



MEETING MINUTES

Board of Elections Meeting
Friday, May 27, 2022
11:00 A.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, Voter Services Manager Daniel Lassiter, Logistics and Systems Manager David Beuttel and Systems Specialist Julius Richards

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 2:03 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, 4-0. Mrs. Oxendine was not present for this motion.

Public Comment

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

New Business

a. Voter Challenge Hearing – Isaiah Sadrija Bailey-Wilkerson

- Mr. Bowens was sworn in by Chairwoman Baxton. Mr. Bowens provided evidence to show that Mr. Sadrija Bailey-Wilkerson completed a same-day registration form at a one-stop site to change his party affiliation. However, party affiliation cannot be changed during the one-stop early voting period. After completing the same-day registration form and updating his party affiliation, he received a ballot that reflected his new party change. Following discussion, Mr. Lehman made a motion to sustain the challenge in part. Mr. Sadrija Bailey-Wilkerson was eligible to vote for School Board due to it being a non-partisan race. The motion carried unanimously, 5-0. Mr. Bowens informed the Board that he would work with Senior Assistant County Attorney Willie Darby to prepare an order reflecting the Board's decision.

b. Voter Challenge Hearing – Donald Hamm

- Mr. Bowens presented the Board with information on Mr. Donald Hamm who received the wrong ballot style when he voted at one-stop. Mr. Hamm was given an R0015 ballot instead of an R0013. Mr. Hamm voted the R0015, placed it in the tabulator and realized that he had been given the incorrect ballot style. He returned to the check-in station to let the precinct official know that he had received the incorrect ballot style and that he wanted to vote the correct ballot. He was allowed to vote the R0013 ballot provisionally. Following discussion, Mr. Lehman moved to fully sustain the challenge based on staff recommendation. The incorrect ballot will be retracted from the final count and the correct ballot will be added. The motion carried unanimously, 5-0. Mr. Bowens informed the Board that he would work with Senior Assistant County Attorney Willie Darby to prepare an order reflecting the Board’s decision.

c. Review and Counting of Provisional Ballots

- Mr. Bowens presented the Board with an updated count for approved provisional ballots to include that of Mr. Donald Hamm. Following review, Mr. Irby made a motion to approve the provisional ballot for Donald Hamm as a fully counted ballot, increasing the total number of provisional ballots approved for the election to 258. The motion carried unanimously, 5-0.

d. Review of Write-In Ballots

- Mr. Bowens presented the Board with a list of Write-In results from the May 17, 2022, Statewide Primary and Election. Following discussion and review, Mr. Lehman moved to approve the write-in votes and to authorize staff to make the necessary additions in the election reporting software. The motion carried unanimously, 5-0.

e. Review of Post-Election Audit

- Mr. Bowens presented the Board with a Post-Election Audit report for review. The report includes statistics for each reporting group (ABS, Provisional, One-Stop and Election Day), and shows that the totals between ballots cast and voter history reconciled 100%. A motion was not necessary for this item.

f. Canvass of the 2022 Statewide Primary and Election

- Mr. Bowens presented the Board with a request to finalize canvass for the May 17, 2022, Statewide Primary and Election. The Board executed all required documentation prior to reviewing the consolidated results for certification. Following review of Canvass documents, Mrs. Oxendine, moved to approve the certification of the May 17, 2022, Statewide Primary and Election. The motion carried unanimously, 5-0.

General Discussion

Mr. Bowens informed the Board of a possible Runoff Election scheduled for July 26, 2022, for Cary Town Council At-Large.

Adjournment

The Board adjourned at approximately 12:34 p.m. on a motion made by Mr. Lehman. The motion carried unanimously, 5-0.

s/Gregory D. Irby
Member