

Howard County Board of Elections
9770 Patuxent Woods Dr. Suite 200
Columbia, MD 21046

April 11, 2012 – Provisional Canvass

ATTENDEES:

Board of Canvassers: Ann M. Balcerzak, President – Democratic
Donna K. Thewes, Vice President, Republican
Raymond M. Rankin, Democratic Substitute
Charles M. Coles, Jr., Republican Substitute
Michael S. Molinaro Esq., Board Counsel

LBE Staff: Guy Mickley, Carol Hart, Kimberly Phillips, Walter Maddox,

Public: James Holton, Jonathan Holton, Sally Chea, Carole Fisher

Absent: Donna L. Rice, Democratic Substitute
Vivian L. Dixon, Board Secretary

DECLARATION OF QUORUM PRESENT

The meeting of the Board of Canvassers began at 10:08 am on Wednesday, April 11, 2012 at Howard County Board of Elections Training Room 9770 Patuxent Woods Dr. Suite 200 Columbia, MD 21046. 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

Margaret Rappaport, the Clerk of the Court for Howard County, administered and recorded the oath of each member of the Board of Canvassers on March 19, 2012.

ELECTION OF OFFICERS

Raymond Rankin made a motion that Ann Balcerzak serve as Chairman of the Board of Canvassers. Charles Coles seconded the motion, which was passed unanimously. Raymond Rankin made a motion that Donna Thewes serve as Secretary for the Board of Canvassers. Charles Coles seconded the motion, which passed unanimously.

PUBLIC NOTICE OF CANVASS

Ann Balcerzak noted that public notice of the first absentee canvass was provided and that the notice was provided by mailing on February 28, 2012, and by posting on the website.

VERIFICATION OF OPTICAL SCAN VOTING UNIT(S)

Walter Maddox presented documents to the Board of Canvassers showing that the optical scan voting unit(s) being used in the canvass successfully passed Logic and Accuracy Testing on February 18, 2012. Walter Maddox reported that the memory card(s) created for this canvass were placed in the optical scan voting unit(s) and sealed. Walter Maddox provided the Board of Canvassers with the results from the Logic and Accuracy Testing. Walter Maddox noted the following information from Logic and Accuracy Testing documentation for each optical scan voting unit being used in the canvass:

Voting Unit Serial Number(s)	Seal Number(s)
30855	113320, 14-000000
30898	113319, 14-028492
17775	113321, 14-028491

The Board of Canvassers noted that the voting unit ('s/s') serial number(s) and seal number(s) from Logic and Accuracy Testing matched the voting unit ('s/s') serial number(s) and seal number(s) before the canvass began.

The Board of Canvassers confirmed that the count(s) on the voting unit(s) was zero. The Board of Canvassers posted one copy of the Zero Report from the voting unit(s) on the wall in the room where canvassing occurred. Walter Maddox printed a second copy of the Zero Report, which remained attached to the voting unit(s). The Board of Canvassers signed the Zero Report attached to the voting unit.

CANVASSING

Overview of Canvass Process

Guy Mickley explained the rules concerning public observation of the canvass and provided an overview of the canvassing process.

Guy Mickley 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 voting unit, 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.

Guy Mickley 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 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 voting unit 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 Board of Canvassers rules on whether to accept or unanimously reject the referred ballots.

Guy Mickley 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 optical scan operating teams are listed.

Team	Names of Bi-Partisan Ballot Processing Team Members
Team #1	Roy Smith and Val Patterson
Team #2	Mattie Scriven and Phyllis West
Team #3	Janet Ferrell and Jeannette Superczynski
Team #4	Tiffany Ferrell and Nicole Shifflett
Team #5	
Team #6	

Team	Names of Bi-Partisan Duplicating Team Members
Team #5	Ann Balcerzak and Donna Thewes
Team #6	Raymond Rankin and Charles Coles plus Teams 1-4

Team	Names of Optical Scan Operating Team Members
Team #1	Walter Maddox

Canvassing of Provisional Ballots

Guy Mickley reported that 439 provisional ballots were cast. To preserve the secrecy of the ballot for this canvasses, Guy Mickley explained that five absentee ballots of each ballot style were held back for this provisional canvass and will be counted with the Absentee 2 ballots. 439 provisional ballots and 0 absentee ballots were presented for canvassing at this canvass.

Raymond Rankin made a motion to begin reviewing provisional ballot applications. Charles Coles seconded the motion, and the motion passed unanimously.

1. Guy Mickley presented 267 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 count the provisional ballots in full.
2. Guy Mickley presented 40 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. Guy Mickley presented 26 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 ballot(s).
4. Guy Mickley presented 3 provisional ballots with the recommendation to reject because the applicant returned a voted absentee ballot or already voted. The Board unanimously voted to accept the recommendation and reject the ballot(s).
5. Guy Mickley presented 90 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 ballot(s).
6. Guy Mickley presented 3 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 ballot(s).
7. Guy Mickley presented 1 provisional ballot 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 ballot(s).

Guy Mickley presented 0 provisional ballots with the recommendation to reject because the applicant did not provide identification or personal identification information in time. The Board unanimously voted to accept the recommendation.

Guy Mickley presented 9 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 ballot(s).

Guy Mickley presented 0 provisional ballots with the recommendation to reject because the applicant provided his or her driver’s license or social security number but the number was not verified. The Board unanimously voted to accept the recommendation.

1. Guy Mickley presented 0 provisional ballots with the recommendation to reject because the applicant provided identification but the identification provided did not satisfy the requirements.
2. Guy Mickley presented 0 provisional ballots with the recommendation to reject because there was no provisional ballot in the envelope.
3. Guy Mickley presented 0 provisional ballots with the recommendation to reject because there was no evidence to support alleged voting unit malfunction.
4. Guy Mickley presented 0 provisional ballots with the recommendation to reject because the challenge to the voter’s identity should be upheld.
5. Guy Mickley presented 0 provisional ballots with the recommendation to reject because the order extending voting hours was invalidated.
6. Guy Mickley presented 0 provisional ballots with the recommendation to reject because the ballot had an identifying mark.

Printing Canvass Results

After scanning all accepted in full and accepted in part provisional ballots, Walter Maddox locked the voting unit and printed an Election Results Report. The Board of Canvassers confirmed that the number of accepted in full and accepted in part provisional ballots equaled the number of ballots counted by the optical scan voting unit(s). The Board of Canvassers signed the Election Results Report and posted a second copy of the report on the wall in the room where canvassing occurred.

RELEASE OF UNOFFICIAL RESULTS

Ann Balcerzak announced the results from the provisional canvass. Ann Balcerzak announced the following statistics from the provisional canvass:

Provisional Canvass Statistics	Number of Ballots
Total Ballots Presented at Provisional Canvass	439
Total Provisional Ballots Presented	439
Total Absentee Ballots Presented	0
Total Accepted Ballots	307
Accepted in Full Provisional Ballots	267
Accepted in Part Provisional Ballots	40
Accepted Absentee Ballots	0
Total Rejected Ballots	132
Rejected Provisional Ballots	132
Rejected Absentee Ballots	0

Guy Maddox 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, April 13, 2012 at 10:00 a.m. to canvass any absentee ballots.

ADJOURNMENT

The meeting was adjourned at 12:02 pm.