



DURHAM COUNTY Board of Elections

DURHAM COUNTY BOARD OF ELECTIONS

Minutes of Board Meeting

Tuesday, October 6, 2020 5:00 P.M.

Members Present

Michael Gray, Secretary
Pamela Oxendine, Member
Gregory Irby, Member
Dawn Baxton, Member

Staff Present

Derek Bowens, Elections Director
Brenda Baker, Deputy Director
Alan Resley, Absentee Coordinator
Daniel Lassiter, Elections Manager
Deborah Hart, Senior Elections Administrator
James Graves, Elections Systems Specialist
David Beuttel, Elections Logistics Manager
Rebecca Troedsson, Elections Specialist

County Officials Present: N/A

Audience Members Present: See attendance log.

Meeting opening

Ms. Baxton called the meeting to order at 5:09 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. Oxendine moved to approve the agenda and all approved, 4-0. Chairman Lehman was not in attendance for this meeting.

Director's Report

Mr. Bowens presented the Board with an update on Number Memorandums 2020-28 and 2020-29 and explained that deficient ballots were not be considered until further guidance was received from the State Board of Elections.

Public Comment and Questions

Comments and questions were made by members of the public via the public comment portal and in-person.

New Business

a. Review of Absentee-By-Mail Ballots

- Consistent with Numbered Memorandum 2020-25, Mr. Bowens requested that the Board agree to random spot checking of absentee ballot applications recommended for approval by staff in lieu of reviewing each individual envelope. The Board agreed unanimously to each review 50 randomly selected batches of absentee-by-mail ballots recommended for approval.
- After discussion and a random physical review of the absentee ballot applications, Mr. Irby moved to approve a total 5,664 civilian absentee applications and ballots per the recommendation of staff. The motion was approved by all, 4-0. Mr. Irby also moved to approve 20 military/overseas ballots that had been received by mail. The motion was approved by all, 4-0.
- Ms. Baxton moved to authorize staff to open approved absentee-by-mail envelopes and begin the optical scanning process authorized under NCGS 163-234(3) and Numbered Memorandum 2020-25. The motion was approved by all, 4-0.
- Following review of duplicated military/overseas ballots consistent with Board policy (BOE-001), Mr. Irby moved to approve 180 duplicated military/overseas ballots. The motion was approved by all, 4-0.
- Mr. Bowens presented the Board with guidance received from State Board of Elections Associate General Counsel Kelly Tornow confirming that the Board should approve absentee-by-mail ballots returned by unauthorized returners if there is no evidence to suggest that the voter did not vote the returned ballot. Ms. Baxton expressed concern with this guidance and requested Mr. Bowens to review office policy as it relates to the process internally for accepting ballots received by unauthorized returners. After further discussion, Mr. Gray moved to accept 13 ballots submitted by unauthorized returners, noting that staff was able to speak with the majority of the voters in question. The motion was approved by all, 4-0.
- Following discussion on 3 pending absentee-by-mail ballots, Ms. Oxendine moved to accept the ballots of Jill Sellers, Varlee Kelleh, and Patrick Dunn upon further review and guidance from the State Board of Elections.
- Mr. Bowens informed the Board that the ballot of Patricia Clarke would need to be challenged on Election Day since she moved from the county at least 30-days prior to the election. Staff reached out to the voter to inform her of her voting options in her new

county of residence. This ballot was previously approved and scanned at the September 29, 2020 Board meeting.

Recess

Following the opening and scanning of 5,664 approved civilian/overseas absentee-by-mail ballots, Mr. Bowens requested that the Board enter into recess to allow staff time to address a Statewide Elections Information Management System (SEIMS) issue where 10 approved ballots were assigned to the wrong meeting date. The Board recessed at 11:34 p.m. and agreed to optically scan the remaining 226 unopened absentee-by-mail ballots at 10:00 a.m. on October 7, 2020.

General Discussion

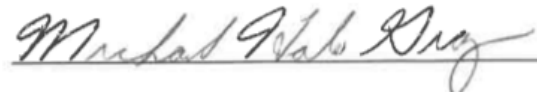
There was no general discussion.

Return from Recess

The Board came out of recess at 10:11 a.m. on October 7, 2020 and authorized staff to open and scan the remaining 226 approved absentee-by-mail ballots on a motion made by Mr. Irby. The motion was approved, 4-0.

Adjournment

The Board adjourned at approximately 10:45 a.m. on a motion made by Mr. Gray. The motion was approved by all, 4-0.

A handwritten signature in cursive script, reading "Michael H. Gray", written over a horizontal line.

Michael H. Gray
Secretary