

Allegany County Board of Canvassers
701 Kelly Road, Room 100
Cumberland, MD 21502

May 22, 2024 – Provisional Canvass Minutes

ATTENDEES:

Board of Canvassers

Name	Position	Party
Lisa Lyons	Chairman	Republican
Cecilia Pittman	Secretary	Democratic
Richard DeVore	Member	Republican
Debbie Johnson	Member	Democratic
John Stakem	Member	Democratic

LBE Staff (in person):

Name	Position
Diane Loibel	Director
Armand Pannone	Board Attorney
Wendy Maddux	Deputy Director
Sarah Loar	Registrar
Melissa Smith	Clerk

Public

Name	Organization (if applicable)
<u>None</u>	

All canvassing teams, duplicating team members, and ballot scanner operating team members in attendance are listed under the Canvass Participants section below.

DECLARATION OF QUORUM PRESENT

The meeting of the Board of Canvassers began at 10:00 A.M. on Wednesday, May 22, 2024 at Allegany County Office Complex, 701 Kelly Road, Room 100, Cumberland, MD 21502. 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.

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CONFIRMATION OF OATH

Dawne Lindsey, the Clerk of the Court for Allegany County, administered and recorded the oath of each member of the Board of Canvassers on March 5, 2024.

ANNOUNCEMENT OF OFFICERS

At a meeting on April 2, 2024, the Board of Canvassers elected Ms. Lisa Lyons as Chairman of the Board of Canvassers and Mrs. Cecilia Pittman as Secretary.

PUBLIC NOTICE OF CANVASS

Mrs. Loibel noted that public notice of the mail-in ballot canvass was provided and that the notice was provided to the local central committees, any candidate not represented by a party, and Mr. Jared DeMarinis. Public notice was provided by written notice, posted on the bulletin board outside the election office and posted on the website.

VERIFICATION OF SCANNING UNITS

Mrs. Loibel presented documents to the Board of Canvassers showing that the ballot scanners being used in the canvass successfully passed Logic and Accuracy Testing on April 22, 2024. Mrs. Loibel reported that the memory devices created for this canvass were placed in the ballot scanners and sealed. Mrs. Loibel provided the Board of Canvassers with the results from the Logic and Accuracy Testing. Staff noted the Ballot Scanner Serial Numbers and Seal Numbers from Logic and Accuracy Testing documentation for each ballot scanner being used in the canvass.

Staff verified that the seals on the ballot scanners were intact and recorded the optical scan ballot scanner's serial number and seal number on the Scanning Unit Opening Integrity Report. Staff noted that the ballot scanners' serial numbers and seal numbers from Logic and Accuracy Testing matched the ballot scanners' serial numbers and seal numbers before the canvass began.

The Board of Canvassers confirmed that the counts on the ballot scanners were zero. Staff posted one copy of the Zero Report from the ballot scanners on the wall which canvassing occurred. Staff printed a second copy of the Zero Report, which remained attached to the ballot scanners. The Board of Canvassers signed the Zero Report attached to the ballot scanners. Staff also confirmed that the ballot boxes were empty.

A copy of the *Scanning Unit Opening Integrity Report* is attached to the minutes.

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CANVASSING OF BALLOTS

Overview of Canvass Process

Mrs. Loibel 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.

Mrs. Loibel 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.

Mrs. Loibel explained that, to preserve the secrecy of the ballots, at least five mail-in ballots of each ballot style were held back to be canvassed with the provisional ballots. The held-back mail-in 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 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 reasons 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.

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

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Mrs. Loibel 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	Wendy Maddux & Cecilia Pittman
Team #2	JoAnn Spiker & Samantha Logsdon
Team #3	David D'atri & Sarah Loar
Team #4	John Stakem & Richard DeVore

Team	Names of Bi-Partisan Duplicating Team Members
Team #1	Melissa Smith & Debbie Johnson

Team	Names of Ballot Scanner Operating Team Members
Team #1	Chuck Koelker & Lisa Lyons

Canvassing of Provisional Ballots

Mrs. Loibel reported that 126 provisional ballots were cast. To preserve the secrecy of the ballots, Mrs. Loibel explained that five mail-in ballots of each ballot style were held back for this provisional canvass and will be counted with the provisional ballots. 126 provisional ballots and 290 mail-in ballots were presented for canvassing at this canvass.

Mrs. Pittman made a motion to begin presenting provisional ballot applications. Ms. Johnson seconded the motion, and the motion passed unanimously.

1. Mrs. Loibel presented 92 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. The Board unanimously voted to accept the recommendation and accept and count the provisional ballots in full.
2. Mrs. Loibel presented 5 provisional ballots with the recommendation to accept them in part. The recommendation was based on the fact that staff had confirmed that each provisional application was submitted by a registered voter and the provisional ballot was cast in the wrong precinct. The Board unanimously voted to accept the recommendation, and the ballots were referred to the duplicating team.
3. Mrs. Loibel presented 29 provisional ballots with the recommendation to reject because staff could not confirm that the applicant was a registered voter. The Board unanimously voted to accept the recommendation and reject the ballots.

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4. Mrs. Loibel presented 2 provisional ballots with the recommendation to reject because the applicant returned a voted mail-in ballot or already voted. The Board unanimously voted to accept the recommendation and reject the ballots.
5. Mrs. Loibel presented 3 provisional ballots with the recommendation to reject because the applicant voted the wrong primary ballot. The Board unanimously voted to accept the recommendation and reject the ballots.
6. Mrs. Loibel presented 1 provisional ballot with the recommendation to reject because the voter failed to sign the provisional ballot application. The Board unanimously voted to accept the recommendation and reject the ballot.
7. Mrs. Loibel presented 8 provisional ballots with the recommendation to reject because the applicant was not eligible to receive a provisional ballot. The Board unanimously voted to accept the recommendation and reject the ballots.
8. Mrs. Loibel presented 15 provisional ballots with the recommendation to reject because the applicant provided incomplete information on the provisional ballot application. The Board unanimously voted to accept the recommendation and reject the ballots.

Canvassing of Mail-In Ballots

Mrs. Loibel distributed the mail-in ballots to canvassing teams to review for timeliness and signatures. Mrs. Loibel presented 290 mail-in ballots with the recommendation to accept the mail-in ballots. The Board unanimously voted to accept the recommendation and voted to accept the ballots. Mrs. Loibel presented 0 mail-in ballots with the recommendation to reject.

Challenges During Canvass

No challenges were made during this canvass.

Printing Canvass Results

After scanning all accepted in full and accepted in part provisional ballots and all accepted mail-in ballots, staff locked the ballot scanners 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 mail-in ballots equaled the number of ballots counted by the ballot scanners. The Board of Canvassers signed the Voting Results Report and posted a second copy of the report on the wall where canvassing occurred.

RELEASE OF UNOFFICIAL RESULTS - PROVISIONAL BALLOT CANVASS

Mrs. Loibel announced the results from the provisional canvass. Mrs. Loibel announced the following statistics from the provisional canvass:

Provisional Canvass Statistics	Number of Ballots
A) Total Ballots Presented at Provisional Canvass	416
B) Total Provisional Ballots Presented	126
C) Total Mail-in Ballots Presented	290
D) Total Accepted Ballots	387

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E) Accepted in Full Provisional Ballots	92
F) Accepted in Part Provisional Ballots	5
G) Accepted Mail-in Ballots	290
H) Total Rejected Ballots	29
I) Rejected Provisional Ballots	29
J) Rejected Mail-in Ballots	0

Mrs. Loibel 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, May 24, 2024 at 10:00 a.m. to canvass all remaining ballots.

ADJOURNMENT

The meeting was adjourned at 12:30 P.M.