



BAY COUNTY BOARD OF CANVASSERS
RECOUNT OF VOTES CAST FOR 2ND DISTRICT COMMISSIONER
SEPTEMBER 5TH, 6TH AND 9TH, 1996

THE BAY COUNTY BOARD OF CANVASSERS CONDUCTED A RECOUNT OF VOTES CAST IN THE AUGUST 6, 1996 PRIMARY ELECTION FOR THE OFFICE OF 2ND DISTRICT COUNTY COMMISSIONER IN CONJUNCTION WITH A RECOUNT OF VOTES CAST FOR BAY COUNTY SHERIFF. THE CANVASSERS MET AT THE BAY COUNTY COMMUNITY CENTER ON SEPTEMBER 5TH, 6TH AND 9TH, 1996 FOR THE RECOUNT PROCESS. CANDIDATES WILLIAM REDER, LLOYD PAJOT AND MARION SMITH WERE THE DEMOCRATIC CANDIDATES SEEKING THE NOMINATION. THE 2ND COMMISSION DISTRICT INCLUDED THE TOWNSHIPS OF BEAVER, KAWKAWLIN, WILLIAMS (PRE-CINCTS 1 & 2 ONLY) AND THE CITIES OF AUBURN AND MIDLAND. THE CANDIDATES WHO REQUESTED THE RECOUNT WERE ASSIGNED TWO (2) DIFFERENT COLORED PAPERS OF WHICH ANY CHALLENGES/OBJECTIONS MAY BE RECORDED BY THE SECRETARY AND MARKED FOR REFERENCE. CANDIDATE REDER WAS REPRESENTED BY PURPLE PAPER AND PAJOT WAS GIVEN THE ORANGE PAPER. THE FOLLOWING NOTATIONS WERE MADE BY THE MEMBERS AND GUESTS WHO WERE PRESENT:

ROLL CALL: DONALD CHEVALIER, CHAIRMAN
WALT WOZNIAK, MEMBER
WILSON BERGER, MEMBER
DOLORES NIEDZINSKI, CANVASS ASST.
MARY IDA DOAN, TALLY CLERK
BETTY CAVANAUGH, TALLY CLERK
BETTY HACKER, TALLY CLERK
BEV SNABLE, TALLY CLERK

ALSO PRESENT: BARBARA ALBERTSON, COUNTY CLERK
CYNTHIA A. LUCZAK, SECRETARY TO CLK.
JOE SHEERAN, BAY CO. PROSECUTOR
LLOYD PAJOT, 2ND DIST. CANDIDATE
BOB REDMOND, FOR WM. REDER
KIM HIGGS, FOR WM. REDER
JEFF PORTER, MIDLAND CITY CLERK
MIKE ARNOLD, KAWKAWLIN TWP. CLK.
RICH CHARBENEAU, BEAVER TWP. CLK.
AMY CHARNEY, WMS. TWP. CLERK
KATHLEEN BRAGIEL, FOR L. PAJOT

CANVASS TEAM #2 AGREED TO RECOUNT THE PRECINCTS WHICH COVERED THE 2ND DISTRICT COUNTY COMMISSION SEAT. THEY BEGAN WITH THE CITY OF MIDLAND ON SEPTEMBER 5, 1996 AT 9:00 A.M.

CITY OF MIDLAND

THE CITY OF MIDLAND USED A PUNCH CARD SYSTEM OF VOTING SO MR. JEFF PORTER WAS PRESENT TO EXPLAIN EXACTLY HOW THAT SYSTEM WORKED AND WHAT PORTION OF THE PUNCH CARD REPRESENTED BAY COUNTY VOTES. HE PROVIDED A COPY OF THE POLL BOOK FOR REVIEW OF THE CANVASSERS. HE NOTED THE BOARD WOULD HAVE TO PAY VERY CLOSE ATTENTION TO THE AREAS ASSIGNED TO THESE CANDIDATES, SO AS NOT TO CONFUSE THEM WITH REPUBLICAN VOTES. THE PUNCH CARD HAD NUMBERED LINES FOR EACH CANDIDATE AS READ: PAJOT 70-REDER 71 AND SMITH 72. VOTES WERE TO BE COUNTED FROM THOSE AREAS AND THOSE AREAS ONLY. THE PUNCH CARDS WERE CONTAINED WITHIN A SEALED, TRANSPORT CASE WHICH WAS OPENED BY CHAIRMAN CHEVALIER UPON VERIFICATION OF THE SEAL NUMBER 498650. VOTES WERE READ ALOUD AND CALCULATED BY THE TALLY CLERKS. THE TRANSPORT CASE WAS THEREAFTER SEALED WITH MICHIGAN METAL TAG NUMBER 897882.

MIDLAND CITY TOTAL VOTES CAST:	PAJOT	1 VOTE
	REDER	5 VOTES
	SMITH	1 VOTE

BEAVER TOWNSHIP

CANVASS TEAM # 2 CONSISTING OF MEMBERS CHEVALIER, NIEDZINSKI, DOAN AND SNABLE PROCEEDED WITH THE RECOUNT OF BEAVER TOWNSHIP BALLOTS AT 10:30 A.M. ON SEPTEMBER 5, 1996. THEY REMOVED THE BALLOT CAN SEAL NUMBER 898094 AS CONFIRMED BY THE POLL BOOK. A TOTAL OF 583 BALLOTS WERE TO BE RECOUNTED IN THIS PRECINCT. IT WAS NECESSARY TO DISCONTINUE THE RECOUNT AS THE LUNCH HOUR APPROACHED. MATERIALS WERE PLACED INTO THE BALLOT CAN AND SEALED WITH TAG NUMBER 897867. FOLLOWING THE BREAK THE SEAL WAS CHECKED AND REMOVED ONCE VERIFIED BY THE PRIOR RECORD.

CHAIRMAN CHEVALIER WITHHELD ONE BALLOT FROM BEAVER TOWNSHIP FOR THE PROSECUTOR AND OTHER CANVASS MEMBERS TO CONSIDER. THE VOTER PLACED HIS/HER MARKINGS WITHIN THE TARGET AREAS WHICH WERE CLEAR IN ALL AREAS EXCEPT THE 2ND DISTRICT

BEAVER TWP. CONT.

COMMISSIONER RACE. CHAIRMAN CHEVALIER QUESTIONED HOW MUCH OF A MARKING MUST BE WITHIN THE TARGET AREA FOR THE BALLOT TO BE REGARDED AS OVERVOTED? PROSECUTOR SHEERAN OBSERVED THE MARKINGS AND IN HIS OPINION, FELT THE VOTES WERE VALID FOR PAJOT. WALT WOZNIAK COMPARED THE MARKINGS IN QUESTION TO THE OTHER MARKINGS THE VOTER MADE. THE MARKS WERE CONSISTANT AND DARK WITH EXCEPTION OF THE EXTRA MARKS OF CONCERN WHICH WERE IN THE WRITE-IN TARGET AREA. THERE HAD NOT BEEN A NAME WRITTEN IN THE WRITE-IN SPACE FOR THE VOTER TO INDICATE ANOTHER CANDIDATE. THE BOARD MEMBERS CONCURRED THAT VALID VOTES BE CAST FOR MR. PAJOT AND MR. WOODS. ONCE THE BALLOTS WERE RECOUNTED, WERE PLACED INTO THE BALLOT CAN AND SECURED WITH MICHIGAN TAG 897875.

BEAVER TOWNSHIP FINAL TOTAL:	PAJOT	235 VOTES
	REDER	196 VOTES
	SMITH	42 VOTES

CITY OF AUBURN

TIME ALLOWED THE RECOUNT OF THE CITY OF AUBURN BALLOTS AT 2:30 P.M. ON SEPTEMBER 5, 1996. CAN SEAL NUMBER 898067 WAS TAKEN OFF AND THE BALLOT BAG RELEASED. THE BALLOTS WERE REMOVED FROM THE BAG ONCE THE BAG SEAL OF NUMBER 898056 WAS CHECKED. WORKERS CONFIRMED A TOTAL OF 426 BALLOTS. DURING THE SEPERATION OF THE BALLOTS, WORKERS DID NOT LOCATE ANY MARKED AS "DUPLICATE" EVEN THOUGH SOME WERE NOTED IN THE POLL BOOK. AS THE POLL BOOK TOTAL WAS THE SAME AS THE NUMBER FOUND BY THE PHYSICAL COUNT, THE REPRESENTATIVES AGREED THAT ALL OF THE DUPLICATED BALLOTS MUST BE MIXED IN WITH THE OTHERS. THE CHAIRMAN OPENED THE "ORIGINAL" ENVELOPE BUT SINCE NONE OF THE DUPLICATES WERE MARKED, COULD NOT BE COMPARED TO THEIR CORRESPONDING ORIGINAL. THERE WERE NO CHALLENGES EVIDENCED BY THE REPRESENTATIVES FOR EACH CANDIDATE. ONCE FINISHED, THE BALLOTS WERE PUT INTO THE BALLOT BAG AND SECURED WITH METAL TAB NUMBER 897859. ONCE PLACED IN THE BALLOT CAN WERE SECURED WITH METAL TAG NUMBER 897852. TEAM #2 CONCLUDED ITS RECOUNT OF AUBURN CITY BALLOTS BY 4:00 P.M. AND THE END OF THE DAY FOR RECOUNTING BALLOTS CAST WITHIN THE 2ND COMMISSION DISTRICT. IT WAS THE THIRD (3) DAY OF THE OVERALL RECOUNT WITH THE BAY

COUNTY SHERIFF RACE CONDUCTED AT THE SAME TIME BY TEAM #1.

AUBURN CITY FINAL TOTAL:	PAJOT	120 VOTES
	REDER	167 VOTES
	SMITH	17 VOTES

THIS CONCLUDED THE RECOUNT OF SEPTEMBER 5, 1996-2ND DISTRICT.

SEPTEMBER 6, 1996

THE RECOUNT OF VOTES FOR 2ND DISTRICT COUNTY COMMISSIONER RESUMED ON FRIDAY, SEPTEMBER 6, 1996 AT THE BAY COUNTY COMMUNITY CENTER. THE SAME MEMBERS AND GUESTS WERE PRESENT FOR THE RECOUNT ON THIS DATE WHICH INCLUDED THE TOWNSHIP OF KAWKAWLIN PRECINCTS 1 AND 2. THE BOARD SPENT THE ENTIRE DAY RECOUNTING THE BALLOTS OF THESE PRECINCTS SINCE THEY WERE BOTH VERY LARGE.

KAWKAWLIN TWP. PRECINCT 1

BALLOTS WERE REMOVED FROM THE BALLOT CAN FOLLOWING THE CUTTING OF METAL SEAL NUMBER 69124, NOTED IN THE POLL BOOK. BALLOTS WERE CONTAINED IN A BAG BUT NOT SECURED WITH A SEAL. CLERK ALBERTSON EXPLAINED THE SEAL ON THE BAG WAS NOT REQUIRED WITH THE OPTECH VOTING SYSTEM. WORKERS CONFIRMED A TOTAL NUMBER OF 672 BALLOTS WERE TO BE RECOUNTED HERE.

CHAIRMAN CHEVALIER WITHHELD ONE BALLOT FOR CONSIDERATION OF THE FULL BOARD. MARKINGS IN THE SHERIFF RACE LEAD TO SOME CONFUSION. THE MARKINGS FOR THE VOTES IN THE 2ND COMMISSION DISTRICT WERE CLEAR AND MR. PAJOT HAD RECEIVED A VOTE ONCE THE ISSUE OF THE SHERIFF MARKING WAS RESOLVED. NO CHALLENGES WERE EVIDENCED BY THE CANDIDATES OR THEIR REPRESENTATIVES SO THE BALLOTS WERE PLACED INTO THE BAG ONCE RECOUNTED. THE BAG WAS NOT SECURED WITH A METAL TAG. MEMBERS PROCEEDED TO PLACE THE BAG INTO THE CAN AND MAKE CERTAIN IT WAS SEALED WITH MICHIGAN METAL SEAL NUMBER 897851.

KAWKAWLIN PRECINCT 1 FINAL TOTALS:	PAJOT	320 VOTES
	REDER	214 VOTES
	SMITH	48 VOTES

KAWKAWLIN TWP. PRECINCT 2

TEAM #2 RESUMED THE CANVASS WITH KAWKAWLIN PRECINCT #2 FOLLOWING THE LUNCH BREAK AT 1:45 P.M. THE BOARD REMOVED CAN SEAL NUMBER 897896 ONCE VERIFIED WITH THE POLL BOOK. AT TOTAL OF 559 BALLOTS WERE COUNTED EVEN THOUGH THE POLL BOOK SHOWED 563 BALLOTS. CHAIRMAN CHEVALIER STATED THIS DISCREPANCY HAD BEEN DISCOVERED BY THE BOARD DURING THEIR INITIAL CANVASS.

TEAM 2/CHALLENGE 1: JODY MILLER REQUESTED A CHALLENGE ON A PARTICULAR BALLOT WHICH VOTES HAD BEEN CAST FOR CANDIDATES WOODS AND PAJOT. IT APPEARED AS IF THE VOTER STARTED TO PLACE A THICK BLACK MARKING IN THE RACE FOR BAY COUNTY TREASURER, WALLACE NIELSEN, A REPUBLICAN. THE BALANCE OF THE BALLOT HAD BEEN VOTED DEMOCRATIC WITH THE EXCEPTION OF THIS ONE OFFICE. THE MARK WAS NOT THROUGH THE ENTIRE TARGET AREA BUT WAS A SMALL THICK LINE TO THE LEFT SIDE THAT WAS INTENDED TO BLEND IN WITH THE ARROW. MR. MILLER URGED THE BOARD TO DETERMINE THIS A CROSS PARTY VOTED BALLOT AS THE MARK WAS IN THE TARGET AREA. MR. DAHM REFUTED BY STATING THE MARK IN QUESTION SHOULD BE COMPARED TO THE OTHER MARKS OF THE VOTER. IT WAS HIS THEORY THE VOTER HAD CAUGHT HIS/HER MISTAKE AND HAD NOT COMPLETED THE VOTE IN THE TARGET AREA, KNOWING THEY DID NOT WANT TO CAST THEIR VOTE AS SUCH. BOARD MEMBERS CONSULTED THE PRINTED GUIDELINES FOR PROPER MARKS. CHAIRMAN CHEVALIER FELT THE VOTER REALIZED THE ERROR BY NOT COMPLETING THE MARK. MR. WOZNIAK AND MR. BERGER CONCURRED IN THE FINDINGS OF MR. CHEVALIER AND BY A UNANIMOUS VOTE OF THE BOARD, TALLIED VOTES CAST FOR CANDIDATES WOODS AND PAJOT.

BALLOTS WERE PLACED INTO THE BALLOT BAG AND THEN THE BALLOT CAN. THE CAN WAS THEN SEALED WITH MICHIGAN TAG 897864. THIS CONCLUDED THE RECOUNT OF VOTES FOR SEPTEMBER 6, 1996 AT 4:15 P.M.

KAWKAWLIN TWP. PRECINCT 2 FINAL TOTALS:

PAJOT	136 VOTES
REDER	105 VOTES
SMITH	20 VOTES

SEPTEMBER 9, 1996

THE RECOUNT OF VOTES FOR THE 2ND DISTRICT COUNTY COMMISSIONER CONTINUED AND CONCLUDED ON MONDAY, SEPTEMBER 9, 1996. ON THIS DAY, TEAM #2 WAS SCHEDULED TO REVIEW THE BALLOTS CAST IN THE TOWNSHIP OF WILLIAMS THAT WAS SPLIT INTO THREE (3) PRECINCTS. PRECINCTS 1 AND 2 CONTAINED VOTES CAST FOR THE COMMISSIONER DISTRICT NAMED BUT PRECINCT 3 WAS NOT INCLUDED-ONLY SHERIFF. THE RECOUNT WAS CALLED TO ORDER BY CHAIRMAN CHEVALIER AT 9:00 A.M. AT THE BAY COUNTY COMMUNITY CENTER.

WILLIAMS TWP. PRECINCT 1

THE CANVASSERS OPENED THE BALLOT CAN AFTER COMPARING THE BALLOT CAN SEAL NUMBER 898029 TO THAT WHICH WAS RECORDED IN THE POLL BOOK. WORKERS REMOVED THE BALLOTS AND COUNTED THEM TO DOUBLE CHECK THE NUMBER PROCESSED ON ELECTION DAY. A TOTAL OF 450 BALLOTS WERE IN THE BALLOT CAN BUT THE POLL BOOK REFLECTED A TOTAL OF 362. THE NUMBER 362 HAD NOT INCLUDED THE 88 A.V. BALLOTS RECORDED ON A SEPARATE LINE OF THE BOOK. AMY CHARNEY EXPLAINED THE ERROR IN NOTATIONS AS THE RECOUNT CONTINUED. AS NO CHALLENGES OR DUPLICATES WERE TO BE CONSIDERED, BALLOTS WERE RETURNED TO THE BALLOT CAN AND SEALED WITH METAL TAG NUMBER 897842.

WILLIAMS TWP. PRECINCT 1 FINAL TOTAL:

REDER	185 VOTES
PAJOT	113 VOTES
SMITH	14 VOTES

WILLIAMS TWP. PRECINCT 2

CANVASSERS REMOVED BALLOT CAN SEAL NUMBER 898041 TO OBTAIN THE 192 BALLOTS FOR THIS PRECINCT. AS IN PRECINCT 1, THE TOTALS IN THE POLL BOOK WERE SPLIT BETWEEN REGULAR (152) AND ABSENTEE VOTES (40) AND NOT PROPERLY STATED. MS. CHARNEY MENTIONED IN THIS PRECINCT, VOTERS WERE ISSUED REGULAR LEAD PENCILS TO CAST THEIR VOTES AS A NUMBER OF BALLOTS WERE REJECTED BY THE OPTTECH

BD. OF CANVASSERS

-7-

SEPT. 5,6,9, 1996

MACHINE AS OVERVOTES PRIOR TO THE USE OF THE LEAD PENCIL. THE RECOUNT OF THIS PRECINCT CONCLUDED AT 11:45 A.M. WITH CLOSING OF THE CAN SEAL RECORDED AS NUMBER 897850.

WILLIAMS TWP. PRECINCT 2 FINAL TOTAL:	REDER	73 VOTES
	PAJOT	27 VOTES
	SMITH	8 VOTES

SINCE WILLIAMS TOWNSHIP PRECINCT #3 WAS NOT INCLUDED IN THE 2ND DISTRICT COUNTY COMMISSION RACE, MINUTES OF THAT PRECINCT WERE TO BE FOUND WITH MINUTES OF THE BAY COUNTY SHERIFF RECOUNT HELD DURING THE SAME WEEK.

RECOUNTED TOTAL OF VOTES:	LLOYD PAJOT	952 VOTES
	WM. REDER	945 VOTES
	M. SMITH	150 VOTES

THIS CONCLUDED THE RECOUNT OF VOTES CAST FOR THE 2ND DISTRICT COUNTY COMMISSIONER HELD SEPTEMBER 5, 6 AND 9, 1996.

Don Chevalier, Chairman
Donald C. Chevalier
Walt Wozniak, Member

Wilson Berger, Member

Dolores Niedzinski, Member