

ELKINS COMMON COUNCIL
SPECIAL COUNCIL MEETING: CANVASS OF THE 2023
MUNICIPAL ELECTION
MINUTES

Elkins City Hall
401 Davis Avenue
June 19, 2023
12:00 p.m.

In accordance with West Virginia Code §3-6-9, Elkins Common Council met in special session as the Canvassing Board of the City of Ekins. Present were Councilpersons D. Parker, M. Cuonzo, N. Bross-Fregonara, L. Severino, M. Hinchman, and R. Chenoweth. Also present was City Clerk S. Stokes (acting as recording secretary).

BOND SET

Cm. Chenoweth MOVED THAT THE CANVASSING BOARD SET AT \$300 THE BOND THAT MUST BE FILED BY ANYONE REQUESTING A RECOUNT WITHIN THE FORTY-EIGHT HOURS FOLLOWING THE DECLARATION OF RESULTS ISSUED AT THE ADJOURNMENT OF THIS MEETING. The motion carried.

VERIFICATION OF BALLOTS

Proceeding one ballot box at a time, the board opened the seals placed on election night by poll workers and then used the procedures provided in the West Virginia Secretary of State publication *Municipal Canvassing Manual* and the *Paper Precinct Canvassing Worksheet* to compare the numbers of ballots (voted, unused, spoiled, provisional, early and absentee) on hand with records kept and provided by polling place officials. No material discrepancies were found.

The final tabulation for each ward is as follows:

Election Day Ballot Verification by Canvassing Board					
	Ward 1	Ward 2	Ward 3	Ward 4	Ward 5
Ballots cast (<i>unchallenged</i>)	254	60	26	141	112
Spoiled ballots	0	0	0	0	0
Unused ballots	1152	957	766	1029	849
Provisional ballots*	1	0	0	2	1
Total ballots	1407	1017	792	1172	962

* Note: In Ward 1, there was one early-voting provisional ballot (tallied in the “Provisional Ballots” line, above). Two other First Ward ballots packaged as provisional were found at the canvass. These had not been accounted for on the Statement of Ballots Used turned in on election night. They were erroneously packaged and segregated as provisional ballots during the count, apparently because one contained an over-vote and one lacked poll worker signatures. As all ballots were accounted for, the one lacking signatures was counted at the canvass and the one containing an overvote was counted as allowed by law. Counting these ballots resulted in changes to the First Ward totals for both mayor and councilor at the canvass, even though they are not accounted for as provisional in the above table.

CONSIDERATION OF PROVISIONAL BALLOTS

Cm. Chenoweth MOVED THAT THE CANVASSING BOARD REMOVE ANY CHALLENGE AGAINST ONE BALLOT FOUND WITHOUT POLL OFFICIAL SIGNATURES DURING THE VERIFICATION OF BALLOTS. The motion carried.

Cm. Chenoweth MOVED THAT THE CANVASSING BOARD REMOVE ANY CHALLENGE AGAINST ONE BALLOT FOUND IN A PROVISIONAL ENVELOPE BUT NOT CAST PROVISIONALLY AND APPARENTLY SET ASIDE ONLY FOR CONTAINING AN OVERVOTE. The motion carried.

Four (4) provisional ballot envelopes were provided from polling place officials to the City Clerk and in turn presented to the Board for review. The Clerk assigned a number to each provisional ballot and the board considered the disposition of each separately based on the available information.

Cw. Cuonzo MOVED THAT THE CANVASSING BOARD REMOVE THE CHALLENGE AGAINST PROVISIONAL BALLOT EV-01 (WARD 1). The motion carried.

Cm. Chenoweth MOVED THAT THE CANVASSING BOARD SUSTAIN THE CHALLENGE AGAINST PROVISIONAL BALLOT 04-01. The motion carried.

Cm. Chenoweth MOVED THAT THE CANVASSING BOARD REMOVE THE CHALLENGE AGAINST PROVISIONAL BALLOT 04-02. The motion carried.

Cw. Cuonzo MOVED THAT THE CANVASSING BOARD SUSTAIN THE CHALLENGE AGAINST PROVISIONAL BALLOT 05-01. The motion carried.

The Clerk opened each provisional envelope for which the challenge was removed and read aloud the votes cast on each ballot. The Clerk announced the totals of those candidates after consideration of the provisional ballots. All provisional ballots for which the challenge was sustained remained unopened.

With no objection the Canvassing Board declared the results of the 2023 Elkins Municipal Election as shown in the table below.

VOTES CAST BY WARDS					
	1	2	3	4	5
MAYOR					
Jerry Marco	221	49	24	130	97
COUNCIL - 1ST WARD					
Michael C. Elza	41				
Cody Kerns	115				
Phillips B. Kolsun	64				
Pat Varchetto	34				
COUNCIL - 2ND WARD					
Lisa Severino (unexpired term)		48			
Mike Hinchman (regular term)		49			
COUNCIL - 3RD WARD					
Erika Plishka (unexpired term)			19		
Christopher Lowther (regular term)			24		
COUNCIL - 4TH WARD					
Andrew Carroll				90	
Elizabeth "Liz" Marshall-MacVean				50	
COUNCIL - 5TH WARD					
Cody H. Thompson					54
Linda H. Vest					24
Burley A. Woods					34

Cm. Chenoweth MOVED ADJOURNMENT UNTIL THURSDAY, JUNE 22 AT 1:30 P.M. FOR THE PURPOSE OF CERTIFYING THE ELECTION RESULTS. The motion carried.

The meeting ended at 12:57 p.m.

The 48-hour period for recount requests expires at 1 p.m. on June 21, but an extra 24 hours was allowed because of an intervening holiday (June 20, West Virginia Day).

*Approved by council at the meeting
of July 6, 2023*

Jerry A. Marco, Mayor

Attest:

Sutton R. Stokes, City Clerk