

**WASHINGTON COUNTY BOARD OF CANVASSERS
RECOUNT
JUSTICE OF THE SUPREME COURT RACE
SPRING ELECTION APRIL 5, 2011**

WEDNESDAY, APRIL 27, 2011

The Washington County Board of Canvassers met Thursday, April 27, 2011, at 9:00 a.m. in Room 2024 of the Washington County Courthouse, West Bend, Wisconsin, for the purpose of conducting an election recount of the April 5, 2011 spring election for the Justice of the Supreme Court race.

Canvass Board: Brenda J. Jaszewski, County Clerk, Marilyn Merten, representing the Republican Party, and Arlene Beisbier, representing the Democratic Party.

Tabulators: Linda Doro, Carolyn Fochs, Stephanie Justmann, Shirley Schuster, and Ellen Wolf.

Others Present: Deputy County Attorney Chris Ohlis. Prosser Representatives: Dennis Sage and John Schober: Prosser Assistant Representatives: Linda Brudy, Janni Boyd, John Elke, Julie Fancher, Nancy Fix, Raymond Jamieson, Stewart Karge, Kathleen Kiernan, Vicki Lentz, Deborah McCarthy, Sandra Oliver, Marie Schmidt, Denise Schramm, and Jack Timmer. Sue Haag, Amy Hovey, Bette Jane Karnitz, Jane Ledebor, Dave Rank, Andrew Riecher, and Christine Sauer.

Ms. Merten called the meeting was called to order at 9:00 a.m. and the Affidavit of Posting was read.

Ms. Merten read the following:

The Washington County Clerk received the Order for Recount of the Spring Election for Supreme Court Justice held on April 5, 2011, from the Government Accountability Board.

Pursuant to this order, the Washington County Board of Canvass will conduct this recount commencing at 9:00 a.m. Wednesday, April 27, 2011, in Room 2024 of the Washington County Courthouse, Government Center, in West Bend, Wisconsin, and continue until complete. The Board of Canvass will recess each day at approximately 5:00 p.m. and will reconvene at 8:15 a.m. the following day, except Sundays. On Thursday, May 5, 2011, the Board of Canvass will reconvene to continue the recount immediately following the Canvass of the Special Partisan Election held on May 3, 2011.

All cell phones must be silenced. Talking on a cell phone will not be allowed while inside the recount room.

Please note that no purses, brief cases, camera cases, coats, or writing instruments, other than red ink, will be allowed inside Room 2024 where the recount is taking place. Personal items may be left outside Room 2024 or shall remain in personal vehicles. Washington County shall not be responsible for any personal items.

Beverages and snacks are provided for the Board of Canvass members and Tabulators. Observers may purchase beverages and snacks from the vending machines located in the breakroom downstairs on the first floor. All beverages must be covered or have a cap. Cups with covers are provided for observers in the corner along the wall near the entrance doors.

This room will be locked each evening and over the lunch period with no access for observers. The two entrances to this room are secure with locks and the only keys for these locks are in the possession of the County Clerk and the County Clerk's staff. All ballots are secured in the County Clerk's vault and will remain inside the vault until the Board of Canvass directs the County Clerk or staff to bring the ballots into this room. Once a reporting unit's ballots have been counted and secured, they will be returned to the County Clerk's vault.

The ballots in the County Clerk's vault were received from the municipal clerks on Tuesday, April 5, 2011, or Wednesday, April 6, 2011, and have been secured in the County Clerk's vault since with the exception of the

following: Town of Barton, Town of Farmington, Town of Kewaskum, Town of Wayne, and Village of Kewaskum ballots were removed and delivered to the Kewaskum School District on April 12, 2011, to conduct a recount of the Kewaskum School Board Member race. These ballots were delivered by the County Clerk in four separate boxes containing the ballots in their original ballot bags. During the Kewaskum School Board Member recount, these ballot bags were opened by the Kewaskum School Board of Canvassers, counted, and sealed in new ballot bags. These ballot bags were placed in the four separate boxes and returned to the County Clerk's vault on April 13, 2011, and have remained in the vault since that date. The County Clerk's vault containing the ballots was locked every evening by the County Clerk or staff, and only the County Clerk, County Clerk staff, Municipal Clerks, Deputy Municipal Clerks, and the Washington County Board of Canvassers have been allowed inside the vault since Tuesday, April 5, 2011.

The Government Accountability Board has established Rules for Observers and Ms. Merten read pages two and three regarding rules for observers of the Supreme Court Recount Plan provided by the Government Accountability Board.

For all reporting units, the Board of Canvassers and the tabulators hand counted all optical scan ballots in stacks of 25 and those stacks of 25 were recounted to verify the total number of ballots. When reviewing absentee applications, the Board of Canvass considered having a valid application for all individuals listed as "Permanent" on the absentee log. All poll books were reconciled in public and three pages were compared for accuracy. Any discrepancies in poll books are noted under each reporting unit.

The election database was reprogrammed by Dominion Voting Systems for the recount so that it would only count the votes cast for the Justice of the Supreme Court race.

The security seal #378641 was verified and removed from the Accu-Vote machine used for the recount.

Town of Addison

(Wards 1-6)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	865	865
Joanne Kloppenburg	170	170
Scattering	0	0

Total Voters as reconciled from Poll Lists:	1039
Total Absentees from Poll Lists:	36

Total Number of OS Ballots Counted at Recount:	935	(machine)
Total Number of OS Ballots Counted at Recount:	18	(by hand)
Total Number of TSX Ballots Counted at Recount:	85	
Grand Total Number of Ballots Counted:	1038	
Total Number of Absentee Applications:	36	
Total Number of Absentee Ballots Identified:	36	

Items of Note:

Bag # 1 Seal # X976286 removed
 Bag # 2 Seal # J549016 removed
 Bag # 3 Seal # Z087398 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # E310555 resealed
 Bag # 2 Seal # U865000 resealed
 Bag # 3 Seal # Z087222 resealed

Test of Electronic Voting Equipment:	Accurate
Test Conducted by:	Brenda Jaszewski

Memory Card Number: 670020-B
 Memory Card Seal No. on Envelope (pre test): 384650
 Memory Card Seal No. After Recount: 382951

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. Absentee ballot log does not indicate the date of issue and return for Teayl M. Johnson. Board of Canvassers identified 36 absentee applications and 36 absentee ballots. Board of Canvassers identified three ballot bags. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates. The Municipal poll book identified 1039 voters and the County poll book identified 1038. Original Ballot Cards Which Have Been Duplicated Envelope was sealed and properly signed. Board of Canvassers identified and compared 16 duplicated ballots. The County Clerk indicated that when she inserted the memory card for the testing of the equipment, the memory card has a message "okay to format?"; the County Clerk left the room to re-download the memory card and brought the memory card back. The reformatted memory card was tested and used for the recount. The Board of Canvassers determined there were 1039 total voters based on the poll books.

Municipal Poll Book Reconciliation: Voter #276 listed on poll book and Election Day registration list. Voter #740 listed on poll book and Election Day registration list.

County Poll Book Reconciliation: Page 127 Leroy Roman Ritger voter number missing, voter #509 was not recorded. County Poll book has 1038. Municipal Poll book has 1039.

Town of Barton

(Wards 1-4)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	680	680
Joanne Kloppenburg	261	261
Scattering	0	0
Total Voters as reconciled from Poll Lists:	948	
Total Absentees from Poll Lists:	36	
Total Number of OS Ballots Counted at Recount:	927	(machine)
Total Number of OS Ballots Counted at Recount:	21	(by hand)
Total Number of TSX Ballots Counted at Recount:	0	
Grand Total Number of Ballots Counted:	948	
Total Number of Absentee Applications:	36	
Total Number of Absentee Ballots Identified:	36	

Items of Note:

Bag # 1 Seal # N643870 removed
 Bag # 2 Seal # R754988 removed
 Bag # 3 Seal # E310547 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # L643887 resealed
 Bag # 2 Seal # J532776 resealed
 Bag # 3 Seal # G421665 resealed

Test of Electronic Voting Equipment: Accurate
 Test Conducted by: Stephanie Justmann
 Memory Card Number: 67004-B
 Memory Card Seal No. on Envelope (pre test): 384649
 Memory Card Seal No. After Recount: 382952

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was signed and sealed by the Kewaskum School District Board of Canvassers. The Town of Barton Clerk Aggie Prunner was contacted to verify that the permanent absentees did have an application. Board of Canvassers identified 36 absentee applications and 36 absentee ballots. All security seals on ballot bags matched the ballot log from the Kewaskum School District Board of Canvassers. Board of Canvassers identified three ballot bags. Board of Canvassers identified two ballots that did not have the election inspector's initials.

Exhibit 1 – Board of Canvassers determined the ballot in question was a vote for Kloppenburg.

Municipal Poll Book Reconciliation: Voter #276 listed on poll book and Election Day registration list.
Voter #740 listed on poll book and Election Day registration list.

County Poll Book Reconciliation: Amy Dricken and Chuck Dricken on Election Day registration list and also listed in poll book.

The meeting recessed at 12:30 p.m. The County Clerk secured the doors. The meeting reconvened at 1:03 p.m.

Town of Erin

(Wards 1-4)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	1229	1233
Joanne Kloppenburg	336	336
Scattering	1	1
Total Voters as reconciled from Poll Lists:	1587	
Total Absentees from Poll Lists:	106	
Total Number of OS Ballots Counted at Recount:	1553	(machine)
Total Number of OS Ballots Counted at Recount:	34	(by hand)
Total Number of TSX Ballots Counted at Recount:	0	
Grand Total Number of Ballots Counted:	1587	
Total Number of Absentee Applications:	106	
Total Number of Absentee Ballots Identified:	105	

Items of Note:

Bag # 1 Seal # N643951 removed
 Bag # 2 Seal # G421420 removed
 Bag # 3 Seal # R754753 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # T865092 resealed
 Bag # 2 Seal # P754989 resealed
 Bag # 3 Seal # U865009 resealed
 Bag # 4 Seal # X976111 resealed

Test of Electronic Voting Equipment:	Accurate
Test Conducted by:	Stephanie Justmann
Memory Card Number:	Rental - no number
Memory Card Seal No. on Envelope (pre test):	384648
Memory Card Seal No. After Recount:	382953

Other Notes:

Poll lists show 117 absentee ballots. Inspectors' Statement shows 106.

One absentee ballot was not counted on Election Day due to being over voted. Election Inspectors changed tapes and did count the over voted absentee ballot and it was sealed in a Used Certificate-Affidavit Envelopes of Absentee Electors envelope. The Used Certificate-Affidavit Envelopes of Absentee Electors envelope was signed by six poll workers. On the Used Certificate-Affidavit Envelopes of Absentee Electors envelope containing the one absentee ballot, it was noted the ballot was counted on Wednesday, April 6, 2011, and the tape was changed. Used Certificate-Affidavit Envelopes of Absentee Electors envelope for all other absentee certificates was sealed and properly signed. Board of Canvassers identified 106 absentee applications and 105 absentee ballots. Board of Canvassers identified one absentee ballot without an inspector or clerk initials. Board of Canvassers identified three ballot bags. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates. Poll list showed 1588 total voters; however, Inspectors' Statement indicates that #867 was not given out, for a total number of 1587 voters.

County Poll Book Reconciliation: poll book certification page incorrectly states 1588 voters, and 117 absentee voters.

Town of Farmington

(Wards 1-4)

	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	1010	1010
Joanne Kloppenburg	214	214
Scattering	0	0

Total Voters as reconciled from Poll Lists:	1225
Total Absentees from Poll Lists:	33

Total Number of OS Ballots Counted at Recount:	1187	(machine)
Total Number of OS Ballots Counted at Recount:	38	(by hand)
Total Number of TSX Ballots Counted at Recount:	0	
Grand Total Number of Ballots Counted:	1225	
Total Number of Absentee Applications:	33	
Total Number of Absentee Ballots Identified:	33	

Items of Note:

Bag # 1 Seal # Z087216 removed
 Bag # 2 Seal # N643879 removed
 Bag # 3 Seal # Y087212 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # N643887 resealed
 Bag # 2 Seal # R754998 resealed
 Bag # 3 Seal # P754998 resealed

Test of Electronic Voting Equipment:	Accurate
Test Conducted by:	Stephanie Justmann
Memory Card Number:	Rental - no number
Memory Card Seal No. on Envelope (pre test):	384647
Memory Card Seal No. After Recount:	382954

Other Notes:

Municipal Deputy Clerk indicated she opened the Used Certificate-Affidavit Envelopes of Absentee Electors envelope that was returned to her after the Kewaskum School District recount so that she could finish and finalize the GAB-190. The Municipal Deputy Clerk resealed the Used Certificate-Affidavit Envelopes of Absentee Electors envelope. Board of Canvassers identified 33 absentee applications and 33 absentee ballots. Board of Canvassers identified three ballot bags. All security seals on ballot bags matched the ballot log from the Kewaskum School District Board of Canvassers.

The County Clerk sealed the memory card compartment of the Accu-Vote machine with seal #380259.

The meeting recessed at 4:50 p.m. The County Clerk secured the doors.

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THURSDAY, APRIL 28, 2011

The Washington County Board of Canvassers reconvened Thursday, April 28, 2011, at 8:15 a.m. in Room 2024, of the Washington County Courthouse, West Bend, Wisconsin for the purpose of conducting an election recount of April 5, 2011 spring election for the Justice of the Supreme Court race.

Canvass Board: Brenda J. Jaszewski, County Clerk, Marilyn Merten, representing the Republican Party, and Arlene Beisbier, representing the Democratic Party.

Tabulators: Linda Doro, Ellen Wolf, Carolyn Fochs, Mary Lemke, Becky Schuster, and Shirley Schuster.

Others Present: County Attorney Kim Nass. Kloppenburg Representatives: Sally Castleman and Monica Fedel. Prosser Representatives: Randall Guse and Raymond Jamieson. Prosser Assistant Representatives: Crystal Berg, Lynn Burhop, Joan Kaiser, Kathleen Kiernan, Penny Krist, Phyllis Nigbor, Kim Rath, and Jack Timmer. Sally Castle, Hope Nelson, Paul Nelson, Dave Rank, and Marylss Thiel, Town Polk Municipal Clerk

The security seal #380259 was verified and removed from the Accu-Vote machine.

Town of Germantown

(Ward 1)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	64	67
Joanne Kloppenburg	15	15
Scattering	0	0
Total Voters as reconciled from Poll Lists:	83	
Total Absentees from Poll Lists:	6	
Total Number of OS Ballots Counted at Recount:	44	(machine)
Total Number of OS Ballots Counted at Recount:	0	(by hand)
Total Number of TSX Ballots Counted at Recount:	39	
Grand Total Number of Ballots Counted:	83	
Total Number of Absentee Applications:	6	
Total Number of Absentee Ballots Identified:	6	

Items of Note:

Bag # 1 Seal # T865172 removed
Ballots were removed from the bags and counted.
Bag # 1 Seal # B198324 resealed

Test of Electronic Voting Equipment:	Accurate
Test Conducted by:	Shirley Schuster
Memory Card Number:	Rental - no number
Memory Card Seal No. on Envelope (pre test):	384646
Memory Card Seal No. After Recount:	382955

Other Notes:

Inspector Statement incorrectly notes six absentee ballots were rejected. This discrepancy was also noted in the April 7, 2011, Board of Canvass minutes. Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. Board of Canvassers identified six absentee applications and six absentee ballots. Board of Canvassers identified one ballot bag. The security seal on the ballot bag matched the Inspectors' Statement and the Ballot Container certificate.

Town of Hartford

(Wards 1-6)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	990	993
Joanne Kloppenburg	299	299
Scattering	0	0

Total Voters as reconciled from Poll Lists:	1306
Total Absentees from Poll Lists:	55

Total Number of OS Ballots Counted at Recount:	1268	(machine)
Total Number of OS Ballots Counted at Recount:	37	(by hand)
Total Number of TSX Ballots Counted at Recount:	1	
Grand Total Number of Ballots Counted:	1306	
Total Number of Absentee Applications:	55	
Total Number of Absentee Ballots Identified:	55	

Items of Note:

Bag # 1 Seal # G421623 removed
 Bag # 2 Seal # V087194 removed
 Bag # 3 Seal # L643956 removed
 Bag # 4 Seal # V087084 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # G421663 resealed
 Bag # 2 Seal # A198332 resealed
 Bag # 3 Seal # F310554 resealed
 Bag # 4 Seal # R754999 resealed

Test of Electronic Voting Equipment:	Accurate
Test Conducted by:	Shirley Schuster
Memory Card Number:	Rental - no number
Memory Card Seal No. on Envelope (pre test):	384645
Memory Card Seal No. After Recount:	382956

Other Notes:

At the original Board of Canvass on April 7, 2011, the Board counted one TSX ballot. In the process of preparing for the recount, the County Clerk found the actual TSX ballot attached to the results tape and required the Municipal Clerk to come in to the County Clerk's office on April 21, 2011, and secure the TSX ballot. Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and signed properly. The Board of Canvassers identified 55 absentee applications and 55 absentee ballots. Certificate of Rejected Absentee Ballots was sealed and properly signed. Absentee log indicates an absentee ballot received for Thomas Weimer but there is no certificate envelope.

The County Clerk contacted the Town of Hartford Clerk Lori Opitz regarding the missing Thomas Weimer certificate. She had no explanation as to why the log was incorrect. The Board of Canvassers determined that the log was incorrect as it showed Gerald Weimer not returning an absentee ballot and Thomas Weimer returning an absentee ballot; however, there was an absentee ballot returned by Gerald Weimer and no absentee ballot was returned by Thomas Weimer. Board of Canvassers identified four ballot bags. All security seals on ballot bags

matched the Inspectors' Statement and the Ballot Container certificates. Original Ballot Cards Which Have Been Duplicated envelope was sealed and properly signed. Duplicated ballots incorrectly numbered by the poll workers, the poll workers used the voter number instead of beginning with number one. At recount, the OS tape showed one write-in but the write-in ballot was not identified. OS tape was changed to show zero write-ins.

The meeting recessed at 12:20 p.m. The County Clerk secured the doors. The meeting reconvened at 12:50 p.m.

Town of Jackson

(Wards 1-5)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	1350	1351
Joanne Kloppenburg	270	271
Scattering	0	0
Total Voters as reconciled from Poll Lists:	1629	
Total Absentees from Poll Lists:	46	
Total Number of OS Ballots Counted at Recount:	1591	(machine)
Total Number of OS Ballots Counted at Recount:	38	(by hand)
Total Number of TSX Ballots Counted at Recount:	0	
Grand Total Number of Ballots Counted:	1629	
Total Number of Absentee Applications:	46	
Total Number of Absentee Ballots Identified:	46	

Items of Note:

Bag # 1 Seal # L650125 removed
 Bag # 2 Seal # K532531 removed
 Box # 1 Seal # A105664 removed
 Ballots were removed from the bags and box and counted.
 Bag # 1 Seal # K532776 resealed
 Bag # 2 Seal # Y087221 resealed
 Bag # 3 Seal # N643888 resealed
 Box # 4 Seal # Y087222 resealed

Test of Electronic Voting Equipment:	Accurate
Test Conducted by:	Becky Schuster
Memory Card Number:	Rental - no number
Memory Card Seal No. on Envelope (pre test):	384644
Memory Card Seal No. After Recount:	382957

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. The Board of Canvassers identified 46 absentee applications and 46 absentee ballots. Board of Canvasser identified that William Vogel and Joyce Vogel signed each other's absentee certificate envelopes, which were processed on election day. The Board of Canvassers accepted both certificate envelopes and agreed the ballots should be counted and the poll workers correctly processed these absentee ballots. Board of Canvassers identified two ballot bags and one ballot box. All security seals on the ballot bags and box matched the Inspectors' Statement and the Ballot Container certificates.

County Poll Book Reconciliation: County copy of poll book Election Day registration list does not have a name for voter #781. Municipal copy of poll book shows Candace Spears as #781.

Town of Kewaskum

(Wards 1, 2)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	346	346
Joanne Kloppenburg	109	110
Scattering	0	0
Total Voters as reconciled from Poll Lists:	465	
Total Absentees from Poll Lists:	27	
Total Number of OS Ballots Counted at Recount:	451	(machine)
Total Number of OS Ballots Counted at Recount:	14	(by hand)
Total Number of TSX Ballots Counted at Recount:	0	
Grand Total Number of Ballots Counted:	465	
Total Number of Absentee Applications:	27	
Total Number of Absentee Ballots Identified:	27	

Items of Note:

Bag # 1 Seal # Y087214 removed
 Bag # 2 Seal # T865091 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # A198322 resealed
 Bag # 2 Seal # V976118 resealed

Test of Electronic Voting Equipment:	Accurate
Test Conducted by:	Carolyn Fochs and Shirley Schuester
Memory Card Number:	Rental - no number
Memory Card Seal No. on Envelope (pre test):	384643
Memory Card Seal No. After Recount:	382958

Other Notes:

The Board of Canvassers identified 27 absentee applications and 27 absentee ballots. Used Certificate-Affidavit Envelopes of Absentee Electors envelope was signed and sealed by the Kewaskum School District Board of Canvassers. Board of Canvassers identified two ballot bags. All security seals on ballot bags matched the ballot log from the Kewaskum School District Board of Canvassers. Inspectors' Statement indicates 26 absentee ballots but there were 27 absentee ballots.

County & Municipal Poll Book Reconciliation: Melissa Wagner had a name changed to Cornish listed in both poll books and also on election day registration list.

Town of Polk

(Wards 1-7)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	1097	1096
Joanne Kloppenburg	305	305
Scattering	0	0
Total Voters as reconciled from Poll Lists:	1407	
Total Absentees from Poll Lists:	114	
Total Number of OS Ballots Counted at Recount:	1356	(machine)
Total Number of OS Ballots Counted at Recount:	51	(by hand)
Total Number of TSX Ballots Counted at Recount:	0	
Grand Total Number of Ballots Counted:	1407	
Total Number of Absentee Applications:	106	
Total Number of Absentee Ballots Identified:	114	

Items of Note:

Bag # 1 Seal #X976035 removed
 Bag # 2 Seal #F310479 removed
 Bag # 3 Seal #K532868 removed
 Ballots were removed from the bags and counted.
 Bag #1 Seal # G421656 resealed
 Bag #2 Seal # X976110 resealed
 Bag #3 Seal # E310554 resealed
 Bag #4 Seal # V976102 resealed

Test of Electronic Voting Equipment:	Accurate
Test Conducted by:	Ellen Wolf and Becky Schuster
Memory Card Number:	Rental - no number
Memory Card Seal No. on Envelope (pre test):	384642
Memory Card Seal No. After Recount:	382959

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. The Board of Canvassers identified 106 absentee applications and 114 absentee ballots. There were no absentee applications for: Joseph Heppe, Joseph Weninger, Ethel Weninger, Donald W. Elias, Renee Elias, Christopher Schulter, James Engel, and Kim Engel. The Absentee Log shows no return date for the absentee ballot of Joseph W. Heppe. The Absentee Log does not list Warren Franz.

Board of Canvassers identified three ballot bags secured by the election inspectors on election night. All three security seals on these ballot bags matched the Inspectors' Statement and the Ballot Container certificates.

The municipal clerk indicated that on April 21, 2011, she requested two poll workers come to the Municipal Clerk's office to reconcile the municipal copy of the poll book in preparation of the recount. These poll workers changed the municipal clerk's copy of the poll book to indicate there were 1407 voters instead of 1408 as originally listed. The County Poll Book shows 1408 total voters, Absentees-109. County Poll Book: #495 Cameron V. Ottoson listed on Election Day Registration but should have been recorded in poll book.

The following absentee certificate envelopes were placed in the Original Ballot Cards Which Have Been Duplicate Envelope instead of the Used Certificate-Affidavit Envelopes of Absentee Electors envelope: James Engel, Kimberly Engel, Sandra Evans, Christopher Schluter, Renee Elias, Donald W. Elias, Robert Ott, and Judith Ott.

The Municipal Clerk stated she created pdf files of the Town of Polk ballots by scanning and then placing these ballot files on the municipal website. These pdf ballot files were identified with the word "Sample". Several individuals requested an absentee ballot be sent via email and the Municipal Clerk emailed these individuals the ballots with the word "Sample". Election inspectors duplicated these ballots marked, "Sample" on election day. Election Inspectors indicated there were 23 duplicated ballots and there were 23 "Original" ballots that were duplicated. The Board of Canvassers only identified nine duplicated ballots out of the 23. The remaining duplicated ballots were never identified by the election inspectors as being duplicated. The nine that were identified were verified against the original ballots. The original and duplicated ballots identified were incorrectly numbered, using the voter number instead of sequentially numbering the duplicated ballots beginning with #1.

On April 13, 2011, the Town of Polk Clerk delivered a ballot sealed in a ballot bag (seal #K532868) to the County Clerk's office and stated this was found at the Town Hall. The County Clerk read a letter from municipal clerk Marlyss Thiel that was contained in the sealed bag with the ballot found at the Town Hall. The letter explained that the enclosed ballot was found several days after the election at the Town Hall behind some folding chairs in the room where the election took place. This letter was identified as Exhibit 1. The Board of Canvass set this ballot aside and did not count it when counting the ballots that were sealed in the three bags on election night.

The Board of Canvass identified two absentee ballots without the Municipal Clerk’s initials. One ballot voted at the polls had two election inspector’s initials on the ballot but was stamped absentee. The Board of Canvassers determined it was a ballot voted at the polls. Poll workers wrote notes in black ink on ballots containing write-in votes. The Board of Canvassers requested the municipal clerk inform her poll workers they should not write any notes or comments on ballots regarding the validity of write-in votes, and under no circumstances should anything be written on a ballot in blue or black ink.

Exhibit 1 - Letter from the Town of Polk Clerk regarding the ballot found at the Town Hall several days after the election.

Exhibit 2 - Ballot found at the Town Hall.

Exhibit 3 - Ballot bag containing the Clerk’s letter and ballot found at Town Hall.

After the poll books were reconciled, the Board of Canvassers determined there were 1407 voters and 1408 ballots, including the one found at the Town Hall several days after the election.

1st Objection - Raymond Jamieson

Mr. Jamieson objected to the Board of Canvassers excluding the ballot found several days after the election and delivered separately to the County Clerk.

2nd Objection - Raymond Jamieson

Noting that there was less voters than ballots, the Board of Canvassers decided to exclude the single ballot that was found at the Town Hall after the election and secured it in separate bag. It was unanimously decided by the Board of Canvassers to only count the 1407 ballots that were secured by the poll workers on election night and placed inside the three ballot bags with the seal numbers documented on both the Inspectors’ Statement and Ballot Container Certificates. Mr. Jamieson objected and stated that the single ballot found after the election should have been included with all the other ballots and a draw down should have been conducted from the entire pool of ballots.

Town of Wayne

(Wards 1-3)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	622	622
Joanne Kloppenburg	153	153
Scattering	0	0
Total Voters as reconciled from Poll Lists:	781	
Total Absentees from Poll Lists:	11	
Total Number of OS Ballots Counted at Recount:	758	(machine)
Total Number of OS Ballots Counted at Recount:	23	(by hand)
Total Number of TSX Ballots Counted at Recount:	0	
Grand Total Number of Ballots Counted:	781	
Total Number of Absentee Applications:	10	
Total Number of Absentee Ballots Identified:	11	

Items of Note:

- Bag #1 Seal # H421652 removed
- Bag #2 Seal # B198327 removed
- Ballots were removed from the bags and counted.
- Bag #1 Seal # H421665 resealed
- Bag # 2 Seal # K532767 resealed
- Bag # 3 Seal # T865000 resealed

Test of Electronic Voting Equipment: Accurate
 Test Conducted by: Brenda Jaszewski

Memory Card Number: 67024-B
 Memory Card Seal No. on Envelope (pre test): 384640
 Memory Card Seal No. After Recount: 382960

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed by the Kewaskum School District Board of Canvassers. The Board of Canvassers identified 10 absentee applications and 11 absentee ballots. Board of Canvassers identified two ballot bags. All security seals on ballot bags matched the ballot log from the Kewaskum School District Board of Canvassers.

County Poll Book Reconciliation: Page 9: Linda Block was written in red, changed to black, but she is not an absentee voter. Page 35: Nicole Griesner written in red, not an absentee.

The County Clerk sealed the memory card compartment of the Accu-Vote machine with seal #378653.

The meeting recessed at 5:03 p.m. The County Clerk secured the doors.

**WASHINGTON COUNTY BOARD OF CANVASSERS
 RECOUNT
 JUSTICE OF THE SUPREME COURT RACE
 SPRING ELECTION APRIL 5, 2011**

FRIDAY, APRIL 29, 2011

The Washington County Board of Canvassers reconvened Friday, April 29, 2011, at 8:15 a.m. in Room 2024, of the Washington County Courthouse, West Bend, Wisconsin for the purpose of conducting an election recount of April 5, 2011 spring election for the Justice of the Supreme Court race.

Canvass Board: Brenda J. Jaszewski, County Clerk, Marilyn Merten, representing the Republican Party, and Arlene Beisbier, representing the Democratic Party.

Tabulators: Ellen Wolf, Becky Schuster, Bill Cording, Nancy Boden, Julie Kriewaldt, Pat Nysse, and Linda Doro.

Others Present: County Attorney Kim Nass and Deputy Attorney Chris Ohlis. Prosser Representatives: Dennis Sage and Randall Guse: Prosser Assistant Representatives: Kathleen Kiernan, Bud Whiteside, Diane Pedersen, Wendy Muckerheide, Susan Talakowski, Mary Daley, Phyllis Nigbor. Village of Germantown Clerk Elizabeth Knaack, Village of Germantown Deputy Clerk Chris Micka, Paul Malischke, and Darlene Walls.

The security seal #378653 was verified and removed from the Accu-Vote machine.

Town of Trenton

(Wards 1, 2, 5-7)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	988	988
Joanne Kloppenburg	259	258
Scattering	0	1
Total Voters as reconciled from Poll Lists:	1298	
Total Absentees from Poll Lists:	41	
Total Number of OS Ballots Counted at Recount:	1258	(machine)
Total Number of OS Ballots Counted at Recount:	39	(by hand)
Total Number of TSX Ballots Counted at Recount:	0	
Grand Total Number of Ballots Counted:	1297	

Total Number of Absentee Applications: 41
 Total Number of Absentee Ballots Identified: 41

Items of Note:

Bag # 1 Seal # R754957 removed
 Bag # 2 Seal # U865979 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # N643886 resealed
 Bag # 2 Seal # J532777 resealed
 Bag # 3 Seal # B198333 resealed
 Bag # 4 Seal # B198332 resealed

Test of Electronic Voting Equipment: Accurate
 Test Conducted by: Brenda Jaszewski
 Memory Card Number: Rental- no number
 Memory Card Seal No. on Envelope (pre test): 384641
 Memory Card Seal No. After Recount: 382961

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed; however the absentee log and absentee applications were sealed inside. The Board of Canvassers identified 41 absentee applications and 41 absentee ballots. Board of Canvassers identified two ballot bags. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates. There was an absentee ballot without the Municipal Clerk's initials.

Municipal & County Poll Books: Page 78 Voter #1, page 78 Don Haug listed as voter #1. Voter #1 was Bruce Muckerheide on Page 140.

Town of Trenton

(Wards 3, 4)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	275	276
Joanne Kloppenburg	86	85
Scattering	0	0

Total Voters as reconciled from Poll Lists: 367
 Total Absentees from Poll Lists: 19

Total Number of OS Ballots Counted at Recount: 366 (machine)
 Total Number of OS Ballots Counted at Recount: 1 (by hand)
 Total Number of TSX Ballots Counted at Recount: 0
 Grand Total Number of Ballots Counted: 367
 Total Number of Absentee Applications: 19
 Total Number of Absentee Ballots Identified: 19

Items of Note:

Bag # 1 Seal # E310478 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # P754997 resealed

Test of Electronic Voting Equipment: The testing of the equipment for the Town of Trenton Wards 3 & 4 was conducted at the same time as Wards 1,2,5-7 using the same memory card as there were two reporting units on the same memory cards for the Town of Trenton. The ballots for Wards 3,4 were hand counted and processed separately from the Wards 1,2, 5-7 ballots. The final results tape was printed after the ballots from both reporting units were run through the machine.

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. The Board of Canvassers identified 19 absentee applications and 19 absentee ballots. Board of Canvassers identified one ballot bag. The security seal on ballot bag matched the Inspectors' Statement and the Ballot Container certificate.

<u>Town of West Bend</u> <u>(Wards 1-9)</u>	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	1351	1351
Joanne Kloppenburg	443	443
Scattering	1	1
Total Voters as reconciled from Poll Lists:	1812	
Total Absentees from Poll Lists:	142	
Total Number of OS Ballots Counted at Recount:	1748	(machine)
Total Number of OS Ballots Counted at Recount:	64	(by hand)
Total Number of TSX Ballots Counted at Recount:	0	
Grand Total Number of Ballots Counted:	1812	
Total Number of Absentee Applications:	142	
Total Number of Absentee Ballots Identified:	142	

Items of Note:

Bag # 1 Seal # F310317 removed
 Bag # 2 Seal # P769171 removed
 Bag # 3 Seal # Z087199 removed
 Bag # 4 Seal # L643971 removed
 Bag # 5 Seal # U872327 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # V976111 resealed
 Bag # 2 Seal # T865008 resealed
 Bag # 3 Seal # A198333 resealed
 Bag # 4 Seal # K532777 resealed
 Bag # 5 Seal # B198331 resealed

Test of Electronic Voting Equipment:	Accurate
Test Conducted by:	Becky Schuster
Memory Card Number:	67026-B
Memory Card Seal No. on Envelope (pre test):	384639
Memory Card Seal No. After Recount:	382962

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. Certificate of Rejected Absentee Ballots was sealed and properly signed. Original Ballot Cards Which Have Been Duplicated envelope was sealed and properly signed. There were four duplicated ballots identified and compared. The Board of Canvassers identified 142 absentee applications and 142 absentee ballots. Board of Canvassers identified five ballot bags. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates. Town of West Bend Clerk Becky Schuester printed an alphabetized Absentee List of Voters from SVRS for the April 5, 2011, election in the County Clerk's office on April 29, 2011. A hand printed absentee list had been provided and the Board of Canvassers used the SVRS alphabetized absentee list for reconciliation of absentee applications for the recount. The Absentee application certificate envelope of voter Perry Vogel did not have a witness signature. This ballot was processed by the poll workers on election day and included with the regular ballots. It was determined this ballot was voted in the Town Clerk's office and should be counted and not rejected due to Municipal Clerk error in not signing as the witness on the certificate envelope.

Exhibit 1- Printed Absentee List of Voters from SVRS used to reconcile absentee applications and certificate envelopes.

The meeting recessed at 12:27 p.m. The County Clerk secured the doors. The meeting reconvened at 1:03 p.m.

Village of Germantown - District 1

(Wards 1, 7, 15-17)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	1562	1562
Joanne Kloppenburg	400	400
Scattering	1	1
Total Voters as reconciled from Poll Lists:	1968	
Total Absentees from Poll Lists:	131	
Total Number of OS Ballots Counted at Recount:	1916	(machine)
Total Number of OS Ballots Counted at Recount:	52	(by hand)
Total Number of TSX Ballots Counted at Recount:	0	
Grand Total Number of Ballots Counted:	1968	
Total Number of Absentee Applications:	131	
Total Number of Absentee Ballots Identified:	131	

Items of Note:

Bag # 1 Seal # V976081 removed
 Bag # 2 Seal # Z087087 removed
 Bag # 3 Seal # A198199 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # X976119 resealed
 Bag # 2 Seal # L643888 resealed
 Bag # 3 Seal # J532775 resealed
 Bag # 4 Seal # F310556 resealed
 Bag # 5 Seal # H421666 resealed
 Bag # 6 Seal # K532775 resealed

Test of Electronic Voting Equipment:	Accurate
Test Conducted by:	Brenda Jaszewski
Memory Card Number:	67026-C
Memory Card Seal No. on Envelope (pre test):	384638
Memory Card Seal No. After Recount:	382963

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. The Certificate of Registration forms were used as a supplemental poll list for those individuals registering after the poll list was printed. There was a District 3 absentee ballot that was delivered to District 1. On election day, it was rejected but not placed in the Certificate of Rejected Absentee Ballots Envelope. The Municipal Clerk confirmed that this absentee ballot was delivered to the Clerk prior to 8:00 p.m. election day. The Washington County Clerk contacted Ross Hein from the Government Accountability Board regarding the absentee ballot that was delivered to the wrong polling location on election day. Mr. Hein confirmed per State Statute 6.87(6) that the ballot should be counted in the District 3 recount. The Board of Canvassers set aside this absentee certificate envelope containing the ballot until it began the recount of District 3. The Board of Canvassers identified 131 absentee applications and 131 absentee ballots. Board of Canvassers identified three ballot bags. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates. There was one properly rejected absentee ballot due to no voter signature and no witness signature.

Village of Germantown - District 2

(Wards 2, 4-6)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	814	814
Joanne Kloppenburg	375	375
Scattering	0	0
Total Voters as reconciled from Poll Lists:	1193	
Total Absentees from Poll Lists:	90	
Total Number of OS Ballots Counted at Recount:	1143	(machine)
Total Number of OS Ballots Counted at Recount:	50	(by hand)
Total Number of TSX Ballots Counted at Recount:	0	
Grand Total Number of Ballots Counted:	1193	
Total Number of Absentee Applications:	90	
Total Number of Absentee Ballots Identified:	89	

Items of Note:

Bag # 1 Seal # B103493 removed
 Bag # 2 Seal # H438904 removed
 Bag # 3 Seal # E310402 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # L643886 resealed
 Bag # 2 Seal # A198331 resealed
 Bag # 3 Seal # Y087220 resealed

Test of Electronic Voting Equipment:	Accurate
Test Conducted by:	Ellen Wolf
Memory Card Number:	Rental-no number
Memory Card Seal No. on Envelope (pre test):	384367
Memory Card Seal No. After Recount:	382964

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. The Certificate of Registration forms were used as a supplemental poll list for those individuals registering after the poll list was printed. Certificate of Rejected Absentee Ballots Envelope was sealed and properly signed. Board of Canvassers identified four properly rejected absentee ballots. Original Ballot Cards Which Have Been Duplicated Envelope was sealed and properly signed. Board of Canvassers identified and compared one duplicated ballot. Board of Canvassers identified 90 absentee applications and 89 absentee ballots. Board of Canvassers identified three ballot bags. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates.

Village of Germantown - District 3

(Wards 3, 8-10, 18)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	1111	1112
Joanne Kloppenburg	376	378
Scattering	1	1
Total Voters as reconciled from Poll Lists:	1497 + 3 = 1500	
Total Absentees from Poll Lists:	112 + 3 = 115	
Total Number of OS Ballots Counted at Recount:	1461	(machine)
Total Number of OS Ballots Counted at Recount:	39	(by hand)
Total Number of TSX Ballots Counted at Recount:	0	
Grand Total Number of Ballots Counted:	1500	

Total Number of Absentee Applications: 115
 Total Number of Absentee Ballots Identified: 112 + 3 = 115

Items of Note:

Bag # 1 Seal # X983458 removed
 Bag # 2 Seal # H421420 removed
 Bag # 3 Seal # N658945 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # U865008 resealed
 Bag # 2 Seal # Z087220 resealed
 Bag # 3 Seal # E310553 resealed
 Bag # 4 Seal # K532761 resealed
 Bag # 5 Seal # H421664 resealed

Test of Electronic Voting Equipment: Accurate
 Test Conducted by: Ellen Wolf
 Memory Card Number: Rental-no number
 Memory Card Seal No. on Envelope (pre test): 384636
 Memory Card Seal No. After Recount: 382965

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. The Certificate of Registration forms were used as a supplemental poll list for those individuals registering after the poll list was printed. Certificate of Rejected Absentee Ballots Envelope was sealed and properly signed. Two rejected absentee ballots were identified as the parent's of County Clerk Brenda Jaszewski and; therefore, Ms. Jaszewski abstained from the discussion and decision on the Loretta Goecks and Bernard Goecks rejected absentee ballots. Ms. Merten and Ms. Beisbier reported Bernard and Loretta Goecks signed each other's absentee ballot certificate envelopes and it is their decision to accept these two ballots. Arlene Beisbier and Marilyn Merten accepted the absentee ballots of Bernard and Loretta Goecks, opened the certificate envelopes, removed the ballots, and placed them with the other absentee ballots to be counted. Per the prior phone call to Ross Hein at the Government Accountability Board, the Board of Canvassers accepted the absentee ballot of Elaine Haskey District 3, which was mistakenly delivered to District 1 on election night. The absentee certificate envelope was opened, ballot removed, and placed with the other absentee ballots to be counted. The Board of Canvassers identified three ballot bags. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates. Board of Canvassers indicated the three ballot bags had small tears but not enough to allow a ballot in or out. The ballot bags were taped and signed by the Municipal Clerk when delivered to the County Clerk. The Board of Canvassers identified 115 absentee applications and 112 absentee ballots contained in the original ballot bags.

Voter numbers for the three previously rejected absentee voters were assigned as follows:

Elaine Haskey #1498A
 Bernard Goecks #1499A
 Loretta Goecks #1500A

The Board of Canvassers determined the total number of voters to be 1500 and the total number of absentees to be 115.

The County Clerk sealed the memory card compartment of the Accu-Vote machine with seal #378676.

The meeting recessed at 5:30 p.m. The County Clerk secured the doors.

**WASHINGTON COUNTY BOARD OF CANVASSERS
RECOUNT
JUSTICE OF THE SUPREME COURT RACE
SPRING ELECTION APRIL 5, 2011**

SATURDAY, APRIL 30, 2011

The Washington County Board of Canvassers reconvened Saturday, April 30, 2011, at 8:15 a.m. in Room 2024, of the Washington County Courthouse, West Bend, Wisconsin for the purpose of conducting an election recount of April 5, 2011 spring election for the Justice of the Supreme Court race.

Canvass Board: Brenda J. Jaszewski, County Clerk, Marilyn Merten, representing the Republican Party, Mary Jo Phillips (morning), representing the Democratic Party, and Arlene Beisbier (afternoon), representing the Democratic Party.

Tabulators: Bill Cording, Stacy Jaszewski, Sue Rank, Shirley Schuster, Dawn Smith, and Linda Doro.

Others Present: County Attorney Kim Nass. Prosser Representative: Randall Guse. Prosser Assistant Representatives: Linda Brody, Nancy Fix, Kathleen Kiernan, Phyllis Nigbor, Diane Pedersen, Denise Schramm, and Marie Schmidt. Village of Germantown Clerk Elizabeth Knaack.

Ms. Jaszewski read an email from Government Accountability Board Staff Counsel Michael Haas, stating that tabulators do not need to be residents of the county, and that a family member of someone on the Board of Canvassers may serve as a tabulator. It was noted that Tabulator Stacy Jaszewski is the daughter of County Clerk and Board of Canvass member Brenda Jaszewski. The email from the GAB was labeled Washington County Exhibit 1.

The security seal #378676 was verified and removed from the Accu-Vote machine.

Village of Germantown - District 4

(Wards 11-14)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	1106	1107
Joanne Kloppenburg	355	355
Scattering	0	0
 Total Voters as reconciled from Poll Lists:	 1468	
Total Absentees from Poll Lists:	103	
 Total Number of OS Ballots Counted at Recount:	 1412	 (machine)
Total Number of OS Ballots Counted at Recount:	56	(by hand)
Total Number of TSX Ballots Counted at Recount:	0	
Grand Total Number of Ballots Counted:	1468	
Total Number of Absentee Applications:	103	
Total Number of Absentee Ballots Identified:	103	

Items of Note:

Bag # 1 Seal # X976281 removed
 Bag # 2 Seal # N643643 removed
 Bag # 3 Seal # X976974 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # R754997 resealed
 Bag # 2 Seal # N643878 resealed
 Bag # 3 Seal # U865007 resealed

Bag # 4 Seal # H421663 resealed
 Bag # 5 Seal # Z087212 resealed

Test of Electronic Voting Equipment: Accurate
 Test Conducted by: Brenda Jaszewski
 Memory Card Number: Rental - no number
 Memory Card Seal No. on Envelope (pre test): 382901
 Memory Card Seal No. After Recount: 382966

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. The Certificate of Registration forms were used as a supplemental poll list for those individuals registering after the poll list was printed. Original Ballot Cards Which Have Been Duplicated Envelope was sealed and properly signed. Board of Canvassers identified and compared three duplicated ballots. The Board of Canvassers identified 103 absentee applications and 103 absentee ballots. Board of Canvassers identified three ballot bags. Board of Canvassers indicated all three ballot bags had small tears, but not enough to allow a ballot in or out. The bags were taped and signed by the Municipal Clerk when delivered to the County Clerk. Inspectors' Statement shows the seal number for bag one as the seal number for bag #3, the seal number for bag two as the seal number for bag one, and the seal number for bag three as the seal number for bag one with a K976281 instead of an X976281 for the seal number. The Absentee Log does not show a return date for the ballot of Dorothy Hoffmann. Two ballots were found that had only one election inspector initials.

Village of Jackson

(Wards 1-12)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	1430	1430
Joanne Kloppenburg	407	407
Scattering	1	0
Total Voters as reconciled from Poll Lists:	1863	
Total Absentees from Poll Lists:	142	
Total Number of OS Ballots Counted at Recount:	1775	(machine)
Total Number of OS Ballots Counted at Recount:	88	(by hand)
Total Number of TSX Ballots Counted at Recount:	0	
Grand Total Number of Ballots Counted:	1863	
Total Number of Absentee Applications:	142	
Total Number of Absentee Ballots Identified:	142	

Items of Note:

Bag # 1 Seal # P754752 removed
 Bag # 2 Seal # G421422 removed
 Bag # 3 Seal # K532539 removed
 Bag # 4 Seal # G421421 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # R754989 resealed
 Bag # 2 Seal # F310544 resealed
 Bag # 3 Seal # L643878 resealed
 Bag # 4 Seal # P754988 resealed
 Bag # 5 Seal # E310544 resealed

Test of Electronic Voting Equipment: Accurate
 Test Conducted by: Brenda Jaszewski
 Memory Card Number: Rental - no number

Memory Card Seal No. on Envelope (pre test): 382902
 Memory Card Seal No. After Recount: 382967

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. Original Ballot Cards Which Have Been Duplicated Envelope was sealed and properly signed. Board of Canvassers identified and compared ten duplicated ballots. The Board of Canvassers identified 142 absentee applications and 142 absentee ballots. Board of Canvassers identified four ballot bags. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates.

Village of Kewaskum

(Wards 1-4, 6)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	826	827
Joanne Kloppenburg	303	304
Scattering	0	0
Total Voters as reconciled from Poll Lists:	1150	
Total Absentees from Poll Lists:	79	
Total Number of OS Ballots Counted at Recount:	1106	(machine)
Total Number of OS Ballots Counted at Recount:	40	(by hand)
Total Number of TSX Ballots Counted at Recount:	4	
Grand Total Number of Ballots Counted:	1150	
Total Number of Absentee Applications:	79	
Total Number of Absentee Ballots Identified:	79	

Items of Note:

Bag # 1 Seal # J532774 removed
 Bag # 2 Seal # K532768 removed
 Bag # 3 Seal # U865091 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # T865093 resealed
 Bag # 2 Seal # Z087229 resealed
 Bag # 3 Seal # Y087211 resealed

Test of Electronic Voting Equipment: Accurate
 Test Conducted by: Shirley Schuster
 Memory Card Number: Rental - no number
 Memory Card Seal No. on Envelope (pre test): 382903
 Memory Card Seal No. After Recount: 382968

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed by the Kewaskum School District Board of Canvassers. Original Ballot Cards Which Have Been Duplicated Envelope was sealed and properly signed. Board of Canvassers identified and compared six duplicated ballots. The Board of Canvassers identified 79 absentee applications and 79 absentee ballots. Board of Canvassers identified three ballot bags. All security seals on ballot bags matched the ballot log from the Kewaskum School District Board of Canvassers.

County Poll Book Reconciliation: Sandra Hahn #917 not found on the supplemental page of the County Poll book; however she was in the Municipal Poll book.

The meeting recessed at 1:00 p.m. The County Clerk secured the doors. The meeting reconvened at 1:30 p.m.

Village of Newburg

(Wards 1, 2)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	233	233
Joanne Kloppenburg	53	53
Scattering	0	0
Total Voters as reconciled from Poll Lists:	301	
Total Absentees from Poll Lists:	2	
Total Number of OS Ballots Counted at Recount:	283	(machine)
Total Number of OS Ballots Counted at Recount:	18	(by hand)
Total Number of TSX Ballots Counted at Recount:	0	
Grand Total Number of Ballots Counted:	301	
Total Number of Absentee Applications:	2	
Total Number of Absentee Ballots Identified:	2	

Items of Note:

Bag # 1 Seal # J532539 removed
 Ballots were removed from the bags and counted.
 Bag # 2 Seal # B198322 resealed

Test of Electronic Voting Equipment:	Accurate
Test Conducted by:	Dawn Smith
Memory Card Number:	Rental - no number
Memory Card Seal No. on Envelope (pre test):	382904
Memory Card Seal No. After Recount:	382969

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. The Board of Canvassers identified two absentee applications and two absentee ballots. Board of Canvassers identified one ballot bag. The security seal on ballot bag matched the Inspectors' Statement; however, the wrong seal (#N643738) was written on the Ballot Container Certificate. Seal #J532539 is the correct seal number. Municipal Clerk Bill Cording stated the election inspectors wrote the Ozaukee County seal number on the Washington County Ballot Container Certificate and the Washington County seal number on the Ozaukee County Ballot Container Certificate. The ballots were run through the machine for the recount and it was determined there was one ballot that was not counted. The ballots were run through a second time and the correct ballot count was achieved.

County Poll Book Reconciliation: County Poll book shows an absentee in the "R's" that should have been listed in the "S's"

Village of Slinger

(Wards 1-10)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	978	978
Joanne Kloppenburg	324	325
Scattering	0	0
Total Voters as reconciled from Poll Lists:	1321	
Total Absentees from Poll Lists:	61	
Total Number of OS Ballots Counted at Recount:	1283	(machine)
Total Number of OS Ballots Counted at Recount:	38	(by hand)
Total Number of TSX Ballots Counted at Recount:	0	
Grand Total Number of Ballots Counted:	1321	

Total Number of Absentee Applications: 61
 Total Number of Absentee Ballots Identified: 61

Items of Note:

Bag # 1 Seal # Z087143 removed
 Bag # 2 Seal # J549094 removed
 Bag # 3 Seal # G421536 removed
 Bag # 4 Seal # V976034 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # V976108 resealed
 Bag # 2 Seal # N643877 resealed
 Bag # 3 Seal # E310545 resealed
 Bag # 4 Seal # G421664 resealed

Test of Electronic Voting Equipment: Accurate
 Test Conducted by: Shirley Schuster
 Memory Card Number: 67181-B
 Memory Card Seal No. on Envelope (pre test): 382905
 Memory Card Seal No. After Recount: 382970

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. Certificate of Rejected Absentee Ballots Envelope was sealed and properly signed. One properly rejected absentee ballot confirmed by the Board of Canvassers. The Board of Canvassers identified 61 absentee applications and 61 absentee ballots. Board of Canvassers identified four ballot bags. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates. The absentee log does not indicate that the absentee ballots for June Kuhn and James Dickson were returned.

Poll Book Reconciliation: Page 29: Allen J. Ceshker is missing a voter number in County Poll book. The number is recorded in the Municipal Poll book.

City of Hartford - District 2
(Wards 9-11, 23, 31, 38, 42, 43, 47, 48)

	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	657	657
Joanne Kloppenburg	290	290
Scattering	3	3

Total Voters as reconciled from Poll Lists: 961
 Total Absentees from Poll Lists: 60

Total Number of OS Ballots Counted at Recount: 897 (machine)
 Total Number of OS Ballots Counted at Recount: 63 (by hand)
 Total Number of TSX Ballots Counted at Recount: 0
 Grand Total Number of Ballots Counted: 960
 Total Number of Absentee Applications: 60
 Total Number of Absentee Ballots Identified: 60

Items of Note:

Bag # 1 Seal # V976036 removed
 Bag # 2 Seal # E310471 removed
 Bag # 3 Seal # R754815 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # Z087211 resealed

Bag # 2 Seal # V976100 resealed

Bag # 3 Seal # F310545 resealed

Test of Electronic Voting Equipment:	Accurate
Test Conducted by:	Brenda Jaszewski
Memory Card Number:	72679
Memory Card Seal No. on Envelope (pre test):	382911
Memory Card Seal No. After Recount:	382971

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. The Board of Canvassers identified 60 absentee applications and 60 absentee ballots. Board of Canvassers identified three ballot bags. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates. Board of Canvassers determined there were 961 voters from poll list. Poll workers issued one number twice.

Poll Book Reconciliation: Page 199: Two voters do not match Municipal poll book. County Poll book shows Wagner, Heidi A. as #871. Municipal Poll book shows her as #870. Page 199: Wagner, John W. Jr. does not have a voter number in the County Poll book, but in the Municipal Poll book Wagner, John W. Jr. is #871.

The County Clerk sealed the memory card compartment of the Accu-Vote machine with seal #378671.

The meeting recessed at 5:01 p.m. The County Clerk secured the doors.

**WASHINGTON COUNTY BOARD OF CANVASSERS
RECOUNT
JUSTICE OF THE SUPREME COURT RACE
SPRING ELECTION APRIL 5, 2011**

MONDAY, MAY 2, 2011

The Washington County Board of Canvassers reconvened Monday, May 2, 2011, at 8:15 a.m. in Room 2024, of the Washington County Courthouse, West Bend, Wisconsin for the purpose of conducting an election recount of April 5, 2011 spring election for the Justice of the Supreme Court race.

Canvass Board: Brenda J. Jaszewski, County Clerk, Marilyn Merten, representing the Republican Party, and Arlene Beisbier, representing the Democratic Party.

Tabulators: Stacy Jaszewski, Ellen Wolf, Shirley Schuster, Carolyn Fochs, Paula Winter, Becky Schuster, and Linda Doro.

Others Present: County Attorney Kim Nass Ohlis and Deputy Attorney Chris Ohlis. Prosser Representative: Dennis Sage: Prosser Assistant Representatives: Crystal Berg, Linda Brody, Dale Brunner, Kathleen Kiernan, Sandra Oliver, Marie Schmidt, and Bob Turznik. City of West Bend Clerk Amy Reuteman.

The security seal #378671 was verified and removed from the Accu-Vote machine.

Village of Richfield - District 1

(Wards 1, 8)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	918	918
Joanne Kloppenburg	180	180
Scattering	0	0

Total Voters as reconciled from Poll Lists:	1110	
Total Absentees from Poll Lists:	90	
Total Number of OS Ballots Counted at Recount:	1086	(machine)
Total Number of OS Ballots Counted at Recount:	24	(by hand)
Total Number of TSX Ballots Counted at Recount:	0	
Grand Total Number of Ballots Counted:	1110	
Total Number of Absentee Applications:	88	
Total Number of Absentee Ballots Identified:	90	

Items of Note:

Bag # 1 Seal # F310471 removed
 Bag # 2 Seal # B198256 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # H421655 removed
 Bag # 2 Seal # N643885 resealed
 Bag # 3 Seal # T865097 resealed

Test of Electronic Voting Equipment:	Accurate
Test Conducted by:	Brenda Jaszewski
Memory Card Number:	Rental – no number
Memory Card Seal No. on Envelope (pre test):	382907
Memory Card Seal No. After Recount:	382972

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. The Board of Canvassers identified 88 absentee applications and 90 absentee ballots. Absentee applications were missing for Ronald Duchac and Sandra Duchac. Board of Canvassers identified two ballot bags. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates. Original Ballot Cards Which Have Been Duplicated Envelope was sealed and properly signed. The Board of Canvasser identified and compared two duplicated ballots.

Village of Richfield - District 2

(Wards 2-4)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	787	790
Joanne Kloppenburg	206	205
Scattering	0	0

Total Voters as reconciled from Poll Lists:	999	
Total Absentees from Poll Lists:	70	
Total Number of OS Ballots Counted at Recount:	965	(machine)
Total Number of OS Ballots Counted at Recount:	34	(by hand)
Total Number of TSX Ballots Counted at Recount:	0	
Grand Total Number of Ballots Counted:	999	
Total Number of Absentee Applications:	70	
Total Number of Absentee Ballots Identified:	70	

Items of Note:

Bag # 1 Seal # E310513 removed
 Bag # 2 Seal # Y087145 removed
 Bag # 3 Seal # P754813 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # A198321 resealed

Bag # 2 Seal # L1643877 resealed

Bag # 3 Seal # Y087210 resealed

Test of Electronic Voting Equipment:	Accurate
Test Conducted by:	Brenda Jaszewski
Memory Card Number:	Rental - no number
Memory Card Seal No. on Envelope (pre test):	382906
Memory Card Seal No. After Recount:	382973

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. Original Ballot Cards Which Have Been Duplicated Envelope was sealed and properly signed. The Board of Canvassers identified and compared three duplicated ballots. The Board of Canvassers identified 70 absentee applications and 70 absentee ballots. Board of Canvassers identified three ballot bags. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates. The absentee log does not show a return date for the absentee ballots of: Charles Hale, Elizabeth Hale, and Roland Hale. Board of Canvassers indicated ballot bag three of three had a small split but not enough to allow a ballot in or out. Ballot Bag Three was taped and signed by the Deputy Municipal Clerk when it was delivered to the County Clerk.

Village of Richfield - District 4

(Wards 5, 6, 12, 13)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	920	920
Joanne Kloppenburg	267	268
Scattering	1	1
Total Voters as reconciled from Poll Lists:	1193	
Total Absentees from Poll Lists:	107	
Total Number of OS Ballots Counted at Recount:	1145	(machine)
Total Number of OS Ballots Counted at Recount:	48	(by hand)
Total Number of TSX Ballots Counted at Recount:	0	
Grand Total Number of Ballots Counted:	1193	
Total Number of Absentee Applications:	106	
Total Number of Absentee Ballots Identified:	107	

Items of Note:

Bag # 1 Seal # R754819 removed

Bag # 2 Seal # N658076 removed

Bag # 3 Seal # L643702 removed

Ballots were removed from the bags and counted.

Bag # 1 Seal # V976101 resealed

Bag # 2 Seal # K532766 resealed

Bag # 3 Seal # J532767 resealed

Bag # 4 Seal # K532765 resealed

Test of Electronic Voting Equipment:	Accurate
Test Conducted by:	Brenda Jaszewski
Memory Card Number:	Rental - no number
Memory Card Seal No. on Envelope (pre test):	382909
Memory Card Seal No. After Recount:	382974

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. Original Ballot Cards Which Have Been Duplicated Envelope was sealed and properly signed. Board of Canvassers

identified and compared nine duplicated ballots. The Board of Canvassers identified 106 absentee applications and 107 absentee ballots. The absentee application was missing for Marietta Marshall. Board of Canvassers identified three ballot bags. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates.

Exhibit 1: Absentee Certificate Envelope had the SVRS label for Michael Richardson. The name and address of Patricia Richardson was written on the envelope and signed by Patricia Richardson as the voter.

Exhibit 2: Absentee Certificate Envelope had the SVRS label for Patricia Richardson. The name and address of Michael Richardson was written on the envelope and signed by Michael Richardson as the voter. These absentee ballots were counted on election day and the Board of Canvassers determined the election inspectors properly processed these absentee ballots.

Village of Richfield - District 3

(Wards 7, 9-11, 14)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	909	910
Joanne Kloppenburg	218	220
Scattering	0	0
Total Voters as reconciled from Poll Lists:	1141	
Total Absentees from Poll Lists:	52	
Total Number of OS Ballots Counted at Recount:	1094	(machine)
Total Number of OS Ballots Counted at Recount:	47	(by hand)
Total Number of TSX Ballots Counted at Recount:	0	
Grand Total Number of Ballots Counted:	1141	
Total Number of Absentee Applications:	52	
Total Number of Absentee Ballots Identified:	52	

Items of Note:

Bag # 1 Seal # K549094 removed
 Bag # 2 Seal # Y087398 removed
 Bag # 3 Seal # Z087141 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # G421655 resealed
 Bag # 2 Seal # B198321 resealed
 Bag # 3 Seal # X976100 resealed

Test of Electronic Voting Equipment:	Accurate
Test Conducted by:	Brenda Jaszewski
Memory Card Number:	Rental - no number
Memory Card Seal No. on Envelope (pre test):	382908
Memory Card Seal No. After Recount:	382975

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. Original Ballot Cards Which Have Been Duplicated Envelope was sealed and properly signed. Board of Canvassers identified and compared four duplicated ballots. The Board of Canvassers identified 52 absentee applications and 52 absentee ballots. Board of Canvassers identified three ballot bags. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates; however, the Ballot Container certificate on bag #1 had seal #H421588 written, then crossed off and above it seal #K549094, which matched the actual seal and number listed on the Inspectors' Statement. The absentee log does not show a ballot return date for Rosemarie Bolton. Board of Canvassers identified three ballots that had only one set of election inspector initials.

The meeting recessed at 12:10 p.m. The County Clerk secured the doors. The meeting reconvened at 12:50 p.m.

City of Hartford - District 1**(Wards 1-8, 18, 24, 25, 29, 32, 36, 37, 44-46)**

	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	981	984
Joanne Kloppenburg	384	384
Scattering	0	0
Total Voters as reconciled from Poll Lists:	1383	
Total Absentees from Poll Lists:	114	
Total Number of OS Ballots Counted at Recount:	1301	(machine)
Total Number of OS Ballots Counted at Recount:	79	(by hand)
Total Number of TSX Ballots Counted at Recount:	0	
Grand Total Number of Ballots Counted:	1380	
Total Number of Absentee Applications:	114	
Total Number of Absentee Ballots Identified:	113	

Items of Note:

Bag # 1 Seal # E310429 removed
 Bag # 2 Seal # A198254 removed
 Bag # 3 Seal # V976038 removed
 Bag # 4 Seal # V976033 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # H421656 resealed
 Bag # 2 Seal # U865099 resealed
 Bag # 3 Seal # T865090 resealed
 Bag # 4 Seal # X976109 resealed

Test of Electronic Voting Equipment:	Accurate
Test Conducted by:	Brenda Jaszewski
Memory Card Number:	72676
Memory Card Seal No. on Envelope (pre test):	382910
Memory Card Seal No. After Recount:	382776

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. Original Ballot Cards Which Have Been Duplicated Envelope was sealed and properly signed. Board of Canvassers identified and compared four duplicated ballots. The Board of Canvassers identified 114 applications and 113 absentee ballots. Board of Canvassers identified three ballot bags. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates. Board Canvassers identified missing absentee applications for Susan Kurth, Harriet Shimon, Stephen Shimon, Clyde Leach, Harry Heiden, Joyce Dambruch, and Dale Panten. The log indicated they were voted with special voting deputy and the Board of Canvassers determined these would be considered Permanent and; therefore, considered having an absentee application.

Poll Book Reconciliation: Voter #859, page 224 was issued a voter number, left the polling location without voting and did not return. Page 107, Dennis Kuester not listed in County Poll book.

City of Hartford - District 3**(Wards 12-15, 17, 19-22, 26-28, 30, 33-35, 40, 41, 49)**

	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	743	743
Joanne Kloppenburg	295	296
Scattering	0	1

Total Voters as reconciled from Poll Lists:	1049
Total Absentees from Poll Lists:	69
Total Number of OS Ballots Counted at Recount:	986 (machine)
Total Number of OS Ballots Counted at Recount:	61 (by hand)
Total Number of TSX Ballots Counted at Recount:	2
Grand Total Number of Ballots Counted:	1049
Total Number of Absentee Applications:	69
Total Number of Absentee Ballots Identified:	69

Items of Note:

Bag # 1 Seal # A198258 removed
 Bag # 2 Seal # K532692 removed
 Bag # 3 Seal # J532673 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # T865099 resealed
 Bag # 2 Seal # A198323 resealed
 Bag # 3 Seal # H421654 resealed

Test of Electronic Voting Equipment:	Accurate
Test Conducted by:	Brenda Jaszewski
Memory Card Number:	72719
Memory Card Seal No. on Envelope (pre test):	382912
Memory Card Seal No. After Recount:	382777

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. Original Ballot Cards Which Have Been Duplicated Envelope was sealed and properly signed. Board of Canvassers identified and compared one duplicated ballot. The Board of Canvassers identified 69 absentee applications and 69 absentee ballots. Board of Canvassers identified three ballot bags. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates. Board Canvassers identified missing absentee applications for: Ralph Jatczak, Anne Lamber, Lyles Ojstresek, Anita Ramer, Bernida Schellinger, and Robert Schellinger. The log indicated they were voted with special voting deputy and the Board of Canvassers determined these would be considered Permanent and; therefore, considered having an absentee application.

Municipal Poll Book Reconciliation: Page 210 has voter #699 (Richard A. Wagner) crossed out. County Poll book does not have it crossed out.

City of Milwaukee

(W 262)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	0	0
Joanne Kloppenburg	0	0
Scattering	0	0

City of West Bend - District 1

City of West Bend Clerk Amy Reuteman provided copies of the original absentee applications. Ms. Reuteman swore under oath in the presence of the Board of Canvassers that all copies provided were that of the original absentee applications from her office which contained original signatures.

(Wards 1, 12, 32)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	764	764
Joanne Kloppenburg	326	326
Scattering	0	0

Total Voters as reconciled from Poll Lists: 1104
 Total Absentees from Poll Lists: 58

Total Number of OS Ballots Counted at Recount: 1083 (machine)
 Total Number of OS Ballots Counted at Recount: 21 (by hand)
 Total Number of TSX Ballots Counted at Recount: 0
 Grand Total Number of Ballots Counted: 1104
 Total Number of Absentee Applications: 58
 Total Number of Absentee Ballots Identified: 58

Items of Note:

Bag # 1 Seal # A105671 removed
 Bag # 2 Seal # L658068 removed
 Bag # 3 Seal # E310475 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # J532766 resealed
 Bag # 2 Seal # U865090 resealed
 Bag # 3 Seal # Z087219 resealed

Test of Electronic Voting Equipment: Accurate
 Test Conducted by: Brenda Jaszewski
 Memory Card Number: 67236- B
 Memory Card Seal No. on Envelope (pre test): 382913
 Memory Card Seal No. After Recount: 382778

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. The Board of Canvassers identified 58 absentee applications and 58 absentee ballots. Board of Canvassers identified three ballot bags. Board of Canvassers indicated ballot bag three of three was split but not enough to allow a ballot in or out. It was taped and signed by the Municipal Clerk when delivered to the County Clerk. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates. The Board of Canvassers found a request for absentee ballot that was sent to the municipal clerk via email. The elector did not print out the email and provide an original signature on the request for absentee ballot as instructed by the municipal clerk. The Board of Canvassers telephoned Ross Hein of the Government Accountability Board. Mr. Hein stated the Board of Canvassers could accept the combination Absentee Certificate Envelope/Application as a valid request for absentee ballot if it contained the voter's signature. It was determined the absentee certificate envelope did contain both the voter's signature and a witness signature and was; therefore, properly processed by the election inspectors on election day.

City of West Bend - District 2

(Wards 2, 3, 5)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	633	633
Joanne Kloppenburg	307	307
Scatterings	0	1

Total Voters as reconciled from Poll Lists: 964
 Total Absentees from Poll Lists: 73

Total Number of OS Ballots Counted at Recount: 943 (machine)
 Total Number of OS Ballots Counted at Recount: 21 (by hand)
 Total Number of TSX Ballots Counted at Recount: 0
 Grand Total Number of Ballots Counted: 964

Total Number of Absentee Applications: 73
 Total Number of Absentee Ballots Identified: 73

Items of Note:

Bag # 1 Seal # G421580 removed
 Bag # 2 Seal # R754069 removed
 Bag # 3 Seal # P754954 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # X976108 resealed
 Bag # 2 Seal # N643875 resealed
 Bag # 3 Seal # G421653 resealed

Test of Electronic Voting Equipment: Accurate
 Test Conducted by: Brenda Jaszewski
 Memory Card Number: 67181-C
 Memory Card Seal No. on Envelope (pre test): 382914
 Memory Card Seal No. After Recount: 382779

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. Original Ballot Cards Which Have Been Duplicated Envelope was sealed and properly signed. Board of Canvassers identified and compared one duplicated ballot. Board of Canvassers identified 73 absentee applications and 73 absentee ballots. Board of Canvassers identified three ballot bags. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates.
 The County Clerk sealed the memory card compartment of the Accu-Vote machine with seal #378692.

The meeting recessed at 4:35 p.m. The County Clerk secured the doors.

**WASHINGTON COUNTY BOARD OF CANVASSERS
 RECOUNT
 JUSTICE OF THE SUPREME COURT RACE
 SPRING ELECTION APRIL 5, 2011**

TUESDAY, MAY 3, 2011

The Washington County Board of Canvassers reconvened Thursday, May 3, 2011, at 8:15 a.m. in Room 2024, of the Washington County Courthouse, West Bend, Wisconsin for the purpose of conducting an election recount of April 5, 2011 spring election for the Justice of the Supreme Court race.

Canvass Board: Brenda J. Jaszewski, County Clerk, Marilyn Merten, representing the Republican Party, and Arlene Beisbier, representing the Democratic Party.

Tabulators: Linda Doro, Carolyn Fochs, Stacy Jaszewski, Sue Rank, Shirley Schuster, Dawn Smith, and Marylss Thiel.

Others Present: County Attorney Kim Nass. Prosser Representative: Kathleen Kiernan: Prosser Assistant Representatives: Beverly Griswold, Kevin Hampton, Kathleen Kiernan, Denise Schramm, and Jodi Schulteis. City of West Bend Clerk Amy Reuteman.

The security seal #378692 was verified and removed from the Accu-Vote machine.

City of West Bend - District 5**(Wards 4, 11, 22, 29)****Original Vote Total****Recount Vote Total**

David Prosser	556	556
Joanne Kloppenburg	268	268
Scattering	4	4

Total Voters as reconciled from Poll Lists: 840
 Total Absentees from Poll Lists: 70

Total Number of OS Ballots Counted at Recount: 816 (machine)
 Total Number of OS Ballots Counted at Recount: 21 (by hand)
 Total Number of TSX Ballots Counted at Recount: 3
 Grand Total Number of Ballots Counted: 840
 Total Number of Absentee Applications: 70
 Total Number of Absentee Ballots Identified: 70

Items of Note:

Bag # 1 Seal # U865865 removed
 Bag # 2 Seal # T865924 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # H421653 resealed
 Bag # 2 Seal # K532764 resealed

Test of Electronic Voting Equipment: Accurate
 Test Conducted by: Brenda Jaszewski
 Memory Card Number: 67291-D1-A
 Memory Card Seal No. on Envelope (pre test): 382915
 Memory Card Seal No. After Recount: 382780

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. Original Ballot Cards Which Have Been Duplicated Envelope was sealed and properly signed. Board of Canvassers identified and compared four duplicated ballots. The Board of Canvassers identified 70 applications and 70 absentee ballots. Board of Canvassers identified two ballot bags. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates. Ballot bag two of two had a small tear that was taped and initialed by the County Clerk.

Poll Book Reconciliation: Lawrence Tarkowski #363 listed on the Election Day registration list in the Municipal Poll book, but not the in the County Poll book.

City of West Bend - District 3

(Wards 6, 7, 24, 31, 35)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	1027	1026
Joanne Kloppenburg	366	366
Scattering	0	0

Total Voters as reconciled from Poll Lists: 1404 - 1 rejected = 1403
 Total Absentees from Poll Lists: 134 - 1 rejected = 133

Total Number of OS Ballots Counted at Recount: 1380 (machine)
 Total Number of OS Ballots Counted at Recount: 23 (by hand)
 Total Number of TSX Ballots Counted at Recount: 0
 Grand Total Number of Ballots Counted: 1403
 Total Number of Absentee Applications: 133
 Total Number of Absentee Ballots Identified: 134

Items of Note:

Bag # 1 Seal # V976056 removed
 Bag # 2 Seal # H421742 removed
 Bag # 3 Seal # L650126 removed
 Bag # 4 Seal # T865173 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # J532765 resealed
 Bag # 2 Seal # Z087210 resealed
 Bag # 3 Seal # N643876 resealed
 Bag # 4 Seal # G421654 resealed

Test of Electronic Voting Equipment:	Accurate
Test Conducted by:	Shirley Schuster
Memory Card Number:	72678
Memory Card Seal No. on Envelope (pre test):	382916
Memory Card Seal No. After Recount:	382781

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. Certificate of Rejected Absentee Ballots Envelope was sealed and properly signed. Board of Canvasser identified one properly rejected absentee ballot. Original Ballot Cards Which Have Been Duplicated Envelope was sealed and properly signed. Board of Canvassers identified and compared one duplicated ballot. The Board of Canvassers identified 133 applications and 134 absentee ballots. No absentee application for Raymond Hoffman. Board of Canvassers identified four ballot bags. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates.

When reviewing the Absentee Certificate envelopes, the Board of Canvassers identified the absentee ballot of Betty Dickmann that was processed on election day; however, it should have been rejected due to no witness signature. The Board of Canvassers conducted a draw down of the absentee ballots by placing all 134 absentee ballots together and drawing one out at random. The total number of voters and ballots were reduced from 1404 to 1403. Total absentee ballots reduced from 134 to 133. Board of Canvassers identified three ballots with only one election inspector initials.

County Poll Book Reconciliation:#807 Nancy Erickson-Storrs was not found in the County Poll book but was in the Municipal poll book. Page 43: Dommissee, E. and Dommissee J. marked in read pen but were not absentees.

City of West Bend - District 4

(Wards 8-10)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	904	904
Joanne Kloppenburg	399	399
Scattering	0	0

Total Voters as reconciled from Poll Lists:	1313
Total Absentees from Poll Lists:	100

Total Number of OS Ballots Counted at Recount:	1283	(machine)
Total Number of OS Ballots Counted at Recount:	30	(by hand)
Total Number of TSX Ballots Counted at Recount:	0	
Grand Total Number of Ballots Counted:	1313	
Total Number of Absentee Applications:	100	
Total Number of Absentee Ballots Identified:	100	

Items of Note:

Bag # 1 Seal # T865922 removed

Bag # 2 Seal # B19851 removed
 Bag # 3 Seal # C214628 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # F310543 resealed
 Bag # 2 Seal # P754986 resealed
 Bag # 3 Seal # P754987 resealed
 Bag # 4 Seal # T865098 resealed

Test of Electronic Voting Equipment: Accurate
 Test Conducted by: Brenda Jaszewski
 Memory Card Number: 72677
 Memory Card Seal No. on Envelope (pre test): 382917
 Memory Card Seal No. After Recount: 382782

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. Certificate of Rejected Absentee Ballots Envelope was sealed and properly signed. Board of Canvassers identified one properly rejected absentee ballot due to no voter signature. Original Ballot Cards Which Have Been Duplicated Envelope was sealed and properly signed. Board of Canvassers identified and compared three duplicated ballots. The Board of Canvassers identified 100 absentee applications and 100 absentee ballots. Board of Canvassers identified three ballot bags. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates. The original Inspectors' Statement was amended to show the correct number of absentees of 100; however, the County's copy of the Inspectors' Statement shows an incorrect number of absentees of 112. The County Clerk indicated that when she inserted the memory card for the testing of the equipment, the memory card has a message "okay to format?"; the County Clerk left the room to re-download the memory card and brought the memory card back. The reformatted memory card was tested and used for the recount. County Poll Book Reconciliation: County Poll book has one more absentee than municipal poll book. Checked Absentee list. County Poll book correct with 100 absentees. Page 85: Henrich, Kathy S. voted absentee.

Municipal Poll Book Reconciliation: Absentees off by one in the Municipal Poll book. Noted on posted note that voter #748 Kathy Henrich was marked in black and not red with "A". Verified she voted absentee on absentee log.

City of West Bend - District 6

(Wards 13-15, 30)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	622	622
Joanne Kloppenburg	295	295
Scattering	1	1

Total Voters as reconciled from Poll Lists: 927
 Total Absentees from Poll Lists: 46

Total Number of OS Ballots Counted at Recount: 915 (machine)
 Total Number of OS Ballots Counted at Recount: 12 (by hand)
 Total Number of TSX Ballots Counted at Recount: 0
 Grand Total Number of Ballots Counted: 927
 Total Number of Absentee Applications: 46
 Total Number of Absentee Ballots Identified: 46

Items of Note:

Bag # 1 Seal # E327878 removed
 Bag # 2 Seal # E310311 removed
 Bag # 3 Seal # F310478 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # L643876 resealed

Bag # 2 Seal # U865098 resealed
 Bag # 3 Seal # R754987 resealed

Test of Electronic Voting Equipment: Accurate
 Test Conducted by: Brenda Jaszewski
 Memory Card Number: 67-5A
 Memory Card Seal No. on Envelope (pre test): 382918
 Memory Card Seal No. After Recount: 382783

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. The Board of Canvassers identified 46 absentee applications and 46 absentee ballots. Board of Canvassers identified three ballot bags. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates. The Inspectors' Statement does not show the total number of voters.

City of West Bend - District 6

(Wards 28, 34)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	2	2
Joanne Kloppenburg	2	2
Scattering	0	0

Total Voters as reconciled from Poll Lists: 4
 Total Absentees from Poll Lists: 0

Total Number of OS Ballots Counted at Recount: 4 (machine)
 Total Number of OS Ballots Counted at Recount: 0 (by hand)
 Total Number of TSX Ballots Counted at Recount: 0
 Grand Total Number of Ballots Counted: 4
 Total Number of Absentee Applications: 0
 Total Number of Absentee Ballots Identified: 0

Items of Note:

The four ballots for Wards 28, 34 were sealed within the ballot bags with wards 13-15, 30 as there are two reporting units voting at the same polling location for the City of West Bend, District 6.

Other Notes:

Test of Electronic Voting Equipment: The testing of the equipment for the City of West Bend District 6 Wards 28 and 34 was conducted at the same time as Wards 13-15, 30 using the same memory card as there were two reporting units on the same memory cards for the City of West Bend District 6. The ballots for Wards 28, 34 were hand counted and processed separately from the Wards 13-15, 30 ballots. The final results tape was printed after the ballots from both reporting units were run through the machine.

The meeting recessed at 12:30 p.m. County Clerk secured the doors. The meeting reconvened at 1:00 p.m.

City of West Bend - District 7

(Wards 16, 18, 21, 27)	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	576	576
Joanne Kloppenburg	227	227
Scattering	0	0

Total Voters as reconciled from Poll Lists: 815
 Total Absentees from Poll Lists: 55

Total Number of OS Ballots Counted at Recount: 786 (machine)
 Total Number of OS Ballots Counted at Recount: 28 (by hand)
 Total Number of TSX Ballots Counted at Recount: 0
 Grand Total Number of Ballots Counted: 814
 Total Number of Absentee Applications: 55
 Total Number of Absentee Ballots Identified: 55

Items of Note:

Bag # 1 Seal # K532691 removed
 Bag # 2 Seal # T865923 removed
 Bag # 3 Seal # B198257 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # H421651 resealed
 Bag # 2 Seal # Y087219 resealed
 Bag # 3 Seal # F310542 resealed

Test of Electronic Voting Equipment: Accurate
 Test Conducted by: Shirley Schuster
 Memory Card Number: 67-4A replaced with 67-7A
 Memory Card Seal No. on Envelope (pre test): 382919
 Memory Card Seal No. After Recount: 382784

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. Certificate of Rejected Absentee Ballots Envelope was sealed and properly signed. Board of Canvassers identified one properly rejected absentee ballot due to no witness signature. Original Ballot Cards Which Have Been Duplicated Envelope was sealed and properly signed. Board of Canvassers identified and compared two duplicated ballots. The Board of Canvassers identified 55 absentee applications and 55 absentee ballots. Board of Canvassers identified three ballot bags. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates. Due to machine malfunction, the County Clerk switched Accu-vote OS machine-Serial #71388 with Accu-Vote OS machine-Serial #31086. The security seal over the memory card compartment of the new Accu-vote was #378621 and verified against the County Clerk's log. After replacing the Accu-vote machine, it was determined the problem was with the memory card. The County Clerk downloaded the City of West Bend District 8 recount election onto memory card #67-7A and the recount resumed using this memory card.

City of West Bend - District 8

(Wards 17, 19, 20, 23, 25, 26, 33, 36)

	<u>Original Vote Total</u>	<u>Recount Vote Total</u>
David Prosser	851	851
Joanne Kloppenburg	359	359
Scattering	0	1

Total Voters as reconciled from Poll Lists: 1224
 Total Absentees from Poll Lists: 112

Total Number of OS Ballots Counted at Recount: 1176 (machine)
 Total Number of OS Ballots Counted at Recount: 48 (by hand)
 Total Number of TSX Ballots Counted at Recount: 0
 Grand Total Number of Ballots Counted: 1224
 Total Number of Absentee Applications: 111
 Total Number of Absentee Ballots Identified: 112

Items of Note:

Bag # 1 Seal # Z087174 removed

Bag # 2 Seal # N643702 removed
 Bag # 3 Seal # K532690 removed
 Bag # 4 Seal # X976039 removed
 Ballots were removed from the bags and counted.
 Bag # 1 Seal # R754984 resealed
 Bag # 2 Seal # E310546 resealed
 Bag # 3 Seal # A198330 resealed
 Bag # 4 Seal # L643879 resealed. The Board of Canvass removed seal #L643879 to place the hand-counted ballots into Bag #4.
 Bag # 4 Re-Sealed with Seal # V976106

Test of Electronic Voting Equipment:	Accurate
Test Conducted by:	Brenda Jaszewski
Memory Card Number:	72675
Memory Card Seal No. on Envelope (pre test):	382920
Memory Card Seal No. After Recount:	382785

Other Notes:

Used Certificate-Affidavit Envelopes of Absentee Electors envelope was sealed and properly signed. Certificate of Original Ballot Cards Which Have Been Duplicated Envelope was sealed and properly signed. Board of Canvassers identified and compared one duplicated ballot. The Board of Canvassers identified 111 absentee applications and 112 absentee ballots. No absentee application for June Zinkgarf. Board of Canvassers identified four ballot bags. All security seals on ballot bags matched the Inspectors' Statement and the Ballot Container certificates. The certification page on both the County and Municipal Poll books does not list the total number of absentees. The Board of Canvassers identified one ballot with no election inspector initials.

The Board of Canvassers opened ballot bag four of four after it was sealed to place the hand counted ballots in the bag.

The County Clerk printed the GAB-106, Board of Canvass Statement. This report was reviewed by the Board of Canvass against the recount results as compiled throughout the recount process. The GAB-106 was signed by the Board of Canvassers.

The County Clerk sealed the memory card compartment of the Accu-Vote machine with seal #378673.

The meeting was declared adjourned at 3:30 p.m.

Brenda J. Jaszewski, County Clerk