

BAY COUNTY BOARD OF CANVASSERS
 RECOUNT OF BANGOR TOWNSHIP BOARD OF TRUSTEES
 DECEMBER 14TH THRU 16TH, 1988

THE BAY COUNTY BOARD OF CANVASSERS MET THE AFTERNOON OF TUESDAY, DECEMBER 14TH, 1988 AT 1:00 P.M. FOR THE PURPOSE OF RECOUNTING THE VOTES CAST FOR THE OFFICES OF BANGOR TOWNSHIP TRUSTEES. THE BOARD BEGAN WITH THE RECOUNT AT THE MACHINE VOTING PRECINCTS AND CONCLUDED WITH THE TALLY OF ABSENT VOTER BALLOTS AT THE BANGOR TOWNSHIP HALL. THE BALLOTS IN THE RECOUNT WERE FOR THE FOLLOWING SIX CANDIDATES: CLARENCE BENNETT; EDWIN DAVIS; FRANK RECHSTEINER; DAVID REA; DUFF ZUBE; AND HENRY B. SCHUMANN. THE RESULTS HAD BEEN CERTIFIED BY THE BOARD OF CANVASSERS FROM THE GENERAL ELECTION OF NOVEMBER 8TH, 1988. THE FOLLOWING INDIVIDUALS WERE PRESENT FOR THE RECOUNT OF THE MACHINE PRECINCTS.

BARBARA ALBERTSON, BAY COUNTY CLERK
 CYNTHIA A. LUCZAK, SECRETARY TO THE CLERK
 DONALD CHEVALIER, CHAIRMAN
 WALTER WOZNIAK, JR., VICE-CHAIRMAN
 RICHARD BRZEZINSKI, BOARD MEMBER
 WALLACE NEILSEN, BOARD MEMBER
 DELORES NIEDZINSKI, TALLY CLERK
 BETTY CAVANAUGH, TALLY CLERK
 EDWIN R. DAVIS, CANDIDATE
 EDNA BENNETT, REP. C. BENNETT/F. RECHSTEINER
 GEORGE MULLISON, BAY COUNTY PROSECUTOR

THE FOLLOWING OBSERVATIONS WERE DOCUMENTED DURING THE RECOUNT OF MACHINE PRECINCTS.

<u>BANGOR TOWNSHIP-PRECINCT #1</u>		<u>BENNETT</u>	<u>DAVIS</u>	<u>REA</u>	<u>RECHSTEINER</u>	<u>SCHUMANN</u>	<u>ZUBE</u>
MACHINE NO.	144322	113	97	76	132	113	143
PUBLIC COUNTER	237						
PROTECTIVE	5405						
SEAL NO.	584414						
MACHINE NO.	95209	131	120	58	117	127	172
PUBLIC COUNTER	242						
PROTECTIVE	17731						
SEAL NO.	583220						
MACHINE NO.	95208	123	104	61	130	112	145
PUBLIC COUNTER	238						
PROTECTIVE	16596						
SEAL NO.	584312						
<u>BANGOR TOWNSHIP-PRECINCT #2</u>							
MACHINE NO.	75541	166	165	90	158	178	200
PUBLIC COUNTER	316						
PROTECTIVE	18005						
SEAL NO.	584136						

BOARD OF CANVASSERS

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DECEMBER 14-16TH, 1988

<u>BANGOR TWP. - PRECINCT #2</u>		<u>BENNETT</u>	<u>DAVIS</u>	<u>REA</u>	<u>RECHSTEINER</u>	<u>SCHUMANN</u>	<u>ZUBE</u>
MACHINE NO.	73300	162	172	84	160	186	205
PUBLIC COUNTER	328						
PROTECTIVE	24434						
SEAL NO.	584134						

BANGOR TWP. - PRECINCT #3

MACHINE NO.	144566	147	143	73	145	148	179
PUBLIC COUNTER	282						
PROTECTIVE	7674						
SEAL NO.	583204						

MACHINE NO.	75552	145	141	82	145	160	178
PUBLIC COUNTER	281						
PROTECTIVE	16723						
SEAL NO.	584131						

MACHINE NO.	144572	132	116	67	137	137	158
PUBLIC COUNTER	259						
PROTECTIVE	9985						
SEAL NO.	584130						

BANGOR TWP. - PRECINCT #4

MACHINE NO.	121578	122	113	48	91	120	126
PUBLIC COUNTER	212						
PROTECTIVE	11760						
SEAL NO.	583219						

MACHINE NO.	75494	109	111	58	98	122	132
PUBLIC COUNTER	207						
PROTECTIVE	11174						
SEAL NO.	584132						

NOTED WAS THE FACT THAT ON THE RETURN SHEET, THE SEAL NUMBER 584132 HAD BEEN TRANSPOSED IN RECORDING, AS 584312. SINCE THE POLL BOOK LISTED 584132, THE BOARD OF CANVASSERS RECOGNIZED THIS AS ONLY A TRANSPOSITION BY AN ELECTION WORKER.

MACHINE NO.	77110	103	104	45	77	113	123
PUBLIC COUNTER	197						
PROTECTIVE	12260						
SEAL NO.	584133						

BANGOR TWP. - PRECINCT #5

MACHINE NO.	94770	131	122	39	88	130	163
PUBLIC COUNTER	230						
PROTECTIVE	13974						
SEAL NO.	583223						

UPON INSPECTION OF MACHINE 94770, THE CLERK DISCOVERED A CONFLICT OF THE MACHINE NUMBER RECORDED ON THE RETURN SHEET BY AN ELECTION WORKER. THE MACHINE NUMBER WAS TRANSPOSED IN RECORDING TO INDICATE 84970 ON THE RETURN SHEET WHEN IT SHOULD HAVE BEEN LISTED AS 94770.

<u>BANGOR TWP. - PRECINCT #5</u>		<u>BENNETT</u>	<u>DAVIS</u>	<u>REA</u>	<u>RECHSTEINER</u>	<u>SCHUMANN</u>	<u>ZUBE</u>
MACHINE NO.	94776	132	123	60	115	145	164
PUBLIC COUNTER	251						
PROTECTIVE	15084						
SEAL NO.	5832118						

MACHINE NO.	94742	133	125	47	115	150	160
PUBLIC COUNTER	250						
PROTECTIVE	15753						
SEAL NO.	584135						

MACHINE NO.	94774	47	44	22	30	62	63
PUBLIC COUNTER	87						
PROTECTIVE	13673						
SEAL NO.	584143						

BANGOR TWP. - PRECINCT #6

MACHINE NO.	73318	65	58	42	73	62	83
PUBLIC COUNTER	149						
PROTECTIVE	14316						
SEAL NO.	583228						

MACHINE NO.	111506	73	92	54	94	80	109
PUBLIC COUNTER	191						
PROTECTIVE	16511						
SEAL NO.	583231						

MACHINE NO.	77546	95	90	77	116	95	119
PUBLIC COUNTER	212						
PROTECTIVE	14320						
SEAL NO.	583211						

THE BOARD OF CANVASSERS HAD SOME DIFFICULTY IN DETERMINING THE SEAL NUMBER ON THE INSIDE OF THE VOTING MACHINE. THE ELECTION WORKERS HAD PLACED THE SEAL ON, INSIDE OUT AND BACKWARDS. THE BOARD OF CANVASSERS ALSO NOTICED SOME DAMAGE TO THE VOTING MACHINE, NUMBER 77546. THE FRONT PANEL OF THE MACHINE APPEARED FORCED SHUT. THE PANEL WAS BENT AS A RESULT OF THIS POSSIBLE ACTION, CAUSING THE DAMAGE.

MACHINE NO.	75553	117	99	96	150	117	138
PUBLIC COUNTER	266						
PROTECTIVE	17299						
SEAL NO.	583207						

<u>BANGOR TWP. - PRECINCT #7</u>		<u>BENNETT</u>	<u>DAVIS</u>	<u>REA</u>	<u>RECHSTEINER</u>	<u>SCHUMANN</u>	<u>ZUBE</u>
MACHINE NO.	73308	85	75	47	77	75	81
PUBLIC COUNTER	155						
PROTECTIVE	11635						
SEAL NO.	583216						
MACHINE NO.	121580	87	79	39	82	77	92
PUBLIC COUNTER	169						
PROTECTIVE	9212						
SEAL NO.	583225						
<u>BANGOR TWP. - PRECINCT #8</u>							
MACHINE NO.	75543	119	129	69	111	114	145
PUBLIC COUNTER	245						
PROTECTIVE	16332						
SEAL NO.	583222						
MACHINE NO.	119602	17	18	7	14	15	23
PUBLIC COUNTER	32						
PROTECTIVE	11544						
SEAL NO.	583229						
MACHINE NO.	94775	132	137	66	105	128	160
PUBLIC COUNTER	244						
PROTECTIVE	14643						
SEAL NO.	583230						
MACHINE NO.	73280	109	110	69	119	103	132
PUBLIC COUNTER	225						
PROTECTIVE	18188						
SEAL NO.	583221						

THE BOARD OF CANVASSERS CONCLUDED THEIR RECOUNT OF THE VOTING MACHINES AT APPROXIMATELY 4:15 P.M. ON WEDNESDAY, DECEMBER 14, 1988. AT THIS TIME THE BOARD AGREED TO RECONVENE ON THURSDAY, DECEMBER 15, 1988, AT 9:00 A.M. FOR THE REVIEW OF THE BANGOR TOWNSHIP ABSENTEE BALLOTS PERTAINING TO THE BANGOR TOWNSHIP TRUSTEE RACE.

DONALD CHEVALIER, CHAIRMAN

Walter Wozniak, Jr.
WALTER WOZNIAK, JR.

Richard Brzezinski
RICHARD BRZEZINSKI, MEMBER

Wallace Nielsen
WALLACE NIELSEN, MEMBER

RESPECTFULLY SUBMITTED

BARBARA ALBERTSON
BAY COUNTY CLERK

BAY COUNTY BOARD OF CANVASSERS

RECOUNT OF BANGOR TOWNSHIP BOARD OF TRUSTEES CONTINUED

DECEMBER 15TH - 16TH, 1988

THE BAY COUNTY BOARD OF CANVASSERS MET ON WEDNESDAY, DECEMBER 15, 1988 AT 9:00 A.M. FOR THE PURPOSE OF CONTINUING THE RECOUNT OF BANGOR TOWNSHIP TRUSTEES AS FAR AS THE ABSENTEE BALLOTS WERE CONCERNED. THE COUNTING OF THE A.V. BALLOTS WAS HELD AT THE BANGOR TOWNSHIP HALL WITH THE FOLLOWING INTERESTED PARTIES IN ATTENDANCE:

BARBARA ALBERTSON, BAY COUNTY CLERK
CYNTHIA A. LUCZAK, SECRETARY TO THE CLERK
DONALD CHEVALIER, CHAIRMAN
WALTER WOZNIAK, JR., VICE-CHAIRMAN
RICHARD BRZEZINSKI, BOARD MEMBER
WALLACE NIELSEN, BOARD MEMBER
DELORES NIEDZINSKI, TALLY CLERK
BETTY CAVANAUGH, TALLY CLERK
EDWIN R. DAVIS, CANDIDATE
MICHAEL STUDDERS, FOR DAVIS
WALTER GUTHRIE, FOR RECHSTEINER
GEORGE MULLISON, BAY COUNTY PROSECUTOR

CHAIRMAN, DONALD CHEVALIER, EXPLAINED TO BOARD MEMBERS AND GUESTS HOW THE RECOUNT PROCEDURE WOULD BE CONDUCTED AS FAR AS THE ABSENTEE VOTER BALLOTS WERE CONCERNED. HE INSTRUCTED THE TALLY CLERKS TO RECORD A SLASH ON THE TALLY SHEET FOR EVERY VOTE CAST FOR THE CANDIDATES AS FOLLOWS: BENNETT; DAVIS; RECHSTEINER; REA; SCHUMANN; AND ZUBE. THE CHAIRMAN NOTED THAT OBSERVERS FOR THE CANDIDATES WERE ALLOWED TO SEE THE BALLOTS FOR ANY THEY MAY WISH TO CHALLENGE. NO BALLOTS WERE TO BE HANDLED BY THE OBSERVERS OR CANDIDATES. ANY CHALLENGED BALLOTS WOULD BE SET ASIDE BY THE BOARD OF CANVASSERS, FOR A FURTHER DETERMINATION ON THEIR ACCEPTABILITY. DECISIONS MADE BY THE BOARD MEMBERS WOULD BE FINAL. MR. CHEVALIER ALSO INDICATED THAT BEFORE ANY BALLOTS WOULD BE COUNTED, BOTH THE BALLOT CAN AND THE BALLOT BAG MUST BE PROPERLY SEALED AND THE APPROPRIATE SEAL NUMBERS LISTED IN THE POLL BOOK RETAINED BY THE COUNTY CLERK. THERE WERE A TOTAL OF SIX ABSENTEE VOTER BALLOT CANS, THESE WERE LABELED NUMBERS ONE THROUGH SIX FOR EASIER IDENTIFICATION. ONCE THE BALLOT BAGS WERE OPENED, THE ROLLS OF BALLOTS WERE ALSO NUMBERED FOR EASIER IDENTIFICATION BY THE BOARD MEMBERS.

BALLOT CAN #1

BALLOT CAN NUMBERED, ONE, WAS INSPECTED FOR PROPER SECURITY AND SEAL NUMBER OF 8411. ONCE THE SEAL WAS REMOVED BY BOARD MEMBERS, THE BALLOT BAG WAS CHECKED FOR THE PROPER SEAL WITH METAL TAG #257734. AS BOTH SEAL NUMBERS WERE PROPERLY PLACED ON THE CAN/BAG, AND CORRESPONDED WITH THE POLL BOOK, THE COUNTING OF THE BALLOTS RESUMED. THE BOARD CHAIRMAN STATED THAT IF A STRAIGHT PARTY VOTE HAD BEEN CAST, VOTES WOULD BE COUNTED FOR EACH INDIVIDUAL CANDIDATE TO THE PARTY.

CHALLENGE #1 - CANDIDATE DAVIS CHALLENGED THE MARKINGS ON ONE BALLOT IN ROLL 4. UPON INSPECTION BY THE BOARD MEMBERS, CONSIDERED THE MARKING GOOD AND THUS CAST ONE VOTE FOR REPUBLICAN CANDIDATE, RECHSTEINER.

CHALLENGE #2 - CANDIDATE DAVIS QUESTIONED THE BALLOT MARKING CAST FOR THE DEMOCRATIC PARTY CANDIDATES. THE BOARD DETERMINED THE MARK GOOD AND TALLIED THE VOTES ACCORDINGLY.

THE BOARD MEMBERS QUESTIONED SMALL STRIPS OF YELLOW/BLUE STICKY NOTES ON PARTICULAR SECTIONS OF VARIOUS BALLOTS. THE BANGOR TOWNSHIP CLERK, SHARON RUSSELL EXPLAINED THAT THESE STRIPS WERE PLACED ON THE BALLOTS BY ELECTION WORKERS FOR ITEMS THEY HAD IN QUESTION AT THE TIME OF THEIR CALCULATIONS. THUS, THE BOARD OF CANVASSERS SHOULD DISREGARD ANY STRIPS OF THIS NATURE ON THE RE-COUNT.

ROLL 8 OF CAN #1 POSED A QUESTION TO BOARD MEMBERS AS TO WHAT PARTY WAS ACTUALLY VOTED BY THE VOTER. MARKS IN BOTH DEMOCRATIC AND REPUBLICAN PARTIES WERE OF A QUESTION. THE BOARD DETERMINED THAT THE MARKINGS IN THE DEMOCRATIC SECTIONS WERE VALID AND THUS TALLIED THE VOTES FOR THOSE CANDIDATES.

THERE WERE 11 ROLLS OF 30 BALLOTS FOR A TOTAL OF 330 BALLOTS. NINE OF THESE SAID WERE NON-VOTED. TO CONCLUDE, THE BALLOTS WERE PLACED BACK INTO THE BALLOT BAG AND SEALED WITH #583264, THE BAG PUT INTO THE BALLOT CAN, AND CAN THEN SEALED WITH STATE OF MICHIGAN SEAL #584409.

BALLOT CAN #2

BALLOT CAN NUMBERED, TWO, WAS CHECKED FOR PROPER SEALING OF THE CAN. SEAL NO. 4684 AGREED WITH THE POLL BOOK AND THUS BROKEN TO REMOVE THE BAG, PROPERLY SEALED WITH METAL TAG NUMBER 254815. ONCE THE SEAL WAS REMOVED FROM THE BAG, THE BALLOTS WERE REVIEWED WITH A PROBLEM ARISING IN ROLL 2 OF CAN 2.

IT APPEARED ON THE BALLOT IN QUESTION, THAT THE VOTER HAD A TOTAL OF FIVE VOTES. FOUR VOTES FOR THE DEMOCRATIC PARTY AND AN ADDITIONAL VOTE CAST FOR REPUBLICAN CANDIDATE FRANK RECHSTEINER, ON A STRAIGHT PARTY INTENT. AS THE BOARD MEMBERS DISCUSSED THE BALLOT MARKINGS THEY COULD NOT ACCURATELY DETERMINE THE INTENT OF THE VOTER AND THUS SOUGHT THE OPINION OF LEGAL COUNSEL, GEORGE MULLISON.

GEORGE MULLISON CONSULTED MCLA 168.737(c) &(e) WHICH INDICATED IF THE VOTER DESIRES A VOTE FOR A CANDIDATE NOT ON THE VOTER'S PARTY PREFERENCE, HE OR SHE WOULD MARK A CROSS/CHECK IN THE CIRCLE UNDER THE PARTY NAME AND MARK A CROSS/CHECK IN THE AREA BEFORE THE NAMES OF THE CANDIDATES FOR WHOM THE VOTER DESIRES TO VOTE ON THE OTHER TICKET. HE OR SHE WOULD ALSO CROSS OFF AN EQUAL NUMBER OF NAMES OF THE CANDIDATES FOR THE OFFICE ON THE PARTY TICKET. IF THE VOTER FAILED TO CROSS OFF THE NAMES OF AN EQUAL NUMBER OF CANDIDATES FOR THE OFFICE ON THE PARTY TICKET THE VOTER SHALL BE CONSIDERED TO HAVE CROSSED OFF THE NAME OF EACH CANDIDATE FOR THE OFFICE WHICH IS PRINTED ON THE VOTERS PARTY TICKET OPPOSITE THE NAME OF THE CANDIDATE ON SOME OTHER PARTY TICKET IN FRONT OF WHICH NAME THE VOTER HAS MADE A CROSS/CHECK MARK. THE STATUE ALSO EXPLAINED BY (e), THAT A BALLOT MARKED WITH A CROSS/CHECK UNDER A PARTY NAME SHALL BE CONSIDERED A VOTE FOR EACH OF THE CANDIDATES NAMED IN THE PARTY COLUMN WHOSE NAME IS NOT CROSSED OFF, EXCEPT WHERE A CROSS/CHECK IS VOTED BEFORE THE NAME OF AN OPPOSING CANDIDATE ON ANOTHER TICKET, OR WHERE THERE IS WRITTEN OR PASTED ON THE PARTY TICKET A NAME WHICH IS NOT PRINTED ON ANY PARTY TICKET.

BASED ON THAT INFORMATION, GEORGE MULLISON, ADVISED THE BOARD TO COUNT THE THREE VOTES CAST FOR THE DEMOCRATIC CANDIDATES, ON THE DEMOCRATIC PARTY DESIGNATION,

AND THE VOTE CAST OPPOSITE THE DEMOCRATIC CANDIDATE DAVIS, WHICH WOULD HAVE BEEN REPUBLICAN CANDIDATE, RECHSTEINER. THE TOTAL COUNT FOR THE VOTES CAST WOULD THEREFORE, HAVE BEEN 3 DEMOCRATIC VOTES (BENNETT, SCHUMANN, ZUBÉ) AND 1 REPUBLICAN VOTE (RECHSTEINER).

THE BOARD DISCUSSED THE OPINION OF THE PROSECUTOR FURTHER, AND DECIDED THE INTENT OF THE VOTER MAY HAVE BEEN JUST TO CAST ONE VOTE FOR RECHSTEINER. ON THAT BASIS, THE BOARD VOTED TO ACCEPT ONLY ONE VOTE FROM THE BALLOT, THAT OF WHICH WOULD BE FOR RECHSTEINER. THIS ACTION WAS TAKEN BY A VOICE VOTE OF THE BOARD MEMBERS 3 YEAS, 1 NAY-CHEVALIER.

CHALLENGE #3 - CANDIDATE DAVIS CHALLENGED THE DECISION MADE BY THE BOARD ON THIS PARTICULAR BALLOT IN ROLL 2 OF CAN 2.

CHALLENGE #4 - CANDIDATE DAVIS QUESTIONED THE MARKINGS ON BALLOT #20 OF ROLL 4, OF CAN NO. 2. THE MARK BY THE VOTER HAD BEEN PLACED ON THE LINE OF THE VOTING BOX. UPON CLOSE INSPECTION BY THE CANVASSERS, THE VOTE WAS CONSIDERED ACCEPTABLE.

SINCE WALLY NIELSEN HAD A LUNCHEON COMMITMENT, HE WAS EXCUSED AT 11:50 A.M.

AS THE RECOUNT CONTINUED BOARD MEMBERS DISCOVERED ANOTHER BALLOT IN QUESTION, THE VOTER HAD INDICATED MARKINGS FOR BOTH A STRAIGHT DEMOCRATIC TICKET AS WELL AS A STRAIGHT REPUBLICAN TICKET. IN DISCUSSION, GEORGE MULLISON, RECOMMENDED COUNTING THE VOTES FOR THE CANDIDATES WHICH WERE INDIVIDUALLY CHECKED AND DISREGARD THE PARTY DESIGNATION IN THIS PARTICULAR SITUATION. MR. MULLISON ADDED THAT SUCH ACTION WOULD BE AN EXTENSION OF THE RECOMMENDED ACTION PROPOSED BY MCLA 168.737(c) & (e). THE BOARD OF CANVASSERS VOTED BY VOICE VOTE TO ACCEPT ONLY THE CHECKS FOR THE INDIVIDUAL CANDIDATES, 3 YEAS, 0 NAYS.

CHALLENGE #5 - CANDIDATE DAVIS CHALLENGED BALLOT #21 IN ROLL NO. 9, OF CAN 2. AS THE VOTER INDICATED HIS DEMOCRATIC PARTY PREFERENCE, HE ALSO CAST ONE VOTE FOR REPUBLICAN CANDIDATE RECHSTEINER. THE BOARD CONSIDERED THIS BALLOT ACCEPTABLE AND COUNTED THREE DEMOCRATIC VOTES AND ONE REPUBLICAN VOTE AS A RESULT.

CHALLENGE #6 - CANDIDATE DAVIS AGAIN OBJECTED TO THE BOARD'S DECISION ON BALLOT NO. 20 OF ROLL NO. 11, CAN NO. 2. THIS BALLOT REFLECTED THE SITUATION OF TWO STRAIGHT PARTY DESIGNATIONS WITH CHECKS FOR EACH INDIVIDUAL CANDIDATE THE VOTER DESIRED. AS NOTED ABOVE THE BOARD HAD ACCEPTED ONLY THE MARKINGS FOR THE INDIVIDUAL CANDIDATES TO EITHER PARTY.

THE BALLOT BAG CONTAINED A TOTAL OF 221 BALLOTS (10 ROLLS OF 20/1 ROLL OF 21). ELEVEN OF THESE BALLOTS WERE NON-VOTED FOR BANGOR TOWNSHIP TRUSTEES. AS THE LUNCH HOUR APPROACHED, THE BALLOTS WERE PLACED BACK INTO THE BALLOT BAG AND SEALED WITH TAG 584419. THE BALLOT BAG WAS THEN PLACED INTO THE BALLOT CAN WITH OTHER RECOUNT MATERIALS FOR SECURITY THROUGH LUNCH. MOREOVER, THE BALLOT CAN WAS SEALED WITH TAG 584408, UNTIL THE RECOUNT WOULD RECONVENE AT 2:00 P.M.

ONCE THE BOARD OF CANVASSERS, CLERKS, AND GUESTS RETURNED FROM LUNCH, THE BALLOT CAN SEAL, NUMBER 584408, WAS BROKEN TO OBTAIN THE RECOUNT MATERIALS NECESSARY AND PREVIOUSLY STORED IN THE CAN. UPON REMOVAL OF THE MATERIALS, BALLOT CAN NO. TWO HAD BEEN RESEALED WITH STATE OF MICHIGAN METAL TAG NUMBER 584415.

BALLOT CAN #3

BALLOT CAN NUMBERED, THREE, WAS INSPECTED FOR PROPER SEALING WITH METAL TAG 7495, WHICH AGREED WITH THE CLERK'S POLL BOOK. UPON REMOVAL OF THE CAN SEAL,

THE BOARD MEMBERS REMOVED BALLOT BAG SEAL, NUMBER 583995, WHICH WAS IN PROPER PLACEMENT. THERE WERE NOT ANY QUESTIONABLE NOR CHALLENGED BALLOTS IN THIS PARTICULAR BALLOT CAN. IT CONTAINED A TOTAL OF 140 BALLOTS (7 ROLLS OF 20), OF WHICH, FOUR OF THE BALLOTS WERE NON-VOTED. IN CONCLUDING, THE BALLOTS WERE PLACED INTO THE BALLOT BAG AND SEALED WITH METAL TAG 584418. ONCE PLACED INTO THE BALLOT CAN, WERE SEALED WITH TAG 584421.

BALLOT CAN #4

BALLOT CAN NUMBERED, FOUR, APPEARED TO HAVE BEEN PROPERLY SEALED WITH METAL TAG 582763. UPON REMOVAL OF THE CAN SEAL, THE BALLOT BAG WAS RETRIEVED AND DETERMINED PROPERLY SEALED WITH TAG 8448.

IN REVIEWING THE BALLOTS, CHAIRMAN CHEVALIER, DISCOVERED SPOILED BALLOT #1. THE BOARD ESTABLISHED THAT THE BALLOT WAS SPOILED SINCE IT HAD FIVE OBVIOUS VOTES CAST, WHEN ONLY FOUR TOTAL VOTES WERE PERMITTED. THIS BALLOT WOULD HAVE BEEN IN ROLL NUMBER TWO, OF CAN NUMBER FOUR.

CHALLENGE #7 CANDIDATE DAVIS CHALLENGED THE BALLOT OF WHICH THE DEMOCRATIC PARTY TICKET WAS INDICATED AND THEN AN ADDITIONAL VOTE CAST FOR RECHSTEINER. THE BOARD HAD ACCEPTED ONLY THE VOTE FOR RECHSTEINER UNDER THESE CIRCUMSTANCES, SEE FURTHER EXPLANATION ON CHALLENGE #2.

ANOTHER SPOILED BALLOT #2, WAS RECORDED. AGAIN, THE VOTER CAST FIVE VOTES WHEN ONLY FOUR WERE ACCEPTABLE ON THE BALLOT.

A MARKED BALLOT, OR SPOILED BALLOT #3, WAS OMITTED SINCE THE WORD "YES" HAD BEEN PLACED ON THE BALLOT BY THE VOTER. THIS MARKING MAY DETERMINE THE IDENTITY OF THE VOTER AND WAS THUS DISQUALIFIED.

ROLL 13, OF CAN NUMBER 4, CONTAINED ANOTHER QUESTIONABLE BALLOT AS FAR AS THE MARKINGS WERE CONCERNED. THE CROSS/CHECK INTERSECTION WHICH NEEDED TO BE CONTAINED IN THE CANDIDATE BOX, WAS ON THE LINE OF THE BOX. CLOSER OBSERVATIONS BY MAGNIFYING GLASS REVEALED THE MARK ACCEPTABLE. THIS WAS SUPPORTED BY THE PROSECUTOR, GEORGE MULLISON.

THERE WERE A TOTAL OF 300 BALLOTS CONTAINED IN BALLOT CAN #4. THESE WERE OF VARIOUS ROLLS OF 20/30/10 BALLOTS EACH. FOURTEEN OF THE BALLOTS WERE NON-VOTED. THIS CONCLUDED THE RECOUNT OF CAN NUMBER FOUR. THE BALLOTS WERE PLACED INTO THE BALLOT BAG AND SEALED WITH 584475. ONCE PLACED INTO THE BALLOT CAN WERE SEALED WITH TAG 584411. BALLOT CANS ONE THROUGH FOUR WERE FINISHED AS THE BOARD WRAPPED-UP THE COUNT FOR DECEMBER 15TH, 1988, AT 4:15 P.M.

THE BAY COUNTY BOARD OF CANVASSERS RECONVENED ON DECEMBER 16TH, 1988 TO PROCEED WITH THE RECOUNT OF ABSENT VOTER BALLOTS IN THE RACE FOR THE BANGOR TOWNSHIP TRUSTEES. THE MEETING BEGAN AT 9:00 A.M. WITH THE MEMBERS PRESENT FROM THE FOLLOWING DAY. GEORGE MULLISON APPEARED AT APPROXIMATELY 10:30 A.M.

THE OPENING OF CAN NUMBER FOUR WAS THE FIRST ORDER OF BUSINESS SINCE MATERIALS USED IN CALCULATING THE RESULTS WERE SEALED INTO THE CAN THE PREVIOUS DAY. THE TAG SEAL 584411 WAS REMOVED TO OBTAIN DOCUMENTATION. THE CAN WAS THEN RESEALED WITH TAG 584410 AND PLACED ASIDE.

BALLOT CAN #5

THE SEAL ON BALLOT CAN NUMBERED, FIVE, WAS OF PROPER SECURITY AND THUS REMOVED BY THE BOARD MEMBERS, SEAL NUMBER 8417. ONCE THE CAN SEAL WAS REMOVED, IT ENABLED THE BALLOT BAG TO BE RELEASED BY REMOVING ITS' SEAL, NUMBER 582765.

IN ROLL ONE OF CAN FIVE, MARKINGS WERE ONCE AGAIN QUESTIONED AS TO THE VALIDITY OF THE VOTES CAST. ALTHOUGH THE MARKINGS WERE OF A SCRIBBLED NATURE, THE BOARD CONSIDERED THE MARKINGS ACCEPTABLE.

IN ROLL FOUR OF CAN FIVE, ANOTHER BALLOT WAS QUESTIONED AS TO THE INTENT OF THE VOTER WHO CROSSED/CHECKED BOTH PARTY DESIGNATIONS. AS FORMERLY AGREED, THE BOARD WOULD COUNT THE INDIVIDUAL CROSS/CHECKS FOR EACH INDIVIDUAL CANDIDATE, REGARDLESS OF PARTY DESIGNATION.

CHALLENGE #8- CANDIDATE DAVIS EVIDENCED A CHALLENGE OF THE DECISION MADE ON THE FORMER BALLOT REVIEWED BY THE BOARD MEMBERS AND DETERMINED THE VOTES BY THE INDIVIDUAL MARKINGS TO CANDIDATES, NOT PARTY PREFERENCE.

ROLL TEN OF BALLOT CAN FIVE, CONTAINED SPOILED BALLOT #4. THIS BALLOT WAS RULED SPOILED DUE TO THE FACT THAT THE VOTER HAD INDICATED A CHANGE OF MIND WITH HIS PERSONAL INITIALS. AS THIS ACTION COULD IDENTIFY THE VOTER, IT WAS THEREFORE CONSIDERED SPOILED.

THERE HAD BEEN A TOTAL OF 320 BALLOTS IN CAN NUMBER FIVE. THEY HAD BEEN BASICALLY SECTIONED INTO GROUPS OF TWENTY WITH TWELVE OF THE BALLOTS HEREIN, NON-VOTED. THE BALLOTS WERE RETURNED TO THE BALLOT BAG AND SEALED WITH 584417. WHEN PLACED INTO THE BALLOT CAN, WERE SEALED WITH 584412.

BALLOT CAN #6

BALLOT CAN NUMBERED, SIX, APPEARED TO HAVE BEEN PROPERLY SEALED WITH TAG 6284. ONCE REMOVED, THE BALLOT BAG WAS RELEASED BY ELIMINATION OF ITS' SEAL NUMBER 58396.

CHALLENGE #9 - CANDIDATE DAVIS CHALLENGED A BALLOT IN THE SECOND ROLL OF CAN SIX. THIS BALLOT HAD SHOWN THE SAME SITUATION AS THE CHALLENGE #3 OF BALLOT CAN TWO. THE VOTER HAD CAST A STRAIGHT PARTY TICKET WITH THE REPUBLICAN VOTE OF RECHSTEINER AS THE ONLY EXCEPTION. AS THE BOARD HAD FORMERLY AGREED, THE INTENT OF THE VOTER MAY HAVE BEEN TO ONLY VOTE FOR RECHSTEINER. HIS VOTE WAS THE ONLY VOTE ACCEPTED, IN CONTRADICTION TO THE RECOMMENDATION OF GEORGE MULLISON, STATING THE BOARD SHOULD ACCEPT THREE DEMOCRATIC VOTES AND ONE REPUBLICAN VOTE.

IN CAN NUMBER SIX, ROLL NUMBER FOUR, SPOILED BALLOT #5 WAS DISCOVERED. THE VOTER INADVERTENTLY CAST A TOTAL OF FIVE VOTES, WHEN ONLY FOUR WERE ALLOWED.

THE CANVASSERS TOOK A CLOSE LOOK AT ONE PARTICULAR BALLOT IN ROLL 14 OF CAN SIX. THE MARKING WIDTH DETERMINED THE CROSS/CHECK WAS IN THE VOTING BOX AREA. THE VOTES WERE THEREFORE ACCEPTED BY THE BOARD OF CANVASSERS BY A VOICE VOTE OF 4 YEAS, 0 NAYS.

THERE WERE A TOTAL OF 410 BALLOTS CONTAINED IN BALLOT CAN SIX. OF THESE, 17 HAD BEEN NON-VOTED. THERE WERE A TOTAL OF FOURTEEN ROLLS OF VARIOUS DENOMINATIONS.

UPON REVIEW OF THE POLL BOOK FIGURES SUBMITTED THE THE ELECTION WORKERS, COUNTY CLERK BARBARA ALBERTSON, NOTICED THE RECORD STATING... THE TOTAL NUMBER OF VOTERS WHO RECEIVED ABSENT VOTER BALLOTS, 1,722 AND THE TOTAL NUMBER OF VOTERS WHO DID NOT RETURN THE ABSENT VOTER BALLOTS, 1,725. AS THESE FIGURES WERE RECORDED INAPPROPRIATELY, BALLOT CHALLENGER, MICHAEL STUDDERS, ASKED THAT THE ELECTION CHAIRMAN BE SUMMONED TO EXPLAIN WHAT HAD HAPPENED IN THE POLL BOOK FOR HIS OWN PEACE OF MIND AND ALSO SO SUCH AN ERROR WOULD NOT HAPPEN AGAIN.

TOWNSHIP CLERK, SHARON RUSSELL, EXPLAINED THAT THE PERSONS WHO COMPLETED THE POLL BK. FIGURES HAD NO WAY OF KNOWING WHETHER OR NOT THEY WERE CORRECT. SHE FURTHER EXPLAINED HER OFFICE PROCEDURE FROM THE TIME SHE WOULD RECEIVE AN APPLICATION TO THE FINAL STEPS OF CALCULATING THE VOTES. THE CLERK STATED THAT 1,782 BALLOTS HAD BEEN ISSUED AND THAT 1,722 HAD BEEN RETURNED TO HER OFFICE. OF THE BALLOTS ISSUED 11 OF THEM HAD BEEN RETURNED TOO LATE TO BE CALCULATED INTO THE TALLY. THE EXCEPTION IN BALLOT ISSUANCE, WERE THE THREE BALLOTS THAT WERE ISSUED BY THE STATE FOR PERSONS WISHING TO VOTE AT THE POLLS BUT WHO WOULD BE UNABLE TO DO SO AS A RESULT OF BEING HANDICAPPED, THESE WOULD HAVE BEEN RECORDED AT THE PRECINCT LEVELS. WITH THE EXPLANATION OF THE TOWNSHIP CLERK, MR. STUDDERS, WAS CONVINCED THE RECORD HAD NOT INTENTIONALLY BEEN ALTERED AND REALIZED HOW THE CORRECT PLACEMENT IN THE POLL BOOK SHOULD HAVE BEEN.

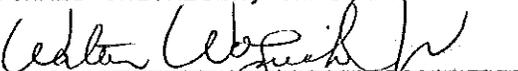
WITH THAT ISSUE RESOLVED, THE BOARD DECIDED TO BREAK FOR LUNCH, AT WHICH TIME THE BALLOTS WERE PLACED BACK INTO THE BALLOT BAG AND SEALED WITH 584477. THE BAG WAS PLACED INTO THE BALLOT CAN WITH THE RECOUNT MATERIALS AND SECURED WITH CAN SEAL 584413.

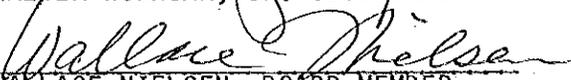
THE BOARD RESUMED THE RECOUNT AT 2:50 P.M. BY BREAKING SEAL 584413 PREVIOUSLY APPLIED TO BALLOT CAN NUMBER SIX BEFORE LUNCH. AS THE TALLY CLERKS TABULATED THE RESULTS, COUNTY CLERK, BARBARA ALBERTSON INFORMED THE TOWNSHIP STAFF THAT THEY SHOULD PROPERLY SEAL THE BALLOT CAN CONTAINING THE BALLOT ENVELOPES IN FUTURE ELECTIONS. THE ENVELOPES HAD BEEN PLACED INTO A BALLOT CAN WITH A SEAL, ONE WHICH HAD BEEN IMPROPERLY PLACED ON THE CAN CAUSING EASY EXCESS. THE RESULTS DETERMINED BY THE TALLY CLERKS DID NOT CHANGE ANY OF THE ORIGINAL OUTCOME FROM THE NOVEMBER 8, 1988 GENERAL ELECTION CANVASS.

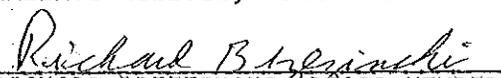
THE RESULTS WERE AS FOLLOWS: BENNETT; RECOUNT TOTAL OF 3,645 FROM 3,640, AN INCREASE OF 5 VOTES. DAVIS; RECOUNT TOTAL OF 3,599 FROM 3,596, AN INCREASE OF 3 VOTES. REA; RECOUNT TOTAL OF 2,119 FROM 2,087, AN INCREASE OF 32 VOTES. RECHSTEINER; RECOUNT TOTAL OF 3,630 FROM 3,626, AN INCREASE OF 4 VOTES. SCHUMANN; RECOUNT TOTAL OF 3,779 FROM 3,777, AN INCREASE OF 2 VOTES AND ZUBE; RECOUNT TOTAL OF 4,447 FROM 4,445, AN INCREASE OF 2 VOTES.

WITH THE FINAL NUMBERS CALCULATED, THE BALLOT CAN WAS AGAIN SEALED WITH 584476. THIS CONCLUDED THE RECOUNT OF THE BANGOR TOWNSHIP TRUSTEES NEAR 3:30 P.M.


DONALD CHEVALIER, CHAIRMAN


WALTER WOZNIAK, JR. VICE-CHAIRMAN


WALLACE NIELSEN, BOARD MEMBER


RICHARD BRZEZINSKI, BOARD MEMBER

RESPECTFULLY SUBMITTED

BARBARA ALBERTSON
BAY COUNTY CLERK