

SPECIAL SESSION

State of West Virginia, County of Jefferson, to-wit:

At a Special Session of the Jefferson County Commission, held at the Jefferson County Courthouse, located at 100 E. Washington Street located in Charles Town, WV, 25414 on Tuesday November 12, 2024 beginning at 1:00 p.m.

PRESENT: Steve Stolipher, President
Jane Tabb, Vice President
Pasha Majdi, Commissioner
Kelvin Upson, Commissioner
Edwina Benites-LM, County Administrator

STAFF: Nikki Painter, Chief Deputy Elections Officer
Kaelyn Hoffman, Deputy Clerk, Elections
Judi Brunswick, Poll Worker
Marsha Gardner, Poll Worker
Bonnie McDonald, Poll Worker
Giordana Baker, Poll Worker

The County Commission of Jefferson County, sitting as a Board of Canvassers, met this 12th day of November, 2024 at 9:30 a.m. for the purpose of canvassing ballots cast in the November 5, 2024 General Election.

Counsel received an opinion from the West Virginia Secretary of State as to whether Commissioners could participate in the upcoming canvass if they were on the ballot or had relatives who were on the ballot. The Secretary of State affirmed the following:

- (1) the actions in the canvass are ministerial duties;
- (2) a County Commissioner may carry out the required ministerial duties on a board of canvassers in canvassing an election when the County Commissioner is also a candidate in the elections, and;
- (3) a County Commissioner may carry out the required ministerial duties on a board of canvassers in canvassing an election when the County Commissioner has a relative who is a candidate in the elections

Commissioner Stolipher led the Pledge of Allegiance

- Motion by Commissioner Stolipher to convene as a Board of Canvassers. Motion seconded by Commissioner Tabb and unanimously approved.

Ms. Painter stated one precinct would need to be selected for a hand count. Precinct 33 was randomly selected by staff and the hand count was started by poll workers.

Ms. Painter also stated the bond amount for the recount must be set prior to the start of the canvas.

- Motion by Commissioner Stolipher to set the bond amount at \$300 in the event of a recount. Motion seconded by Commissioner Majdi and unanimously approved.

The Board proceeded with the Canvass by reviewing each precinct and checking to make sure the counts were accurate. The Board also reviewed the provisional and absentee ballots from each precinct to determine if the ballot in question could or could not be accepted into the count.

2024 General Provisional Ballots

Precinct	Reason	# Counted	# Not Counted
2	Absentee was requested & not receive; only 1 ballot returned	1	
2	voters not registered		3
3	Absentee was received in time	3	
3	Absentee was requested & not receive; only 1 ballot returned	1	
3	Voter moved & voting in new correct precinct	3	
3	voters not registered		11
3	registered in Berkeley county		1
3	voter voted at wrong precinct		1
4	Absentee was received in time	2	
4	voter not registered		6
6	Absentee received in time	1	
6	Voter moved & voting in new correct precinct	3	
6	voters not registered		2
7	Absentee was received in time	3	
7	Absentee was requested & not receive; only 1 ballot returned	1	
7	Voter moved & voting in new correct precinct	1	
7	Voted in old precinct due to redistricting ballots were accepted	7	
7	voters not registered		8
7	voter voted at wrong precinct		2
7	registered in Berkeley county		1
12	Absentee was received in time	7	
12	Poll Worker	1	
12	Registration OK - Poll Worker Error	1	
12	voters not registered		10
12	registered in Berkeley county		2
13	Voter moved & voting in new correct precinct	4	

13	Registration OK - Poll Worker Error	1	
13	voter is not registered		5
13	voter voted at wrong precinct		1
14	Absentee was received in time	2	
15	Absentee was received in time	2	
15	Voted in different precinct due to accessibility issues	2	
15	voters not registered		2
16	Absentee received in time	1	
16	Absentee was requested & not receive; only 1 ballot returned	2	
16	could not determine eligibility		1
16	voters not registered		3
17	Absentee received in time	1	
17	Absentee was requested & not receive; only 1 ballot returned	1	
17	Voter moved & voting in new correct precinct	2	
17	voters not registered		6
17	voters voted at wrong precinct		2
19	Absentee received in time	1	
19	Voter moved & voting in new correct precinct	1	
19	Registration OK - Poll Worker Error	1	
19	voters not registered		7
19	registered in Berkeley county		2
20	Absentee received in time	4	
20	voters not registered		4
22	Registration OK - Poll Worker Error	2	
22	Voter moved & voting in new correct precinct	3	
22	Voted in different precinct due to accessibility issues	3	
22	voters not registered		3
22	voter is registered in Berkeley county		1
25	Absentee received in time	4	
25	voters not registered		6
25	registered in Berkeley county		1
25	voter voted in wrong precinct		1
26	Absentee received in time	1	
26	Voter moved & voting in new correct precinct	2	
26	Ballot was not read in DS200 voter & left before corecting ballot	1	
26	voters not registered		6
26	registered in Berkeley county		1
27	Absentee received in time	2	
27	Voter moved & voting in new correct precinct	1	
27	voters not registered		5
27	boundary line issue		1
27	voter voted in wrong precinct		2
29	Absentee received in time	1	

31	Absentee received in time	5	
31	Absentee was requested & not receive; only 1 ballot returned	2	
31	voters not registered		3
31	registered in Berkeley county		1
32	Absentee received in time	2	
32	voters not registered		3
33	Absentee received in time	1	
33	Voted in different precinct due to accessibility issues	1	
33	Voter moved & voting in new correct precinct	1	
33	Poll Worker	1	
33	voters not registered		2
33	registered in Morgantown		3
33	voter voted in wrong precinct		2
33	registered in Berkeley county		1
34	Absentee was requested & not receive; only 1 ballot returned	1	
34	Voter moved & voting in new correct precinct	6	
34	voters not registered		2
35	Absentee received in time	4	
35	Voter moved & voting in new correct precinct	3	
35	Absentee was requested & not receive; only 1 ballot returned	2	
35	Voted in different precinct due to accessibility issues	2	
35	voter voted at wrong precinct		8
35	registered in Berkeley county		1
36	Absentee received in time	3	
36	Voter moved & voting in new correct precinct	3	
36	voters not registered		5
21A	voters not registered		6
28A	voters not registered		3
28A	voter voted in wrong precinct		1
28A	resides in Berkeley county		1
28B	voters not registered		5
21B	voters not registered		9
21B	voter voted in wrong precinct		1
21B	voter registered in Berkeley county		1
23A	voters not registered		4

23A	voters voted at wrong precinct		2
23A	absentee not postmarked by the 5th		1
23B	voters not registered		3
24A	voters not registered		2
24B	voters not registered		2
24B	registered in Berkeley county		2
21A	Absentee received in time	2	
21A	Absentee was requested & not receive; only 1 ballot returned	1	
21A	Voter moved & voting in new correct precinct	1	
21A	Voted in different precinct due to accessibility issues	3	
21B	Voter moved & voting in new correct precinct	2	
23A	Absentee received in time	2	
23A	Poll Worker	1	
23A	Voter moved & voting in new correct precinct	3	
23B	Absentee received in time	6	
23B	Registration OK - Poll Worker Error	1	
24A	Voter moved & voting in new correct precinct	4	
24B	Absentee received in time	2	
28A	Absentee was requested & not receive; only 1 ballot returned	1	
28A	Registration OK - Poll Worker Error	1	
28A	Voter moved & voting in new correct precinct	2	
28B	Absentee received in time	1	
	Miscellaneous		
N/A	No way to identify voter		2
N/A	Registered in Marshall county		1

The Commission then recessed as a Board of Canvassers until 9:30 a.m. the following morning, November 13, 2024 to recreate ballots that had been damaged or unable to be read by the voting machines.

Steve Stolipher, COMMISSION PRESIDENT

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