



# MEETING MINUTES

Board of Elections Meeting  
Tuesday, September 7<sup>th</sup>, 2021  
5:00 P.M.

## Board Members:

Dawn Y. Baxton, Chairwoman  
Gregory D. Irby, Secretary  
Philip A. Lehman, Member  
Pamela A. Oxendine, Member  
David K. Boone, Member

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**Board Members Present:** Chairwoman Dawn Y. Baxton, Secretary Gregory D. Irby, Member Philip A. Lehman, Member Pamela A. Oxendine, and Member David K. Boone

**Board Staff Present:** Elections Director Derek Bowens, Deputy Director Brenda Baker, Systems and Audit Manager Daniel Lassiter, Absentee Coordinator Alan Resley

**Guests in Attendance:** See Attendance Sheet

**Meeting Type:** In-Person and Zoom

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## Meeting Opening

Chairwoman Baxton called the meeting to order at approximately 5:06 p.m. at the Board of Elections Warehouse (2445 S. Alston Ave, Durham, NC 27703) and led the Pledge of Allegiance.

## Approval of Agenda

Mr. Bowens presented the Board with the agenda for the meeting. Following review, Mr. Lehman moved to approve the agenda as submitted by staff. The motion carried unanimously, 5-0.

## Approval of Minutes

Mr. Bowens presented the Board with the minutes from the July 20<sup>th</sup> and August 17<sup>th</sup> Board meetings. Following review, Mr. Irby moved to approve the minutes as amended, with an addition to the August 17<sup>th</sup> minutes regarding action by the Board to cancel the August 31<sup>st</sup> regularly scheduled meeting. The motion carried unanimously, 5-0.

## Director's Report

Mr. Bowens provided the Board with updates on the Community Success Initiative vs. Moore lawsuit and 2021 Precinct Official Training.

## Public Comment

No comments or questions were provided in the public chat function or through the online submission portal.

## New Business

### a. Felony Challenge Preliminary Hearing – Sivarus Williams-Jones

- Mr. Bowens presented the Board with a request to table the hearing for Mr. Sivarus Williams-Jones until September 14, 2021 at 5:00 p.m. Due to an N.C. Superior Court preliminary injunction in the case of Community Success Initiative (CSI) vs. Moore and a subsequent stay of that decision by the

N.C. Appeals Court, the request for an extension will permit adequate time to ensure proper notice of the hearing and to procure a court reporter. Following discussion, Mrs. Oxendine moved to approve the request to table the hearing for Mr. Sivarus Williams-Jones until September 14, 2021 at 5:00 p.m. The motion carried unanimously, 5-0.

**b. Resolution to Adopt a Time for Counting Absentee Ballots**

- Mr. Bowens presented the Board with a Resolution to Adopt a Time for Counting Absentee Ballots. Following review and discussion, Mr. Lehman moved to adopt the resolution. The motion carried unanimously, 5-0. The Board will meet at 2:00 p.m. for both elections, October 5<sup>th</sup>, 2021, and November 2<sup>nd</sup>, 2021 to count absentee-by-mail ballots. The Board will also meet at 9:00 a.m. on October 11<sup>th</sup>, 2021 and November 8<sup>th</sup>, 2021 to address supplemental absentee-by-mail and provisional ballots.

**c. Approval of the 2021 Municipal Primary Election Machine Logic and Accuracy Testing**

- Mr. Bowens presented the Board with a certification document verifying logic and accuracy of all equipment being used for the October 5<sup>th</sup>, 2021 Municipal Primary Election. Following discussion and review, Mr. Irby made a motion to accept the certification document for logic and accuracy. The motion carried unanimously, 5-0. The document will be executed by Chairwoman Baxton.

**d. Review of Absentee-By-Mail Ballots**

- Mr. Bowens presented the Board with 2 ballots for review. Following review, Mr. Lehman moved to approve a total of 2 applications and ballots per the recommendation of staff (UOCAVA only), and to also allow staff to scan all approved absentee ballots as preparatory steps prior to the count on Election Day in accordance with NCGS 163-234 (2) and (3). The motion carried unanimously, 5-0.

**General Discussion**

Director Bowens informed the Board that Early Voting begins next Thursday, September 16<sup>th</sup>, 2021 at five locations throughout the county. Mr. Bowens also mentioned that the Space Study Presentation will be sent to all Board Members.

**Adjournment**

The Board adjourned at approximately 5:45 p.m. on a motion made by Mr. Irby. The motion carried unanimously, 5-0.

**s/Gregory D. Irby  
Member**