

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

November 16, 2022 – Provisional Canvass Minutes

**Note: *These minutes are for general elections only.***

**ATTENDEES:**

Board of Canvassers

| Name              | Position  | Party      |
|-------------------|-----------|------------|
| Timothy Donaldson | Chairman  | Republican |
| Debra Johnson     | Secretary | Democratic |
| John Stakem       | Member    | Democratic |
| JoAnn Spiker      | Member    | Republican |

Board of Canvassers Absent:

| Name          | Position | Party      |
|---------------|----------|------------|
| Lisa Griffith | Member   | Republican |

LBE Staff (in person):

| Name             | Position               |
|------------------|------------------------|
| Armand Pannone   | Board Attorney         |
| Diane Loibel     | Election Administrator |
| Samantha Logsdon | Deputy Director        |
| Brandy Gordon    | Registrar              |
| Samantha Storm   | Registrar              |
| Melissa Smith    | Clerk                  |
|                  |                        |

Public

| Name | Organization (if applicable) |
|------|------------------------------|
| None |                              |

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, November 16, 2022 at the Allegany County Office Complex, 701 Kelly Road, Room 100, Cumberland. 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**

Dawne Lindsey, the Clerk of the Court for Allegany County, administered and recorded the oath of each member of the Board of Canvassers on October 5, 2022.

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

November 16, 2022 – Provisional Canvass Minutes

## **ANNOUNCEMENT OF OFFICERS**

At its meeting on October 5, 2022, the Board of Canvassers elected Timothy Donaldson as Chairman of the Board of Canvassers and Debra Johnson as Secretary.

## **PUBLIC NOTICE OF CANVASS**

Mrs. Loibel noted that public notice of the vote by mail canvass was provided and that the notice was provided by written notice to the local central committees, any candidate not represented by a party, Ms. Linda Lamone, State Administrator, and Mrs. Margie Woodring, Clerk, City of Cumberland.

## **VERIFICATION OF OPTICAL SCAN VOTING UNIT(S)**

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 October 14, 2022. 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. Mrs. Loibel noted the Ballot Scanner Serial Number and Seal Number 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 where the 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.

## **CANVASSING**

### 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.

November 16, 2022 – Provisional Canvass Minutes

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 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. Mrs. Loibel 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 2018 General Election. For this election, 15 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.

November 16, 2022 – Provisional Canvass Minutes

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 | JoAnn Spiker & Jodi Beal                            |
| Team #2 | Samantha Logsdon & Lisa Lyons                       |
| Team #3 | Melissa Smith & Cecilia Pittman                     |
| Team #4 | Cindy Beeler & Pam Dimaio                           |
| Team #5 | Sharon Mike & Timothy Donaldson                     |
| Team #6 | Samantha Storm & Debbie Johnson                     |

| Team    | Names of Bi-Partisan Duplicating/Verification Team Members |
|---------|------------------------------------------------------------|
| Team #1 | Samantha Logsdon & Lisa Lyons                              |
| Team #2 | Melissa Smith & Cecilia Pittman                            |
| Team #3 | Sharon Mike & Timothy Donaldson                            |
| Team #4 | JoAnn Spiker & Jodi Beal                                   |
| Team #5 | Samantha Storm & Debbie Johnson                            |
| Team #6 | Cindy Beeler & Pam Dimaio                                  |

| Team    | Names of Ballot Scanner Operating Team Members |
|---------|------------------------------------------------|
| Team #1 | Brandy Gordon & John Stakem                    |

#### Canvassing of Provisional Ballots

Mrs. Loibel reported that 533 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. 533 provisional ballots and 200 mail-in ballots were presented for canvassing at this canvass.

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

1. Mrs. Loibel presented 319 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 199 provisional ballots with the recommendation to accept them in part. The recommendation was based on the fact that staff had confirmed that each

November 16, 2022 – Provisional Canvass Minutes

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 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.
4. Mrs. Loibel presented 2 provisional ballots 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 ballots.
5. Mrs. Loibel presented 8 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.
6. Mrs. Loibel presented 2 provisional ballots with the recommendation to reject because the applicant did not provide proof of residency in time. The Board unanimously voted to accept the recommendation and reject the ballots.
7. Mrs. Loibel presented 1 provisional ballot with the recommendation to reject because the applicant provided proof of residency but the proof did not satisfy the requirements. The Board unanimously voted to accept the recommendation and reject the ballot.

Canvassing of Mail-in Ballots

The Election Director distributed the mail-in ballots to canvassing teams to review for timeliness and signatures. The Election Director presented 200 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. The Election Director presented 0 mail-in ballots with the recommendation to reject.

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 the canvassing occurred.

**RELEASE OF UNOFFICIAL RESULTS**

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 |
|------------------------------------------------|-------------------|
| Total Ballots Presented at Provisional Canvass | 733               |
| Total Provisional Ballots Presented            | 533               |

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

November 16, 2022 – Provisional Canvass Minutes

|                                      |     |
|--------------------------------------|-----|
| Total Mail-in Ballots Presented      | 200 |
| Total Accepted Ballots               | 718 |
| Accepted in Full Provisional Ballots | 319 |
| Accepted in Part Provisional Ballots | 199 |
| Accepted Mail-in Ballots             | 200 |
| Total Rejected Ballots               | 15  |
| Rejected Provisional Ballots         | 15  |
| 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, November 18, 2022 at 10:00 a.m. to canvass all remaining ballots.

**ADJOURNMENT**

The meeting was adjourned at 4:45 P.M.