



# MEETING MINUTES

Board of Elections Meeting  
Tuesday, October 17, 2023  
11:00 A.M.

## Board Members:

Dawn Y. Baxton, Chairwoman  
David K. Boone, Member  
James P. Weaver, Member  
Pamela A. Oxendine, Member  
Donald H. Beskind, Member

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**Board Members Present:** Chairwoman Dawn Y. Baxton, Member James P. Weaver, Member Pamela A. Oxendine, Member Donald H. Beskind and Member David K. Boone

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

**Guests in Attendance:** Senior County Attorney Bettyna Abney

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

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## Meeting Opening

In the absence of Chairwoman Baxton, Mrs. Oxendine called the meeting to order at approximately 11:00 a.m. at the Durham County Board of Elections Warehouse (2445 S. Alston Ave, Durham, NC 27713). Chairwoman Baxton arrived at 11:02 a.m. and led the Pledge of Allegiance.

## Approval of Agenda

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

## Public Comment

No comments were provided.

## New Business

### a. Review of Pending Provisional Ballots

- Mr. Bowens presented the Board with the remaining 16 Pending Provisional ballots and applications for review. Provisional cures were not received by the deadline of 5:00 p.m. the day before Canvass and the pending provisional ballots and applications were moved to a status of 'Not Approved.' Before the motion for the pending provisional ballots and applications, Dr. Weaver requested the Board re-open the vote on Ms. Motten's provisional ballot status. Mr. Beskind moved to re-open the vote on Ms. Motten's provisional ballot status. The motion carried unanimously, 5-0. Following discussion on Ms. Motten's provisional photo ID Exception form, Chairwoman Baxton moved to maintain the Board's previous action that the photo ID exception form submitted by Ann Motten was not submitted with falsity consistent with NCGS 163-166.16(f). The motion carried, 4-1, with Dr. Weaver abstaining. The total count for provisional ballots and applications that were not approved was 72. Mr. Boone

moved to not approve the 72 provisional ballots and applications as recommended by staff. The motion carried unanimously, 5-0.

**b. Review of Supplemental Absentee Ballots**

- Mr. Bowens presented the Board with 1 Overseas duplicated ballot and application for review. The ballot was received timely by the State Board of Elections and sent to Durham the morning of Canvass. Following discussion and physical review, Mrs. Oxendine moved to accept the 1 Overseas duplicated absentee ballot and application. The motion carried unanimously, 5-0.

**c. Review of Post-Election Audit Report**

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

**d. Canvass of the 2023 Municipal Primary Election**

- Mr. Bowens presented the Board with a request to finalize canvass for the October 10, 2023, Municipal Primary Election. The Board executed all required documentation prior to reviewing the consolidated results for certification. Following review of Canvass documents, Mr. Beskind moved to approve the certification of the October 10, 2023, Municipal Primary Election. The motion passed unanimously, 5-0.

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

- Mr. Bowens presented the Board with a Resolution to Adopt a Time to Count Absentee Ballots. Following review and discussion, Mr. Beskind moved to adopt the resolution as presented by staff. The motion carried unanimously, 5-0. The Board will meet at 2:00 p.m. on Election Day, November 7, 2023, to count absentee-by-mail ballots. Additionally, the Board will meet at 2:00 p.m. on November 16, 2023, to address supplemental absentee-by-mail and provisional ballots. Following further discussion on Board meetings, Mrs. Oxendine moved to cancel the October 17, 2023, Board meeting at 5:30 p.m. due to no absentee-by-mail ballots being received for the November 7, 2023, Municipal General Election for review. The motion carried unanimously, 5-0.

**General Discussion**

- 2023 Municipal General Election – Absentee One-Stop Voting Period
- Upcoming Board Meetings

**Closed Session**

- Mr. Boone moved that the Board enter into closed session at 12:09 p.m. under NCGS §143-318.11(a)(3) to discuss matters concerning Green vs. Bell. The motion passed unanimously, 5-0.
- The Board returned to open session at 12:20 p.m. in accordance with N.C. Gen. Stat. §143-318.10(d) to conduct business remaining before the Board.

**Adjournment**

The Board adjourned at approximately 12:25 p.m. on a motion made by Mrs. Oxendine. The motion carried unanimously, 5-0.

s/David K. Boone  
Member