

Carroll Board of Canvassers
The Robert Moton Building Training Room
300 South Center Street
Westminster, Maryland 21157

November 14, 2018 – Provisional Canvass Minutes

ATTENDEES:

Board of Canvassers: Griffith Manahan, Chair, Republican
Larry W. Shipley, Secretary, Republican
Laura O'Callaghan, Democrat
Harvey Tegeler, Republican
Samuel Foster, Democrat

LBE Staff: Terry A Berger, Board Attorney
Katherine Berry, Director
Paula Troxell, Deputy Director
Eduardo DeLima, Staff
Kimberly Jones, Staff
Lisa Hutchinson, Staff
Jennifer Bartholow, Staff

Public: Robin Evers, Margaret Pherigo, Robert Caples, Karen Bullock,
Sedonia Martin, Linda Gosnell, Audrey Traff, Barbara Partenope,
Jack Pollard, Diana Peters

Absent: None

DECLARATION OF QUORUM PRESENT

The meeting of the Board of Canvassers began at 10 AM on Thursday, November 14, 2018 at the Carroll County Board of Elections, Training Room , The Robert Moton Building, 300 South Center Street, Westminster, Maryland 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 B. Sealing, the Clerk of the Court for Carroll County, administered and recorded the oath of each member of the Board of Canvassers on October 17, 2018, except Larry W Shipley, who was sworn in on Monday, October 22, 2018.

ANNOUNCEMENT OF OFFICERS

At its meeting on November 6, 2018, the Board of Canvassers elected Griffith Manahan as Chairman of the Board of Canvassers and Larry Shipley as Secretary.

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PUBLIC NOTICE OF CANVASS

Katherine Berry noted that public notice of the first absentee canvass was provided and that the notice was provided by posting the agenda on the website of the Carroll County Board of Elections and in writing to the Republican and Democratic Central Committees.

VERIFICATION OF OPTICAL SCAN VOTING UNIT(S)

Katherine Berry presented documents to the Board of Canvassers showing that the ballot scanner(s) being used in the canvass successfully passed Logic and Accuracy Testing on October 12, 2018. Katherine Berry reported that the memory devices(s) created for this canvass were placed in the ballot scanner(s) and sealed. Katherine Berry provided the Board of Canvassers with the results from the Logic and Accuracy Testing. Katherine Berry noted the following information from Logic and Accuracy Testing documentation for each ballot scanner being used in the canvass:

Ballot Scanner Serial Number(s)	Seal Number(s)
DS0315330445	1014736
DS0315330600	1014783
DS0315330359	1014792

Eduardo DeLima and Kimberly Jones verified that the seal(s) on the ballot scanner(s) were intact, and recorded the ballot scanner(s) serial number(s) and seal number(s).

Ballot Scanner Serial Number(s)	Seal Number(s)
DS0315330445	1014736
DS0315330600	1014783
DS0315330359	1014792

Eduardo DeLima and Kimberly Jones noted that the ballot scanner(s) serial number(s) and seal number(s) from Logic and Accuracy Testing matched the ballot scanner(s) serial number(s) and seal number(s) before the canvass began.

The Board of Canvassers confirmed that the count(s) on the ballot scanner(s) were zero. The Board of Canvassers posted one copy of the Zero Report from the ballot scanner(s) on the wall of the Training Room where the canvass was being conducted. Eduardo DeLima and Kimberly Jones printed a second copy of the Zero Report, which remained attached to the ballot scanner(s). The Board of Canvassers signed the Zero Report attached to the ballot scanner.

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CANVASSING

Overview of Canvass Process

Katherine Berry 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 explained that each provisional ballot application was reviewed prior to canvassing to determine the voter's eligibility to vote in this election and the voter's correct ballot style. At this canvass, the provisional ballot applications will be presented to the Board of Canvassers with a recommendation. The recommendations will be to:

1. Accept provisional ballot application in full – recommend counting all votes cast on the provisional ballot.
2. Accept provisional ballot application in part – recommend counting some but not all votes cast on the provisional ballot. This is because the voter voted in the wrong precinct.
3. Reject provisional ballot application – recommend not counting the provisional ballot.

The Board of Canvassers will vote to accept in full, accept in part, or reject the provisional ballots. The provisional ballots for which the Board voted to accept in full or accept in part are distributed to the bi-partisan ballot processing teams to open and review the ballots. The “accepted in full” ballots are scanned into the ballot scanner, and the “accepted in part” ballots are referred to a duplicating team. The duplicating team will copy onto the voter's correct ballot style the votes for the contests for which the provisional voter is eligible to vote.

Katherine Berry explained that absentee ballots are distributed to the ballot processing teams in batches. Each team reviews the envelope first to determine whether it was timely received. For timely received ballots, each team opens the flap and determines whether the voter signed the oath. After verifying that the oath is signed, each team opens the envelopes. With the envelope face down, each team removes the ballot, taking care that the envelope stays face down. After removing all of the ballots in the batch, the ballot envelopes are set aside. Each team reviews the ballots for compliance and tabulating acceptability.

Those timely ballots that are in compliance and can be read by the ballot scanner are referred to the Board of Canvassers for acceptance. All other ballots are placed in a plain envelope, with the team number, or other information identifying the group or unit to which the ballot belongs, and the reason(s) for the referral to the Board of Canvassers written on the envelope. The envelope with the ballots inside is referred to the Board of Canvassers.

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The Board of Canvassers rules on whether to accept or unanimously reject the referred ballots.

Katherine Berry explained that, to verify the accuracy of the voting system, some provisional ballots will be hand counted and the results of that hand count will be compared against the results from the voting system. The number of provisional ballots to be hand counted is at least 1% of the number of provisional ballots cast in the 2014 General Election. For this election, 25 provisional ballots will be hand counted. The first provisional ballot applications to be reviewed and ballots counted will be the provisional ballots randomly selected for this audit. Once these ballots are scanned, results will be printed and the results and the ballots will be stored for the manual audit. The manual audit will be conducted no later than 120 days after the general election.

Katherine Berry explained the process to provide information to the Board of Canvassers or challenge a decision of the Board.

Canvass Participants

The members of the ballot processing, duplicating, and ballot scanner operating teams are listed below.

Team	Names of Bi-Partisan Ballot Processing Team Members
Team #1	Robin Evers Dem & Margaret Pherigo Rep
Team #2	Robert Caples Dem & Karen Bullock Rep
Team #3	Sedonia Martin Dem & Linda Gosnell Rep
Team #4	Audrey Traff Dem & Barbara Partenope Rep
Team #5	Jack Pollard Dem & Diana Peters Rep

Team	Names of Bi-Partisan Duplicating Team Members
Team #1	Robin Evers Dem & Margaret Pherigo Rep
Team #2	Robert Caples Dem & Karen Bullock Rep
Team #3	Sedonia Martin Dem & Linda Gosnell Rep
Team #4	Audrey Traff Dem & Barbara Partenope Rep
Team #5	Jack Pollard Dem & Diana Peters Rep

Team	Names of Ballot Scanner Operating Team Members
Team #1	Kimberly Jones, Staff
Team #2	Eduardo DeLima, Staff

Canvassing of Provisional Ballots

Paula Troxell reported that 571 provisional ballots were cast. To preserve the secrecy of the ballot for this canvasses, Paula Troxell explained that five absentee ballots of each ballot style

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were held back for this provisional canvass and will be counted with the provisional ballots. 440 provisional ballots and 45 absentee ballots were presented for canvassing at this canvass.

Sam Foster made a motion to begin presenting provisional ballot applications. Larry Shipley seconded the motion, and the motion passed unanimously.

1. Paula Troxell presented 302 provisional ballots with the recommendation to accept them in full. The recommendation was based on the fact that staff had confirmed that each provisional application was submitted by a registered voter and was cast in the correct precinct where that voter currently resides. Laura O'Callaghan made a motion to accept in full; seconded by Larry Shipley. The Board unanimously voted to accept the recommendation and accept and count the provisional ballots in full.
2. Paula Troxell presented 45 absentee ballots to accept and process. Larry Shipley made a motion to accept; seconded by Samuel Foster. The board unanimously voted to accept and count the absentee ballots.
3. On the recommendation of SBE, Paula Troxell presented a provisional ballot that the voter did not fully complete the provisional ballot application. The voter voted in precinct 6-2. The voter completed their name, signed the application and signed the provisional voter authority card, but did not complete the rest of the application. It appears the voter voted in the wrong precinct. Paula Troxell explained that the ballot would be accepted in full if the board agrees to accept the ballot. Larry Shipley made a motion to accept the ballot in full; seconded by Samuel Foster. The board unanimously voted to accept the ballot in full.
4. On the recommendation of SBE, Paula Troxell presented a provisional ballot that the voter did not fully complete the provisional ballot application. The voter completed their name, signed the application and signed the provisional voter authority card, but did not complete the rest of the application. The voter voted the provisional ballot in precinct 6-2 which was the correct precinct, but the pollbook indicated that the voter had already voted. The staff confirmed that the voter did not vote twice. Laura O'Callaghan made a motion to accept the ballot in full, seconded by Larry Shipley. The board unanimously approved the motion to accept the ballot in full.
5. On the recommendation of SBE, Paula Troxell presented a provisional ballot that the voter did not fully complete the provisional ballot application. The voter completed their name, signed the application and signed the provisional voter authority card, but did not complete the rest of the application. The voter voted in precinct 6-2. It appears the voter voted in the wrong precinct. Paula Troxell explained that the ballot would be accepted in part if the board agrees to accept the ballot. Larry Shipley made a motion to accept the ballot in part; seconded by Samuel Foster. The board unanimously voted to accept the ballot in part. The ballot was referred to a bi-partisan duplicating team.
6. On the recommendation of SBE, Paula Troxell presented a provisional ballot that the voter did not fully complete the provisional ballot application. The voter completed their name, signed the application and signed the provisional voter authority card, but

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- did not complete the rest of the application. The voter voted in precinct 6-2. It appears the voter voted in the wrong precinct. Paula Troxell explained that the ballot would be accepted in part if the board agrees to accept the ballot. Larry Shipley made a motion to accept the ballot in part; seconded by Samuel Foster. The board unanimously voted to accept the ballot in part. The ballot was referred to a bi-partisan duplicating team.
7. On the recommendation of SBE, Paula Troxell presented a provisional ballot that the voter did not fully complete the provisional ballot application. The voter completed their name, signed the application and signed the provisional voter authority card, but did not complete the rest of the application. The voter voted in precinct 6-2. It appears the voter voted in the wrong precinct. Paula Troxell explained that the ballot would be accepted in part if the board agrees to accept the ballot. Larry Shipley made a motion to accept the ballot in part; seconded by Samuel Foster. The board unanimously voted to accept the ballot in part. The ballot was referred to a bi-partisan duplicating team.
 8. Paula Troxell presented the board with 91 provisional ballots with a recommendation to accept the ballots in part. Larry Shipley made a motion to accept in part; seconded by Samuel Foster. The board voted unanimously to accept the ballots in part. The ballots were referred to a bi-partisan duplicating team.
 9. Paula Troxell presented the board with 1 absentee ballot with a recommendation to reject (reason code 8) because the voter's social security number would not verify. The voter is overseas and was contacted by email to provide another form of identification. The voter has not responded to the email prior to today's canvass. Laura O'Callaghan made a motion to reject; seconded by Samuel Foster. The board voted unanimously to reject the ballot.
 10. Paula Troxell presented the board with 37 provisional ballots with a recommendation to reject because the voters are not registered (Reason Code 1). Larry Shipley made a motion to reject; seconded by Samuel Foster. The board voted unanimously to reject the ballots.
 11. Katherine Berry presented ballot # 600A because the scanning unit rejected the ballot for an over vote on the Circuit Court 5 office. Katherine Berry explained to the board that they must determine the voter's intent for this office. Laura O'Callaghan made a motion to accept the ballot for duplication with the vote in this race cast for Maria Osterricher; seconded by Larry Shipley. The vote passed unanimously and the ballot was referred to a bi-partisan duplicating team.
 12. Paula Troxell presented the board with 1 provisional ballot with a recommendation to reject because the voter already voted (Reason Code 2). Larry Shipley made a motion to reject the ballot; seconded by Laura O'Callaghan. The board voted unanimously to reject the ballot.
 13. Paula Troxell presented the board with 1 provisional ballot with a recommendation to reject because the voter did not sign the application (Reason Code 4). Laura O'Callaghan made a motion to reject; seconded by Samuel Foster. The board voted unanimously to reject the ballot.

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14. Paula Troxell presented the board with 1 provisional ballot with the recommendation to reject because there was no ballot in the provisional envelope (Reason Code 10). Samuel Foster made a motion to reject; seconded by Laura O'Callaghan. The board voted unanimously to reject the ballot
15. Paula Troxell presented the board with 1 provisional ballot with the recommendation to reject because the voter was not 18 years old on Election Day (Reason Code 15). Samuel Foster made a motion to reject; seconded by Larry Shipley. The board voted unanimously to reject the ballot.
16. Paula Troxell presented the board with 1 provisional ballot with a recommendation to reject because the voter did not provide proof of residency prior to the provisional canvass (Reason Code 16). Samuel Foster made a motion to reject; seconded by Larry Shipley. The board voted unanimously to reject the ballot.
17. Paula Troxell presented the board with 1 provisional ballot with a recommendation to reject because the voter provided timely proof of residency, but it did not satisfy the requirement (Reason Code 17). Larry Shipley made a recommendation to reject; seconded by Samuel Foster. The board voted unanimously to reject the ballot.

Canvassing of Absentee Ballots

Katherine Berry distributed the absentee ballots to canvassing teams to review for timeliness and signatures. Paula Troxell presented 45 absentee ballots with the recommendation to accept the absentee ballots. The Board unanimously voted to accept the recommendation and voted to accept the ballot(s). Note: A total of 46 absentee ballots were presented at this canvass. 1 absentee ballot was entered as a provisional ballot because the voter's social security number would not verify so the absentee ballot had to be rejected with a provisional reason code 8 (see number 9 above).

Printing Canvass Results

After scanning all accepted in full and accepted in part provisional ballots and all accepted absentee ballots, Kimberly Jones and Eduardo DeLima locked the ballot scanner(s) and printed a Voting Results Report. The Board of Canvassers confirmed that the number of accepted in full and accepted in part provisional ballots and accepted absentee ballots equaled the number of ballots counted by the ballot scanner(s).

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RELEASE OF UNOFFICIAL RESULTS

Griffith Manahan announced the results from the provisional canvass. Griffith Manahan announced the following statistics from the provisional canvass:

Provisional Canvass Statistics	Number of Ballots
Total Ballots Presented at Provisional Canvass	485
Total Provisional Ballots Presented	440
Total Absentee Ballots Presented	45
Total Accepted Ballots	441
Accepted in Full Provisional Ballots	302
Accepted in Part Provisional Ballots	94
Accepted Absentee Ballots	45
Total Rejected Ballots	44
Rejected Provisional Ballots	44
Rejected Absentee Ballots	0*

***Note: See item 9 on page 6 of these minutes. One of the 46 absentee ballots presented at this canvass had to be rejected, so the absentee ballot is listed as a provisional ballot because it had to be entered to MDVOTERS as a provisional to reject the ballot as a reason code 8 “DL# or SS# was received but could not be verified”.**

Katherine Berry announced that provisional voters can find out if their provisional ballots were counted and if not, the reason why it was not counted by visiting the State Board of Elections’ website or by calling the State Board at 1-800-222-8683.

NEXT BOARD OF CANVASSERS’ MEETING

The Board of Canvassers will meet on Friday, November 16, 2018 at 10:00 a.m. to canvass all remaining ballots.

ADJOURNMENT

The meeting was adjourned at 12:47PM.