

Upshur County Commission Meeting Canvass – 2018 General Election

The County Commission of Upshur County, West Virginia, met as the Board of Canvassers on Tuesday, November 13, 2018. The meeting was called to order at 9:10 am by Sam Nolte. There were present Sam Nolte, County Commissioner; Troy Brady, County Commissioner; Terry Cutright, County Commissioner; Carol Smith, County Clerk; Tabatha Perry, Assistant County Administrator; Carolyn Berry, Deputy County Clerk; and Michael Haler Facility Services. Loretta Dawson, Catherine Frye, Betty Heavner, Eileen Johnston, Margaret Neely and Catherine Vance arrived at 1:00 p.m. to begin the hand count. 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 4 (Arlington) 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 4. Recount bond was set at \$300 on motion by Troy Brady, seconded by Terry Cutright.

The following are the results of the Canvass:

Precinct 4 – *Hand Counted*

There were no provisional ballots or notations.
There were two (2) spoiled ballots.
Balanced without errors.

Precinct 6 –

There was one (1) provisional ballot: The voter (son) came in during early voting and the poll worker on duty marked off the father's name instead of the son. Both son and father were registered to vote and appeared in the correct precinct. On motion by Terry Cutright, seconded by Sam Nolte, the Board voted to count the ballot.

Notations: Auto-vote was not accounted for on election night and needs to be counted.

Precinct 6 balanced without errors.

Precinct 7 –

There was one (1) provisional ballot: Social Security Administration marked voter as "deceased"; however, voter appeared in person and presented their valid identification. On motion by Terry Cutright, seconded by Troy Brady, the Board voted to count the ballot.

Notations: Did not balance on election night because one voter was marked as "deceased", which was proved to be incorrect.

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Precinct 7 balanced without errors.

Precinct 8 –

There were two (2) provisional ballots: (1) Voter was not registered to vote in Upshur County. On motion by Terry Cutright, seconded by Troy Brady the Board voted to deny the ballot. (2) The other voter was also not registered to vote in Upshur County. On motion by Sam Nolte, seconded by Troy Brady the Board voted to deny the ballot.

Notations: Auto-vote was not accounted for on election night and needs to be counted.

Precinct 8 balanced without errors.

Precinct 9

There were (3) provisional ballots: (1) Voter cast a ballot during early voting and then returned on Election Day to cast a second ballot. On motion by Sam Nolte, seconded by Terry Cutright, the Board voted to deny the ballot. (2) Voter was not registered to vote in Upshur County. On motion by Troy Brady, seconded by Terry Cutright the Board voted to deny the ballot. (3) 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.

Notations: There was one (1) absentee ballot without a postmark that arrived the day after the election. On motion by Sam Nolte, seconded by Troy Brady, the Board voted to count the ballot.

Precinct 9 balanced without errors.

Precinct 12

There were no provisional ballots.

Notations: There was one (1) absentee ballot received three (3) days late with no postmark. On motion by Terry Cutright, seconded by Sam Nolte, the Board voted to deny the ballot.

Precinct 12 balanced without errors.

Precinct 14

There was one (1) Election Day provisional ballot: Voter moved and voted in the correct precinct. On motion by Troy Brady, seconded by Sam Nolte the Board voted to count the ballot.

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Notations: There was one (1) absentee ballot received via priority mail the day after the election. On motion by Troy Brady, seconded by Sam Nolte, the Board voted to count the ballot.

There was one (1) auto-vote not counted. On motion by Sam Nolte, seconded by Troy Brady, the Board voted to count the ballot.

Precinct 14 balanced without errors.

Precinct 16 –

There were no provisional ballots or notations.

Precinct 16 balanced without errors.

Precinct 18–

There was one (1) provisional ballot: A voter needed to show identification and he did include a copy of his driver's license. On motion by Troy Brady, seconded by Terry Cutright, the Board voted to count the ballot.

There were no notations.

Precinct 18 balanced without errors.

Precinct 19 –

There was one (1) provisional ballot: A poll worker voted at the precinct in which they were working. On motion by Troy Brady, seconded by Sam Nolte, the Board voted to count the ballot.

There were no notations.

Precinct 19 balanced without errors.

Precinct 20 –

There were six (6) Election Day provisional ballots: (1) Voter appeared to vote, was not in Upshur County register but the poll worker did find the individual in Cabell County. Cabell County changed everything in the system and determined this individual's information was pulled from Upshur County in error. Complaint has been made to Secretary of State's office. On motion by Terry Cutright, seconded by Sam Nolte, the Board voted to count the ballot. (2) Voter was marked as having voted early; however, voter did not attend early voting. Error due to father and son with same first and last name.

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On motion by Sam Nolte, seconded by Terry Cutright, the Board voted to count the ballot. (3-6) Each voter moved and voted in the correct precincts. On my by Sam Nolte, seconded by Terry Cutright, the Board voted to count all four (4) ballots.

Notations: One (1) absentee emergency ballot was not signed by Emergency Ballot Commissioners. Voter was hospitalized. On motion by Terry Cutright, seconded by Sam Nolte, the Board voted to count the ballot.

Precinct 20 balanced without errors.

The Canvassing Board recessed at 12:18 p.m. and reconvened at 1:05 p.m.

Precinct 25 –

There were no provisional ballots.

Notations: Two (2) absentee ballots were reviewed: (1) Voter needed to show proof of identification and enclosed a photocopy. On motion by Troy Brady, seconded by Sam Nolte, the Board voted to count the ballot. (2) Ballot was mailed to Louisiana on November 7th and received back on November 13, 2018. On motion by Sam Nolte, seconded by Troy Brady, the Board voted to count the ballot.

Precinct 25 balanced without errors.

Precinct 27–

There were seven (7) provisional ballots. (1) Voter needed to show identification and mailed ballot with photocopy of identification. On motion by Troy Brady, seconded by Sam Nolte, the Board voted to count the ballot. (2) Voter was registered under different name, poll worker challenged; however, the address was the same. On motion by Troy Brady, seconded by Terry Cutright, the Board voted to count the ballot. (3) Voter moved and voted in the correct precinct. On motion by Troy Brady, seconded by Terry Cutright the Board voted to count the ballot. (4) Voter moved and voted in the correct precinct. On motion by Sam Nolte, seconded by Terry Cutright the Board voted to count the ballot. (5) Voter moved, voted in the correct precinct and had a name change due to marriage. On motion by Sam Nolte, seconded by Terry Cutright the Board voted to count the ballot. (6) Voter was not registered to vote. On motion by Troy Brady, seconded by Terry Cutright, the Board voted to deny the ballot. (7) Voter was not registered to vote in Upshur County. On motion by Troy Brady, seconded by Sam Nolte, the Board voted to deny the ballot.

Notations: Report shows more people casting a ballot than what is shown on the list. It was determined that early voting reports included address changes so this shifted precincts from one to another.

Precinct 27 balanced without errors.

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Precinct 33 –

There was one (1) early voting provisional ballot: Voter was not registered to vote. On motion by Troy Brady, seconded by Terry Cutright, the Board voted to deny the ballot.

There were no notations.

Precinct 33 balanced without errors.

Precinct 35 –

There were no provisional ballots.

Notations: One (1) absentee ballot was counted on Election Day.

Precinct 35 balanced without errors.

Precinct 37 –

There were six (6) provisional ballots: (1-3) each voter moved and voted in the correct precincts. On motion by Terry Cutright, seconded by Troy Brady, the Board voted to count these ballots (4-6) voters were not registered to vote in Upshur County. On motion by Terry Cutright, seconded by Sam Nolte, the Board voted to deny these ballots.

Notations: Report shows more people casting a ballot than what is shown on the list. It was determined that early voting reports included address changes so this shifted precincts from one to another.

Precinct 37 balanced without errors.

Precinct 38 –

There were no provisional ballots or notations.

Precinct 38 balanced without errors.

Precinct 39 –

There were no provisional ballots or notations.

Precinct 39 balanced without errors.

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Precinct 40 –

There was one (1) provisional ballot: The voter moved and voted in the correct precinct. On motion by Troy Brady, seconded by Sam Nolte, the Board voted to count the ballot.

There were no notations.

Precinct 40 balanced without errors.

Precinct 44 –

There were no provisional ballots or notations.

Precinct 44 balanced without errors.

Precinct 47 –

There were four (4) provisional ballots: (1) Voter was mailed a ballot; however, individual never received, called after deadline to have a new ballot mailed so County Clerk's office e-mailed a ballot to individual and ballot was returned via e-mail. On motion by Troy Brady, seconded by Sam Nolte, the Board voted to count the ballot. (2) Voter moved and voted in correct precinct. On motion by Troy Brady, seconded by Terry Cutright, the Board voted to count the ballot. (3 & 4) Voters were not registered to vote in Upshur County. On motion by Troy Brady, seconded by Terry Cutright, the Board voted to deny both 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 4 had no variance from the total votes cast.

On motion by Troy Brady, seconded by Terry Cutright, the Upshur County Commission declared the results for the 2018 General Election on Tuesday, November 13, 2018 at 4:28 p.m., and adjourned thereafter. The Commission will certify the Election results at a later date, to be determined.