

SPECIAL SESSION:

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

At a Special Session of the County Commission of said County and State continued and held at the Old Charles Town Library thereof on Friday, November 13, 2009, beginning at 10:00 o'clock a.m.

PRESENT: Dale Manuel, President;
James Surkamp; Frances Morgan;
Patsy Noland; Lyn Widmyer; Commissioners

The County Commission of Jefferson County, sitting as a Board of Canvassers, met this 13th day of November, 2009 at 10:00 a.m. for the purpose of canvassing ballots cast in the November 7th, 2009 Special Election on the Zoning Ordinance.

Jennifer Maghan, County Clerk, was present for the Canvass. Nikki Painter, from the County Clerk's office, was also present and assisted with the Canvass.

Motion by Surkamp, second by Noland to hand count five precincts, one precinct from each magisterial district, including precinct 35B. Motion carried.

In addition to precinct 35B, the Commission randomly selected the following precincts to be hand counted: 4A, 23B, 34, and 26. The hand count was performed by a counting board consisting of the following: Tim Collins, Marsha Gardner, Harriet Monroe-Miller, and Julia Downing.

The Commission proceeded with the Canvass by reviewing each precinct one at a time, checking to make sure the counts were accurate and to review the provisional ballots from the polls. The Commission reviewed each provisional ballot to determine if the ballot could or could not be accepted to be counted.

Precinct 4B:

NAME OF VOTER	Motion	Second	Accept	Reject	REASON ACCEPTED OR REJECTED	VOTE
Loring Viands	Morgan	Noland		✓	Voter was not eligible to vote in this election due to residing within a municipality	Motion carried
Sherry Viands	Morgan	Noland		✓	Voter was not eligible to vote in this election due to residing within a municipality	Motion carried

Carla Easter	Morgan	Noland	✓		Poll worker	Motion carried
Jesse Morgan	Morgan	Noland		✓	Voter was not eligible to vote in this election due to residing within a municipality	Motion carried
Adrienne Morgan	Morgan	Noland		✓	Voter was not eligible to vote in this election due to residing within a municipality	Motion carried
Laurie Sanders	Noland	Morgan		✓	Voter was not eligible to vote in this election due to residing within a municipality	Motion carried

Precinct 12:

NAME OF VOTER	Motion	Second	Accept	Reject	REASON ACCEPTED OR REJECTED	VOTE
James Fritts, II	Morgan	Noland	✓		Voter correctly registered	Motion carried
Janice Blackford	Morgan	Noland	✓		Poll worker	Motion carried

Precinct 13A:

NAME OF VOTER	Motion	Second	Accept	Reject	REASON ACCEPTED OR REJECTED	VOTE
Jean Dignazio	Morgan	Noland	✓		Poll worker	Motion carried

Precinct 13B:

NAME OF VOTER	Motion	Second	Accept	Reject	REASON ACCEPTED OR REJECTED	VOTE
Gary Taulton	Noland	Widmyer	✓		Absentee ballot received in time to be counted	Motion carried
Gary Rutherford	Morgan	Noland		✓	Not registered	Motion carried
Melinda May	Morgan	Noland	✓		Poll worker	Motion carried
Melody Williams	Morgan	Noland	✓		Poll worker	Motion carried

Precinct 16:

NAME OF VOTER	Motion	Second	Accept	Reject	REASON ACCEPTED OR REJECTED	VOTE
Richard Day	Noland	Morgan	✓		Voter moved and voted correctly at new precinct	Motion carried
Deborah Gravatt	Noland	Morgan	✓		Poll worker	Motion carried
Gerald Keyser	Morgan	Noland		✓	Voter was not eligible to vote in this election due to residing within a municipality	Motion carried
Stephen Paradis	Noland	Morgan		✓	Voter was not eligible to vote in this election due to residing within a municipality	Motion carried
Carrie Gauthier	Morgan	Noland		✓	Voter was not eligible to vote in this election due to residing within a municipality	Motion carried
Slyvia Stephens	Noland	Widmyer	✓		Voter moved and voted correctly at new precinct	Motion carried
Mearl Wilt	Morgan	Noland	✓		Voter listed as having moved out of state, but voter has not moved	Motion carried

Precinct 17:

NAME OF VOTER	Motion	Second	Accept	Reject	REASON ACCEPTED OR REJECTED	VOTE
Kathryn Cole	Noland	Morgan		✓	Not registered	Motion carried
Robyn Ward	Morgan	Widmyer	✓		Voter moved and voted correctly at new precinct	Motion carried
Ruby LaBelle	Morgan	Noland		✓	Voter was not eligible to vote in this election due to residing within a municipality	Motion carried
Carol Darr	Morgan	Noland		✓	Voter registration cancelled due to inactivity	Motion carried
John Darr	Morgan	Noland		✓	Voter registration cancelled due to inactivity	Motion carried
Craig Yohn	Morgan	Noland	✓		Poll worker	Motion carried
Barbara Blok	Morgan	Noland	✓		Poll worker	Motion carried

Precinct 20:

NAME OF VOTER	Motion	Second	Accept	Reject	REASON ACCEPTED OR REJECTED	VOTE
Pamela Carroll	Morgan	Noland	✓		Poll worker	Motion carried
Robert Funk	Widmyer	Noland	✓		Recent change of precinct by County, voter went to old precinct	Motion carried

Precinct 21A:

NAME OF VOTER	Motion	Second	Accept	Reject	REASON ACCEPTED OR REJECTED	VOTE
James Cook	Noland	Morgan		✓	Voter registration cancelled due to inactivity	Motion carried
Scott Clark	Morgan	Noland		✓	Voter registration cancelled due to inactivity	Motion carried
Tommy Childress	Morgan	Noland	✓		Voter correctly registered	Motion carried

Precinct 21B:

NAME OF VOTER	Motion	Second	Accept	Reject	REASON ACCEPTED OR REJECTED	VOTE
Lowell Williams	Morgan	Noland	✓		Voter correctly registered	Motion carried
William Rinker, Jr.	Morgan	Noland	✓		Voter correctly registered	Motion carried

Precinct 22A: No provisional ballots were cast in this precinct.

Precinct 22B:

NAME OF VOTER	Motion	Second	Accept	Reject	REASON ACCEPTED OR REJECTED	VOTE
William Munday	Morgan	Noland	✓		Poll worker	Motion carried
Unidentified ballot	Morgan	Noland		✓	Ballot was not identified by poll workers	Motion carried

Precinct 23A:

NAME OF VOTER	Motion	Second	Accept	Reject	REASON ACCEPTED OR REJECTED	VOTE
Elizabeth Crawford	Noland	Morgan	✓		Absentee ballot received in time to be counted	Motion carried

The Commission took a break at 11:18 a.m.

The Commission reconvened at 11:29 a.m.

Precinct 25A:

NAME OF VOTER	Motion	Second	Accept	Reject	REASON ACCEPTED OR REJECTED	VOTE
Michael Dick	Morgan	Noland	✓		Recent precinct change by County, voter went to old precinct	Motion carried

Precinct 25B: No provisional ballots were cast in this precinct.

Precinct 26:

NAME OF VOTER	Motion	Second	Accept	Reject	REASON ACCEPTED OR REJECTED	VOTE
Lee Ann Morgan	Morgan	Noland	✓		Poll worker	Motion carried
Virginia Sagle	Morgan	Noland		✓	Voted at the incorrect precinct	Motion carried

Precinct 4A:

NAME OF VOTER	Motion	Second	Accept	Reject	REASON ACCEPTED OR REJECTED	VOTE
Herbert Dinges	Morgan	Manuel	✓		Voter moved and voted correctly at new precinct	Motion carried
Catherine Dinges	Morgan	Noland	✓		Voter moved and voted correctly at new precinct	Motion carried
Lisa Hewitt	Noland	Morgan	✓		Voter moved and voted correctly at new precinct	Motion carried
William Hewitt	Noland	Morgan	✓		Voter correctly registered	Motion carried

Precinct 19:

NAME OF VOTER	Motion	Second	Accept	Reject	REASON ACCEPTED OR REJECTED	VOTE
Unidentified ballot	Noland	Morgan		✓	Ballot unidentified. No registration found with the address or date of birth.	Motion carried
Richard Fraysier	Noland	Widmyer	✓		Recent precinct change by County, voter went to old precinct, Voter was informed of precinct change and still voted a provisional ballot but sent the rest of his family to the correct precinct	Motion passed by a 4-1 vote. Comm. Morgan voted no.
Beverly Raines	Noland	Morgan	✓		Poll worker	Motion carried
Brent Duckworth	Morgan	Noland		✓	Voted at the incorrect precinct	Motion carried
Angela Conder	Noland	Widmyer	✓		Voter registered at DMV in time for election	Motion carried
Louie Conder	Morgan	Noland	✓		Voter registered at DMV in time for election	Motion carried

Precinct 23B: No provisional ballots were cast at this precinct.

Precinct 27:

NAME OF VOTER	Motion	Second	Accept	Reject	REASON ACCEPTED OR REJECTED	VOTE
Terri Roberts	Morgan	Noland	✓		Poll worker	Motion carried
Larry Barkdoll	Morgan	Noland	✓		Voter moved and voted correctly at new precinct	Motion carried

Precinct 28:

NAME OF VOTER	Motion	Second	Accept	Reject	REASON ACCEPTED OR REJECTED	VOTE
Jacqueline Shadle	Widmyer	Morgan	✓		Poll worker	Motion carried
Theresa Jenkins	Widmyer	Morgan	✓		Poll worker	Motion carried
Michael Harner	Noland	Morgan		✓	Not registered	Motion carried
Connie Gregory	Morgan	Noland	✓		Voter moved and voted correctly at new precinct	Motion carried

Precinct 31:

NAME OF VOTER	Motion	Second	Accept	Reject	REASON ACCEPTED OR REJECTED	VOTE
Pamela Link	Morgan	Noland	✓		Voter correctly registered	Motion carried
Cheryl Huff	Morgan	Noland	✓		Poll worker	Motion carried
Robert Rogers	Noland	Widmyer	✓		Poll worker	Motion carried

Precinct 32:

NAME OF VOTER	Motion	Second	Accept	Reject	REASON ACCEPTED OR REJECTED	VOTE
David Lewis	Noland	Morgan		✓	Voted at the incorrect precinct	Motion carried
Thomas Dymacek	Noland	Morgan	✓		Voter correctly registered	Motion carried
Trevor Craker	Noland	Widmyer	✓		Voter registered at DMV in time for election	Motion carried
Patricia Kidwiler	Noland	Morgan	✓		Absentee ballot received in time for election	Motion carried

Precinct 34:

NAME OF VOTER	Motion	Second	Accept	Reject	REASON ACCEPTED OR REJECTED	VOTE
David Walsh	Morgan	Noland	✓		Voter moved and voted correctly at new precinct	Motion carried
Tracey Cenate	Morgan	Noland	✓		Poll worker	Motion carried
Debra Cornell	Noland	Morgan	✓		Poll worker	Motion carried
Michael Cenate	Widmyer	Noland	✓		Poll worker	Motion carried

Precinct 35A:

NAME OF VOTER	Motion	Second	Accept	Reject	REASON ACCEPTED OR REJECTED	VOTE
Claire Gibson	Noland	Morgan	✓		Poll worker	Motion carried
Pier Beltrami	Morgan	Noland	✓		Voter moved and voted correctly at new precinct	Motion carried
David Hammer	Noland	Morgan		✓	Voter was not eligible to vote in this election due to residing within a municipality	Motion carried
Thomas Harding	Morgan	Noland		✓	Voter was not eligible to vote in this election due to residing within a municipality	Motion carried
Eric Brown	Morgan	Noland		✓	Voted at the incorrect precinct	Motion carried
Emergency Ballot	Noland	Widmyer	✓		Emergency ballot taken to voter in the hospital on election day	Motion carried

Precinct 35B:

NAME OF VOTER	Motion	Second	Accept	Reject	REASON ACCEPTED OR REJECTED	VOTE
Chris Morehouse	Widmyer	Morgan		✓	Voted at the incorrect precinct	Motion carried
Judith Rand	Morgan	Noland	✓		Absentee ballot received in time to be counted	Motion carried

Absentee Ballots:

NAME OF VOTER	Motion	Second	Accept	Reject	REASON ACCEPTED OR REJECTED	VOTE
Provisional Early Vote	Morgan	Manuel	✓		Books showed voter registered in Precinct 3, but voter does not live within the city limits	Motion carried
Karen Kessner	Noland	Widmyer		✓	Voter was not eligible to vote in this election due to residing within a municipality	Motion carried

After all provisional and absentee ballots were reviewed, the Commission added 51 ballots to the count.

The hand counts that were conducted on Precincts 4A, 23B, 26, 34, and 35B were determined to be acceptable.

Motion by Noland, second by Morgan to set the bond amount for requesting a recount to \$300 and to set the date to Certify the Results of the Election to Wednesday, November 18, 2009, at 9:30 a.m. Motion carried.

The Commission recessed as a Board of Canvassers at 12:50 p.m.

DALE MANUEL, COMMISSION PRESIDENT