DETERMINED RECOUNTABLE.

- CHALLENGE 6:** MR. DAHM VOICED CHALLENGE NUMBER SIX IN REGARD TO THE BANGOR TOWNSHIP SUPERVISOR RACE. IN THIS INSTANCE, CANVASS MEMBERS COUNTED A VOTE CAST FOR MR. J. CARLAND BY AN "X" WHILE THE SAME VOTER HAD PLACED AN "X" IN THE JUANITA MARTEK BOX WITH THE WORD "NO" NEXT TO THE NAME. CANVASS MEMBERS UNANIMOUSLY VOTED TO

- CHALLENGE 6:** ONLY ACCEPT THE VOTE CAST FOR CARLAND. MR. DAHM CONCLUDED HIS OBJECTION BY STATING THE WORD "NO" REPRESENTED AN UNCLEAR OBLITERATION OR AN OVERVOTE MADE BY THE VOTER HIM/HER SELF. AS A RESULT, NEITHER VOTES SHOULD HAVE BEEN TALLIED IN HIS OPINION.
- CHALLENGE 7:** CANDIDATE VAN TOL CHALLENGED BALLOT #7 IN COMPARISON TO OTHER STRAIGHT PARTY BALLOTS IN WHICH THE VOTER ALSO PLACED "X'S" IN THE BOXES FOR INDIVIDUAL CANDIDATES. MR. VAN TOL CONTENDED OTHER CHALLENGES ALLOWED A COUNTING OF VOTES ON A STRAIGHT PARTY TICKET EVEN WHEN A VOTER DID NOT MARK THE INDIVIDUAL BOXES PER EACH CANDIDATE, IN THIS CASE THE CANVASSERS DID NOT COUNT VOTES CAST IF NOT MARKED WITH AN "X". CHAIRMAN CHEVALIER EXPLAINED HOW THE VOTES BETWEEN PARTIES CANCELLED OUT EACH OTHER. BOARD OF CANVASSERS ACCEPTED VOTES FOR ONLY BENNETT, FRONCEK AND RECHSTEINER THAT OBVIOUSLY SHOWED THE CHOICE OF A VOTER. THE BOARD WAS UNABLE TO DETERMINE IF THE OPEN VOTES WERE TO BE GIVEN TO BURLEY, ZUBE, DALTON, ELEK OR VAN TOL. AS A RESULT VOTES WERE ONLY CAST FOR THE THREE CANDIDATES THAT WERE CLEAR.
- CHALLENGE 8:** CHALLENGE EIGHT POSED BY MR. VAN TOL, WAS BASED ON THE SAME PREMISE AS MANY OTHER BALLOTS WHEREBY THE VOTER INDICATED A STRAIGHT PARTY TICKET AND THEN WENT ON TO MARK BOXES FOR INDIVIDUAL CANDIDATES ALSO. CANDIDATE VAN TOL REQUESTED HIS OBJECTION TOWARD THIS REPUBLICAN CAST BALLOT, BE EVIDENCED FOR THE RECORD. BOARD OF CANVASSERS DETERMINED VOTES BE CAST FOR CANDIDATES ZUBE, FRONCEK AND RECHSTEINER IN THIS CASE.
- CHALLENGE 9:** CANDIDATE VAN TOL OBJECTED TO ANOTHER BALLOT IN WHICH BALLOT MARKINGS WERE UNCLEAR IN THE BOX FOR TRUSTEE BENNETT. IT APPEARED AS THOUGH THE VOTER PLACED AN "X" IN THE BOX FOR BENNETT BUT THEN CHANGED THEIR MIND. AS THE VOTER DID NOT COMPLETELY ERASE THE MARKINGS IN THE BOX, AND AN INTERSECTION OF LINES HAD STILL APPEARED, VOTE WAS TALLIED BY THE BOARD FOR CANDIDATE BENNETT. ATTORNEY PETER DAHM FELT THE BOARD

CHALLENGE 9: SHOULD NOT COUNT THE BENNET VOTE AS THE VOTER CLEARLY ATTEMPTED TO ERASE OR OMIT THE ORIGINAL MARKINGS MADE IN ERROR, BUT LEFT ONE PORTION OF A MARKING. CANVASSERS OBSERVED THIS MARKING THROUGH A MAGNIFYING GLASS TO MAKE PROPER DETERMINATION. COMMENTS WERE VOICED, THE VOTER MAY HAVE HAD A PEN THAT WAS NOT WRITING EFFICIENTLY. BOARD VOTED 4-0 THE MARKING WAS A VALID VOTE FOR CANDIDATE BENNETT.

**CHALLENGE 10/
CHALLENGE 11:** ATTORNEY PETER DAHM PRESENTED CHALLENGE #10 WHILE CANDIDATE VAN TOL EVIDENCED CHALLENGE #11 REGARDING THE SAME BALLOT. THE CHALLENGERS DID NOT FEEL THE CHECK MARKS FOR THE CANDIDATES WERE INSIDE THE SQUARE BOX ABOVE THE CANDIDATES NAMES. CANVASS MEMBERS HAD REVIEWED THE MARKS WITH THEIR MAGNIFYING GLASS AND HAD DETERMINED THE CHECK MARKS WERE IN THE BOX AND CONSIDERED ACCEPTABLE. VOTES WERE TALLIED FOR CANDIDATES CARLAND AND FRONCEK ONLY.

CHALLENGE 12: PETER DAHM CHALLENGED THE DECISION OF THE BOARD IN REGARD TO MARKINGS IN THE CHALLENGE NUMBERED 11. ON THIS BALLOT A CHECK MARK CAST VOTES FOR CANDIDATES MARTEK AND BURLEY. THE BOARD OBSERVED THE MARKINGS WITH A MAGNIFYING GLASS TO DETERMINE THE INTERSECTION OF THE CHECK FOR MARTEK WAS INVALID. THE CHECK FOR CANDIDATE BURLEY WAS ACCEPTABLE SINCE THE CHECK WAS ON THE LINE OF THE BOX AND CONSIDERED VALID BY THE RULES SET BY THE STATE BOARD OF CANVASSERS. MR. CHEVALIER STATED THIS LAW HAD BEEN AMENDED OVER THE YEARS. IN THE PAST, IF A MARKING WAS ON A LINE OF A BOX, WAS DETERMINED OUT OF THE BOX AND UNCOUNTABLE.

**CHALLENGE 13/
CHALLENGE 14:** CHALLENGES NUMBER 13 & 14 WERE PRESENTED BY MR. DAHM AND MR. VAN TOL BASED ON THE DECISIONS BY THE CANVASSERS TO TALLY ONE BALLOT WITH UNCLEAR BALLOT MARKINGS. THE BOARD MEMBERS SPENT A LONG TIME REVIEWING THE BALLOT. IT WAS A STRAIGHT REPUBLICAN BALLOT WHICH CONTAINED INDIVIDUAL MARKINGS FOR CANDIDATES IN THE TRUSTEE/SUPERVISOR RACES. THE MARKINGS LEAD TO SOME CONFUSION. IT LOOKED AS THOUGH A FELT TIP MARKER HAD BEEN USED BY THE VOTER WHO ALSO MADE MARKINGS WITH ONE LARGE STROKE OF AN "X" THAT APPEARED ON

CHALLENGE 13/ THE BALLOT AS A "U" SHAPE. BOARD MEMBERS
CHALLENGE 14: VOTED ON EACH BALLOT MARKING SEPERATE. A
VOTE CAST FOR CARLAND WAS ACCEPTED BY 4
YEAS, 0 NAYS. THE BENNETT VOTE FURTHER
ACCEPTABLE BY 4 YEAS, 0 NAYS. BURLEY VOTE
WAS TALLIED BY VOTE OF 3 YEAS, 1 NAY-MR.
CHEVALIER. THE ZUBE VOTE WAS ACCEPTED BY
VOTE OF 4 YEAS, 0 NAYS. THE FRONCEK VOTE
WAS FURTHER DISCUSSED. IT APPEARED THAT
NONE OF THE "X", "U" OR SCRIBBLE MARKS
WERE INTERSECTING. THE INITIAL VOTE OF
OF THE BOARD MEMBERS WAS 2 YEAS (NIELSEN
& CHEVALIER) AND 2 NAYS (BRZEZINSKI AND
WOZNIAK). AFTER A CLOSE LOOK WITH THE
MAGNIFYING GLASS, WALT WOZNIAK VOTED TO
ALLOW THE VOTE CAST FOR FRONCEK WHICH
THEN BROKE THE 2/2 VOTE TIE MAKING IT
3 YEAS, 1 NAY-BRZEZINSKI REGARDING THE
VOTE CAST FOR MR. FRONCEK.

AT THIS TIME, BOARD MEMBERS DECIDED TO BREAK FOR LUNCH.
BALLOTS WERE PLACED INTO BALLOT BAG #86297 AND SEALED.
ONCE PLACED IN THE CAN, WERE SECURED WITH SEAL #86209.
THE RECOUNT WAS TO RESUME AT 1:30 P.M. WITH CONTINUA-
TION OF BALLOTS CONTAINED IN CAN #2.

THE RECOUNT RESUMED AT 1:30 P.M., DECEMBER 2, 1992 FOL-
LOWING A LUNCH BREAK FOR BOARD MEMBERS. TO GAIN ACCESS
TO BALLOTS IN CAN #2, SEAL #86209 WAS REMOVED. ONCE A
CAN SEAL REMOVED, THE BALLOTS WERE RELEASED FROM THE
BALLOT BAG AFTER TAKING OFF BAG SEAL #86297. NO OTHER
CHALLENGES WERE EVIDENCED FOR THE BALANCE OF CAN #2.
THE 250 BALLOTS OF CAN #2 WERE PLACED IN A BALLOT BAG
AND SECURED WITH A FINAL SEAL #86292. AFTER THE BAL-
LOTS WERE LOWERED INTO THE BALLOT CAN, CAN #2 WAS THEN
SEALED WITH MICHIGAN METAL TAG #86289.

BOARD MEMBERS BEGAN THE RECOUNT OF BALLOT CAN #3 AFTER
COMPLETING CAN #2. THE PROPERLY AFFIXED CAN SEAL #8405,
WAS REMOVED. THE BALLOTS WITHIN THE BALLOT BAG TAKEN
OUT AFTER CUTTING OF BAG SEAL #769946.

CHALLENGE 15: ATTORNEY PETER DAHM EVIDENCED CHALLENGE
#15 IN RESPONSE TO THE BOARD'S DECISION
TO NOT COUNT A VOTE WHICH HE FELT WAS
INTENDED FOR CANDIDATE DALTON. THIS WAS
A STRAIGHT REPUBLICAN BALLOT WHEREBY THE
VOTER PLACED A HORIZONTAL LINE THROUGH A
"X" PLACED IN THE BOX FOR CANDIDATE, MR.
RECHSTEINER. BY THIS MARKING, MR. DAHM
FELT THE REPUBLICAN VOTE BE TALLIED FOR
CANDIDATE, MS. DALTON. THE BOARD VOTED
TO COUNT VALID VOTES FOR DALTON, ELEK,
BENNETT AND VAN TOL. IT WAS MR. DAHM'S

CHALLENGE 15: OPINION THE VOTES BE CAST FOR BENNETT, ELEK, RECHSTEINER AND VAN TOL.

DURING THE RECOUNT OF ROLL NUMBERED THREE IN CAN NUMBER THREE, TALLY CLERKS BECAME CONFUSED AS TO THE TOTAL NUMBER OF VOTES CAST IN THE SUPERVISOR RACE. AT THE REQUEST OF MR. DAHM, THE SUPERVISORS' RACE IN THIS ROLL WAS TALLIED TWICE FOR ACCURACY.

DURING THE AFTERNOON OF DECEMBER 2, 1992, THE BOARD WAS ABLE TO RECOUNT 250 BALLOTS OF CAN #3. THIS WOULD LEAVE A BALANCE OF 200 BALLOTS TO BE CONTINUED THE NEXT DAY OF THE RECOUNT, THURSDAY, DECEMBER 3, 1992. FINISHED BALLOTS FROM THIS DATE WERE PLACED IN A BAG AND SECURED WITH METAL TAG #86283. THE BALLOTS THAT HAD NOT BEEN RECOUNTED AT THIS POINT, WERE PLACED IN A BALLOT BAG AND ALSO SECURED UNDER SEAL #86286. BALLOTS AND OTHER MATERIALS WERE PLACED INTO THE BALLOT CAN THEREAFTER SEALED WITH TAG #86276. TALLY CLERKS VERIFIED THEIR CAN TOTALS FOR SUPERVISOR AS FOLLOWS:

CAN #1	CARLAND 151	MARTEK 174
CAN #2	CARLAND 119	MARTEK 121

THE RECOUNT WAS CONCLUDED AT 4:35 P.M. THE AFTERNOON OF DECEMBER 1992. RECOUNT EFFORTS WOULD CONTINUE DECEMBER 3, 1992 AT THE BANGOR ADMINISTRATION BUILDING.

Donald Chevalier, Chmn.

Walt Wozniak, Vice-Chmn.

Richard Brzesinski, Member

Wallace Nielsen, Member

BAY COUNTY BOARD OF CANVASSERS
BANGOR TOWNSHIP RECOUNT
DECEMBER 3, 1992
(DAY 3 OF 4)

THE BAY COUNTY BOARD OF CANVASSERS MET ON THURSDAY, DECEMBER 3, 1992 FOR CONTINUATION OF THE RECOUNT OF VOTES CAST DURING THE NOVEMBER GENERAL ELECTION IN THE BANGOR TOWNSHIP SUPERVISOR AND TRUSTEE RACES. THIS WAS DAY THREE OF THE TOTAL FOUR DAY PROCEDURE. ON DAY THREE, CANVASSERS WERE TO CONTINUE A RECOUNT OF VOTES CAST WITHIN BALLOT CAN #3 WHICH HAD NOT BEEN COMPLETED THE PRIOR DAY. THE RECOUNT SESSION WAS CALLED TO ORDER AT 9:00 A.M. AT THE BANGOR TOWNSHIP ADMINISTRATION ADMINISTRATION BUILDING. VICE-CHAIRMAN WOZNIAK PRESIDED OVER THIS MEETING IN THE ABSENCE OF CHAIRMAN CHEVALIER.

ROLL CALL: WALT WOZNIAK, VICE CHAIRMAN
RICHARD BRZEZINSKI, MEMBER
WALLY NIELSEN, MEMBER

OTHER MEMBERS: BARBARA ALBERTSON, CLERK
CYNTHIA A. LUCZAK, SECRETARY
MARY IDA DOAN, TALLY CLERK
BETTY CAVANAUGH, TALLY CLERK
MARY KAY WACKERLE, TALLY CLERK
DELORES NIEDZINSKI, TALLY CLERK

EXCUSED: DONALD CHEVALIER, CHAIRMAN

GUESTS: JOE CARLAND, CANDIDATE
LYNN DALTON, CANDIDATE
ERNEST VAN TOL, CANDIDATE
LOIS CLARK, FOR VAN TOL
CLARENCE BENNETT, CANDIDATE
FRANK RECHSTEINER, CANDIDATE
NEIL FRONCEK, CANDIDATE
PETER DAHM, ATTORNEY AT LAW
WM. VANOOTEGHEM, OBSERVER

CANVASSERS REMOVED SEAL #86276 FROM BALLOT CAN #3. THE UNCOUNTED BALLOTS FROM THE DAY BEFORE WERE REMOVED FROM THE CAN WHILE BAG SEAL #86286 WAS REMOVED.

THERE WERE NO CHALLENGED BALLOTS IN THE BALANCE OF THOSE 200 COUNTED ON THIS DATE. ONCE ALL WERE RECOUNTED, THE BOARD OPENED THE BALLOT BAG WITH OTHER FINISHED BALLOTS BY BREAKING SEAL #86283. THE TOTAL NUMBER OF BALLOTS FOR CAN #3 (350) WERE PLACED IN A BAG AND SECURED WITH SEAL #86296. THE BALLOT BAG WAS PUT INTO CAN #3 AND TAG #86279 WAS PLACED ON IT.

THE RECOUNT OF CAN #4 BEGAN AT APPROXIMATELY 9:30 AM. CANVASSERS REMOVED CAN SEAL #13419 AND BALLOT BAG SEAL #769479 WHICH CHECKED WITH THE CLERK'S RECORDS.

CHALLENGE 16: MR. VAN TOL OBJECTED TO THE CANVASSERS DETERMINATION OF ANOTHER STRAIGHT TICKET BALLOT WHICH CAUSED SOME CONFUSION. THIS WAS A STRAIGHT REPUBLICAN BALLOT WHICH AGAIN EVIDENCED AN OVERVOTE OF CANDIDATES. BOARD MEMBERS DETERMINED VOTES ONLY BE CAST FOR CANDIDATES FRONCEK AND RECHSTEINER AS THEY COULD NOT CONFIRM THE INTENT OF THE VOTER FOR THE OTHER TWO VOTES HE/SHE MAY HAVE CHOSE TO CAST. MR. VAN TOL FELT ALL REPUBLICAN CANDIDATES SHOULD BE TALLIED.

CHALLENGE 17/ BOTH MR. DAHM AND MR. VAN TOL EXPRESSED
CHALLENGE 18: OBJECTION TO THE BOARD'S ACCEPTANCE OF A VOTE FOR CANDIDATE FRONCEK. CHALLENGERS DID NOT FEEL THE INTERSECTION OF THE "X" WAS WITHIN THE BOX FOR MR. FRONCEK. THE CANVASSERS MADE THIS FINDING AFTER CAREFUL SCRUTINY WITH THE MAGNIFYING GLASS.

INCLUDED IN ROLL #10 OF CAN #4, CANVASSERS DISCOVERED A BALLOT WHICH CONTAINED THE INITIALS "M.T.K.". THE BALLOT WAS CONSIDERED MARKED AND THUS VOIDED BY THE BOARD BY A VOTE OF 3 YEAS, 0 NAYS. (NO CHALLENGE WITH THIS).

CANDIDATE FRONCEK WAS PRESENT ON THIS DATE AND WONDERED WHETHER OR NOT ONE PARTICULAR BALLOT WAS ACCEPTABLE AS IT APPEARED TO HAVE TWO TOTALLY DIFFERENT TYPE MARKS. A VOTER HAD USED A BLACK PEN BUT NONE OF THE MARKINGS SEEMED TO BE OF THE SAME THICKNESS OR MAGNITUDE. THE BOARD EXPLAINED THE STATE BOARD RULES DID NOT ELIMINATE A BALLOT FOR THIS REASON.

CHALLENGE 19: CANDIDATE FRONCEK WISHED TO EVIDENCE CHALLENGE #19 FOR THE RECORD. THIS BALLOT WAS A STRAIGHT DEMOCRATIC PARTY VOTE WITH THE INDIVIDUAL PLACING AN "X" IN A BOX ONLY FOR CANDIDATE FRONCEK. HE FELT A VOTE SHOULD ONLY BE TALLIED FOR HIMSELF AND NOT OTHER DEMOCRATIC CANDIDATES BENNETT, BURLEY AND ZUBE. BY LAW, VOTES WERE TALLIED FOR BENNETT, BURLEY, FRONCEK AND ZUBE.

CHALLENGES 16-19 WERE THE ONLY ONES EXPRESSED DURING RECOUNT OF CAN #4. AFTER THE BOARD REVIEWED THE 350 BALLOTS IN CAN #4, WERE PLACED INTO A BALLOT BAG AND SEALED WITH TAG #87251. ONCE IN THE CAN WERE LOCKED WITH #86287.

THE RECOUNT ON THIS THURSDAY, DECEMBER 3, 1992 WAS ONLY

SCHEDULED UNTIL 12:00 NOON. SINCE THE BOARD MEMBERS HAD CANS #5 AND #6 REMAINING IN THE RECOUNT, CLERK ALBERTSON SCHEDULED THE BALANCE OF THE SESSION FOR MONDAY, DECEMBER 7, 1992 AT 9:00 A.M. THE RECOUNT ON THURSDAY, DECEMBER 3, 1992 WAS CONCLUDED AT NOON.

Walt Wozniak, Vice-Chmn.

Richard Brzezinski, Member

Wally Nielsen, Member

BAY COUNTY BOARD OF CANVASSERS
BANGOR TOWNSHIP RECOUNT
DECEMBER 7, 1992
(DAY 4 OF 4)

THE BOARD OF CANVASSERS CONCLUDED THE RECOUNT OF VOTES CAST IN THE NOVEMBER GENERAL ELECTION (BANGOR TOWNSHIP SUPERVISOR & TRUSTEES) ON MONDAY, DECEMBER 7, 1992. ON THIS DATE, THE RECOUNT OF BALLOT CANS #5 & #6 WAS SCHEDULED. THE MEETING WAS HELD AT THE BANGOR TOWNSHIP ADMINISTRATION BUILDING. CHAIRMAN CHEVALIER CALLED THE SESSION TO ORDER AT 9:00 A.M.

ROLL CALL: DONALD CHEVALIER, CHAIRMAN
WALT WOZNIAK, VICE CHAIRMAN
RICHARD BRZEZINSKI, MEMBER
WALLY NIELSEN, MEMBER

OTHER MEMBERS: BARBARA ALBERTSON, CLERK
CYNTHIA A. LUCZAK, SECRETARY
MARY IDA DOAN, TALLY CLERK
BETTY CAVANAUGH, TALLY CLERK
MARY KAY WACKERLE, TALLY CLERK
DELORES NIEDZINSKI, TALLY CLERK

GUESTS: JUANITA MARTEK, CANDIDATE
ERNEST VAN TOL, CANDIDATE
LOIS CLARK, FOR E. VAN TOL
LYNN DALTON, CANDIDATE
PETER DAHM, ATTORNEY AT LAW
DOROTHY GIFFEL, REPUBLICAN PARTY

ON THE FORMER RECOUNT DATE OF DECEMBER 3, 1992, THE TALLY CLERKS PLACED THEIR TALLY MATERIALS INTO BALLOT CAN #4 WHEN FINISHED FOR THE DAY. THEREFORE BALLOT CAN #4 WAS OPENED TO RETRIEVE THOSE DOCUMENTS, BY REMOVAL OF SEAL #86287. THE BAG WITHIN CAN #4 DID NOT NEED TO BE OPENED AND REMAINED SEALED WITH TAG #87251. THEREAFTER SEAL #86284 WAS THE FINAL SEAL PUT ON CAN #4.

CANVASSERS EXAMINED BALLOT CAN #5 AND BELIEVED IT WAS RECOUNTABLE. THE CAN SEAL #10461 CORRESPONDED WITH A RECORD HELD BY THE CLERK. ONCE THE BALLOT BAG WAS REMOVED, BOARD MEMBERS SPLIT SEAL #584461.

CHALLENGE 20: MR. DAHM ONCE AGAIN CHALLENGED MARKINGS IN THE CASE OF TOWNSHIP TRUSTEES. VOTER HAD VOTED WITH QUICK STROKES OF A PEN THAT DID NOT INDICATE A CLEAR CHECK FOR THE VOTERS PREFERENCE. NO DESIGNATION OF A PARTY WAS GIVEN. IN THE CASE OF CANDIDATES BURLEY AND BENNETT THE LINE ALMOST APPEARED AS JUST A PLAIN DIAGONAL LINE.

THE BOARD OBSERVED THESE MARKINGS AND FOUND MOST TO BE ACCEPTABLE, THE CASE OF BURLEY AND BENNETT WERE REVIEWED MORE DISCREETLY BY MAGNIFYING GLASS. CANVAS OFFICIALS FELT THE MARKINGS WERE INVALID BY A VOTE OF 3 YEAS, 1 NAY-BRZEZINSKI. MR. BRZEZINSKI CONTENDED THE MARKINGS SHOWED FAINT, BUT NEVERTHELESS, INTERSECTING LINES. VOTES WERE TALLIED FOR CARLAND, RECHSTEINER AND VAN TOL ONLY.

THE BOARD CONCLUDED CAN #5 WITH NO OTHER CHALLENGES. BALLOTS WERE PLACED IN THE BAG AND SEALED WITH TAG #5-86291. ONCE PUT IN THE BALLOT CAN, WERE SECURED WITH SEAL #5-86211. (300 BALLOTS IN CAN #5)

MEMBERS PROCEEDED WITH THE RECOUNT OF CAN #6. CAN SEAL #8425 WAS REMOVED. BALLOTS WERE TAKEN OUT OF THE BAG AFTER OMISSION OF SEAL #769438. BOARD MEMBERS REVIEWED 300 OF THE 350 BALLOTS IN THIS CAN BEFORE LUNCH. AT NOON, MATERIALS WERE LOCKED UP FOR THE LUNCH BREAK. FINISHED BALLOTS WENT INTO A BAG THEREAFTER CLOSED WITH SEAL #86295. UNFINISHED BALLOTS IN A BAG WERE SEALED WITH METAL TAG #86275. BOTH BALLOT BAGS WERE PLACED INTO BALLOT CAN #6 AND SECURED WITH SEAL #86290.

AFTER LUNCH, CAN SEAL #86290 WAS BROKEN TO CONTINUE. THE BAG LABELED "UNFINISHED BALLOTS" WAS OPENED BY RELEASE OF SEAL #86275. ONCE THE UNFINISHED BALLOTS WERE REVIEWED WERE PLACED INTO THE BALLOT BAG. THE SEAL ON THE PREVIOUSLY REVIEWED BALLOTS (#86295) WAS REMOVED SOAS TO COMBINE ALL BALLOTS INTO ONE BAG. A BALLOT BAG CONTAINING ALL 350 BALLOTS WAS FORMED AND SEALED WITH #86298. ONCE BALLOTS WENT INTO CAN #6, IT WAS LOCKED WITH TAG #48451.

AFTER CALCULATIONS BY THE TALLY CLERKS, THE FOLLOWING CANDIDATE TOTALS FOR THE RECOUNT WERE ANNOUNCED BY CHAIRMAN CHEVALIER.

SUPERVISOR		TRUSTEE	
CARLAND	3,686 VOTES	BENNETT	3,911 VOTES
MARTEK	3,592 VOTES	BURLEY	3,682 VOTES
		FRONCEK	3,510 VOTES
		ZUBE	4,270 VOTES
		DALTON	2,741 VOTES
		ELEK	1,769 VOTES
		VAN TOL	2,845 VOTES
		RECHSTEINER	3,822 VOTES

CLERK ALBERTSON ADDED, ANY DIFFERENCE IN RECOUNT TOTAL VOTES WOULD SUPERSEDE THE ORIGINAL TALLY OF VOTES FROM

ELECTION NIGHT. THERE WERE NO SIGNIFICANT DIFFERENCES IN VOTES CALCULATED WITHIN THESE SUPERVISOR OR TRUSTEE RACES. IT WAS DETERMINED C. JOSEPH CARLAND WAS AWARDED THE POSITION OF BANGOR TOWNSHIP SUPERVISOR. FURTHER, CANDIDATES BENNETT, FRONCEK, ZUBE AND RECHSTEINER BE NAMED TRUSTEES FOR THE TOWNSHIP OF BANGOR.

NOTED WAS THE FACT THAT RETURNED ABSENTEE ENVELOPES WERE CONTAINED IN BALLOT CAN #7 AND COULD BE OBSERVED UPON OFFICIAL, WRITTEN REQUEST TO THE TOWNSHIP CLERK.

THE ENTIRE RECOUNT FOR BANGOR TOWNSHIP SUPERVISOR AND TRUSTEE WAS CONCLUDED AT 3:50 P.M. THE AFTERNOON OF MONDAY, DECEMBER 7, 1992.

Donald Chevalier, Chmn.

Walt Wozniak, Vice-Chmn.

Richard Brzezinski, Member

Wally Nielsen, Member