



# DURHAM COUNTY Board of Elections

## DURHAM COUNTY BOARD OF ELECTIONS

### Minutes of Board Meeting

Friday, October 11, 2019 7:00 p.m.

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#### Members present

Philip Lehman, Chairman  
Luke Farley, Secretary  
Dawn Baxton, Member  
Michael Gray, Member  
Pamela Oxendine, Member

#### Staff present

Derek Bowens, Elections Director  
Brenda Baker, Deputy Director  
Daniel Lassiter, Elections Manager  
Alan Resley, Staff Assistant

County officials present: Curtis Massey, Senior Assistant County Attorney

Audience members present: See attendance sheet

#### Meeting opening

Chairman Lehman called the meeting to order at 7:10 p.m. and led the Pledge of Allegiance.

#### Approval of Agenda

Mr. Bowens presented the Board with the agenda for the meeting. Following review, Ms. Baxton moved to approve the agenda. The motion was seconded by Ms. Oxendine and passed unanimously, 5-0.

#### New Business

- a. Preliminary Consideration of an Election Protest - Peterson
  - After discussion and review of the protest documents Ms. Peterson submitted, Ms. Baxton made a motion to dismiss the protest on lack of probable cause. The motion was seconded by Mr. Farley and passed unanimously, 5-0.

Chairman Lehman filed an order on the dismissal of Ms. Peterson's protest due to lack of probable cause in the office of the County Board of Elections. Ms. Peterson was present during this time and was provided a copy of the order.

b. Sample Audit Count

- Ms. Oxendine made a motion for staff to conduct the sample audit count. The motion was seconded by Mr. Lehman and passed unanimously, 5-0. The sample audit count will be conducted for Precincts 23 and 55-49.

c. Review and Counting of Supplemental Absentee Ballots

- After review of the supplemental absentee ballot applications, Ms. Baxton moved to approve 19 applications and ballots per the recommendation of staff (Includes absentee-by-mail and absentee one-stop). The motion was seconded by Mr. Gray and passed unanimously, 5-0.

Staff began counting approved supplemental absentee ballots per previously passed resolution.

d. Review and Counting of Provisional Ballots

- Ms. Oxendine presented a motion to approve the 113 provisional ballot applications recommended by the staff for full approval. The motion was seconded by Mr. Farley and passed 5-0. A motion was put forward by Ms. Baxton to disapprove the 56 provisional ballot applications per the recommendation of staff. The motion passed, 5-0. Three provisional ballot applications remained in a pending status until staff could receive the DMV research report from the State Board of Elections.

Staff began counting approved provisional ballots consistent with NCGS 163-182.2(a)(4).

**Public Comment**


- One member of the public made comments in regard to the Election Protest.

**General Discussion**

- No general discussion.

**Adjournment**

The Board adjourned at approximately 10:15 p.m. on a motion made by Ms. Baxton. The motion was seconded by Chairman Lehman and passed unanimously, 5-0.

  
Luke J. Farley, Sr., Secretary