

Upshur County Commission Meeting Canvass – 2020 Primary Election

The County Commission of Upshur County, West Virginia, met as the Board of Canvassers on Monday, June 15, 2020. The meeting was called to order at 9:00 am by Terry Cutright. There were present Sam Nolte, County Commissioner; Kristie Tenney, County Commissioner; Terry Cutright, County Commissioner; Carol Smith, County Clerk; Tabatha Perry, Assistant County Administrator; Carolyn Berry, Deputy County Clerk; Debbie Hull, Deputy County Clerk; and Loretta Koone 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 14 was randomly selected for the canvassing hand count. The Commissioners decided that any ballots not counted on election night, provisional or otherwise, would be sealed with the canvassed early voting ballots. Recount bond was set at \$300 on motion by Sam Nolte, seconded by Kristie Tenney. By consensus of the Board, voters that requested an absentee ballot using the COVID-19 application wherein they requested to change their name or their address would not be counted. The application specifically indicated that the form could not be used to make name or address changes. County Clerk Carol Smith noted that her office sent letters with forms to these individuals advising the appropriate form must be completed for the name or address change to be accepted.

At 10:00 am the hand-count teams arrived. The teams consisted of Lois Marsh, Simon Hepburn, Maranda Peggs, Hayley Farnsworth, Cathy Vance, Tommy Wingler, John Haymond and Loretta Dawson.

The following are the results of the Canvass:

Precinct 14 -- *Hand Counted*

There was 1 spoiled ballot.

There were 7 provisional ballots: (1) Voter received an absentee ballot but did not return the ballot on Election Day when he/she voted. On motion by Sam Nolte, seconded by Terry Cutright, the Board voted to count 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 moved and voted in the correct precinct. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballot. (4) Voter requested a ballot different than the party he/she is registered. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to reject the ballot. (5) Voter requested absentee ballot and returned the ballot unsigned. After being contacted, the voter came in and signed. On motion by Kristie Tenney, seconded by Sam Nolte, the Board voted to count the ballot. (6) Voter requested absentee ballot; however, the voter's registered name was different than the name on the ballot request. The County Clerk's office sent the voter the appropriate form to complete; however, the form was not returned. On motion by Sam Nolte, seconded

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by Kristie Tenney, the Board moved to deny the ballot. (7) Absentee voter needed to provide identification and Carol Smith confirmed an acceptable form of identification was provided. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to approve the ballot.

No notations.

Balanced without errors.

Precinct 4 –

There were 9 provisional ballots. (1-5) Five voters requested and received an absentee ballot and did not return the ballot on Election Day. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to approve all 5 ballots. (6) 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. (7) Voter was not registered in Upshur County. On motion by Kristie Tenney, seconded by Sam Nolte, the Board moved to reject the ballot. (8) Absentee voter needed to provide identification and an acceptable form of identification was not provided. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to reject the ballot. (9) County Clerk's office employee failed to sign absentee ballot. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to count the ballot.

Notations: One voter was mailed the wrong precinct ballot; however, the mistake was corrected.

There were no spoiled ballots.

Precinct 4 balanced without errors.

Precinct 6 –

There were 5 provisional ballots: (1-3) Three voters requested and received an absentee ballot and did not return the ballot on Election Day. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to approve all 3 ballots. (4) On Election Day a voter signed on his father's space by mistake and when the father appeared on Election Day to vote his signature line was already completed. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to approve the ballot. (5) Voter did not sign absentee ballot before mailing but came in to the office and signed. On motion by Kristie Tenney, seconded by Sam Nolte, the Board moved to approve the ballot.

Notations: One voter was mailed the wrong precinct ballot; however, the mistake was corrected.

Precinct 6 balanced without errors.

Precinct 7 –

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There was 1 provisional ballot: Voter did not sign the absentee envelope. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to reject the ballot.

No notations

Precinct 7 balanced without errors.

Precinct 8 –

There was 1 provisional ballot: Absentee voter needed to provide identification and an acceptable form of identification was not provided. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to reject the ballot.

No notations

Precinct 8 balanced without errors.

Precinct 9 –

There were 3 provisional ballots: (1) Voter received an absentee ballot but did not return the ballot on Election Day when he/she voted. On motion by Kristie Tenney, seconded by Sam Nolte, the Board voted to count the ballot. (2) An absentee ballot was mailed to the registered voter; however, he/she called and requested for a second ballot to be mailed due to accidentally throwing the ballot away. Only one ballot was returned by this voter. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to count the ballot. (3) Voter address was different on the application than on the returned ballot and the voter did not complete the appropriate form for an address change. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to reject the ballot.

No notations

Precinct 9 balanced without errors.

Precinct 12–

There were 4 provisional ballots: (1-2) Voters not registered in Upshur County. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to reject both ballots. (3) Voter address was different on the application than on the returned ballot and the voter did not complete the appropriate form for an address change. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to reject the ballot. (4) Voter did not sign absentee ballot before mailing but came in to the office and signed. On motion by Kristie Tenney, seconded by Sam Nolte, the Board moved to approve the ballot.

No notations.

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Precinct 12 balanced without errors.

Precinct 16–

There were 7 provisional ballots: (1-4) Voter received an absentee ballot but did not return the ballot on Election Day when he/she voted. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballots. (5) Early voter did not return absentee ballot. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to count the ballot. (6) Voter did not sign absentee ballot before mailing but came in to the office and signed. On motion by Kristie Tenney, seconded by Sam Nolte, the Board moved to approve the ballot. (7) Voter needed to show proof of identification and did not enclose identification. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to deny the ballot.

No notations

Precinct 16 balanced without errors.

Precinct 18–

There were 4 provisional ballots: (1) Voter received an absentee ballot but did not return the ballot on Election Day when he/she voted. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count 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 cast ballot without returning absentee ballot. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to approve the ballot. (4) An absentee ballot was completed for a family member as Power of Attorney. Carol Smith advised the Board that per the Rules, a Power of Attorney cannot request or cast a ballot. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to reject the ballot.

There were no notations.

Precinct 18 balanced without errors.

Precinct 19–

There were 4 provisional ballots: (1) Early voter did not return absentee ballot. On motion by Kristie Tenney, seconded by Sam Nolte, the Board moved to count the ballot. (2) Voter did not initially sign absentee ballot but came in at a later date and signed. On motion by Kristie Tenney, seconded by Sam Nolte, the Board moved to count the ballot. (3&4) Two absentee ballots were mailed to a household. One voter mistakenly put his ballot envelope in the other family members addressed envelope and signed. The

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other voter used the remaining absentee envelope but did not sign and did not come to the County Clerk's office to sign. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to count the signed return ballot envelope and reject the unsigned return ballot envelope.

There were no notations.

Precinct 19 balanced without errors.

Precinct 20–

There were 2 provisional ballots: (1) Voter address was different on the absentee ballot application than on the returned ballot and the voter did not complete the appropriate form for an address change. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to reject the ballot. (2) Voter needed to show proof of identification and enclosed a photocopy. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballot.

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 9 provisional ballots. (1-5) Five voters were mailed an absentee ballot and did not return the ballot on Election Day. On motion by Kristie Tenney, seconded by Sam Nolte, the Board moved to count all five ballots. (6) Voter not registered in Upshur County. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to reject the ballot. (7) Voter did not receive absentee ballot and requested a second ballot to be mailed. The County Clerk's office confirmed only one ballot was returned. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to count the ballot. (8-9) Two voters needed to show identification and mailed ballots with photocopy of identification. On motion by Sam Nolte, seconded by Kristie Tenney, the Board voted to count the ballots.

No notations.

Precinct 27 balanced without errors.

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Precinct 33 –

There were 5 provisional ballots: (1-2) Two voters moved and voted in the correct precinct. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to approve the ballots. (3) Voter did not return absentee ballot when early voting. On motion by Kristie Tenney, seconded by Sam Nolte, the Board moved to count the ballot. (4) Voter not registered in Upshur County. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to deny the ballot. (5) Voter needed to show identification and mailed ballot with photocopy of identification. 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 4 provisional ballots: (1-3) Three voters were mailed an absentee ballot and did not return the ballot on Election Day. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to count the ballots. (4) Voter did not sign absentee ballot. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to deny the ballot.

No notations.

Precinct 35 balanced without errors.

Precinct 37 –

There were 8 provisional ballots: (1-5) Five voters did not return absentee ballots when they appeared in person to vote on Election Day. On motion by Kristie Tenney, seconded by Sam Nolte, the Board moved to approve the ballots. (6) Absentee voter needed to show identification and did not provide identification. On motion by Kristie Tenney, seconded by Sam Nolte, the Board voted to deny the ballot. (7-8) Two voters did not return absentee ballots during early voting. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to approve the ballots.

No notations.

Precinct 37 balanced without errors.

Precinct 38 –

There was one (1) provisional ballot: Voter did not sign absentee ballot. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to deny the ballot.

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No notations.

Precinct 38 balanced without errors.

Precinct 39 –

There were no provisional ballots.

Notations: There were 199 absentee ballots cast; however, there should have been 198. A wrong ballot was sent to this precinct.

Precinct 39 balanced without errors.

The Canvassing Board recessed at 12:45 p.m. and reconvened at 1:08 p.m.

Precinct 40 –

There was one (1) provisional ballot: The voter went to the polls but the pollbook reflected that she voted early. Her record was signed in error during early voting by an individual that has the same last name. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to approve the ballot.

There were no notations.

Precinct 40 balanced without errors.

Precinct 44 –

There were 4 provisional ballots: (1) Voter did not return absentee ballot on Election Day. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to approve the ballot. (2) Voter moved and voted in the wrong precinct. Voted in precinct registered in but does not live in this precinct. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to deny the ballot. (3) Voter address was different on the application than on the returned absentee ballot and the voter did not complete the appropriate form for an address change. On motion by Kristie Tenney, seconded by Sam Nolte, the Board moved to reject the ballot. (4) Absentee ballot missing signature of Ballot Commissioner. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to approve the ballot.

No notations.

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Precinct 44 balanced without errors.

Precinct 47 –

There were 2 provisional ballots: (1-2) Two voters moved and voted in the correct precinct. On motion by Sam Nolte, seconded by Kristie Tenney, the Board moved to approve the ballots.

There were no notations.

Precinct 47 balanced without errors.

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

Three (3) ballots were returned after the commencement of canvassing and were rejected as they were postmarked after Election Day.

The hand count votes for precinct 14 had a variance of 15. The allowed variance was calculated to be 134.09.

On motion by Kristie Tenney, seconded by Sam Nolte, the Upshur County Commission declared the results for the 2020 Primary Election on Monday, June 15, 2020 at 7:16 p.m., and adjourned thereafter. The Commission will certify the Election results on June 18, 2020.