

Frederick County Board of Canvassers

340A Montevue Lane, Frederick, MD

November 16, 2022 – Combined Provisional and Mail-In Canvass – Day 1 Minutes

ATTENDEES:

Board of Canvassers

Name	Position	Party
Mary Lou Green	Chair	REP
Mary Costello	Vice Chair	DEM
Lawrence Hill	Secretary	REP
Shirley McDonald	Member	DEM
William Woodcock	Member	REP
Daniel Loftus	Board Attorney	

Mr. Loftus left at 1:30 pm and returned at 3:35 pm.

LBE Staff

Name	Position
Barbara Wagner (Room Supervisor)	Election Director
Thomas Coogan (Room Supervisor)	Election Program Supervisor
Anthony Gutierrez (Runner)	Deputy Director
Khalfani Blount (Ballots)	Election Program Specialist I
Theresa Church (Scribe)	Communications Specialist
Diane Zepp (update MDVOTERS)	Election Program Assistant I
Marc Welch (Tabulation Room)	Voting Operations Manager
Robert Millard (Tabulation Room)	Voting Systems IT Specialist III
Shakir Satterfield (Tabulation Room)	Election Program IT Specialist II
Lisa Fazio (Tabulation Room)	LBE Technician
Dylan Winer (Tabulation Room)	Technical Assistant
Danny Mafema (Tabulation Room)	Election Program Assistant I
Dell Bellinger (Tabulation Room)	LBE Support Technician
Francis Amati (Tabulation Room)	State Contractor

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Public

Name	Organization (if applicable)
Kathleen Rall	Fitzwater campaign
Tom Slater	DSCC
Steven Clark	Hough campaign
Jill King	Self
Michael Hough	Self
Bobby Z	Self
William Holtzinger	Hough campaign
Cheslea Kadish	Fitzwater campaign
Michael Sowell	Self
Angela McIntosh	Self
Deb Reynolds	FCDCC
John Z	Young campaign
Michael Holding	Trone campaign
Michael Kokoski	Self
Cynthia Shubin	Fitzwater campaign
Bill Green	Frederick News-Post
Connie Onspaugh	RWFC
Jennifer Brannan	FCDC
April Montgomery	Hough campaign
Dean Herrin	Self
Pat Murray	Fitzwater campaign
Brad Young	Young campaign
Marisa Nickols	Fitzwater campaign
Stuart Harvey	Fair campaign
Mari Lee	Chair, FCDCC
Paul Fulcher	Fitzwater campaign
Harriett Crosley	Self
Peggy Blanchure	Self
Illegible handwriting (name)	Young campaign

All canvassing teams, duplicating team members, and ballot scanner operating team members in attendance are listed under the Canvass Participants section below.

DECLARATION OF QUORUM PRESENT

Mary Lou Green, Chair, declared the meeting of the Board of Canvassers open at 10:00 am on Wednesday, November 16, 2022, at Board of Elections office, 340A Montevue Lane, Frederick, Maryland. 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. She introduced the Board of Canvassers. She introduced Election Director Barbara Wagner.

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CONFIRMATION OF OATH

Sandra Dalton, the Clerk of the Court for Frederick County, administered and recorded the oath of each member of the Board of Canvassers on September 29, 2022.

ANNOUNCEMENT OF OFFICERS

At a meeting on September 29, the Board of Canvassers elected Mary Lou Green as Chair of the Board of Canvassers, Mary Costello as Vice Chair, and Lawrence Hill as Secretary.

PUBLIC NOTICE OF CANVASS

Director Wagner noted that public notice of the mail-in ballot canvass was provided and that the notice was provided on the Board website, through social media, in a press release to media outlets, and at the Board office.

VERIFICATION OF OPTICAL SCAN VOTING UNITS

Voting Operations Manager Marc Welch presented documents to the Board of Canvassers showing that the ballot scanners being used in the canvass successfully passed Logic and Accuracy Testing. The DS850 passed on September 22 and the DS200 scanners passed on September 23 and October 6. Mr. Welch reported that the memory cards created for this canvass were placed in the ballot scanners and sealed. Mr. Welch noted the Ballot Scanner Serial Numbers and Seal Numbers from the Logic and Accuracy Testing documentation for the DS850 scanner and the DS200 scanners used in the canvass.

Scanners 1 and 2 will be used for provisional ballots accepted in full. Scanner 3 will be used for provisional ballots accepted in part.

Mr. Welch and Mr. Satterfield verified that the seal on the DS200 scanners used in the canvass were intact and recorded the optical scan ballot scanners serial numbers and seal numbers on the Scanning Unit Opening Integrity Report. Mr. Welch noted that the ballot scanner serial numbers and seal numbers from Logic and Accuracy Testing matched the ballot scanners serial numbers and seal numbers before the canvass began.

Ms. McDonald made the motion to open the DS200 scanners for provisional ballots, Mr. Woodcock seconded, and the motion passed unanimously.

The Board of Canvassers confirmed that the counts on the ballot scanners were zero. The Board of Canvassers signed the zero reports. Ms. Wagner posted one copy of the zero reports from the ballot scanner on hallway wall outside room where canvassing occurs. A second copy of the Zero Report was filed.

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Mr. Welch and Election Program IT Specialist II Shakir Satterfield verified that the seal on the DS850 scanner used in the canvass was intact and recorded the optical scan ballot scanners serial numbers and seal numbers on the Scanning Unit Opening Integrity Report.

Mr. Welch and Election Program IT Specialist II Shakir Satterfield verified that the seal on the DS200 scanner #4 was intact and recorded the optical scan ballot scanners serial number and seal numbers on the Scanning Unit Opening Integrity Report.

The Board confirmed that the counts on the DS850 and DS200 scanner #4 were zero and the zero reports were printed. The Board of Canvassers signed the zero reports. Ms. Wagner posted one copy of the Zero Report from the ballot scanner on hallway wall outside room where canvassing occurs. A second copy of the Zero Report was filed.

The DS200 scanner #4 and the DS850 scanner will only be used to process MIB2 ballots.

Ms. Costello made the motion to open the DS850 and DS200 scanner #4 for MIB2 tabulation, Mr. Hill seconded, and the motion passed unanimously.

CANVASSING

Overview of Canvass Process

Pursuant and in accordance with COMAR 33.08.05(C)(1), Director Wagner noted that the Rules for Observers were posted in the canvass room. She provided an overview of the canvass process and introduced the room supervisors and runners.

Director Wagner 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 ballot scanner, 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.

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Director Wagner explained that, to verify the accuracy of the voting system, some provisional ballots will be hand counted and the results of that hand count will be compared against the results from the voting system. The number of provisional ballots to be hand counted is at least 1% of the number of provisional ballots cast in the 2018 General Election. For this election, 17 provisional ballots will be hand counted. The first provisional ballot applications to be reviewed and ballots counted will be the mail-in ballots randomly selected for this audit. Once these ballots are scanned, results will be printed, and the results and the ballots will be stored for the manual audit. The manual audit will be conducted no later than 120 days after the general election.

Director Wagner explained the process to provide information to the Board of Canvassers or challenge a decision of the Board.

Director Wagner administered the oath of canvassers to one new canvasser.

Canvass Participants

The members of the ballot processing, duplicating, and ballot scanner operating teams are listed.

Names of Bi-Partisan Ballot Processing Teams	
Team #1	Kristian Anderson (DEM); Stephanie McGovern (REP)
Team #2	Jeana Wolf (DEM); Winston Mann (REP)
Team #3	Laura Densock (DEM); Nancy Fenner (REP)
Team #4	James Gibson (DEM); Sharon Hane (REP)
Team #5	Patricia Ray (DEM); Pat Oliver (REP)
Team #6	Jonathan Goldblith (DEM); Melanie Swank (REP)
Team #7	Charlotte Meierhoefer (DEM); Faye Glover (UNA);
Team #8	Dale Wolf (DEM); Mike Rusk (UNA)
Team #9	Ed Bunyon (DEM); Megan Swank (REP)
Team #10	Sherri Mayer (DEM); Gail Boggs (REP)
Team #11	Kate Jones (DEM); Nancy Harmon (UNA)
Team #12	Pat Rhodes (DEM); Mike Watterson (REP)
Team #13	Caryn Nellis (UNA); Abigail Brown (REP)
Team #14	Scott Rowe (DEM); Eric Speak (REP)
Team #15	Linda Sheffer (DEM); Rhonda Ferrell (REP)
Names of Bi-Partisan Duplicating Team Members in Tabulation Room	
Team #1	Nancy Donovan (DEM); Teresa Ledesma (REP)
Team #2	Kevin Burnette (DEM); James Lamers (REP)
Team #3	Leslie Barkley (DEM); Christine Haslup (REP)
Team #4	Elizabeth Goff (DEM); Kathy May (REP)
Other Positions	
Runner	Tiffany Mosby-Grant (DEM)
Tabulation Rm	Mike Ferrell (REP)
Names of Ballot Scanner Operating Team	

Team #1	Marc Welch, Robert Millard, Shakir Satterfield
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Canvassing of Provisional Ballots

Director Wagner reported that 2,588 provisional ballots were cast. To preserve the secrecy of the ballots, she explained that 390 mail-in ballots were held back for this provisional canvass and will be counted with the provisional ballots.

Director Wagner presented 2,091 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 accept and count the provisional ballots in full. A challenge to the acceptance in full was presented by observer Mr. Holtzinger.

Director Wagner presented 404 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.

Director Wagner presented 70 ballots with recommendation to reject due to the following reason codes. Mr. Woodcock moved to reject the 70 ballots recommended for rejection. Ms. McDonald seconded, and the motion passed unanimously.

1. Director Wagner presented 8 provisional ballots with the recommendation to reject because there was no information on the application. The applications were opened, and no information was found inside to identify the voter.
2. Director Wagner presented 5 provisional ballots with the recommendation to reject because staff could not confirm that the applicant was a registered voter. Rejection code 1.
3. Director Wagner presented 30 provisional ballots with the recommendation to reject because the applicant returned a voted mail-in ballot or already voted. Rejection code 2.
 - The provisional ballot was rejected for 23 voters since their mail-in ballot had been accepted.
 - One voter submitted two provisional ballots at the same voting place on the same day, so both were rejected.
 - One voter submitted a SDR and a provisional at different voting places on the same day. Staff was unable to determine which ballot was cast first so both were rejected. Objection to the rejection was raised by Ms. Kadish and by Mr. Holtzinger.
4. Director Wagner presented 2 provisional ballots with the recommendation to reject because the voter failed to sign the provisional ballot application. Rejection code 4.
5. Director Wagner presented 6 provisional ballots with the recommendation to reject because the applicant did not provide identification or personal identification information in time. Rejection code 6.

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6. Director Wagner presented 2 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. Rejection code 8.
7. Director Wagner presented 5 provisional ballots with the recommendation to reject because there was no provisional ballot or more than one in the envelope. Rejection code 10.
 - Two applications were opened and found to not contain any ballot.
 - One application was known to not have a ballot inside due to a fleeing voter. The application was opened and found to not contain any ballot.
 - One sealed application had page two of the ballot clipped to the outside. The chief judge notes indicated that the application was sealed with page one inside before the mistake was discovered. The second page was clipped to the application. Mr. Woodcock made the motion to accept the ballot in full, Ms. McDonald seconded, and the motion passed unanimously. An objection to the acceptance was raised by Mr. Holtzinger.
 - One application and one naked ballot were found in a provisional bag. The application was opened on the bottom where the glue came apart and allowed the ballot to slip out. Mr. Woodcock made the motion to accept the ballot in full, Ms. McDonald seconded, and the motion passed unanimously. Objection to the acceptance was raised by Mr. Holtzinger.
8. Director Wagner presented 14 provisional ballots with the recommendation to reject because the applicant did not provide proof of residency in time. Rejection code 16.

After the review, 68 stood rejected and two were accepted by vote of Board.

Canvassing of Mail-in Ballots

The staff distributed to canvassing teams the mail-in ballots reserved for this canvass to preserve the secrecy of the provisional ballots and other mail-in ballots to review for timeliness and signatures.

DAILY CANVASSING RESULTS

Provisional Canvass Statistics	Number of Ballots
Total Ballots Presented in Provisional Part of Canvass	2978
Total Provisional Ballots Presented	2588
Total Mail-in Ballots Presented	390
Total Accepted Ballots	2899
Accepted in Full Provisional Ballots	2,108
Accepted in Part Provisional Ballots	404
Accepted Mail-in Ballots	387
Total Rejected Ballots	71
Rejected Provisional Ballots	68
Rejected Mail-in Ballots	3

- The ballot from voter identification number 502027921 was rejected due to identifying marks. An objection to the rejection was raised by Mr. Holtzinger.

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Director Wagner 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.

RECESS

Canvass recessed at 1:30 pm for lunch. At 2:30 pm., Chair Green reopened the canvass.

The canvass recessed at 6:00 pm and will reconvene on November 17 at 8:30 am. Mr. Welch and Mr. Satterfield recorded the public count and performed closing procedures on all voting equipment.

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ATTENDEES:

Board of Canvassers

Name	Position	Party
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Mary Costello	Vice Chair	DEM
Lawrence Hill	Secretary	REP
Shirley McDonald	Member	DEM
William Woodcock	Member	REP
Daniel Loftus	Board Attorney	

LBE Staff

Name	Position
Barbara Wagner (Room Supervisor)	Election Director
Thomas Coogan (Room Supervisor)	Election Program Supervisor
Anthony Gutierrez (Runner)	Deputy Director
Khalfani Blount (Ballots)	Election Program Specialist I
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Marc Welch (Tabulation Room)	Voting Operations Manager
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Dylan Winer (Tabulation Room)	Technical Assistant
Danny Mafema (Tabulation Room)	Election Program Assistant I
Dell Bellinger (Tabulation Room)	LBE Support Technician
Francis Amati (Tabulation Room)	State Contractor

Public

Name	Organization (if applicable)
Kathleen Rall	Fitzwater campaign
Marc Weinburg	FCDCC
Steven Clark	Hough campaign
Cheslea Kadish	Fitzwater campaign
Paul Fulcher	Fitzwater campaign
Angela McIntosh	Self
Charles A. Jenkins	Self
Malcolm Baters	Fitzwater campaign
William Holtzinger	Hough campaign
Louis Cassorla	Self

All canvassing teams, duplicating team members, and ballot scanner operating team members in attendance are listed under the Canvass Participants section below.

DECLARATION OF QUORUM PRESENT

Mary Costello, Vice Chair, declared the meeting of the Board of Canvassers open at 8:30 am on Thursday, November 17, 2022, at Board of Elections office, 340A Montevue Lane, Frederick, Maryland. 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. She introduced the Board of Canvassers. She introduced Election Director Barbara Wagner.

CONFIRMATION OF OATH

Sandra Dalton, the Clerk of the Court for Frederick County, administered and recorded the oath of each member of the Board of Canvassers on September 29, 2022.

ANNOUNCEMENT OF OFFICERS

At a meeting on September 29, the Board of Canvassers elected Mary Lou Green as Chair of the Board of Canvassers, Mary Costello as Vice Chair, and Lawrence Hill as Secretary.

PUBLIC NOTICE OF CANVASS

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VERIFICATION OF OPTICAL SCAN VOTING UNITS

Voting Operations Manager Marc Welch presented documents to the Board of Canvassers showing that the ballot scanners being used in the canvass successfully passed Logic and Accuracy Testing. The DS850 passed on September 22 and the DS200 scanners passed on September 23 and October 6. Mr. Welch reported that the memory cards created for this canvass were placed in the ballot scanners and sealed. Mr. Welch noted the Ballot Scanner Serial Numbers and Seal Numbers from the Logic and Accuracy Testing documentation for the DS850 scanner and the DS200 scanners used in the canvass.

Mr. Welch and Mr. Satterfield verified that the seals on DS200 scanners used in the canvass were intact and recorded the optical scan ballot scanners serial numbers and seal numbers on the Scanning Unit Opening Integrity Report. Mr. Welch noted that the ballot scanner serial numbers and seal numbers from Logic and Accuracy Testing matched the ballot scanners serial numbers and seal numbers before the canvass began.

Mr. Woodcock made the motion to open the DS200 scanners, Mr. Hill seconded, and the motion passed unanimously.

The Board of Canvassers confirmed that the counts on the ballot scanners were zero. The Board of Canvassers signed the zero reports. Ms. Wagner posted one copy of the zero reports

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from the ballot scanner on hallway wall outside room where canvassing occurs. A second copy of the Zero Report was filed.

Mr. Welch and Election Program IT Specialist II Shakir Satterfield verified that the seal on the DS850 scanner used in the canvass was intact and recorded the optical scan ballot scanners serial numbers and seal numbers on the Scanning Unit Opening Integrity Report.

The Board confirmed that the count on the DS850 was zero and the zero reports were printed. The Board of Canvassers signed the zero reports. Ms. Wagner posted one copy of the Zero Report from the ballot scanner on hallway wall outside room where canvassing occurs. A second copy of the Zero Report was filed.

Ms. Costello made the motion to open the DS850 for tabulation, Ms. McDonald seconded, and the motion passed unanimously.

CANVASSING

Overview of Canvass Process

Pursuant and in accordance with COMAR 33.08.05(C)(1), Director Wagner noted that the Rules for Observers were posted in the canvass room. She provided an overview of the canvass process and introduced the room supervisors and runners.

Director Wagner 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 ballot scanner, 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.

After the provisional ballots are completed, the holdbacks from each precinct will be canvassed.

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Director Wagner 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 ballot scanner operating teams are listed.

Canvasser	Names of Bi-Partisan Ballot Processing Teams
Team #1	Janet Burnette (DEM); Stephanie McGovern (REP)
Team #2	Jeana Wolf (DEM); Winston Mann (REP)
Team #3	Laura Densock (DEM); Nancy Fenner (REP)
Team #4	James Gibson (DEM); Sharon Hane (REP)
Team #5	Patricia Ray (DEM); Pat Oliver (REP)
Team #6	Margaret Pierre-Nanan (DEM); Melanie Swank (REP)
Team #7	Charlotte Meierhoefer (DEM); Faye Glover (UNA);
Team #8	Dale Wolf (DEM); Mike Rusk (UNA)
Team #9	Ed Bunyon (DEM); Wendy Leatherman (REP)
Team #10	Sherri Mayer (DEM); Gail Boggs (REP)
Team #11	Kate Jones (DEM); Nancy Harmon (UNA)
Team #12	Pat Rhodes (DEM); Joan Gerstner (REP)
Team #13	Brenda Bell (REP); Abigail Brown (REP)
Team #14	Scott Rowe (DEM); Eric Speak (REP)
Team #15	Linda Sheffer (DEM); Rhonda Ferrell (REP)
Names of Bi-Partisan Duplicating Team Members in Tabulation Room	
Team #1	Nancy Donovan (DEM); Teresa Ledesma (REP)
Team #2	Leslie Barkley (DEM); James Lamers (REP)
Team #3	Mike Watterson (UNA); Megan Swank (REP)
Team #4	Elizabeth Goff (DEM); Kathy May (REP)
Other Positions	
Runner	Tiffany Mosby-Grant (DEM)
Tabulation Rm	Mike Ferrell (REP)
Names of Ballot Scanner Operating Team	
Team #1	Marc Welch, Robert Millard, Shakir Satterfield

Canvassing of Provisional Ballots

Mr. Woodcock made a motion to begin presenting provisional ballot applications. Mr. Hill seconded the motion, and the motion passed unanimously.

Canvassing of Mail-in Ballots

The staff distributed to canvassing teams the mail-in ballots reserved for this canvass to preserve the secrecy of the provisional ballots and other mail-in ballots to review for

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timeliness and signatures. Director Wagner presented 5,140 mail-in ballots with the recommendation to accept the mail-in ballots.

DAILY CANVASSING RESULTS

Provisional Canvass Statistics	Number of Ballots
Total Ballots Presented	5140
Total Provisional Ballots Presented	911
Total Mail-in Ballots Presented	4229
Total Accepted Ballots	911
Accepted in Full Provisional Ballots	507
Accepted in Part Provisional Ballots	404
Accepted Mail-in Ballots	4225
Total Rejected Ballots	4
Rejected Provisional Ballots	0
Rejected Mail-in Ballots	4
Remaining Ballots moved to MIB2 Canvass	1251

60 ballots were changed from accepted in-part to accepted in full after board review of each ballot.

One web-delivery ballot was rejected due to no ballot in the envelope.

One web-delivery was rejected because there was a sample ballot inside the envelope instead of the web-delivery ballot.

Two ballots were rejected to cure.

Director Wagner 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.

RECESS

Provisional Canvass recessed at 12:00.