

**Upshur County Commission Meeting  
Canvass – 2020 General Election**

The County Commission of Upshur County, West Virginia, met as the Board of Canvassers on Monday, November 9, 2020. The meeting was called to order at 9:11 am by Terry Cutright. There were present Terry Cutright, County Commissioner; Sam Nolte, County Commissioner; Kristie Tenney, County Commissioner; Carol Smith, County Clerk; Carrie Wallace, County Administrator; Carolyn Berry, Deputy County Clerk; Debbie Hull, Deputy County Clerk; Douglas Roberts, Deputy County Clerk and Chris Alkire, Facility Services. Unless otherwise noted, all motions passed unanimously.

Election supplies and materials were prepared for review and public test of election equipment was completed. The Commission proceeded with the canvassing process.

Precinct 9 was randomly selected for the canvassing hand count. Recount bond was set at \$300 on motion by Sam Nolte, seconded by Kristie Tenney. County Clerk, Carol Smith explained the accommodations that were made for COVID-19 positive or quarantined voters. On motion by Sam Nolte, seconded by Kristie Tenney, the Board agreed to count all ballots that were cast by voters at the quarantine poll location so long as there were no other challenges.

At 10:00 am the hand-count teams arrived. The teams consisted of Connie Brady, Cathy Vance, Jim Vance, Tommy Wingler, Jennifer Powers and Amanda Posey.

The following are the results of the Canvass:

**Precinct 9** -- *Hand Counted*

There was 1 spoiled ballot.

There was 1 provisional ballot: Voter moved and voted in the correct precinct. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballot.

There were no provisional absentee ballots.

There were no notations.

Precinct 9 balanced without errors.

**Precinct 4** –

There was 1 spoiled ballot.

There was 1 provisional ballots: Voter was registered to vote previously, but was pulled due to inactivity. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to reject the ballot.

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There was 1 provisional absentee ballot that was postmarked on November 2<sup>nd</sup>. On motion by Kristie Tenney, seconded by Sam Nolte, the Board voted to count the ballot.

There were no notations.

Precinct 4 balanced without errors.

**Precinct 6** –

There were 9 provisional ballots: (1-3) COVID voters – see notation above. (4-6) Voters were not registered to vote. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to reject the ballots. (7) Voter requested an absentee ballot, which was not returned. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballot. (8) Voter moved and voted in the correct precinct. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballot. (9) Early voting provisional for a voter that was not registered to vote. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to reject the ballot.

There were 2 provisional absentee ballots. (1) postmarked on November 3<sup>rd</sup>. On motion by Kristie Tenney, seconded by Sam Nolte, the Board voted to count the ballot. (2) Emergency absentee ballot that didn't have signatures of the Commissioners. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballot.

There were no notations.

Precinct 6 balanced without errors.

**Precinct 7** –

There were no provisional ballots.

There were no provisional absentee ballots.

There were no notations

Precinct 7 balanced without errors.

**Precinct 8** –

There were 2 provisional ballots: (1) Voter was not registered to vote. On motion by Kristie Tenney, seconded by Sam Nolte, the Board voted to reject the ballot. (2) Voter moved and voted in the correct precinct. On motion by Kristie Tenney, seconded by Sam Nolte, the Board voted to count the ballot.

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There were no provisional absentee ballots.

There were no notations.

Precinct 8 balanced without errors.

**Precinct 12** –

There were 3 provisional ballots: (1) Voter wasn't registered to vote. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to reject the ballot. (2) Voter moved and voted in the correct precinct. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballot. (3) Early voter was not registered to vote. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to reject the ballot.

There was 1 provisional absentee ballot: (1) Absentee voter needed to provide identification; identification has since been provided. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballot.

There were no notations

Precinct 12 balanced without errors.

**Precinct 14**–

There was 3 provisional ballots: (1) COVID voter – see notation above. (2-3) Voters moved and voted in the correct precinct. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballots.

There were 2 provisional absentee ballots: (1) postmarked on November 3<sup>rd</sup>. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballot. (2) Voter applied for an absentee ballot using her maiden name. When she sent the ballot back she signed her married name. On motion by Kristie Tenney, seconded by Sam Nolte, the Board voted to count the ballot.

There were no notations.

Precinct 12 balanced without errors.

**Precinct 16**–

There were 2 spoiled ballots.

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There were 4 provisional ballots: (1) Voter was not registered to vote. On motion by Kristie Tenney, seconded by Sam Nolte, the Board voted to reject the ballot. (2) Voter moved and voted in the correct precinct. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballot. (3) Voter was mailed an absentee ballot, but it was not returned to the polls or prior to canvass. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballot. (4) Early voter was mailed an absentee ballot, but didn't receive it, and thus did not return it either. On motion by Kristie Tenney, seconded by Sam Nolte, the Board voted to count the ballot.

There was 1 provisional absentee ballot: (1) Absentee voter needed to provide identification; identification has since been provided. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballot

There were no notations.

Precinct 16 balanced without errors.

**Precinct 18**

There were 3 provisional ballots: (1-3) Voters were not registered to vote. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to reject the ballots.

There were 2 provisional absentee ballots: (1) Emergency absentee ballot was not signed by Commissioners. On motion by Kristie Tenney, seconded by Sam Nolte, the Board voted to count the ballot. (2) Absentee ballot postmarked October 30, 2020. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballot.

There were no notations.

Precinct 18 balanced without errors.

**Precinct 19**

There was 1 spoiled ballot.

There were 3 provisional ballots: (1) Voter was not registered to vote. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to reject the ballot. (2) Poll worker working out of precinct. On motion by Kristie Tenney, seconded by Sam Nolte, the Board voted to count the ballot. (3) Voter moved and voted in the correct precinct. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballot.

There were no provisional absentee provisional ballots.

There were no notations.

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Precinct 19 balanced without errors.

**Precinct 20**–

There were 3 provisional ballots: (1) COVID voter – see notation above. (2) Voter was not registered to vote. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to reject the ballot. (3) Voter moved and voted in the correct precinct. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballot.

There was 1 provisional absentee ballot: (1) Absentee ballot postmarked on November 2<sup>nd</sup>. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballot.

There were no notations.

Precinct 20 balanced without errors.

**Precinct 25** –

There were 4 provisional ballots: (1-3) Voter was not registered to vote. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to reject the ballots. (4) Voter moved and voted in the correct precinct. On motion by Kristie Tenney, seconded by Sam Nolte, the Board voted to count the ballot.

There were no provisional absentee ballots.

There were no notations.

Precinct 25 balanced without errors.

**Precinct 27**–

There were 10 provisional ballots. (1-6) Voters were not registered to vote. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to reject the ballots. (7) Voter voted in the wrong precinct. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to reject the ballot. (8-10) Voter moved and voted in the correct precinct. On motion by Kristie Tenney, seconded by Sam Nolte, the Board voted to count the ballots.

There was 1 provisional absentee ballot postmarked on November 3<sup>rd</sup>. On motion by Kristie Tenney, seconded by Sam Nolte, the Board voted to count the ballot.

There were no notations.

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Precinct 27 balanced without errors.

**Precinct 33** –

There were 4 provisional ballots: (1-2) COVID voters – see notation above. (3-4) Voters were not registered to vote. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to reject the ballots.

There was 1 absentee provisional ballot postmarked on November 3<sup>rd</sup>. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballot.

There were no notations.

Precinct 33 balanced without errors.

**Precinct 35** –

There were 3 spoiled ballots.

There were 5 provisional ballots: (1-2) Voters were not registered to vote. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to reject the ballots. (3) Voter voted in the wrong precinct. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to reject the ballot. (4) Voter moved and voted in the correct precinct. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballot. (5) Poll worker was working out of precinct. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballot.

There were no provisional absentee ballots.

There were no notations.

Precinct 35 balanced without errors.

**Precinct 37** –

There was 1 spoiled ballot.

There were 7 provisional ballots: (1-2) COVID voters – see notation above. (3-5) Voters were not registered to vote. On motion by Kristie Tenney, seconded by Sam Nolte, the Board voted to reject the ballots. (6-7) Voters moved and voted in the correct precinct. On motion by Kristie Tenney, seconded by Sam Nolte, the Board voted to count the ballots.

There were no provisional absentee ballots.

There were no notations.

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Precinct 37 balanced without errors.

**Precinct 38** –

There were 5 provisional ballots: (1-2) COVID voters – see notation above. (3-5) Voters moved and voted in the correct precinct. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballots.

There were no provisional absentee ballots.

There were no notations.

Precinct 38 balanced without errors.

**Precinct 39** –

There were 12 provisional ballots: (1-3) COVID voters – see notation above. (4-12) Voters were not registered to vote. On motion by Kristie Tenney, seconded by Sam Nolte, the Board voted to reject the ballots.

There were no provisional absentee ballots.

There were no notations.

Precinct 39 balanced without errors.

**Precinct 40** –

There were no provisional ballots.

There were no provisional absentee ballots.

There were no notations.

Precinct 40 balanced without errors.

**Precinct 44** –

There was 1 spoiled ballot.

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There were 4 provisional ballots: (1) COVID voter – see notation above. (2) Voter was not registered to vote. On motion by Kristie Tenney, seconded by Sam Nolte, the Board voted to reject the ballot. (3-4) Voters moved and voted in the correct precinct. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballots.

There was 1 provisional absentee ballot: Absentee voter needed to show identification which has since been provided. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballot.

There were no notations.

Precinct 44 balanced without errors.

**Precinct 47 –**

There were 10 provisional ballots: (1-3) COVID voters – see notation above. (4-5) Voters moved and voted in the correct precinct. On motion by Kristie Tenney, seconded by Sam Nolte, the Board voted to count the ballots. (6-9) Voters were not registered to vote. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to reject the ballots. (1) Voter mailed his absentee ballot, but it was not received and was later returned as “undeliverable”. On motion by Kristie Tenney, seconded by Sam Nolte, the Board voted to count the ballot.

There was 1 provisional absentee ballot postmarked on November 2<sup>nd</sup>. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballot.

There were no notations.

Precinct 47 balanced without errors.

All approved provisional, absentee and miscellaneous ballots were counted.

The hand count votes for precinct 9 had a variance of 0. The allowed variance was calculated to be 56.

On motion by Sam Nolte, seconded by Kristie Tenney, the Upshur County Commission declared the results for the 2020 General Election on Monday, November 9, 2020 at 4:00 p.m., and adjourned thereafter. The Commission will certify the Election results on December 3, 2020.