



**ST. CROIX COUNTY BOARD OF CANVASSERS
AGENDA**

APRIL 30, 2018 – 10:00 A.M.

ST. CROIX COUNTY GOVERNMENT CENTER
1101 CARMICHAEL ROAD, ROOM 1406, HUDSON WI 54016

Call to Order

1. Approval of Minutes from the April 9, 2018 Board of Canvass Meeting for the April 3, 2018 Spring Election
2. Approval of Minutes from the April 11, 2018 County Supervisor District 13 Recount

Adjourn

SUBMITTED BY: Cindy Campbell, St. Croix County Clerk

DATE: April 27, 2018

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Board of Canvassers

ST. CROIX COUNTY BOARD OF CANVASSERS
APRIL 9, 2018– 9:00 A.M.
CANVASS OF APRIL 3, 2018 SPRING ELECTION

Board of Canvass called to order at 9:00 a.m. Present: Deane “Skip” Jewett representing the Democratic Party, Hugh Gwin representing the Republican Party, County Clerk Cindy Campbell, and First Deputy County Clerk Amy Hanson. Others present: Scottie Ard, Ryan Sherley, Pat Sherley, Bob Keller, Patrick Thompson, Ken Witt, Dave Ostness, Daniel Hansen, John Allegro and Scott Cox.

Gwin signed an oath of office.

Minutes from the February 26, 2018 meeting were accepted.

Campbell explained we are certifying results for the offices of Justice of the Supreme Court, Circuit Court Judge, State Referendum, 19 County Supervisor Districts and County Referendum. No provisional ballots were issued in the county. There are 45 reporting units. There were no registered write-in candidates.

Campbell explained there is a tie vote in County Supervisor District 13. Before results can be certified, a winner needs to be determined and Campbell recommended drawing a candidate’s name to determine the winner. Jewett and Gwin agreed to the process. Name drawn by Jewett and confirmed by Gwin and Campbell. Scottie Ard’s name was drawn. Campbell requested a small break and during that time a petition for recount was immediately filed by Ryan Sherley. Campbell provided a copy of the petition, notice of recount, and order for recount to Ard who signed an Acceptance of Service. Recount scheduled to begin at 9:00 a.m. on Wednesday, April 11, 2018 at the St. Croix County Government Center.

Review of election materials and results.

TOWN OF BALDWIN

Total Electors	133
Total Ballots	133
Total Absentee Ballots	6
Provisional Ballots	0

TOWN OF CADY

Total Electors	136
Total Ballots	136
Total Absentee Ballots	9
Provisional Ballots	0
7 or 9 absentees; duplicated envelope not in ballot bag.	

TOWN OF CYLON

Total Electors	107
Total Ballots	107
Total Absentee Ballots	2

Provisional Ballots	0

TOWN OF EAU GALLE

Total Electors	192
Total Ballots	192
Total Absentee Ballots	7
Provisional Ballots	0
No results tape (only zero tape returned). Election worker delivered the results tape on 04-06-2018. Poll Book Certification not signed.	

TOWN OF EMERALD

Total Electors	86
Total Ballots	86
Total Absentee Ballots	3
Provisional Ballots	0

TOWN OF ERIN PRAIRIE

Total Electors	101
Total Ballots	101
Total Absentee Ballots	2
Provisional Ballots	0

TOWN OF FOREST

Total Electors	66
Total Ballots	66
Total Absentee Ballots	1
Provisional Ballots	0

TOWN OF GLENWOOD

Total Electors	86
Total Ballots	86
Total Absentee Ballots	1
Provisional Ballots	0

TOWN OF HAMMOND

Total Electors	257
Total Ballots	257
Total Absentee Ballots	4
Provisional Ballots	0

TOWN OF HUDSON

Total Electors	1142 + 86 = 1228
Total Ballots	1228
Total Absentee Ballots	86
Provisional Ballots	0
Regular ballots & absentee ballots ran thru on separate machines (2 separate tapes)	

TOWN OF KINNICKINNIC

Total Electors	419
Total Ballots	419
Total Absentee Ballots	13
Provisional Ballots	0

TOWN OF PLEASANT VALLEY

Total Electors	90
Total Ballots	90
Total Absentee Ballots	0
Provisional Ballots	0

TOWN OF RICHMOND

Total Electors	319
Total Ballots	319
Total Absentee Ballots	18
Provisional Ballots	0

TOWN OF RUSH RIVER

Total Electors	89
Total Ballots	89
Total Absentee Ballots	0
Provisional Ballots	0

TOWN OF ST. JOSEPH

Total Electors	659
Total Ballots	659
Total Absentee Ballots	35
Provisional Ballots	0

See emailed explanation of corrections from Town of St. Joseph Deputy Clerk (in supply envelope); ballot bag was not properly sealed when delivered to the County Clerk's office.

TOWN OF SOMERSET

Total Electors	746
Total Ballots	746
Total Absentee Ballots	29

Provisional Ballots	0

TOWN OF SPRINGFIELD

Total Electors	117
Total Ballots	117
Total Absentee Ballots	5
Provisional Ballots	0

TOWN OF STANTON

Total Electors	120
Total Ballots	120
Total Absentee Ballots	1
Provisional Ballots	0

TOWN OF STAR PRAIRIE

Total Electors	441
Total Ballots	441
Total Absentee Ballots	33
Provisional Ballots	0

One provisional ballot – voter came back before polls closed to rehabilitate ballot

TOWN OF TROY

Total Electors	975 (poll book)
Total Ballots	134 + 841 = 975 (tapes)
Total Absentee Ballots	133 (on Inspector's Statement)
Provisional Ballots	0

Total number of absentee ballots on tape=134; Inspector's Statement reads 133. Poll book absentee line left blank. Clerk explained one DS200 was used for election day ballots and the other used for processing absentee ballots. One absentee ballot cast on DS200 for election day ballots.

TOWN OF WARREN

Total Electors	340
Total Ballots	340
Total Absentee Ballots	18
Provisional Ballots	0

VILLAGE OF BALDWIN

Total Electors	327
Total Ballots	327
Total Absentee Ballots	25
Provisional Ballots	0

VILLAGE OF DEER PARK

Total Electors	43
Total Ballots	43
Total Absentee Ballots	6
Provisional Ballots	0

VILLAGE OF HAMMOND

Total Electors	242
Total Ballots	242
Total Absentee Ballots	11
Provisional Ballots	0

VILLAGE OF NORTH HUDSON

Total Electors	673
Total Ballots	673
Total Absentee Ballots	40
Provisional Ballots	0

VILLAGE OF ROBERTS

Total Electors	186
Total Ballots	186
Total Absentee Ballots	3 (should be 4 – see below)
Provisional Ballots	0

One absentee ballot was rejected by the machine (there were no votes on it) – instead of overriding it, the poll workers rejected it and whited-out the voter’s name from the poll book

VILLAGE OF SOMERSET

Total Electors	244
Total Ballots	244
Total Absentee Ballots	5
Provisional Ballots	0

VILLAGE OF STAR PRAIRIE

Total Electors	112
Total Ballots	112
Total Absentee Ballots	4
Provisional Ballots	0

VILLAGE OF SPRING VALLEY W3 ONLY

Total Electors	2
Total Ballots	2

Total Absentee Ballots	0
Provisional Ballots	0
No ballots. Assumed ballots are in ballot bag in Pierce County.	

VILLAGE OF WILSON

Total Electors	26
Total Ballots	26
Total Absentee Ballots	1
Provisional Ballots	0

VILLAGE OF WOODVILLE

Total Electors	136
Total Ballots	136
Total Absentee Ballots	9
Provisional Ballots	0

CITY OF GLENWOOD CITY

Total Electors	105
Total Ballots	105
Total Absentee Ballots	8
Provisional Ballots	0

CITY OF HUDSON, W 1 & 2 – CITY HALL

Total Electors	206
Total Ballots	206
Total Absentee Ballots	29
Provisional Ballots	0

CITY OF HUDSON, W 3 & 4 - FCC

Total Electors	416
Total Ballots	416
Total Absentee Ballots	53
Provisional Ballots	0

CITY OF HUDSON, W 5 & 6

Total Electors	528
Total Ballots	528
Total Absentee Ballots	91
Provisional Ballots	0

CITY OF HUDSON, W 7 & 8

Total Electors	435
Total Ballots	435
Total Absentee Ballots	97
Provisional Ballots	0
Remade several ballots – no explanation why	

CITY OF HUDSON, W 9 & 10 – CITY HALL

Total Electors	498
Total Ballots	498
Total Absentee Ballots	43
Provisional Ballots	0
Results tape was spliced (ran out of tape)	

CITY OF HUDSON, W 11 & 12 - FCC

Total Electors	448
Total Ballots	448
Total Absentee Ballots	45
Provisional Ballots	0

CITY OF NEW RICHMOND, W 1 - 2

Total Electors	133 (poll book)
Total Ballots	134 (tape)
Total Absentee Ballots	15
Provisional Ballots	0
One more ballot than voter	

CITY OF NEW RICHMOND, W 3 - 4

Total Electors	138
Total Ballots	138
Total Absentee Ballots	14
Provisional Ballots	0

CITY OF NEW RICHMOND, W 5 - 6

Total Electors	104 (poll book)
Total Ballots	103 (tape)
Total Absentee Ballots	7
Provisional Ballots	0
Short one ballot (one less ballot than voter)	

CITY OF NEW RICHMOND, W 7 - 8

Total Electors	143 (poll book)
Total Ballots	145 (tape)
Total Absentee Ballots	5

Provisional Ballots	0
Two ballots over (two more ballots than voters)	

CITY OF NEW RICHMOND, W 9 - 10

Total Electors	168
Total Ballots	169 (tape)
Total Absentee Ballots	12
Provisional Ballots	0
One ballot over (1 more ballot than voter) Poll book certification page filled out incorrectly	

CITY OF NEW RICHMOND, W 11 - 12

Total Electors	202 (poll book)
Total Ballots	199 (tape)
Total Absentee Ballots	20
Provisional Ballots	0
Short three ballots (3 less ballots than voters)	

CITY OF RIVER FALLS, W 1 – 4, 15

Total Electors	548 (poll book) + 109 = 657
Total Ballots	548 (tape 1 poll) + 93 (tape 2 absentee) + 16 (hand count - absentee) = 657
Total Absentee Ballots	109
Provisional Ballots	0
Reported results incorrectly for Michael Screnock : reported 265 should be 256 . Also for County Referendum : reported Yes: 420, No:86 should be Yes: 501, No:100 . River Falls did not report absentees for the county referendum on election night.	

Adjourned: 11:52 AM

Cindy Campbell
County Clerk

**UNOFFICIAL
MINUTES OF THE ST. CROIX COUNTY BOARD OF CANVASSERS
RECOUNT COUNTY SUPERVISOR DISTRICT 13
April 3, 2018 Spring Election**

April 11, 2018

The Board of Canvassers met April 11, 2018 at the St. Croix County Government Center in Hudson, Wisconsin to conduct a recount of the April 3, 2018 County Supervisor District 13 Spring Election. The notice was posted on April 9, 2018.

Meeting was called to order at 9:00 a.m. Those present were: County Clerk Cindy Campbell (and member of the Board of Canvass); Canvass Board: Deane "Skip" Jewett (Dem), Hugh Gwin (Rep). Tabulators Present: First Deputy County Clerk Amy Hanson, City of New Richmond Clerk Tanya Batchelor and Deputy Clerk Lori Brinkman. Others Present: Scottie Ard, Tom Lindfors, Ryan Sherley, Bob Feidler, Mike Longaecker, Donna Slominski, Pat Thompson, Dave Ostness, Bob Keller and Ken Witt. See attached sign-in sheet.

County Clerk Campbell welcomed everyone, thanked them for their time and explained the process. Campbell explained the Board of Canvass met Monday, April 9th to certify election results. The results for County Supervisor District 13 resulted in a tie vote of 213 for Sherley and 213 for Ard with 2 write-ins. There were no changes to the unofficial results therefore during the meeting of the Board of Canvass, a name was drawn to determine the winner. Candidate Scottie Ard's name was drawn. Immediately following the drawing, the Board of Canvass took a break and Ryan Sherley filed a recount petition. Both candidates received copies of the recount petition, the notice of recount, and order of recount. Candidate Ard admitted service of the documents. The notice was properly noticed as a public meeting.

County Supervisor District 13 is located wholly in the City of New Richmond consisting of wards 4, 5, 6, 10, 11 and 12. The City of New Richmond had six reporting units for the 2018 Spring Election. Wards 3 and 4 are one reporting unit with Ward 3 is County Supervisor District 12 and Ward 4 is County Supervisor District 13; Wards 5 and 6 is one reporting unit and both wards are in County Supervisor District 13; Wards 9 and 10 are one reporting unit with Ward 9 in County Supervisor District 12 and Ward 10 in County Supervisor District 13. Wards 11 and 12 are one reporting unit and both are in County Supervisor District 13.

The board of canvass has chosen to hand-count the ballots based on the number of ballots. The duty of the board of canvassers is to recount the votes cast for the office in question and to correct the errors, if any. Any objections by either party will be recorded in the minutes. Ground rules were read and the recount process was explained by Campbell.

Recount Process

The recount began and the procedures listed below were followed for each of the four reporting units.

- a. Poll lists were reviewed, comparing the numbers on both the County's and reporting unit's lists
- b. Number of voters were tallied from the poll lists.
- c. Lists of absentee voters were reviewed and compared with the number of used absentee certificate envelopes, and the notations on poll lists, verifying the number of people voting by absentee ballot.
- d. Municipal clerk absentee ballot logs with applications provided were reviewed.
- e. Rejected absentee ballot envelopes were reviewed and noted as necessary.
- f. Defective absentee ballot envelopes were reviewed and noted as necessary.
- g. All ballot bags were inspected for locking seals and signatures.

- h. All ballot bag seals were cut and ballots were individually counted by reporting unit, inspected for initials of election inspectors; all ballots were then separated into piles for regular, absentee, questionable marks, write-ins, and undervotes.
- i. The number of absentee ballots were balanced by reporting unit with the number of potential absentee voters as listed above.
- j. The Board of Canvass confirmed the number of voters to ballots throughout all of the reporting units.
- k. There were no provisional ballots issued for the four reporting units.

Hanson retrieved the ballots and election materials from secured storage.

City of New Richmond Ward 4	Spring Election Vote Total	Recount Vote Total
Sherley	20	20
Ard	43	43
Scattering	0	0
Under Votes	0	0
	Reported (Wards 3 & 4)	Recount (Ward 4)
Total Voters	138	62
Total Ballots	138	63
Total Absentee Ballots	14	3
Provisional Ballots	0	0
Ballot Bag Wards 3 - 4		
Ballot Bag Seal Assigned By County		
Ballot Bag Seal #		0755131
Ballot Bag Resealed with #		0755156
<p>Notes: Ward 3 – County Supervisor District 12 Ward 4 – County Supervisor District 13 Poll book reconciled – reconciliation completed by separating wards 3 and 4. Ward 3 voters 76; Ward 4 voters 62 = 138 Ward 3 ballots 75; Ward 4 ballots 63 = 138 Election official issued an ExpressVote ballot to voter. Ballot was marked as Ward 3. Voter cast the ballot in Ward 4 for County Supervisor District 13. Vote counted for Sherley. Campbell called Wisconsin Elections Commission regarding ballot count. It was recommended to leave as is, pending outcome. Inspector’s statement indicated two remade ballots. Verified one remade ballot with original, the second was not marked. Clerk confirmed both were for District 12. Noted spoiled in envelope, but not recorded on Inspector’s Statement.</p>		

City of New Richmond Wards 5 - 6	Spring Election Vote Total	Recount Vote Total
Sherley	51	51
Ard	48	48
Scattering	1	1
Under Votes	3	3
	Reported	Recount
Total Voters	104	104
Total Ballots	103	103

Total Absentee Ballots	7	7
Provisional Ballots	0	0
Ballot Bag Wards 5 - 6		
Ballot Bag Seal Assigned By County		
Ballot Bag Seal #	0755122	
Ballot Bag Resealed with #	0755157	
<p>Notes: Wards 5 & 6 – County Supervisor District 13 Poll book reconciled – 104 total voters. ExpressVote ballot found in Ward 5 & 6 ballot bag, but had been cast as Ward 1&2 ballot for County Supervisor District 12. Ward 5 & 6 indication on bottom of ballot from election official. Determined voter selected the wrong ballot on the ExpressVote. Ballot for 1&2 was set aside and later counted with overall ballot count. (Ward 1&2 has one more ballot than voter)</p>		

City of New Richmond Ward 10	Spring Election Vote Total	Recount Vote Total
Sherley	44	44
Ard	29	29
Scattering	1	1
Under Votes	4	4
	Reported (Wards 9 & 10)	Recount (Ward 10)
Total Voters	168	73
Total Ballots	169	78
Total Absentee Ballots	12	1
Provisional Ballots	0	0
Ballot Bag Wards 9 - 10		
Ballot Bag Seal Assigned By County		
Ballot Bag Seal #	0755139	
Ballot Bag Resealed with #	0755156	
<p>Notes: Wards 9 & 10 is one reporting unit. Split: Ward 9 – District 12 Ward 10 – District 13 Poll books reconciled separating Wards 9 and 10. Poll book certification indicated 168 voters. Recount poll book reconciliation was 169 voters. Ward 9 total voters – 96; Ward 10 total voters 73 = 169 Ward 9 total ballots – 91; Ward 10 total ballots 78 = 169</p> <p>Ward 9 – 5 more voter than ballots Ward 10 – 5 more ballots than voters</p> <p>No ward indication on ExpressVote ballots.</p>		

Lunch break taken @ 12:45pm; reconvened at 1:40pm

City of New Richmond Wards 11 - 12	Spring Election Vote Total	Recount Vote Total
Sherley	98	98
Ard	93	93
Scattering	0	0
Under Votes	8	8
	Reported	Recount
Total Voters	202	201
Total Ballots	199	199
Total Absentee Ballots	20	20
Provisional Ballots	0	0
Ballot Bag Wards 11 - 12		
Ballot Bag Seal Assigned By County		
Ballot Bag Seal #		0755148
Ballot Bag Resealed with #		0755159
Notes: Wards 11 & 12 – District 13 Poll book reconciled at 201. Recount ballot count total was 200 including one blank ballot. It was later determined the blank ballot was not cast on DS200 and therefore removed the blank ballot from the count.		

SUMMARY:

CANDIDATE RESULTS:

	Sherley	Ard	Write In	Under	Total Votes
W4	20	43			63
W5&6	51	48	1	3	103
W10	44	29	1	4	78
W11&12	98	93		8	199
Total Result	213	213	2	15	443

COUNTY SUPERVISOR DISTRICT 13 - POLL LIST / BALLOT COUNT

District 13	Voter (Poll List)	Ballots
W4	62	63
W5&6	104	103

W10	73	78
W11&12	201	199
Total	440	443

Campbell called Wisconsin Elections Commission and talked to Election Specialist Riley Willman regarding incorrectly issued ballots Willman recommended counting the remainder of the wards to determine voter count and ballot count for all wards. Poll lists were reconciled and ballots were counted for Wards 1, 2, 3, 7, 8 and 9.

COUNTY SUPERVISOR DISTRICT 12 - POLL LIST / BALLOT COUNT

District 12	Voter (Poll List)	Ballots
W1&2	133	134
W3	76	75
W7&8	143	145
W9	96	91
Total	448	445

VOTER AND BALLOT COUNT FOR ALL WARDS IN THE CITY OF NEW RICHMOND:

District	Voter (Poll List)	Ballots
D13	440	443
D12	448	445
Total	888	888

Total voter count for the City of New Richmond (all wards) matched the total number of ballots: 888 voters and 888 ballots.

Campbell prepared a spreadsheet including all voter totals, ballot totals and results and emailed it to Willman at the Wisconsin Elections Commission.

From: Cindy Campbell [<mailto:Cindy.Campbell@sccwi.gov>]
Sent: Wednesday, April 11, 2018 4:40 PM
To: Willman, Riley P - ELECTIONS <Riley.Willman@wisconsin.gov>
Subject: Tally.xlsx
Importance: High

Riley

This is the final spreadsheet from our recount in County Supervisor District 13. The count evened out after counting the ballots and reconciling poll lists from the wards not in County Supervisor District 13. The question continues should ballots should be drawn because we are reconciling overall totals from votes not cast in District 13.

One of the BOC members thinks we should reconcile only from the votes cast in District 13 race.

Cindy Campbell
St. Croix County Clerk
715.386.4610

Response: 4/11/2018 4:49 PM

In this case, since the count evened out between the different supervisory districts, you would not draw ballots because you can see with reasonable certainty that there were three voters who should have voted in District 12, but were given a District 13 ballot on accident. You only draw down ballots when you cannot explain why you have more ballots than voters.

Please let me know if you have any questions and I'll be happy to help.

Best,

Riley Willman

Elections Administration Specialist

Wisconsin Elections Commission

(608)261-2030

Riley.Willman@wisconsin.gov

Discussion regarding next steps and Willman's recommendation. Gwin requested Corporation Counsel Scott Cox join the recount for his opinion. Cox reviewed the recount procedures and state statutes. Gwin reported the recount petition requested a recount of Wards 4 – 6 and 10 – 12 which make up County Supervisor District 13. He added we are not here to count District 12 and recommended a drawdown of ballots. Gwin cited Wis. Stat. § 9.01(1)(b)4.e., regarding reconciling the number of ballots with the number of voters. Discussion regarding the blank ballot found in Wards 11 & 12 which increased the ballot count from 199 which was on the results tape to 200. Gwin stated the blank ballot should be removed from the count.

Campbell recommended the Wisconsin Election Commission's recommendation not to draw ballots as there is reasonable certainty there were three voters who should have voted in District 12, but were given a District 13 ballot. Campbell read from the Wisconsin Elections Commission Election Day manual "Before drawing down ballots, be certain that there is no alternative reason for the ballot overage. In the case of two or more reporting units, if there are more ballots than voters for one reporting unit and less ballots than voters for the other reporting unit, but the total number of ballots for both units is equal to or less than the number of total voters, obviously voters were given the wrong ballot. This should be noted on the inspectors' statement but does not warrant a drawdown." Campbell asked if a drawdown is done, which ward is drawn down.

Gwin disagrees with the Wisconsin Elections Commission opinion because of what the statutes say and reiterated the recount petition is specific to County Supervisor District 13.

Cox stated the Wisconsin Elections Commission has a different opinion and recommended the drawdown of the number of votes according to the statutes. Cox stated if there is a drawdown, it should be from all the ballots in District 13.

Ard argued the Wisconsin Elections Commission has a procedure and process in place just as drawing a name to determine a winner if a tie exists. The procedure is clear.

Campbell asked if there is a drawdown would it be the ballots with under votes for County Supervisor District 13, similar to removing blank ballots first per state statutes.

Motion by Gwin, 2nd by Jewett to follow the statutes to draw down from all District 13 ballots per Wis. Stat. §9.01(1)(b)4.e. Motion passed Yes: 2; No - 1 (Campbell).

Ballots for District 13 were gathered together and shuffled. Ballots were placed in a blue bag held by Cox. Each member of the Board of Canvass drew one ballot. Order drawn: Gwin (W11&12) – Ard; Jewett (W11&12) – Sherley; Campbell (W4) – Ard.

Change in results is as follows: Sherley – 212; Ard – 211. Campbell completed the certification and it was signed by the members of the Board of Canvass.

The three draw-down ballots were sealed in a separate envelope marked as Exhibit A. All other ballots were sorted according to ward and placed in corresponding ballots bags and re-sealed.

Re-count adjourned at 6:20 pm
 Amy Hanson, First Deputy County Clerk (Recording Secretary)

POLLING PLACE VOTER/BALLOT SUMMARY

POLLING PLACE #1							
	Voter	Ballot					
W1&2	133	134	Ward 5&6 voter cast Ward 1&2 ballot for District12				
W3&4	138	138	Ward 3 voter cast Ward 4 ballot for District 13 (Sherley)				
W5&6	104	103	See 1&2				
TOTAL	375	375					
POLLING PLACE #2							
	Voter	Ballot					
W7&8	143	145	See 11&12				
W9&10	169	169	W9 - 5 more voters than ballot (District 12) W10 - 5 more ballots than voters (District 13)				
W11&12	201	199	2 voters in 11&12 signed poll book received a 7&8 ballot				
TOTAL	513	513					