



MEETING MINUTES

Board of Elections Meeting
Tuesday, May 3, 2022
5:15 P.M.

Board Members:

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

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

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

County Staff Present: N/A

Guests in Attendance: See Attendance Sheet

Meeting Type: In-Person and Zoom

Meeting Opening

Chairwoman Baxton called the meeting to order at approximately 5:20 p.m. at the Board of Elections Warehouse (2445 S. Alston Ave, Durham, NC 27713) 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, 5-0.

Approval of Minutes

Mr. Bowens presented the Board with minutes from the 4/26 Board meeting. Following review, Mr. Lehman moved to approve the minutes as submitted by staff. The motion carried, 5-0

Public Comment

One comment was provided in the public chat function and addressed by Mr. Bowens.

New Business

a. Review of Absentee-By-Mail Ballots

- Mr. Bowens presented the Board with 140 Civilian and 2,225 One-Stop absentee ballots and applications for review. Following discussion and physical review, Mr. Lehman moved to approve a total of 2,365 Civilian and One-Stop absentee ballots and applications per the recommendation of staff. The motion carried unanimously, 5-0.
 - Mr. Bowens presented the Board with 16 duplicated and 2 by-mail military/overseas ballots and applications. Following physical review of duplicated and by-mail military/overseas ballots consistent
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with Board policy, Mr. Lehman moved to approve a total of 18 military/overseas ballots and 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.

- Mr. Bowens presented the Board with 5 ballots and applications designated as Witness Information Incomplete. Following review, Mr. Lehman moved to disapprove the 5 ballots that were missing witness information and directed staff to reissue ballots to the voters. The motion carried unanimously, 5-0.
- Mr. Bowens presented the Board with 2 ballots and applications designated as Pending Cure. Following discussion and physical review, the Board directed staff to send cure certifications to the voters, and to keep their status as pending cure.
- Mr. Bowens presented the Board with 1 ballot and application designated as Pending. Following discussion and physical review, Mr. Irby moved to disapprove the ballot and directed staff to reissue a ballot to the voter. The motion carried unanimously, 5-0.
- Following the motions for the 5 Witness Information Incomplete ballots, 1 Pending ballot, and 2 Pending Cure ballots, the approved absentee counts for the May 3, 2022, meeting was CIV 140, One-Stop 2,225, and OVR 18, for a total of 2,383.

b. 2022 Statewide Primary and Election – Chief Judge and Judge Substitutes

- Mr. Bowens presented the Board with staff recommendations for Chief Judge and Judge Substitutes. Following review and discussion, Mrs. Oxendine moved to approve the recommended lists. The motion carried unanimously, 5-0.

c. Unaffiliated Candidate Certification for the 11/08/2022 General Election – Maria E. Jocys

- Mr. Bowens presented the Board with a request to approve the petition of Maria Jocys to be added on the November 8, 2022, General Election ballot as an Unaffiliated candidate for the office of Sheriff. Consistent with N.C. Gen. Stat. 163-122, the prospective candidate has submitted the signatures of 15,685 purported Durham County residents supporting her petition. Durham County Board of Elections staff has found that 9,599 of the names submitted are those of Durham County registered voters. This meets the statutory threshold of 9,248 signers. Chair Baxton and Mr. Lehman expressed concerns with the high rejection rate of the signatures submitted by the petitioner.

Following discussion, Mr. Lehman moved to certify the petition of Maria Jocys based on the 9,599 signatures approved by staff, and that her name be placed on the November 8, 2022, General Election ballot for the office of Durham County Sherriff. The motion carried unanimously, 5-0.

General Discussion

Mr. Bowens provided the Board with an update on early voting, electioneering issues at North Regional Library, and processes in place to protect the confidentiality of Durham County's sole registered voter residing in the Town of Cary.

Adjournment

The Board adjourned at approximately 6:42 p.m. on a motion made by Mrs. Oxendine. The motion carried unanimously, 5-0.

s/Gregory D. Irby
Secretary