



# DURHAM COUNTY Board of Elections

## DURHAM COUNTY BOARD OF ELECTIONS

### Minutes of Board Meeting

Monday, October 14, 2019 11:00 a.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: Willie Darby, Senior Assistant County Attorney

Audience members present: See attendance sheet

#### Meeting opening

Chairman Lehman called the meeting to order at 11:06 a.m. and led the Pledge of Allegiance.

#### Approval of Agenda

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

#### New Business

- a. Challenge Hearing - Larry Bagley
  - Director Bowens was sworn in prior to the start of the challenge hearing to present evidence on the absentee application and ballot submitted by Mr. Bagley on September 24<sup>th</sup> at North Carolina Central University. Mr. Bagley did not appear at the hearing to provide evidence on the validity of the absentee application and ballot submitted. After review of evidence and discussion amongst Board

members, Ms. Baxton moved to sustain the challenge and to remove Mr. Bagley's ballot from the final count. The motion was seconded by Mr. Farley and passed unanimously, 5-0. The Board will refer this incident to the NC State Board of Elections. Mr. Darby will prepare an order for Chairman Lehman to execute which will be distributed to the State Board of Elections and to Mr. Bagley.

Staff recorded the hearing and an electronic file will be archived at the Board of Elections office.

b. Canvass of the 2019 Municipal Primary Election

- After the review of pending provisional ballot applications from the October 11, 2019 meeting, Ms. Baxton moved to approve 1 provisional application per the recommendation of staff. The motion was seconded by Ms. Oxendine and it passed unanimously, 5-0. Ms. Baxton then moved to disapprove 2 of the pending provisional applications per the recommendation of staff. The motion was passed unanimously, 5-0.

The Board executed all required documentation prior to reviewing the final results for certification. After the review of Canvass documents, Mr. Farley moved to approve the certification of the October 8, 2019 Election. The motion was seconded by Ms. Baxton and was passed unanimously, 5-0.

**Public Comment**

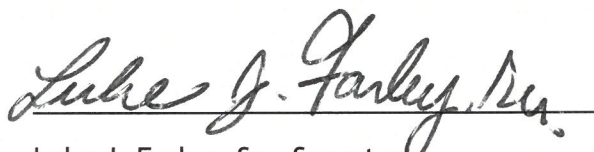
- No public comment

**General Discussion**

- No general discussion.

**Adjournment**

The Board adjourned at approximately 12:25 p.m. on a motion made by Ms. Oxendine. The motion was seconded by Mr. Farley and passed unanimously, 5-0.

  
Luke J. Farley, Sr., Secretary