

**Upshur County Commission Meeting**  
**Canvass – 2022 Primary Election**  
**May 16, 2022**

The County Commission of Upshur County, West Virginia, met as the Board of Canvassers on Monday, May 16, 2022. The meeting was called to order at 9:05 a.m. by Kristie G. Tenney. There present were: Sam Nolte, County Commissioner; Kristie Tenney, County Commissioner; Terry Cutright, County Commissioner; Carol Smith, County Clerk; Tabatha Perry, County Administrator; Carolyn Berry, Deputy County Clerk; Loretta Koone, Facility Services; and Magistrate Paul Mark Davis. 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 25 was randomly selected for the canvassing hand count. The Commissioners decided that any ballots not counted on election night, provisional or otherwise, will be included in the hand count envelope, Precinct 25. Recount bond was set at \$300 on motion by Sam Nolte, seconded by Terry Cutright.

At 10:00 a.m., the hand-count teams arrived. The teams consisted of Connie Brady, Lora Bragg, Mary Davis, Loretta Dawson, John Haymond, Penny Haymond, Lois Marsh, Margaret Neely, Jennifer Powers, and Janet Kay Wilson.

The following are the results of the Canvass:

**Precinct 25** -- *Hand Counted*

There was 1 provisional ballot: Voter was not registered in Upshur County. On motion by Sam Nolte, seconded by Terry Cutright, the Board moved to reject the ballot.

No notations.

There were no spoiled ballots.

Balanced without errors.

**Precinct 4** –

There was 1 provisional ballot. Poll worker voted at the precinct in which they were working. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballot.

No notations.

There were no spoiled ballots.

Precinct 4 balanced without errors.

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**Precinct 6** –

There were no provisional ballots.

Notations: An additional poll slip stub was included with no ballot slip number; no ballot was issued.

Precinct 6 balanced without errors.

*Magistrate Paul Mark Davis left the meeting.*

**Precinct 7** –

There were no provisional ballots.

No notations

Precinct 7 balanced without errors.

**Precinct 8** –

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

No notations

Precinct 8 balanced without errors.

**Precinct 9** –

There was 1 provisional ballot: Voter was not registered in Upshur County. On motion by Terry Cutright, seconded by Sam Nolte, the Board moved to reject the ballot.

No notations

Precinct 9 balanced without errors.

**Precinct 12**–

There was 1 provisional ballot: Voter completed and mailed absentee ballot which was received by the Office of the Upshur County Clerk on Election Day. On motion by Sam Nolte, seconded by Terry Cutright, the Board moved to count the ballot.

No notations.

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Precinct 12 balanced without errors.

**Precinct 14**–

There was 1 provisional ballot: Voter completed and mailed absentee ballot which was received by the Office of the Upshur County Clerk on May 12, 2022 (after Election Day) bearing no postmark. On motion by Terry Cutright, seconded by Sam Nolte, the Board moved to reject the ballot.

No notations

Precinct 14 balanced without errors.

**Precinct 16**–

There was 1 provisional ballot: Voter completed and mailed absentee ballot which was received by the Office of the Upshur County Clerk on May 11, 2022 bearing a postmark date of May 10, 2022. On motion by Sam Nolte, seconded by Terry Cutright, the Board moved to count the ballot.

No notations

Precinct 16 balanced without errors.

**Precinct 18**–

There were 2 provisional ballots: (1) Poll worker voted at the precinct in which they were working. On motion by Terry Cutright, seconded by Sam Nolte, the Board voted to count the ballot. (2) Voter moved and voted in the incorrect precinct; however, he was told by a poll worker that he was in the correct precinct. On motion by Terry Cutright, seconded by Sam Nolte, the Board voted to count the ballot.

There were no notations.

Precinct 18 balanced without errors.

**Precinct 19**–

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

There were no notations.

Precinct 19 balanced without errors.

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**Precinct 20**–

There were no provisional ballots.

No notations.

Precinct 20 balanced without errors.

**Precinct 25** –

There were no provisional ballots.

No notations.

Precinct 25 balanced without errors.

**Precinct 27**–

There were 2 provisional ballots: (1) Poll worker voted at the precinct in which they were working. On motion by Sam Nolte, seconded by Terry Cutright, the Board voted to count the ballot. (2) Voter completed and mailed absentee ballot which was received by the Office of the Upshur County Clerk on May 11, 2022 bearing a postmark date of May 10, 2022. On motion by Sam Nolte, seconded by Terry Cutright, the Board moved to count the ballot.

Notation: There were 2 ballots the machine would not count: (1) would not read and (2) was an auto-vote.

Precinct 27 balanced with the above notation.

**Precinct 35** –

There was 1 provisional ballot. Voter completed and mailed absentee ballot which was received by the Office of the Upshur County Clerk after Election Day bearing a postmark date of May 11, 2022. On motion by Terry Cutright, seconded by Sam Nolte, the Board moved to count the ballot.

No notations.

Precinct 35 balanced without errors.

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**Precinct 37** –

There were 5 provisional ballots. (1) Voter moved and voted in the correct precinct. On motion by Terry Cutright, seconded by Sam Nolte, the Board voted to count the ballot. (2) On Election Day a nursing home resident requested an emergency absentee ballot. Carol Smith, County Clerk, noted the resident was offered an absentee ballot initially; however, the resident changed his/her mind on Election Day. Due to the voter being a resident of the nursing home for several years, the Board voted to not count the ballot, as an “emergency situation” was not apparent. (3-5) Absentee ballots all received after Election Day and all postmarked for May 10, 2022 or before. On motion by Sam Nolte, seconded by Terry Cutright, the Board moved to count all 3 ballots.

No notations.

Precinct 37 balanced without errors.

**Precinct 38** –

There were no provisional ballots.

No notations.

Precinct 38 balanced without errors.

**Precinct 39** –

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

No notations.

Precinct 39 balanced without errors.

***The Canvassing Board recessed at 12:23 p.m. and reconvened at 12:54 p.m.***

**Precinct 40** –

There were no provisional ballots.

No notations.

Precinct 40 balanced without errors.

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**Precinct 44** –

There was 1 provisional ballot: (1) Voter moved and voted in the old precinct and was told to vote at Brushy Fork. On motion by Sam Nolte, seconded by Terry Cutright, the Board moved to count the ballot.

No notations.

Precinct 44 balanced without errors.

**Precinct 47** –

There were no provisional ballots.

There were no notations.

Precinct 47 balanced without errors.

All approved provisional, absentee ballots and miscellaneous ballots were counted.

The hand count votes for precinct 25 had a variance of zero (0).

On motion by Terry Cutright, seconded by Sam Nolte, the Upshur County Commission declared the results for the 2022 Primary Election on Monday, May 16, 2022 at 4:31 p.m., and adjourned thereafter. The Commission will certify the local Election results on May 19, 2022.