

Justice of the Supreme Court Eau Claire County Recount Municipality	Prosser			Kloppenburg			Write-in		Absentee	Absentee	Voters on poll list
	Recount	Canvass	Plus or minus in recount	Recount	Canvass	Plus or minus in recount	Recount	Canvass	envelopes	ballots	
Tn of Bridge Creek W 1 2	129	129	0	113	113	0	1	1	2	2	245
Tn of Brunswick W 1 2	286	284	2	312	311	1	2	1	13	13	612
Tn of Clear Creek W 1 2	123	123	0	101	101	0	2	2	3	3	230
Tn of Drammen	106	106	0	123	123	0	0	0	7	7	233
Tn of Fairchild	42	42	0	34	34	0	0	0	6	6	81
Tn of Lincoln W 1 2	155	155	0	137	137	0	0	0	2	2	295
Tn of Ludington	131	131	0	157	157	0	1	0	4	4	291
Tn of Otter Creek	54	54	0	36	36	0	0	0	1	1	90
Tn of Pleasant Valley W 1-4	662	662	0	516	516	0	1	1	30	30	1209
Tn of Seymour W 1-4	451	451	0	518	518	0	3	3	23	23	984
Tn of Union W 1-3	366	366	0	390	388	2	0	0	27	27	771
Tn of Washington W 1-13	1152	1151	1	1231	1229	2	4	4	222	222	2402
Tn of Wilson	63	63	0	37	37	0	0	0	3	3	106
Vil of Fairchild	55	55	0	54	54	0	0	0	4	4	124
Vil of Fall Creek W 1 2	162	161	1	193	193	0	0	0	20	20	357
City of Altoona W 1-7	275	275	0	449	449	0	1	1	55	55	733
City of Altoona W 8, 9	70	70	0	154	154	0	0	0	22	22	226
City of Altoona W 10, 11	108	108	0	130	129	1	0	0	73	73	255
City of Altoona W 12, 13	131	129	2	150	150	0	3	2	34	34	286
City of Augusta W 1 2	87	87	0	94	94	0	0	0	13	13	197
City of Augusta W 3	35	35	0	21	21	0	0	0	2	2	58
City of Augusta W 4	38	38	0	36	36	0	1	1	1	1	82
City of Augusta W 5	41	41	0	26	26	0	0	0	14	14	76
City of Eau Claire W 1	124	124	0	306	306	0	0	0	16	16	431
City of Eau Claire W 2	80	80	0	254	254	0	1	0	22	22	337
City of Eau Claire W 3	219	218	1	739	739	0	2	2	111	111	962
City of Eau Claire W 4	189	188	1	269	270	-1	1	1	38	38	464
City of Eau Claire W 5	49	49	0	198	198	0	2	2	9	9	256
City of Eau Claire W 6	55	55	0	183	183	0	0	0	10	10	240
City of Eau Claire W 7	145	145	0	252	252	0	0	0	30	30	407
City of Eau Claire W 8	263	263	0	305	305	0	2	2	33	33	582
City of Eau Claire W 9	4	4	0	20	20	0	0	0	2	2	23
City of Eau Claire W 10	111	111	0	129	129	0	2	2	12	12	245
City of Eau Claire W 11	363	363	0	407	407	0	2	2	54	54	785

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	Recount	Canvass	Plus or minus in recount	Recount	Canvass	Plus or minus in recount	Recount	Canvass	envelopes	ballots	Voters on poll list
City of Eau Claire W 12	276	277	-1	435	435	0	2	2	41	41	723
City of Eau Claire W 13	171	170	1	180	180	0	0	0	14	14	353
City of Eau Claire W 14	258	257	1	350	350	0	2	2	36	36	621
City of Eau Claire W 15	294	294	0	404	403	1	0	0	67	67	707
City of Eau Claire W 17	463	457	6	500	479	21	3	3	58	58	986
City of Eau Claire W 18	436	436	0	452	452	0	4	4	89	89	906
City of Eau Claire W 19	52	52	0	135	134	1	1	2	11	11	188
City of Eau Claire W 20	158	157	1	496	495	1	1	1	49	49	659
City of Eau Claire W 21	113	124	-11	214	233	-19	2	2	15	15	336
City of Eau Claire W 22	159	158	1	277	276	1	1	1	21	21	444
City of Eau Claire W 23	354	351	3	587	585	2	4	2	96	96	962
City of Eau Claire W 24	7	7	0	78	78	0	0	0	0	0	86
City of Eau Claire W 25	351	351	0	464	464	0	0	0	44	44	822
City of Eau Claire W 26	169	169	0	193	193	0	2	2	23	23	369
City of Eau Claire W 27	161	160	1	160	159	1	2	2	28	28	328
City of Eau Claire W 28	236	236	0	323	323	0	0	0	46	46	565
City of Eau Claire W 29	166	166	0	312	312	0	0	0	9	9	482
City of Eau Claire W 30	260	260	0	457	457	0	0	0	81	81	727
City of Eau Claire W 31	194	194	0	587	587	0	8	7	74	74	798
City of Eau Claire W 32	44	44	0	100	100	0	0	0	5	5	144
City of Eau Claire W 33	48	49	-1	63	63	0	0	0	25	25	115
City of Eau Claire W 34	114	114	0	225	225	0	1	0	17	17	344
City of Eau Claire W 35	14	14	0	27	27	0	0	0	1	1	41
City of Eau Claire W 36	137	137	0	248	248	0	1	2	14	14	394
City of Eau Claire W 37	132	133	-1	179	179	0	0	0	16	16	314
City of Eau Claire W 38	221	221	0	234	234	0	1	0	44	44	462
City of Eau Claire W 39	113	112	1	179	179	0	1	1	38	38	298
	11425	11416	9	15933	15919	14	67	60	1880	1880	27849

**MINUTES OF THE BOARD OF CANVASS RECOUNT
STATE SUPREME COURT JUSTICE
APRIL 27, 28, 29, 2011**

Wednesday, April 27, 2011

The meeting was called to order by Eau Claire County Clerk Janet Loomis on Wednesday, April 27, 2011 at 9:07 a.m. and was held in the conference room at the Town of Washington Municipal Complex at 5750 Old Town Hall Road, Eau Claire, Wisconsin for the purpose of conducting an election recount of the State Supreme Court Justice race held April 3, 2011. The notice was posted on April 22, 2011 at 4:45 p.m. Clerk Loomis addressed the body and explained the work stations and identified that there will be two reporting units being recounted at the same time and that in front of each area there would be a sheet identifying what reporting unit they are working on and she explained the process in each area to be followed. She introduced the Board of Canvass, Carol Cox and Luanne Coy, and introduced Richard Schwankl, representative for John Prosser, and Carolyn Kaiser and was replaced by Amy Alpine later in the day, representative for Joanne Kloppenburg and stated that only representatives can address the BOC. The ballot observers can ask the tabulator to set aside any challenged ballots for BOC review.

Oaths were administered to the following:

Tabulators: Susan Hamill, Keith Daniels, Virginia Wright, Mary Ann Werlein, Jean D. Schlieve, Carol A. Dobrenz, Pat Williams, Laurie Doose, Celinda Kitchens, Sandra Boettcher, Mark Zuber, Cheryl Brunner, Ellen Bloom Ninneman, Jennifer J. Henricksen, Donna Austad, Cynthia M. Bauer

Official minute taker: Carolyn Dunning.

Observers who signed in during the three days of recount included the following: Jodie Helgeson, Gerald Hamill, Duane Wolter, Jon Swedien, Sheila Wilkinson, Julie Albertson, Dorothy Westermann, Joan Wiseman-Sandberg, Richard Schwankl, Dorothy Schwankl, Carolyn Kaiser, John Prince, Amy Alpine, Connie Olson, Dennis Olson, Terri Woodcock, John Woodcock, Kathryn Block, Daniel Chin, Rich Kremer, Shane Opatz, Mike Joyce, Amy Young, Tom Fuller, Ed Young, Jackie Young, Sue Gordon, Jeff Kowieski, Gloria Christensen, Shirley Freeberg, Mary Haukeness-Mack, Joan Smith and Becky Wood.

There was a simultaneous review of the poll lists, the Optech ballots review, reviewing and counting of the absentee ballot envelopes and ballot tallying of the Edge touch screen paper ballots from the paper roll for each reporting unit.

The following is the procedure that was repeated with each of the reporting units:

Poll list reconciliation:

- There were two original poll lists that each tabulator went through and counted how many voters and absentee voters for each letter of the alphabet, recording those numbers and then comparing the number of voters listed to the last number assigned.
- They compared the results, correcting errors made in counting or addition and noting and discrepancies between the two lists.
- They also noted any assisted, challenged or provisional notations.
- Randomly picked three page numbers and compared voter to voter on those three pages.

- Recorded any discrepancies and the resolution of such.
- The poll book reconciliations were signed by the tabulators

Optech ballots

- A tabulator went through all the ballots in front of observers and placed them in a box that was for Prosser or for Kloppenburg and any write-in's blanks or over votes were set aside. Absentee ballots were identified and were set aside. If the observer wanted any ballots set aside for review by the BOC they also did this at that time.
- After the ballots were observed the ballots were then hand counted per court order in piles of 25 each for each candidate and then recounted by a second tabulator also the absentee ballots were counted and recounted and kept separate until the BOC came for reconciliation. All Optec write-ins, blank and over voted ballots were hand counted.

Edge Touch screen Ballots

- This area was manned with four to five tabulators, one to read the ballots and mark off to the side of the ballot with a highlighter to note that this ballot had been counted, two tabulators were hand tallying the votes on tally sheets, and during the tallying would state that they had reached five to make sure that they were inline with each other. One to two people to roll and unroll the roll of ballots
- After the ballots were tallied by two tabulators the results between the two were compared, if they matched to each other, then they compared the total ballots cast to election and if that matched they were done until they announced results to the BOC. If they did not balance with each other or with the total ballots cast that day they went through the process again until they did match.
- And if they balanced they waited for the BOC to announce their results otherwise if they did not balance they recounted.
- There were three municipalities that noted on the inspectors statement that the complete ballot tape were not complete so when that happen the BOC was informed of that so the BOC allowed a history tape to be run and the recount was tallied from that.
- Both talliers have signed the tally sheet.

Paper ballots

Eau Claire County had some reporting units that were issued an Optech ballot copied on paper, which then could not be counted on the machine. The following recount procedure was followed on those municipalities that had used some paper:

- A tabulator went through all the ballots in front of observers and placed them in a box that was for Prosser or for Kloppenburg and any write-in's, blanks or over votes were set aside. If the observer wanted any ballots set aside for review by the BOC they also did this at that time.
- After the ballots were observed the ballots were then hand counted in piles of 25 each for each candidate and then recounted by a second tabulator. The BOC came for reconciliation, and counted the total votes per candidates, write-ins, over votes and blanks.

Absentee envelopes

- The BOC reviewed for signatures all absentee envelopes both counted and rejected at the polling place
- The BOC counted the accepted absentee envelopes and recorded
- Two members of the BOC signed a sheet stating the number of absentee envelopes.

Board of Canvass

- Once all parts described above were completed the Board of Canvass then went to each station and announced publicly the results of the recount of that station.
- Poll book review area announced the number for total voters and announced the number of identified absentee voters and those numbers were compared to the Inspectors' Statement Optech ballots area was asked how many absentee ballots that they identified and the BOC compared that to the number on the poll list and the BOC compared that to how many absentee envelopes that they had counted and announced the results.
- Optech ballots were then counted by the BOC from the stacks of 25 ballots each and recorded the totals for each candidate and number of write-ins, over votes and blanks were announced. Then the numbers from the recount were publicly read out loud and compared to the ballot total tapes from Election Day. If there were differences between election day numbers for the candidates and recount totals other than a switch between a blank ballot and a candidate the ballots were recounted.
- A member of the touch-screen ballot area read publicly from the tally sheet from the recount and this was publicly compared to the election day total tape and any differences were announced. All touch screen ballots cast on election day matched exactly to the recount hand tally of the touch screen ballots.
- The BOC then added up all the ballot counts and compared the totals to the canvass and also compared the total ballots cast and compared to the number on the poll book. If more ballots were cast than voters a draw down would occur.
- The BOC would add up all vote counts and compare to the canvassed report and note differences.
- Two members of the BOC would sign the two recaps for the recount totals.
- The BOC announced that municipality was finished.

The ballot bags were then sealed and the new seal recorded.

Municipalities reviewed on Wednesday were Town of Bridge Creek, Town of Brunswick, Town of Clear Creek, Town of Drammen, Town of Fairchild, Town of Lincoln, Town of Ludington, Town of Pleasant Valley, Town of Seymour, Town of Union, Town of Washington, Town of Wilson, Village of Fairchild, Village of Fall Creek, City of Altoona, and City of Augusta. Town of Otter Creek's poll book was not present so this will be done on Thursday.

The following are notes for the record:

Town of Lincoln had issued one provisional ballot that was not counted on election day or in recount, the voter did not come to the clerk with the required proof.

Town of Seymour had run out of ballots and used ballots that had been copied on paper and then later in the day they did receive more ballots so poll workers remade the 41 ballots onto Optech ballots and then processed them through the machine to be counted. The BOC took the paper ballots and hand counted them and when the ballots were reviewed they pulled out the 41 Optech ballots that had been identified as being remade and the BOC compared the votes cast for each candidate to make sure they were remade per the voter intent. Those numbers matched exactly.

The recount was recessed for lunch from 12:00 p.m. till 1:00 p.m.

Richard Schwankl, the Prosser representative, wanted tabulator Susan Hamill moved from one reporting unit to another. However, the BOC felt comfortable leaving Ms. Hamill where she was she was in the counting of ballots station. Therefore, no shifting of tabulators occurred.

When the tabulators tallied the ballots from the touch screen Edge voting equipment for the Town of Washington machine they came up with only 134 ballots cast , they recounted and again came up with 134 ballots cast. The Municipal Clerk Janelle Henning was asked to come the recount area and was asked why we were only able to come up with 134 records of ballots cast and she explained that she had changed the paper roll on election day and had put it in backwards. This is pressure sensitive paper so a person must have voted on this machine so no ballot was printed and then they turned the roll around. The BOC decided that a history tape of this municipality should be run and the ballots counted from that. The recount of the history tape matched to the election day tape of votes cast per candidate. After the BOC had gone to each station and each part was announced each area reconciled, they returned to their desk to add vote totals for this municipality and had differing numbers for the Optec ballots. The ballots had been sealed so it was decided that the ballots would be recounted the next day.

City of Augusta Wards 1 and 2, poll book reconciliation in recount had 197 voters and there were 195 ballots. City of Augusta Ward 3, poll book reconciliation in recount had 58 and there were 60 ballots. The BOC did not do a draw down recognizing that all wards voted at the same location and all voters had the right to vote for the Justice of the Supreme Court and if you added the two reporting units together that ballots matched voters.

The recount recessed at 5:40 p.m. to reconvene on Thursday, April 28, 2011 at 8:00 a.m.

Thursday, April 28, 2011

The recessed recount reconvened at 8:00 a.m. Clerk Loomis addressed the body and explained the work stations and identified that there will be two reporting units being recounted at the same time and that in front of each area there would be a sheet identifying what reporting unit they are working on and she explained the process in each area to be followed. She introduced the Board of Canvass, Carol Cox and Luanne Coy, and introduced Richard Schwankl, representative for John Prosser, and Mary Haukeness-Mack, representative for Joanne Kloppenburg and stated that only representatives can address the BOC. The ballot observers can ask the tabulator to set aside any challenged ballots for BOC review.

The BOC requested that the ballots for the Town of Washington be recounted because when initially counted, the BOC returned to their desk and noted they had differing numbers. Final numbers were compared and subsequently balanced.

The Town of Otter Creek poll book was present and so they started with the Town of Otter Creek.

After the Town of Washington and the Town of Otter Creek were done the City of Eau Claire was started.

The following are any discrepancies:

The original touch screen tape for the City of Eau Claire Wards 7 and 19 had jammed and was difficult to read, so BOC asked for a history tape to be ran and the tabulators recounted from the history tape, resulting votes cast per candidate matched election day votes. There were two more ballots cast than voters on the poll list for Ward 19. A drawdown was conducted which eliminated two under votes.

City of Eau Claire Ward 4 had 464 voters on the poll list but only 463 ballots were present for recount. The Inspectors' Statement from election day stated that 464 voters and 463 ballots cast so the numbers are the same on election day.

City of Eau Claire Ward 17 during the reconciliation of the poll book one absentee voter was not given a ticket number, but according to the absentee ballot log the clerk had sent an absentee ballot. The voter returned the absentee envelope and the envelope was present in the opened absentee envelopes so the poll workers cast the ballot. There was just no voter number next to that name in the poll book but there should have been.

The recount was recessed for lunch from 12:15 p.m. till 1:15 p.m.

Ed Young replaced Mary Haukeness-Mack as the representative for Kloppenburg at 1:15 p.m.

The City of Eau Claire continued to be recounted.

City of Eau Claire Ward 12 had used 149 paper ballots per Inspectors' Statement and 149 paper ballots were present to recount.

City of Eau Claire Ward 9 and 29 both vote at the same polling location. At recount review of poll books the tabulators identified 482 voters for Ward 29 and 25 voters for Ward 9 which totals 507 voters. Inspectors' Statement had for Ward 29 stated 483 voters and Ward 9 stated 24 voters which totals 507 voters. The poll book review in recount, identified voter #454 in the poll book was assigned a number that should have been used in the sequence for Ward 9.

City of Eau Claire Ward 11 and 37 both vote at the same polling location. At recount review of poll books the tabulators identified 785 voters for Ward 11 and 314 voters for Ward 37 which totals 1,099 voters. Inspectors' Statement had for Ward 11 stated 783 voters and 784 ballots cast and Ward 37 stated 314 voters and 315 ballots cast, which totals 1,097 voters and 1,099 ballots cast. The voters in recount matched to the ballots cast in recount and ballots cast on election day.

The meeting adjourned at 4:47 p.m.

Friday, April 29, 2011

The recount reconvened 8:00 a.m. Clerk Loomis addressed the body and explained the work stations and identified that there will be two reporting units being recounted at the same time and that in front of each area there would be a sheet identifying what reporting unit they are working on and she explained the process in each area to be followed. She introduced the Board of Canvass, Carol Cox and Luanne Coy, and introduced Richard Schwankl, representative for John

Prosser, and Dennis Olson, representative for Joanne Kloppenburg and stated that only representatives can address the BOC. The ballot observers can ask the tabulator to set aside any challenged ballots for BOC review.

Richard Schwankl was replaced by Kathryn Block at about 10:00 a.m. for about 15 minutes and then Richard Schwankl was again the representative for Prosser for the rest of the recount.

Work continued on the City of Eau Claire wards.

City of Eau Claire Wards 22 and 23 when the touch screen ballot tape was counted they did not have the same totals as election day and there was an obvious break in the ballot roll, looking at the Inspectors' Statement they had noted that the paper had broke and they put a new roll on. The BOC ordered a history tape be run and the tabulators recounted the ballots cast on the touch screen ballot roll the results from the recount matched the election day votes. A drawdown was conducted on Ward 22 because the number of ballots was 445 which was the same as cast on election day but that was one more then on the poll list both on the Inspectors' Statement and in the recount, so a blank ballot was taken and so therefore no change to either candidate was made.

City of Eau Claire Ward 25 in recount review of the poll book they determined that there was 823 voters due to a voter ticket number that was written down for two different people. The Inspectors' Statement had 822 voters and 822 ballots cast. In recount there were 822 ballots. No action was taken since ballots cast were less then voters.

City of Eau Claire Ward 33, there were 89 ballots to be counted at recount, yet on election day they had counted 90 ballots. On the Inspectors' Statement they wrote the following "Eagle machine stated that a ballot was not counted yet the Eagle pulled the ballot in anyway" per Deb and Roger since this was noted. The Inspectors' Statement stated that 114 total ballots were cast on election day and 113 ballots were counted at recount. The BOC chose to count only the ballots that were physically here to recount; in effect, this meant one less vote for Prosser when compared to election day results.

The following are reporting units that used a paper copy of the Optech ballot because they ran out of the preprinted Optec ballot that could be processed through machine. These paper ballots were hand counted on election day and also in recount:

Town of Pleasant Valley	105 paper ballots
Town of Washington	197 paper ballots
City of Altoona W 1-7	95 paper ballots
City of Altoona W 8 & 9	24 paper ballots
City of Altoona W 10 & 11	22 paper ballots
City of Altoona W 12 & 13	21 paper ballots
City of Eau Claire W 4	38 paper ballots
City of Eau Claire W 12	149 paper ballots
City of Eau Claire W 15	38 paper ballots
City of Eau Claire W 17	89 paper ballots
City of Eau Claire W 21	7 paper ballots
City of Eau Claire W 22	27 paper ballots
City of Eau Claire W 23	146 paper ballots
City of Eau Claire W 25	27 paper ballots

City of Eau Claire W 32	27 paper ballots
City of Eau Claire W 34	23 paper ballots
City of Eau Claire W 32	27 paper ballots
City of Eau Claire W 34	23 paper ballots
City of Eau Claire W 37	9 paper ballots
City of Eau Claire W 38	39 paper ballots
Total	1,133 paper ballots

Other than as noted, all reporting units were reviewed without incident.

The following are attachments these minutes:

- A report with the following: all reporting units names, ballots cast for Prosser, Kloppenburg and write-in at recount and canvass and the difference between recount and canvass. The number of absentee envelopes reviewed at recount, the number of absentee ballots cast and the total voters on poll list in recount.
- A copy of the two public notices of recount
- The GAB Supreme Recount Plan
- The e-mail from the County Clerk Janet Loomis stating that two reporting units would be processed at one time
- The court order that Optech ballots need to be hand counted
- The order from GAB to have a Justice of Supreme Court Recount
- GAB communications on the recount

The results of the change from original canvass to recount are plus 9 for Prosser and plus 14 for Kloppenburg and plus 7 for write-ins.

The recount adjourned at 11:50 a.m.

Carolyn Dunning
Justice of the Supreme Court Official Minute Taker