

Carroll County Board of Canvassers
300 S. Center St, Room 215
Westminster, MD 21157

December 21, 2016 - Minutes

ATTENDEES:

Board of Canvassers: Griffith Manahan, Chair (R), Harvey Tegeler, Secretary (R), Samuel Foster (D), Laura O'Callaghan (D), Larry Shipley (R)

LBE Staff: Terry Berger, Esq., Katherine Berry, Director, Paula Troxell, Deputy Director

Public: None

Absent: None

DECLARATION OF QUORUM PRESENT

The meeting of the Board of Canvassers began at 10:49 a.m. on Wednesday, December 21, 2016 at 300 S. Center Street, Room 215, Westminster. There was a quorum of the Board of Canvassers, and at least one member of the Board of Canvassers who is a registered voter of the principal minority party was present.

CONFIRMATION OF OATH

Donald Sealing II, the Clerk of the Court for Carroll County, administered and recorded the oath of each member of the Board of Canvassers on 10/19/2016.

ANNOUNCEMENT OF OFFICERS

At its meeting on 11/08/2016, the Board of Canvassers elected Griffith Manahan as Chairman of the Board of Canvassers, and Harvey Tegeler as Secretary.

PUBLIC NOTICE OF CANVASS

Katherine Berry, Director noted that the public notice of this canvass was provided and that the notice was provided by posting on the Carroll County Board of Election's website.

APPROVAL OF MINUTES

Katherine Berry, Director presented the minutes from the November 8, 2016 and November 30, 2016 meetings. Ms. O'Callaghan made a motion to approve the minutes. Mr. Foster seconded the motion, and the motion passed unanimously.

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CANVASSING

Overview of Canvass Process

Katherine Berry, Director explained the rules concerning public observation of the canvass, provided an overview of the canvassing process, and noted that the rules were posted in the canvass room. Katherine Berry, Director explained the process to provide information to the Board of Canvassers or challenge a decision of the Board.

Canvassing of Absentee Ballots

Katherine Berry, Director reported that 5 absentee ballots were received after the certification of the election. Mr. Tegeler made a motion to reject these absentee ballots as being untimely. Mr. Shipley seconded the motion, and the motion passed unanimously.

CANVASSING STATISTICS

Katherine Berry, Director reported that 5 absentee ballots were presented for canvassing and 5 absentee ballots were rejected for being untimely.

Katherine Berry, Director submitted the following statistics for rejected absentee and provisional ballots.

| State Absentee Ballots – Rejection Reason | # of Ballots | | | | Total |
|---|--------------|-------|-------|-------|-------|
| | Abs 1 | Abs 2 | 11/30 | Today | |
| Ballot was late for election | | 60 | 4 | 5 | 69 |
| No signature on oath | 3 | 9 | | | 12 |
| Voter died before election day | | | | | |
| More than one ballot in same envelope | | | | | |
| More than one ballot received but one was counted | | | | | |
| Identifying mark on ballot | 1 | 2 | | | 3 |
| Used agent and ballot envelope was not sealed | | 1 | | | 1 |
| Unsealed envelope & indication that integrity compromised | | | | | |
| Not registered voter | | | | | |
| No absentee ballot application on file | | | | | |
| Regular ballot received & rejected FWAB | | | | | |
| Envelope did not contain a ballot | | | | | |
| Other – Voted More than Once | | 3 | | | 3 |

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| Federal Write-In Absentee Ballots - Rejection Reason | # of Ballots | | | | Total |
|---|--------------|-------|-------|-------|-------|
| | Abs 1 | Abs 2 | 11/30 | Today | |
| State absentee ballot was received | | 1 | | | 1 |
| No signature on declaration | | 1 | | | 1 |
| No absentee ballot application | | 1 | | | 1 |
| Not registered voter | | 1 | | | 1 |
| Late for election | | | 1 | | 1 |
| Voted wrong ballot style | | | | | |
| Used agent and ballot envelope was not sealed | | | | | |
| Voter cancelled | | | | | |
| Voter deceased | | | | | |
| Voter is convicted felon | | | | | |
| Identifying mark on ballot | | | | | |
| Voted more than one FWAB | | | | | |
| Board Action [<i>specify</i>] | | | | | |

| Provisional Ballots - Rejection Reasons | # of Ballots |
|---|--------------|
| Applicant is not registered to vote | 121 |
| Applicant returned a voted absentee ballot or already voted | 4 |
| Applicant voted the wrong party primary ballot (primary elections only) | |
| No signature on application | 3 |
| Applicant not eligible to receive a provisional ballot | |
| Identification or DL# or SS# was not timely received | |
| Incomplete information was provided on application | |
| Identification was received but did not satisfy the identification requirements | |
| No provisional ballot in envelope or more than one ballot in envelope | |
| No evidence to support alleged voting unit malfunction | |
| Identity challenge was upheld | |
| Order extending voting hours was invalidated | |
| Identifying mark on the ballot | |
| Applicant is not or will not be 18 years old or older by the general election | 2 |
| Proof of residency was not timely received | 15 |
| Proof of residency was received but did not satisfy the requirement | 1 |

At the November 16, 2016 provisional ballot canvass, 1 absentee ballot was rejected because of “no signature on oath”. The voter returned the unsigned absentee ballot and voted a provisional ballot. Terry Berger and Nikki Charlson at SBE had a discussion regarding what is considered a “vote” when an absentee ballot is returned unsigned. After Mr. Berger and Ms. Charlson discussion, the Board of Canvassers decided to accept the provisional ballot and reject the absentee ballot. The rejected absentee ballot is not included in the totals listed above.

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At the November 18, 2016 absentee ballot canvass 2, 1 absentee ballot was rejected because a voter returned a voted absentee ballot that was sent to their neighbor. The voter did not request the absentee ballot. Per Nikki Charlson, enter the absentee ballot as a provisional ballot and reject the ballot. The rejected absentee ballot is not included in the totals listed above.

NEXT BOARD OF CANVASSERS' MEETING

If additional absentee ballots are received, the Board of Canvassers will convene after the next meeting of local board of elections. The next meeting is scheduled for March 15, 2016 at 10:00 a.m. at 300 S. Center Street, Room 215, Westminster.

ADJOURNMENT

The meeting was adjourned at 10:55 a.m.