
CANVASSING BOARD MEETING MINUTES
March 9, 2005

Mayor Jack Quesinberry in City Hall Commission Chambers, 251 W. Plant Street, Winter Garden, Florida, called the Canvassing Board meeting to order at 12:00 noon.

PRESENT: Mayor Jack Quesinberry, Commissioners; Theo Graham, Mildred Dixon and John Harriman

ABSENT: Commissioner Bill Thompson

OTHERS PRESENT: City Clerk Kathy Golden, City Attorney Lionel Rubio, Tabulator Clerk Bobbie Jo Richardson, and Orange County Supervisor of Elections Technical Assistant June Condron

DISTRICT 3

The candidate for District 3 was unopposed in this election and therefore is re-elected by virtue of no opposition.

CANVASSING CRITERIA FOR THE MARCH 8, 2005 ELECTION

City Clerk Golden provided the Canvassing Board with a copy of the criteria adopted by Orange County Supervisor of Elections for their consideration. **Motion by Commissioner Dixon to approve the criteria as presented (*see attached*). Seconded by Commissioner Harriman and carried unanimously 4-0.**

CANVASS THE RESULTS OF THE MARCH 8, 2005 ELECTION FOR DISTRICTS 2, 4, AND RECALL OF COMMISSIONER OF DISTRICT 1

City Clerk Golden verified that the total number of absentee ballots requested was 247. The Canvassing Board has received 183 and 64 absentee ballots were not returned by the time the polls closed at 7:00 p.m. on March 8, 2005. In addition, there were 11 early votes cast at the Orange County Supervisor of Elections Office. **Motion by Commissioner Dixon accepting that all absentee ballots have been accounted for. Seconded by Commissioner Harriman and carried unanimously 4-0.**

City Clerk Golden stated that the Orange County Supervisor of Elections has verified all signatures on absentee ballots as duly registered. Additionally, there have been no objections filed for any absentee ballot. **Motion by Commissioner Dixon to accept the 183 absentee ballots. Seconded by Commissioner Harriman and carried unanimously 4-0.** Mayor Quesinberry asked City Clerk Golden and Tabulator Clerk Richardson to open the absentee ballot sealed envelopes for tabulating.

At this time, City Attorney Rubio asked Ms. Condrón to perform the Logic and Accuracy (L&A) test. Ms. Condrón performed the L&A test as she described the procedure. After the test, Ms. Condrón announced that the tabulator did pass the L&A test.

Tabulator Clerk Richardson then inserted the ballots into the tabulator. Ms. Condrón explained that the tabulator rejected a number of ballots that apparently were marked with an incorrect marker that was not opaque enough for the tabulator to read. Therefore, the Florida State Statutes has a provision that allows the Canvassing Board to determine whether or not the mark made on the ballot is a clear choice. If it is, it may be reproduced in duplicate form and reinserted into the tabulator. Ms. Condrón again verified the total absentees by adding the tabulator total and the out stacked total to account for all ballots. That total came to 185, which is two more than the original total of 183. City Clerk Golden reviewed the County batched verification sheets and discovered there were two overseas ballots containing the name of the candidate who withdrew. Therefore, the corrected total number of absentee ballots received was 185 and 62 had not been returned for a grand total of 247 absentee ballots. **Motion by Commissioner Dixon to accept the two additional overseas ballots for a new total of 185 absentees. Seconded by Commissioner Harriman and carried unanimously 4-0.** The out stacked (uncounted) ballots were then presented to the Canvassing Board who reviewed each ballot and verified that every ballot had a clear choice marked. **Motion by Commissioner Dixon approving that each ballot had a clear choice marked. Seconded by Commissioner Harriman and carried unanimously 4-0.** Ms. Condrón explained that the one overseas ballot who marked the candidate who withdrew would be duplicated as a blank and the tabulator will out stack it as an under voted ballot.

At this time, the Canvassing Board asked Ms. Condrón to prepare duplicates of each out stacked ballot in accordance with the Florida State Statutes. Ms. Condrón explained that each original ballot would be marked in numerical sequence and the duplicate would be marked "duplicate" with the corresponding number. After marking each ballot, Ms. Condrón gave the Canvassing Board the opportunity to check the duplicate ballots as witnessed by the public. Tabulator Clerk Richardson then fed the duplicated ballots into the tabulator and the total ballots received was verified against the counter as correct. A tape dispensed from the tabulator dispensed with the totals was given to the City Clerk along with the sealed early vote tabulator tapes. Mayor Quesinberry asked City Clerk Golden to read the absentee and early vote totals at this time.

District 2	Carris, Jerry	13
	Graham, Theo	26
District 4	Harriman, John	24
	Nichols, Carol	29
District 1 Recall	Should be removed	93
	Should not be removed	10

Motion by Commissioner Dixon to accept the totals as read by the City Clerk. Seconded by Commissioner Graham and carried unanimously 4-0.

City Attorney Rubio asked Ms. Condrón to perform the after voting L&A test, which she did and it passed. Mayor Quesinberry asked City Clerk Golden to read the tabulated totals from the precincts at this time.

District 2	Carris, Jerry	116
	Graham, Theo	203
District 4	Harriman, John	125
	Nichols, Carol	130
District 1 Recall	Should be removed	358
	Should not be removed	198

Motion by Commissioner Graham to accept the returns as reflected in the certificate of results signed by the election boards. Seconded by Commissioner Dixon and carried unanimously 4-0.

Mayor Quesinberry asked City Clerk Golden to add and read the total returns.

District 2	Carris, Jerry	129	
	Graham, Theo	229	Elected
District 4	Harriman, John	149	
	Nichols, Carol	159	Elected
District 1 Recall	Should be removed	451	Passed
	Should not be removed	208	

Motion by Commissioner Dixon to approve the Certificate of Results for the March 8, 2005 Municipal General and Recall Election (*see attached*). Seconded by Commissioner Graham and carried unanimously 4-0.

The Canvassing Board meeting was adjourned at 1:34 p.m.