

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

11/30/2016 – Minutes for Certification of Results

**ATTENDEES:**

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

LBE Staff: Katherine Berry, Director, Paula Troxell, Deputy Director

Public: None

Absent: Terry Berger, Esq. (Available by telephone)

**DECLARATION OF QUORUM PRESENT**

The meeting of the Board of Canvassers began at 8:00 a.m. on Wednesday, November 30, 2016 at 300 S. Center Street, Room 215, Westminster, MD 21157. 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 public notice of the meeting to certify the 2016 General Election 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 Absentee 1 Canvass, Provisional Canvass, and Absentee 2 Canvass. Laura O'Callaghan made a motion to approve the minutes. Samuel 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. Harvey Tegeler made a motion to reject these absentee ballots as being untimely. Larry 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			
	Abs 1	Abs 2	Today	Total
Ballot was late for election		60	4	64
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			
	Abs 1	Abs 2	Today	Total
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.

### **VERIFICATION OF VOTE COUNT**

Katherine Berry, Director explained that she performed several post-election verifications and audits. She manually added the Voting Results Reports from each ballot scanner in the precincts previously randomly selected by the local Board of Elections and compared the manually added totals with the totals produced by the election database for those precincts. Katherine Berry, Director stated that there were differences. Spring Garden Elementary (8-3) had one more voter authority card than ballots cast. The reason for the difference could not be determined. Elmer Wolfe Elementary (10-1) had no variance. South Carroll High (14-2) had two scanning units and it appears a voter authority card was placed in the wrong scanning unit envelope. Otherwise, there were no variances.

Katherine Berry, Director explained that a similar verification was performed on each ballot scanner used for the first absentee canvass. She manually added the Voting Results Reports printed from each ballot scanner used for the first absentee canvass and compared the manually added totals to a report printed from the election database for the first absentee canvass. Katherine Berry, Director confirmed that all of the numbers matched.

Katherine Berry, Director presented the Board of Canvassers with the verification results, and the Board of Canvassers reviewed the results. Larry Shipley made a motion to accept the verification results. Samuel Foster seconded the motion, and the motion passed unanimously.

### **POST ELECTION AUDIT**

Katherine Berry, Director explained that post-election audits were performed on certain precincts and absentee and provisional ballots. For the randomly selected precincts and any precinct where the difference between the number of voters checked-in to vote and ballots cast is 5 or more, she compared the number of signed voter authority cards for each ballot scanner against the number of ballots cast. Katherine Berry, Director stated that there were differences. 1 precinct had a variance of 3, 3 precincts had a variance of 2 and 11 precincts had a variance of 1. 10 of the 15 precincts have an explanation and were rectified. There were no precincts that had a difference of more than 5.

Katherine Berry, Director explained that she reviewed a sample of accepted absentee ballots to determine if there was a timely absentee ballot request was on file and the absentee ballot was timely received. She also reviewed a sample of rejected absentee

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ballots to determine if the ballot was untimely received or was rejected for another valid reason. Katherine Berry, Director confirmed that all of the numbers matched.

Katherine Berry, Director explained that a sample of accepted provisional ballots were reviewed to determine whether the provisional voter was registered to vote at the time of the election, voted the ballot for the precinct in which the voter resides, and all other applicable criteria were met. A sample of partially accepted provisional ballots was also reviewed to confirm that a voter was registered to vote at the time of the election, did not vote the ballot for the precinct in which the voter resides, and all other applicable criteria were met. She also reviewed a sample of rejected provisional ballots to confirm that the voter was not registered to vote at the time of the election or the voter's ballot was rejected for another valid reason. Katherine Berry, Director confirmed that all of the numbers matched.

Katherine Berry, Director presented the findings of the Clear Ballot audit. Clear Ballot was procured by SBE to do an independent audit of the ballots cast during the 2016 General Election. She presented Clear Ballot results to the Board of Canvassers. The findings of the audit show:

- The same number of ballots (cards cast) were tabulated by the voting system and Clear Ballot.
- Any differences in the results between the two systems are less than 0.5%.
- Clear Ballot's tabulation verified the accuracy of the voting system's results.

## **CERTIFICATION OF ELECTION RESULTS**

Katherine Berry, Director explained that the post-election verifications and audits had discrepancies that were less than the vote margin of any contest on the ballot in each precinct.

Katherine Berry, Director presented the Board of Canvassers with the election results. The Board of Canvassers reviewed and signed the election results.

## **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 Wednesday, December 21, 2016 at 10:00 a.m. at 300 S Center Street, Room 215 in Westminster MD.

## **ADJOURNMENT**

The meeting was adjourned at 8:22 a.m.