

**ELKINS COMMON COUNCIL
SPECIAL COUNCIL MEETING: CANVASS OF THE 2021
MUNICIPAL ELECTION
MINUTES**

*142 Robert E. Lee Avenue
Phil Gainer Community Center
March 8, 2021
11:00 a.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 at the Phil Gainer Community Center. Present were Mayor Van T. Broughton; Councilpersons R.C. Chenoweth, C.H. Friddle, III, J.A. Guye, G.M. Hinchman, D.C. Parker, and L.H. Vest; City Attorney G. S. Roberts; City Clerk J.R. Sutton (acting as recording secretary); and Inter-Mountain Reporter B. Johnson.

Councilpersons C.C. Lowther and C. L. Metheny, were absent.

BOND SET

Cm. Friddle III, **MOVED APPROVAL 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. One material discrepancy was found.

In Ward 2 the total number of votes tabulated on election day in the mayoral race exceeded the total number of ballots cast. Under the direction of the W.Va. Secretary of State's Office, the board did not retabulate any votes.

In addition, three ballots were discovered without poll worker signatures. The ballots were set aside and will be reviewed during the consideration of provisional ballots.

The final tabulation for each ward is as follows:

Election Day Ballot Verification by Canvassing Board					
	<i>Ward 1</i>	<i>Ward 2</i>	<i>Ward 3</i>	<i>Ward 4</i>	<i>Ward 5</i>
Ballots cast (<i>unchallenged</i>)	373	175	87	268	142
Spoiled ballots	0	0	0	0	0
Unused ballots	1123	983	681	1191	1008
Provisional ballots	10	4	6	7	5
Total ballots	1506	1162	774	1466	1155

CONSIDERATION OF PROVISIONAL BALLOTS

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

Thirty-two (32) 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.

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

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

Cm. Friddle MOVED THAT THE CANVASSING BOARD REMOVE THE CHALLENGE AGAINST PROVISIONAL BALLOT 01-01. The motion carried.

Cm. Friddle MOVED THAT THE CANVASSING BOARD SUSTAIN THE CHALLENGE AGAINST PROVISIONAL BALLOT 01-02. The motion carried.

Cm. Friddle MOVED THAT THE CANVASSING BOARD SUSTAIN THE CHALLENGE AGAINST PROVISIONAL BALLOT 01-03. The motion carried.

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

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

Cw. Wilmoth MOVED THAT THE CANVASSING BOARD REMOVE THE CHALLENGE AGAINST PROVISIONAL BALLOT 01-06. The motion carried.

Cm. Chenoweth MOVED THAT THE CANVASSING BOARD SUSTAIN THE CHALLENGE AGAINST PROVISIONAL BALLOT 01-07. The motion carried.

Cw. Wilmoth MOVED THAT THE CANVASSING BOARD REMOVE THE CHALLENGE AGAINST PROVISIONAL BALLOT 01-08. The motion carried.

Cm. Chenoweth MOVED THAT THE CANVASSING BOARD REMOVE THE CHALLENGE AGAINST PROVISIONAL BALLOT 01-09. The motion carried.

Cm. Chenoweth MOVED THAT THE CANVASSING BOARD REMOVE THE CHALLENGE AGAINST PROVISIONAL BALLOT 01-10. The motion carried.

Cm. Chenoweth MOVED THAT THE CANVASSING BOARD REMOVE THE CHALLENGE AGAINST PROVISIONAL BALLOT 02-01. The motion carried.

Cm. Friddle MOVED THAT THE CANVASSING BOARD SUSTAIN THE CHALLENGE AGAINST PROVISIONAL BALLOT 02-02. The motion carried.

Cm. Chenoweth MOVED THAT THE CANVASSING BOARD REMOVE THE CHALLENGE AGAINST PROVISIONAL BALLOT 03-01. The motion carried.

Cm. Chenoweth MOVED THAT THE CANVASSING BOARD REMOVE THE CHALLENGE AGAINST PROVISIONAL BALLOT 03-02. The motion carried.

Cm. Chenoweth MOVED THAT THE CANVASSING BOARD REMOVE THE CHALLENGE AGAINST PROVISIONAL BALLOT 03-03. The motion carried.

Cm. Chenoweth MOVED THAT THE CANVASSING BOARD REMOVE THE CHALLENGE AGAINST PROVISIONAL BALLOT 03-04. The motion carried.

Cm. Chenoweth MOVED THAT THE CANVASSING BOARD REMOVE THE CHALLENGE AGAINST PROVISIONAL BALLOT 03-05. The motion carried.

Cw. Cuonzo MOVED THAT THE CANVASSING BOARD REMOVE THE CHALLENGE AGAINST PROVISIONAL BALLOT 03-06. The motion carried.

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

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

Cw. Cuonzo MOVED THAT THE CANVASSING BOARD SUSTAIN THE CHALLENGE AGAINST PROVISIONAL BALLOT 04-03. The motion carried.

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

Cm. Chenoweth MOVED THAT THE CANVASSING BOARD SUSTAIN THE CHALLENGE AGAINST PROVISIONAL BALLOT 04-05. The motion carried.

Cw. Wilmoth MOVED THAT THE CANVASSING BOARD SUSTAIN THE CHALLENGE AGAINST PROVISIONAL BALLOT 04-06. The motion carried.

Cm. Chenoweth MOVED THAT THE CANVASSING BOARD REMOVE THE CHALLENGE AGAINST PROVISIONAL BALLOT 04-07. The motion carried.

Cm. Chenoweth MOVED THAT THE CANVASSING BOARD REMOVE THE CHALLENGE AGAINST PROVISIONAL BALLOT 05-03. The motion carried.

Cm. Chenoweth MOVED THAT THE CANVASSING BOARD REMOVE THE CHALLENGE AGAINST PROVISIONAL BALLOT 05-04. The motion carried.

Cm. Chenoweth MOVED THAT THE CANVASSING BOARD REMOVE THE CHALLENGE AGAINST PROVISIONAL BALLOT 05-05. The motion carried.

Cm. Chenoweth MOVED THAT THE CANVASSING BOARD REMOVE THE CHALLENGE AGAINST PROVISIONAL BALLOT 05-06. The motion carried.

Cm. Chenoweth MOVED THAT THE CANVASSING BOARD REMOVE THE CHALLENGE AGAINST PROVISIONAL BALLOT 05-07. 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 and ballot questions receiving additional votes 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 2021 Elkins Municipal Election as shown in the tables below.

VOTES CAST BY WARDS

MAYOR	1	2	3	4	5	<i>Total:</i>
Andrew Carroll	31	16	9	64	26	146
Jerry A. Marco	306	129	78	104	102	719
D.C. Talkington	1	0	0	0	4	5
Karen L. Wilmoth	37	34	6	77	15	169
<i>total</i>	375	179	93	245	147	1039
COUNCIL - 1ST WARD						
Robert C. Chenoweth	260					
Phillips B. Kolsun	62					
Travis Norwood	40					
<i>Total</i>	362					
COUNCIL - 2ND WARD						
Charles H. Friddle, III		95				
Carman Pennington		76				
<i>Total</i>		171				
COUNCIL - 3RD WARD						
Clint Higgins			52			
Carman L. Metheny			38			
<i>Total</i>			90			
COUNCIL - 4TH WARD						
Nanci Bross-Fregonara				143		
Liz Marshall-MacVean				98		
<i>Total</i>				241		
COUNCIL - 5TH WARD						
Howard P. Knapp					6	
David C. Parker					72	
Burley Woods					67	
<i>Total</i>					145	

VOTES CAST BY WARDS

	1	2	3	4	5	
Question #1						
For	86	48	21	138	41	334
Against	285	127	68	100	105	685
Question #2						
For	271	131	66	208	104	780
Against	95	41	21	29	43	229
Question #3						
For	195	96	41	159	72	563
Against	177	79	48	79	75	458

The board will reconvene on Wednesday, March 10, 2021 at 3:00 p.m. for the purpose of certifying the election results.

Cm. Chenoweth **MOVED ADJOURNMENT.** The motion carried.

The time was 2:26 p.m.

The 48 hour period for recount requests expires at 2:30 p.m. on March 10, 2021

*Approved by council at the meeting
of MONTH DAY, YEAR*

Van T. Broughton, Mayor

Attest:

Jessica R. Sutton, City Clerk