



# DURHAM COUNTY Board of Elections

## DURHAM COUNTY BOARD OF ELECTIONS

### Minutes of Board Meeting

Thursday, May 17, 2018, 2:00 p.m.

Friday, May 18, 2018, 11:00 a.m.

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#### Members present

Dawn Baxton, Chair  
Michael Gray, Vice Chair  
Philip Lehman, Secretary  
Luke Farley, Member

#### Staff present

Elections Director Derek Bowens  
Deputy Director Sam Gedman  
Deputy Director Daniel Lassiter  
Deputy Director George McCue  
Other staff: Bekah Webb, Deborah Hart, Rose Wolf, Donna Dagavarian, Alan Resley,  
Rebecca Troedsson, Mack McFall

**Audience members present:** Susan Pochapsky, Susan Weaver, and Rae Thompson

#### Meeting opening

Chairwoman Baxton called the meeting to order and led the Pledge of Allegiance.

Mr. Farley moved to adopt the agenda as prepared by staff. This motion was seconded by Secretary Lehman and passed 4-0.

#### New business

##### Sample audit and write-in counts

The Board approved staff to begin processes for a hand-count audit of randomly-selected samples (Precinct 29 and the North Carolina Central University One-Stop site) and write-in

counts, using bipartisan teams of staff. The approval came by motion of Secretary Lehman, was seconded by Mr. Farley, and passed 4-0.

#### **Review and count of supplemental absentee ballots**

The Board reviewed 26 absentee ballot applications that were timely received. In the cases of two ballots, following discussion the Board agreed to not count two applications that had been hand-delivered by a neighbor, outside of compliance with absentee voting laws.

Secretary Lehman moved to approve the remaining 24 absentee ballot applications. The motion was seconded by Vice Chairman Gray and passed 4-0.

The Board also reviewed absentee ballot applications not recommended for approval by staff. This included the two applications noted above, two applications missing the voter's signature, and eight applications not timely received. Secretary Lehman moved to disapprove this group of applications. Mr. Farley seconded the motion, which passed 4-0.

#### **Review and count of provisional ballots**

Staff presented a group of 266 provisional ballot applications to the Board along with its recommended disposition of each following research (the original count was 268, but it was determined that this count included one duplicate record and one cancelled record). Staff presented a disposition report showing the recommended disposition and findings of staff research. In total, 98 applications were recommended for full approval, 100 ballots were recommended for partial approval (i.e. the voter was eligible to vote but voted a ballot that included some contents that the voter was not eligible to vote in), and 68 were not recommended for approval.

Mr. Bowens noted that at Precinct 44 on Election Day, three ballots had been erroneously inserted into the tabulator and were unable to be retrieved. However, these three applications had been recommended for either full or partial approval, thus this poll worker error would not impact voter history counts.

Mr. Bowens also noted that records showed that one voter had voted both during One-Stop voting and on Election Day as a provisional voter. This provisional application was not recommended for approval and the instance would be reported to the State Board of Elections and Ethics Enforcement.

Mr. Farley moved to accept staff's recommendations regarding provisional applications, and to initiate the counting of provisional ballots (this entailed ballot replication by a bipartisan team of ballots eligible for partial count). The motion was seconded by Vice Chairman Gray and passed 4-0.

#### **Public comment and questions**

None

### **General discussion**

None

### **Recess**

Following supervision of the various counts performed by staff, the Board recessed until the scheduled time of canvass at 11:00 a.m. on Friday, May 18.

### **Call to order at time set for canvass**

At 11:00 a.m. on Friday, May 18, Vice Chairman Gray called the meeting to order. (Chairwoman Baxton was not present for this portion of the meeting, and Mr. Farley was present by live telephone call.) The Board agreed to recess the meeting until the time Chairwoman Baxton could be in attendance.

### **Reconvening after recess**

The Board reconvened at approximately 12:30 p.m. with the arrival of Chairwoman Baxton.

The Board approved the agenda for the canvass meeting by motion of Secretary Lehman, which was seconded by Vice Chairman Gray and passed 3-0.

The Board approved minutes from the May 7 and May 8, 2018 Board meetings, by motion of Secretary Lehman, which was seconded by Vice Chairman Gray and passed 3-0.

### **Canvass**

Mr. Bowens provided an updated provisional disposition report that now included the modifications already noted.

The Board signed write-in reports, supplemental absentee documentation, an election audit prepared by Mr. Bowens, chain of custody documentation, and the abstract of the election. Staff imported results of supplemental absentee and provisional counts.

### **Public comment and questions**

None

### **General discussion; adjournment**

Chairwoman Baxton announced plans to resign her tenure as a Board Member. Fellow Board members and staff thanked Chairwoman Baxton for her long and valued service to the Durham County Board of Elections.

On a motion by Vice Chairman Gray, the Board accepted Chairwoman Baxton's resignation and named Secretary Lehman to be Chairman. The motion was seconded by Chairwoman Baxton and passed 3-0. The Board immediately adjourned at 1:48 p.m.



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Philip Lehman, Chairman