

**BAY COUNTY BOARD OF CANVASSERS
RECOUNT OF BAY CITY SCHOOL ELECTION
MAY 15 AND 16, 2006**

THE BAY COUNTY BOARD OF CANVASSERS MET ON MONDAY, MAY 15, 2006, AT 8:05 A.M. AT CITY HALL, 301 WASHINGTON AVENUE, BAY CITY, MICHIGAN . THE PURPOSE OF THE MEETING WAS TO CONDUCT A RECOUNT OF THE VOTES CAST DURING THE SCHOOL ELECTION HELD TUESDAY, MAY 2, 2006.

PURSUANT TO PUBLIC ACT NO. 267 OF THE PUBLIC ACTS OF 1986, THE OPEN MEETING ACT, PROPER NOTICES HAVE BEEN POSTED AT THE BAY COUNTY BUILDING, CITY HALL, BAY CITY PUBLIC SCHOOL ADMINISTRATION BUILDING, MONITOR TOWNSHIP HALL AND WILLIAMS TOWNSHIP HALL IN A TIMELY MANNER.

THE FOLLOWING INDIVIDUALS WERE PRESENT FOR THE RECOUNT PROCEDURE:

DONALD CHEVALIER, CHAIRMAN
WALTER J. WOZNIAK, JR., BOARD MEMBER
MATTHEW LANCE, BOARD MEMBER
JANICE PIERSON, BOARD MEMBER
MARY IDA DOAN, TALLY CLERK
DOLORES NIEDZINSKI, TALLY CLERK
ARLENE STONE, TALLY CLERK
DEANNE DEBATS, TALLY CLERK
AILEEN SEIFFERLY, TALLY CLERK
JEFF SOLES, THRUN LAW FIRM
CAROLYN WIERDA, BAY CITY SCHOOLS
DOUG NEWCOMBE, BAY CITY SCHOOLS
SARA DUFRESNE, BAY CITY SCHOOLS
ADELINE WICKER, PETITIONER
MR. O'HARA, PETITIONER

CHAIRMAN CHEVALIER INTRODUCED THE BOARD OF CANVASSERS AND EXPLAINED THE RECOUNT PROCEDURE.

BAY CITY WARD 1, PRECINCT 1:

CHAIRMAN CHEVALIER ANNOUNCED THAT **BAY CITY WARD 1, PRECINCT 1** BALLOT STORAGE CONTAINER HAD BEEN SEALED WITH SEAL #773103. THE SEAL WAS BROKEN AND BALLOTS INSPECTED.

THERE WERE A TOTAL OF 79 BALLOTS TO BE COUNTED WHICH MATCHED THE POLL BOOK. THERE WERE 48 YES VOTES AND 31 NO VOTES.

ALL BALLOTS WERE EXAMINED WITH NO CHALLENGES AND NO CHANGES.

THE BALLOT CAN WAS RESEALED WITH SEAL #461063. IT WAS THEN NOTICED THE TAG WAS NOT ON THE CAN SO IT WAS RESEALED WITH SEAL #513377.

BAY CITY WARD 1, PRECINCT 2:

CHAIRMAN CHEVALIER ANNOUNCED THAT **BAY CITY WARD 1, PRECINCT 2** BALLOT CAN HAD BEEN SEALED WITH SEAL #20612. THE SEAL WAS BROKEN AND THE BALLOTS INSPECTED.

THERE WERE A TOTAL OF 175 BALLOTS TO BE COUNTED. THERE WERE 88 YES VOTES, 86 NO VOTES AND 1 SPOILED BALLOT WHICH HAD NO COMMENT IN THE POLL BOOK AS TO WHY, BUT WAS STILL NOT COUNTED.

THERE WERE TWO BALLOTS MARKED WITH A CROSS, BUT STILL COUNTED AS VALID MARKS FOR "YES" VOTES.

THE BALLOT CAN WAS RESEALED WITH SEAL #513378.

BAY CITY WARD 1, PRECINCT 3:

CHAIRMAN CHEVALIER ANNOUNCED THAT **BAY CITY WARD 1, PRECINCT 3** BALLOT STORAGE CAN HAD BEEN SEALED WITH SEAL #986060. THE SEAL WAS BROKEN AND THE BALLOTS INSPECTED.

THERE WERE A TOTAL OF 183 BALLOTS TO BE COUNTED. THERE WERE 78 YES VOTES AND 103 NO VOTES.

THERE WAS 1 BALLOT NOT COUNTED BY THE VOTING MACHINE BECAUSE "YES" WAS CIRCLED AND THERE WAS NO MARK IN THE TARGET AREA.

ALL BALLOTS WERE EXAMINED WITH NO CHALLENGES.

THE BALLOT CAN WAS RESEALED WITH SEAL #282936 BUT BECAUSE THE SEAL WAS TOO WIDE FOR THE TAG, IT WAS RESEALED WITH SEAL #513387.

BAY CITY WARD 2, PRECINCT 1:

CHAIRMAN CHEVALIER ANNOUNCED THAT **BAY CITY WARD 2, PRECINCT 1** BALLOT STORAGE CAN HAD BEEN SEALED WITH SEAL #576528. THE SEAL WAS BROKEN AND THE BALLOTS INSPECTED.

THERE WERE A TOTAL OF 74 BALLOTS TO BE COUNTED. THERE WERE 51 YES VOTES AND 23 NO VOTES.

ALL BALLOTS WERE EXAMINED WITH NO CHALLENGES.

THE BALLOT CAN WAS RESEALED WITH SEAL #513383.

BAY CITY WARD 2, PRECINCT 2:

CHAIRMAN CHEVALIER ANNOUNCED THAT **BAY CITY WARD 2, PRECINCT 2** WAS DEEMED UNRECOUNTABLE AND THE ORIGINAL CANVASS FIGURES STOOD. THE MEMORY CARD HAD NOT BEEN SEALED ON ELECTION DAY IN ACCORDANCE TO LAW.

BAY CITY WARD 2, PRECINCT 3:

CHAIRMAN CHEVALIER ANNOUNCED THAT **BAY CITY WARD 2, PRECINCT 3** BALLOT STORAGE CAN HAD BEEN SEALED WITH SEAL #582929. THE SEAL WAS BROKEN AND THE BALLOTS INSPECTED.

THERE WERE A TOTAL OF 260 BALLOTS TO BE COUNTED. THERE WERE 212 YES VOTES AND 47 NO VOTES.

THERE WAS 1 BALLOT THAT HAD VOTES CIRCLED AND THE CANVASSERS DEEMED IT UNCOUNTABLE AND WAS NOT ORIGINALLY COUNTED BY THE VOTING MACHINE.

THE BALLOT CAN WAS RESEALED WITH SEAL #513380.

BAY CITY WARD 3, PRECINCT 1:

CHAIRMAN CHEVALIER ANNOUNCED THAT **BAY CITY WARD 3, PRECINCT 1** BALLOT CAN HAD BEEN SEALED WITH SEAL #19156. THE SEAL WAS BROKEN AND THE BALLOTS INSPECTED.

THERE WERE A TOTAL OF 72 BALLOTS TO BE COUNTED. THERE WERE 34 YES VOTES AND 37 NO VOTES AND ONE SPOILED BALLOT WHICH MATCHED THE POLL BOOK.

THE BALLOT CAN WAS RESEALED WITH SEAL #513381.

BAY CITY WARD 3, PRECINCT 2 AND BAY CITY WARD 4, PRECINCT 1:

CHAIRMAN CHEVALIER ANNOUNCED THAT **BAY CITY WARD 3, PRECINCT 2 AND BAY CITY WARD 4, PRECINCT 1** BALLOT CAN HAD BEEN SEALED WITH SEAL #19101. THE SEAL WAS BROKEN AND THE BALLOTS INSPECTED.

THERE WERE A TOTAL OF 170 BALLOTS TO BE COUNTED WHICH MATCHED THE POLL BOOK. THERE WERE 81 YES VOTES AND 89 NO VOTES.

THERE WERE 2 BALLOTS WITH STUBS ON THEM THAT WENT THROUGH THE VOTING MACHINE. THESE 2 BALLOTS WERE NOT DESIGNATED AS SPOILED AND WERE COUNTED BY THE VOTING MACHINE.

THE BALLOT CAN WAS RESEALED WITH SEAL #513374.

BAY CITY WARD 3, PRECINCT 3:

CHAIRMAN CHEVALIER ANNOUNCED THAT **BAY CITY WARD 3, PRECINCT 3** BALLOT CAN HAD BEEN SEALED WITH SEAL #575786. THE SEAL WAS BROKEN AND THE BALLOTS INSPECTED.

THERE WERE A TOTAL OF 166 BALLOTS TO BE COUNTED. THERE WERE 107 YES VOTES AND 58 NO VOTES.

THERE WAS 1 BLANK BALLOT WHICH WAS NOT ORIGINALLY COUNTED. THE VOTING MACHINE TAPE SHOWED THE SAME NUMBER OF VOTES.

THE BALLOT CAN WAS RESEALED WITH SEAL #513384.

BAY CITY WARD 4, PRECINCT 2 AND WARD 5, PRECINCT 1:

CHAIRMAN CHEVALIER ANNOUNCED THAT **BAY CITY WARD 4, PRECINCT 2 AND WARD 5, PRECINCT 1** BALLOT CAN HAD BEEN SEALED WITH SEAL #87127. THE SEAL WAS BROKEN AND BALLOTS INSPECTED.

THERE WERE A TOTAL OF 292 BALLOTS TO BE COUNTED WHICH MATCHED THE POLL BOOK. THERE WERE 144 YES VOTES AND 148 NO VOTES.

THERE WAS A COUNT OF 293 VOTES BUT, REMARKS IN THE POLL BOOK SHOW 2 BALLOTS STUCK CONNECTED THAT WENT THROUGH THE TABULAR TOGETHER THEREFORE, RESULTING IN ONLY 292 BALLOTS SHOWING IN THE POLL BOOK.

THE BALLOTS WERE COUNTED FOR A SECOND TIME AND THE TOTAL COUNT WAS STILL 293. THE CANVASSERS WATCHED FOR 1 BLANK BALLOT.

THE BALLOT CAN WAS RESEALED WITH SEAL #513376.

BAY CITY WARD 4, PRECINCT 3:

CHAIRMAN CHEVALIER ANNOUNCED THAT **BAY CITY WARD 4, PRECINCT 3** BALLOT CAN HAD BEEN SEALED WITH SEAL #346236. THE SEAL WAS BROKEN AND BALLOTS INSPECTED.

THERE WERE A TOTAL OF 125 BALLOTS TO BE COUNTED WHICH MATCHED THE POLL BOOK. THERE WERE 74 YES VOTES AND 51 NO VOTES.

ALL BALLOTS WERE EXAMINED WITH NO CHALLENGES.

THE BALLOT CAN WAS RESEALED WITH SEAL #513382.

BAY CITY WARD 6, PRECINCT 1:

CHAIRMAN CHEVALIER ANNOUNCED THAT **BAY CITY WARD 6, PRECINCT 1** BALLOT CAN HAD BEEN SEALED WITH SEAL #575623. THE SEAL WAS BROKEN AND BALLOTS INSPECTED.

THERE WERE A TOTAL OF 101 BALLOTS TO BE COUNTED WHICH MATCHED THE POLL BOOK. THERE WERE 65 YES VOTES AND 36 NO VOTES.

THERE WAS 1 BALLOT CHALLENGED BY JEFF SOLES, THRUN LAW FIRM. HE CONTESTED THE BALLOT DID NOT HAVE ENOUGH OF A MARK IN THE TARGET AREA FOR A "NO" VOTE. CHAIRMAN CHEVALIER FELT THERE WAS PLENTY OF MARK IN THE TARGET AREA TO COUNT AND JANICE PIERSON AGREED WITH HIM. WALTER WOZNIAK SAID IF THE MACHINE COUNTED THE VOTE, THEN IT SHOULD BE COUNTED. MATTHEW LANCE SAID THE MARK MUST BE IN THE TARGET AREA OR THE VOTE IS INVALID.

THE CANVASSERS DEEMED TO COUNT THIS BALLOT AS A "NO" VOTE WITH A VOTE OF 3 YES AND 1 NO.

THE BALLOT CAN WAS RESEALED WITH SEAL #513385.

THE TALLY CLERKS REALIZED THEY ONLY HAD 100 TOTAL VOTES RE-DONE AS "NO" VOTES THEREFORE, THE BALLOT CAN WAS REOPENED.

THE BALLOT CAN WAS RESEALED WITH SEAL #513396.

BAY CITY WARD 6, PRECINCT 2:

CHAIRMAN CHEVALIER ANNOUNCED THAT **BAY CITY WARD 6, PRECINCT 2** BALLOT CAN HAD BEEN SEALED WITH SEAL #576548. THE SEAL WAS BROKEN AND BALLOTS INSPECTED.

THERE WERE A TOTAL OF 124 BALLOTS TO BE COUNTED WHICH MATCHED THE POLL BOOK. THERE WERE 52 YES VOTES AND 72 NO VOTES.

THE BALLOTS WERE EXAMINED WITH NO CHALLENGES.

THE BALLOT CAN WAS RESEALED WITH SEAL #513375.

BAY CITY WARD 6, PRECINCT 3:

CHAIRMAN CHEVALIER ANNOUNCED THAT **BAY CITY WARD 6, PRECINCT 3** BALLOT CAN HAD BEEN SEALED WITH SEAL #576593. THE SEAL WAS BROKEN AND BALLOTS INSPECTED.

THERE WERE A TOTAL OF 133 BALLOTS TO BE COUNTED WHICH MATCHED THE POLL BOOK. THERE WERE 58 YES VOTES AND 75 NO VOTES.

THE BALLOTS WERE EXAMINED WITH NO CHALLENGES.

THE BALLOT CAN WAS RESEALED WITH SEAL #513386.

BAY CITY WARD 7, PRECINCT 1:

CHAIRMAN CHEVALIER ANNOUNCED THAT **BAY CITY WARD 7, PRECINCT 1** BALLOT CAN HAD BEEN SEALED WITH SEAL #87124. THE SEAL WAS BROKEN AND BALLOTS INSPECTED.

THERE WERE A TOTAL OF 80 BALLOTS TO BE COUNTED. THERE WERE 35 YES VOTES, 44 NO VOTES AND 1 BALLOT THAT WAS ENTIRELY BLANK WITH NO MARK ANYWHERE ON THE BALLOT.

THE BALLOT CAN WAS RESEALED WITH SEAL #513379.

BAY CITY WARD 7, PRECINCTS 2 AND 3:

CHAIRMAN CHEVALIER ANNOUNCED THAT **BAY CITY WARD 7, PRECINCTS 2 AND 3** BALLOT CAN HAD BEEN SEALED WITH SEAL #773782. THE SEAL WAS BROKEN AND BALLOTS INSPECTED.

THERE WERE A TOTAL OF 319 BALLOTS TO BE COUNTED. THERE WERE 170 YES VOTES, 47 NO VOTES AND ONE SPOILED BALLOT INCLUDED IN THIS TOTAL WHICH WAS BROUGHT TO THE CANVASSERS BY THE CITY CLERK, BUT WAS NOT IN THE BALLOT CAN.

IN ADDITION, THERE WAS 1 SPOILED BALLOT AND 1 BLANK BALLOT AND 1 ABSENTEE BALLOT BROUGHT TO THE POLLS AND COUNTED AS A "YES" VOTE.

THE BALLOT CAN WAS RESEALED WITH SEAL #513391.

BAY CITY WARD 8, PRECINCTS 1 AND 2:

CHAIRMAN CHEVALIER ANNOUNCED THAT **BAY CITY WARD 8, PRECINCTS 1 AND 2** BALLOT CAN HAD BEEN SEALED WITH SEAL #773777. THE SEAL WAS BROKEN AND BALLOTS EXAMINED.

THERE WERE 175 BALLOTS TO BE COUNTED WHICH MATCHED THE POLL BOOK. THERE WERE 101 YES VOTES AND 74 NO VOTES.

THE BALLOTS WERE EXAMINED WITH NO CHALLENGES.

THE BALLOT CAN WAS RESEALED WITH SEAL #513389.

BAY CITY WARD 9, PRECINCT 1:

CHAIRMAN CHEVALIER ANNOUNCED THAT **BAY CITY WARD 9, PRECINCT 1** BALLOT CAN HAD BEEN SEALED WITH SEAL #575783. THE SEAL WAS BROKEN AND BALLOTS INSPECTED.

THERE WERE 141 BALLOTS TO BE COUNTED WHICH MATCHED THE POLL BOOK. THERE WERE 83 YES VOTES AND 58 NO VOTES.

THE BALLOTS WERE EXAMINED WITH NO CHALLENGES.

THE BALLOT CAN WAS RESEALED WITH SEAL #513390.

BAY CITY WARD 9, PRECINCT 2:

CHAIRMAN CHEVALIER ANNOUNCED THT **BAY CITY WARD 9, PRECINCT 2** BALLOT CAN HAD BEEN SEALED WITH SEAL #9417465. THE SEAL WAS BROKEN AND BALLOTS INSPECTED.

THERE WERE 130 TOTAL VOTES TO BE COUNTED WHICH MATCHED THE POLL BOOK. THERE WERE 62 YES VOTES AND 68 NO VOTES.

THERE WAS 1 SPOILED ENVELOPE FROM DANA MUSCOTT, THE CITY CLERK.

THE BALLOTS WERE EXAMINED AND THERE WERE NO CHALLENGES.

THE BALLOT CAN WAS RESEALED WITH SEAL #513201.

IT WAS NOTED THAT KEN MALKIN ARRIVED FOR THE RECOUNT AT 12:00 P.M.

BAY CITY WARD 9, PRECINCT 3:

CHAIRMAN CHEVALIER ANNOUNCED THAT **BAY CITY WARD 9, PRECINCT 3** BALLOT CAN HAD BEEN SEALED WITH SEAL #896505 IN THE POLL BOOK BUT, SEAL #896503 WAS ON THE BALLOT CAN. THEREFORE, NO RECOUNT WAS ALLOWED AND THE VOTE TOTALS STAND BY A UNANIMOUS VOTE OF THE CANVASSERS OF 4 YES, 0 NO.

BAY CITY WARD 7, PRECINCTS 2 AND 3 AND BAY CITY WARD 9, PRECINCT 2:

CHAIRMAN CHEVALIER ANNOUNCED THAT **BAY CITY WARD 7, PRECINCTS 2 AND 3 AND BAY CITY WARD 9, PRECINCT 2** WERE UNRECOUNTABLE BECAUSE THE MEMORY PACK WAS NOT SEALED IN WITH THE SECURED MATERIALS FROM ELECTION NIGHT. THEREFORE, NO RECOUNT WAS ALLOWED AND THE VOTE TOTALS STAND FROM THE ORIGINAL CANVASS.

THE BOARD AGREED TO ADJOURN FOR LUNCH AT 12:00 P.M.

THE BOARD RECONVENED AT 1:15 P.M.

BAY CITY WARD 5, PRECINCTS 2 AND 3:

CHAIRMAN CHEVALIER ANNOUNCED THAT **BAY CITY WARD 5, PRECINCTS 2 AND 3** BALLOT CAN HAD BEEN SEALED WITH SEAL #87123. THE SEAL WAS BROKEN AND THE BALLOTS INSPECTED.

THERE WERE 328 BALLOTS TO BE COUNTED WHICH MATCHED THE POLL BOOKS. 152 YES VOTES AND 176 NO VOTES.

THERE WAS 1 SPOILED BALLOT RECEIVED BY THE BOARD WHICH WAS COUNTED AS VOTING TWICE BUT ONE WAS REISSUED AND DOCUMENTED AS REQUIRED. THERE WAS NO CHANGE FROM THE VOTING MACHINE TAPE.

THE BALLOT CAN WAS RESEALED WITH SEAL #513388.

BAY CITY A.V. #1:

CHAIRMAN CHEVALIER ANNOUNCED **BAY CITY A.V. #1** BALLOT CAN HAD BEEN SEALED WITH SEAL # 575560. THE SEAL WAS BROKEN AND BALLOTS INSPECTED.

THERE WERE 376 TOTAL BALLOTS TO BE COUNTED WHICH MATCHED THE POLL BOOK. THERE WAS 179 YES VOTES AND 190 NO VOTES.

THERE WAS A TOTAL OF 375 BALLOTS IN THE CAN ONCE OPENED. THERE WERE 18 DUPLICATED BALLOTS AND ALL WERE EVIDENT. MATT LANCE REVIEWED THE A.V.

REPORT AND RE-ADDED PAGE TOTALS FOR AN ERROR IN CALCULATIONS PER PAGE FROM THE ORIGINAL COUNT, BUT THERE WAS NO ERROR FOUND.

THRUN LEGAL COUNSEL EVIDENCED TO THE CLERK THAT THIS SHOULD NOT BE RE-COUNTABLE AND PRODUCED THE LAW AS IT ONLY ALLOWED FOR 2 COUNTS. MATT LANCE ORDERED A THIRD COUNT OF THE TOTAL BALLOTS AND ATTEMPTED TO JUSTIFY THE DIFFERENCE. THERE WERE NO SPOILED BALLOTS, THE DUPLICATES BALANCED, AND NO TWO BALLOT NUMBERS WERE ISSUED. ARLENE STONE FOUND ONE BALLOT FOLDED OVER AT THE TOP AND THEN THE COUNT WAS 376.

THE CANVASSERS REVIEW SHOWED THAT 3 BALLOTS HAD NO MARKS IN THE TARGET AREAS. 4 YES, 0 NO VOTES AND NO COUNT ON 3; 4 YES, 0 NO VOTES AND SPOILED BALLOTS WERE OVER VOTED PER CANVASS BOARD. THERE WAS 3 YES CIRCLED VOTES AND NO VOTE IN TARGET AREA AND 1 BALLOT WAS AN OVER VOTE.

THERE WERE 374 BALLOTS ADDED ON THE FIRST COUNT OF THE TALLY AND WHEN RECOUNTED THE TOTAL WAS 374.

THE FINAL ANSWER WAS 179 YES VOTES 190 NO VOTES PLUS 7 NOT COUNTED TOTALING 376.

THE BALLOT CAN WAS RESEALED WITH SEAL #513393.

BAY CITY A.V. #2:

CHAIRMAN CHEVALIER ANNOUNCED **BAY CITY A.V. #2** BALLOT CAN WAS SEALED WITH SEAL # 575559. THE SEAL WAS BROKEN AND BALLOTS INSPECTED.

THERE WAS A TOTAL OF 606 BALLOTS TO BE COUNTED WHICH MATCHED THE POLL BOOK. THERE WERE 165 YES VOTES AND 431 NO VOTES.

THE CANVASSERS REVIEWED THE VOTES AS 3 YES VOTES AND 1 NO VOTE COUNTED AS YES, WHICH WAS CONSISTENT WITH AN EARLIER DETERMINATION. 9 BALLOTS WERE WITH NO COUNTABLE VOTES, DUPLICATE #3 IN A.V.#2 NOT PROPERLY TRANSPOSED, HARLEY HIT THE TARGET AREA BUT, COUNTED AS A "YES" VOTE.

MARKED "ORIGINAL" 1 AND "DUPLICATE" 1 AND SHOULD BE MARKED "DUPLICATE" 1 AND "DUPLICATE" 1. THE WORD "ORIGINAL" SHOULD NOT HAVE BEEN USED.

MR. O'HARA ASKED IF THE ONE BALLOT WAS AN ORIGINAL THAT THE CORNER WAS TORN OFF. THE ANSWER WAS NO.

THERE WERE 165 YES VOTES AND 431 NO VOTES. ONE "NO" VOTE WAS ADDED.

THE BALLOT CAN WAS RESEALED WITH SEAL #513399.

BAY CITY A.V. #3:

CHAIRMAN CHEVALIER ANNOUNCED **BAY CITY A.V. #3** BALLOT CAN HAD BEEN SEALED WITH SEAL #773298. THE SEAL WAS BROKEN AND BALLOTS INSPECTED.

THERE WERE 456 BALLOTS TO BE COUNTED. THERE WERE 19 FOR CONSIDERATION OF THE BOARD. 14 OF THESE BALLOTS WERE BLANK, THEY DIDN'T VOTE. THE OTHER 5 WERE REVIEWED AS: 1 BALLOT WAS MARKED IDENTIFIABLE AND WAS COUNTED AS A NO; 1 BALLOT WAS AN ACCEPTABLE "NO" VOTE BUT SCRIBBLED; 1 BALLOT CIRCLED YES AND WAS NOT COUNTED; 1 BALLOT THE "O" IN NO WAS FILLED IN AND WAS A NO COUNT; PLUS 1 "NO" VOTE OUT OF 19 EVEN SCRIBBLED WAS OK.

AFTER THE CANVASSERS REVIEW THERE WAS A TOTAL OF 165 YES AND 273 NO VOTES WHICH MATCHED THE POLL BOOK.

THE BALLOT CAN WAS RESEALED WITH SEAL #

FRANKENLUST TOWNSHIP:

CHAIRMAN CHEVALIER ANNOUNCED **FRANKENLUST TOWNSHIP** BALLOT CAN HAD BEEN SEALED WITH SEAL #0910073. THE SEAL WAS BROKEN AND BALLOTS INSPECTED.

THERE WERE 638 TOTAL BALLOTS TO BE COUNTED WHICH MATCHED THE POLL BOOK. THERE WERE 364 YES VOTES AND 269 NO VOTES.

THE BALLOTS WERE EXAMINED AND 2 BALLOTS OVER VOTED AND WERE DEEMED AS SPOILED. 5 BLANK BALLOTS WERE NO VOTES.

THERE WAS ONE CHALLENGED VOTE PER THRUN LEGAL COUNSEL. MATT LANCE SAYS THE BALLOT WAS NOT AN ACCEPTED VOTE AND THREE OTHER CANVASSERS AGREED TO COUNT THE "NO" VOTE. THE CHALLENGED BALLOT WAS PUT INTO THE BALLOT CAN.

THE BALLOT CAN WAS RESEALED WITH SEAL #513398.

BEAVER TOWNSHIP:

CHAIRMAN CHEVALIER ANNOUNCED **BEAVER TOWNSHIP** BALLOT CAN WAS SEALED WITH SEAL #461075. THE SEAL WAS BROKEN AND BALLOTS INSPECTED.

THERE WERE 513 TOTAL BALLOTS TO BE COUNTED.

PINCONNING AND BAY CITY SCHOOLS WERE SEPARATED. 7 BALLOTS FOR PINCONNING TIMES TWO IS 14 PER THE TOTALS ON THE VOTING MACHINE TAPE THAT WAS REMOVED. THERE WERE 5 BLANK BALLOTS. THE INITIAL TOTAL WAS 1 BALLOT DIFFERENCE SO AT SUGGESTION OF THRUN LEGAL COUNSEL IT WAS RE-COUNTED PER 25 PILE. AFTER REVIEW OF ALL PILES, AN EXTRA BALLOT WAS LOCATED AND 1 "NO" VOTE WAS ADDED AS A RESULT.

THERE WERE 211 YES AND 288 NO VOTES, ADDING 7 FOR PINCONNING, PLUS 7 (5 BLANKS AND 1 OVER VOTE, 1 SPOILED NO COUNT VOTE) TOTALING 513.

THE BALLOT CAN WAS RESEALED WITH SEAL #513394.

THE RECOUNT CONCLUDED AT 5:30 P.M. AND WILL RECONVENE ON TUESDAY, MAY 16, 2006 AT 8:00 A.M.

THE BAY COUNTY BOARD OF CANVASSERS RECONVENED ON TUESDAY, MAY 16, 2006, AT 8:15 A.M. AT WILLIAMS TOWNSHIP HALL, 1080 WEST MIDLAND ROAD, AUBURN, MICHIGAN. THE PURPOSE OF THE MEETING WAS TO CONDUCT A RECOUNT OF THE VOTES CAST DURING THE SCHOOL ELECTION HELD TUESDAY, MAY 2, 2006.

THE FOLLOWING INDIVIDUALS WERE PRESENT FOR THE RECOUNT PROCEDURE THIS DAY:

DONALD CHEVALIER, CHAIRMAN
WALTER J. WOZNAK, JR., BOARD MEMBER
DOLORES NIEDZINSKI, ACTING BOARD MEMBER
JANICE PIERSON, BOARD MEMBER
MARY IDA DOAN, TALLY CLERK
ARLENE STONE, TALLY CLERK
DEANNE DEBATS, TALLY CLERK
AILEEN SEIFFERLY, TALLY CLERK
JEFF SOLES, THRUN LAW FIRM
CAROLYN WIERDA, BAY CITY SCHOOLS
DOUG NEWCOMBE, BAY CITY SCHOOLS
SARA DUFRESNE, BAY CITY SCHOOLS
ADELINE WICKER, PETITIONER

DOLORES NIEDZINSKI WAS SWORN IN AS AN ACTING CANVASS MEMBER BY THE COUNTY CLERK, CYNTHIA A. LUCZAK, TO CREATE TWO (2) TEAMS OF WORKERS AND TO EXPEDITE THE RECOUNT PROCESS.

THE CANVASS BEGAN AT WILLIAMS TOWNSHIP HALL FOR WILLIAMS PRECINCTS 1, 2, 3 AND THE CITY OF AUBURN.

WILLIAMS PRECINCT 1:

CHAIRMAN CHEVALIER ANNOUNCED **WILLIAMS PRECINCT 1** BALLOT CAN HAD BEEN SEALED WITH SEAL #44835. THE SEAL WAS BROKEN AND BALLOTS INSPECTED.

THERE WERE A TOTAL OF 399 BALLOTS TO BE COUNTED WHICH MATCHED THE POLL BOOK. THERE WERE 227 YES VOTES AND 172 NO VOTES.

A NUMBER OF BALLOTS WERE NOTICED WITH PIECES OF THE STUB STILL ATTACHED AT THE PERFORATIONS, WHICH MAY HAVE CONTRIBUTED TO SCAN ERROR REPORTED ON ELECTION NIGHT. ES&S WILL SERVICE THE VOTING MACHINE FOR WILLIAMS PRECINCT 1 IN THE NEAR FUTURE.

THRUN LEGAL COUNSEL QUESTIONED A "YES" VOTE WITH AN EXTRANEIOUS LINE THROUGH A "NO" AS THE VOTING MACHINE TOTALS DID NOT DIFFER FROM THE ORIGINAL ELECTION DAY. THE CANVASSERS AND ATTORNEY WERE IN AGREEMENT WITH THE BALLOT AS IT STANDS WITH A "YES" VOTE.

THE BALLOT CAN WAS RESEALED WITH SEAL #290257.

WILLIAMS PRECINCTS 2 AND 3:

CHAIRMAN CHEVALIER ANNOUNCED **WILLIAMS PRECINCTS 2 AND 3** HAD BEEN SEALED WITH SEAL #0044512. THE SEAL WAS BROKEN AND BALLOTS INSPECTED.

THERE WERE 349 BALLOTS TO BE COUNTED. THERE WERE 170 YES VOTES AND 177 NO VOTES WITH 2 SPOILED BALLOTS THAT WERE INCLUDED FROM THE START.

THE BALLOTS WERE EXAMINED AND THERE WERE NO CHALLENGES.

THE BALLOT CAN WAS RESEALED WITH SEAL #290278.

WILLIAMS A.V.:

CHAIRMAN CHEVALIER ANNOUNCED **WILLIAMS A.V.** BALLOT CAN HAD BEEN SEALED WITH SEAL #0044511. THE SEAL WAS BROKEN AND BALLOTS INSPECTED.

THERE WERE 182 TOTAL BALLOTS TO BE COUNTED WHICH MATCHED THE POLL BOOK. THERE WERE 72 YES VOTES AND 110 NO VOTES.

THERE WERE 2 ABSENTEE DUPLICATES NOT IDENTIFIED IN THE BAG WHICH SHOULD HAVE BEEN COMPARED AND WERE NOT.

THE BALLOTS WERE EXAMINED AND THERE WERE NO CHALLENGES.

THE BALLOT CAN WAS RESEALED WITH SEAL #0290282.

CITY OF AUBURN:

CHAIRMAN CHEVALIER ANNOUNCED **CITY OF AUBURN** BALLOT CAN HAD BEEN SEALED WITH SEAL #709399 AND THE BALLOT BAG HAD BEEN SEALED WITH SEAL #709340. THE SEALS WERE BROKEN AND BALLOTS INSPECTED.

THERE WERE 515 TOTAL BALLOTS TO BE COUNTED WHICH MATCHED THE POLL BOOK. THERE WERE 276 YES VOTES, 232 NO VOTES AND 7 BLANK BALLOTS.

THERE WAS METAL SEAL #825712 FOUND INSIDE THE BAG.

THE VOTING MACHINE DID NOT PICK UP 1 BALLOT THAT WAS MARKED LIGHTLY IN THE "NO" TARGET AREA WITH A PENCIL. THE VOTING MACHINE COUNTED IT AS A BLANK BALLOT AND IT WILL BE CHANGED TO A "NO" VOTE.

THEREFORE, ONE BLANK BALLOT WAS CHANGED TO A "NO" VOTE.

THE BALLOT CAN WAS RESEALED WITH SEAL #513222.

THE BOARD OF CANVASSERS ARRIVED AT MONITOR TOWNSHIP HALL AT 10:30 A.M. AND REARRANGED THE WORK STATION AND BEGAN THE RECOUNT AT 11:00 A.M.

MONITOR PRECINCTS 3 AND 5:

CHAIRMAN CHEVALIER ANNOUNCED THAT **MONITOR PRECINCTS 3 AND 5** BALLOT CAN HAD BEEN SEALED WITH SEAL #910092 AND BALLOT BAG HAD BEEN SEALED WITH SEAL #0910091. THE SEALS WERE BROKEN AND THE BALLOTS INSPECTED.

THERE WERE A TOTAL OF 671 BALLOTS TO BE COUNTED WHICH MATCHED THE POLL BOOKS. THERE WERE 379 YES VOTES AND 292 NO VOTES.

THE BALLOTS WERE EXAMINED AND THERE WERE NO CHALLENGES.

THE BALLOT CAN WAS RESEALED WITH #773282 AND THE BAG WAS RESEALED WITH SEAL #339015.

MONITOR A.V.:

CHAIRMAN CHEVALIER ANNOUNCED **MONITOR A.V.** BALLOT CAN HAD BEEN SEALED WITH SEAL #0910250 AND THE BALLOT BAG HAD BEEN SEALED WITH SEAL #0910056. THE SEALS WERE BROKEN AND BALLOTS INSPECTED.

THERE WERE 617 TOTAL BALLOTS TO BE COUNTED. THERE WERE 275 YES, 331 NO VOTES AND 11 BLANK BALLOTS.

THE BALLOTS WERE EXAMINED WITH NO CHALLENGES.

THE BALLOT BAG WAS RESEALED WITH SEAL #583959 AND THE BALLOT CAN WAS RESEALED WITH SEAL #896344.

THE BOARD AGREED TO ADJOURN FOR LUNCH AT 12:00 P.M. AND TO RECONVENE AT 1:15 P.M.

MONITOR PRECINCTS 2 AND 4:

CHAIRMAN CHEVALIER ANNOUNCED **MONITOR PRECINCTS 2 AND 4** BALLOT CAN HAD BEEN SEALED WITH SEAL #0910064 AND BALLOT BAG HAD BEEN SEALED WITH SEAL #0910088. THE SEALS WERE BROKEN AND BALLOTS INSPECTED.

THERE WERE A TOTAL OF 715 BALLOTS TO BE COUNTED. THERE WERE 426 YES VOTES, 287 NO VOTES AND 2 UNACCEPTED BALLOTS.

BALLOTS WERE EXAMINED WITH NO CHALLENGES.

THE BALLOT CAN WAS RESEALED WITH SEAL #825721 AND THE BALLOT BAG WAS RESEALED WITH SEAL #773661.

MONITOR PRECINCTS 1 AND 6:

CHAIRMAN CHEVALIER ANNOUNCED **MONITOR PRECINCTS 1 AND 6** BALLOT CAN WAS SEALED WITH SEAL #0910071 AND BALLOT BAG SEALED WITH SEAL #0910070. THE SEALS WERE BROKEN AND BALLOTS INSPECTED.

THERE WERE A TOTAL OF 312 BALLOTS TO BE COUNTED, 195 YES AND 117 NO VOTES WHICH MATCHED THE POLL BOOK.

THE BALLOTS WERE EXAMINED WITH NO CHALLENGES.

THE BALLOT CAN WAS RESEALED WITH SEAL #896350 AND THE BALLOT BAG WAS RESEALED WITH SEAL #896350.

HAMPTON PRECINCTS 4 AND 6:

CHAIRMAN CHEVALIER ANNOUNCED **HAMPTON PRECINCTS 4 AND 6** BALLOT BAG WAS SEALED WITH SEAL #0910100 AND THE POLL BOOK SHOWS IT WAS SEALED WITH #0910068. THEREFORE, THE CANVASSERS DEEMED THE BALLOTS NOT RE-COUNTABLE DUE TO THE DISCREPANCY IN THE SEALS, ORIGINAL CANVASS VOTE TOTALS UTILIZED.

HAMPTON PRECINCT 3:

CHAIRMAN CHEVALIER ANNOUNCED **HAMPTON PRECINCT 3** BALLOT TRANSFER CASE HAD BEEN SEALED WITH SEAL #575551. THE BALLOT BAG WAS INSIDE WITH SEAL #0910054. THE SEALS WERE BROKEN AND BALLOTS INSPECTED.

THERE WERE 348 BALLOTS TO BE COUNTED WHICH MATCHED THE POLL BOOK. THERE WAS 138 YES VOTES, 204 NO VOTES AND 6 SPOILED BALLOTS.

THE BALLOTS WERE EXAMINED WITH NO CHALLENGES.

THE BALLOT BAG WAS RESEALED WITH SEAL #513305.

MERRITT:

CHAIRMAN CHEVALIER ANNOUNCED **MERRITT** BALLOT TRANSFER CASE HAD BEEN SEALED WITH SEAL #0910097. THE SEAL WAS BROKEN AND BALLOTS INSPECTED.

THERE WERE A TOTAL OF 325 BALLOTS TO BE COUNTED. THERE WERE 101 YES VOTES AND 120 NO VOTES.

THE BALLOTS WERE EXAMINED WITH NO CHALLENGES.

THE INSIDE BAG WAS RESEALED WITH SEAL #513309 AND THE OUTSIDE BLUE BAG WAS RESEALED WITH SEAL #513397.

KAWKAWLIN PRECINCTS 1 AND 2:

CHAIRMAN CHEVALIER ANNOUNCED **KAWKAWLIN PRECINCTS 1 AND 2** BALLOT CAN HAD BEEN SEALED WITH #0910066. THE SEAL WAS BROKEN AND THE BALLOTS INSPECTED.

THERE WERE 834 TOTAL BALLOTS TO BE COUNTED. THERE WERE 351 YES VOTES AND 426 NO VOTES/

THERE WAS ONE BALLOT IN QUESTION. CHAIRMAN CHEVALIER SAID THE INTENT OF THE VOTER WAS TO CAST A "NO" VOTE AND HE WANTS TO COUNT THIS AS A "NO" VOTE. THE CLERK STATED 20% OF A MARK MUST BE READ BY THE

TABULATOR WITHIN THE TARGET AREA. DOLORES NIEDZINSKI SAID IT IS A GOOD "NO" VOTE AND WALTER WOZNIAK SAID A VERY SMALL PERCENTAGE OF THE MARK IS IN THE TARGET AREA. FOUR CANVASSERS FELT THE VOTE SHOULD BE COUNTED AS A "NO" VOTE.

THE BALLOT CAN WAS RESEALED WITH SEAL #513395 AND THE BAG WAS RESEALED WITH SEAL #825707.

PORTSMOUTH PRECINCTS 1 AND 3:

CHAIRMAN CHEVALIER ANNOUNCED **PORTSMOUTH PRECINCTS 1 AND 3** BALLOT BAG HAD BEEN SEALED WITH SEAL #0910062. THE SEAL WAS BROKEN AND THE BALLOTS INSPECTED.

THERE WERE 765 TOTAL BALLOTS TO BE COUNTED. THERE WERE 331 YES VOTES AND 433 NO VOTES.

THE BALLOTS WERE EXAMINED WITH NO CHALLENGES.

THE BLUE BALLOT BAG WAS RESEALED WITH SEAL #513206.

BUENA VISTA:

CHAIRMAN CHEVALIER ANNOUNCED **BUENA VISTA** BALLOT CAN HAD BEEN SEALED WITH SEAL #0066221. THE SEAL WAS BROKEN AND THE BALLOTS EXAMINED.

THERE WAS A TOTAL OF 20 BALLOTS TO BE COUNTED WHICH MATCHED THE POLL BOOK. THERE WERE 7 YES VOTES AND 13 NO VOTES.

THE BALLOTS WERE EXAMINED WITH NO CHALLENGES.

THE BALLOT CAN WAS RESEALED WITH SEAL #513223.

IN ONE PRECINCT, THE WORKERS ALMOST JEOPARDIZED THE ACCURATE READING OF A BALLOT IN THE WAY IT WAS "DUPLICATED". MARKINGS OF THE WORKER WERE ALMOST AS BAD AS THE VOTER WHEN MAKING A COMPARISON BY THE BOARD.

THE RECOUNT CONCLUDED AT 6:15 P.M. WITH THE FOLLOWING CONCLUSION: BAY CITY PRECINCT 6, WARD 1, 1 "NO" VOTE ADDED; BAY CITY A.V. #2, 1 "NO" VOTE ADDED; BAY CITY A.V. #3, MINUS 1 "NO" VOTE; FRANKENLUST TOWNSHIP, 1 "NO" VOTE ADDED; BEAVER TOWNSHIP, 1 "NO" VOTE ADDED; CITY OF AUBURN, 1 "NO" VOTE ADDED; WHICH AMOUNTS A NET VARIABLE OF 4 VOTES IN THE TOTAL. YES = 6,278, NO = 6,228

DONALD CHEVALIER, CHAIRMAN

WALTER J. WOZNIAK, JR., BOARD MEMBER

MATTHEW LANCE, BOARD MEMBER

DOLORES NIEDZINSKI, ACTING BOARD MEMBER

JANICE PIERSON, BOARD MEMBER

MARY IDA DOAN, TALLY CLERK

DEANNE DEBATS, TALLY CLERK

ARLENE STONE, TALLY CLERK

AILEEN SEIFFERLY, TALLY CLERK