



MEETING MINUTES

Board of Elections Meeting
Thursday, November 16, 2023
2:00 P.M.

Board Members:

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

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

Board Staff Present: Elections Director Derek Bowens, Deputy Director Brenda Baker, Systems Specialist Julius Richards, and Absentee Coordinator Alan Resley

Guests in Attendance: Senior Assistant County Attorney Bettyna Abney

Meeting Type: In-Person and Zoom

Meeting Opening

Chairwoman Baxton called the meeting to order at approximately 2:02 p.m. at the Durham County 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. Beskind moved to approve the agenda as submitted by staff. The motion carried unanimously, 4-0. Mrs. Oxendine was not present for the meeting.

Public Comment

No comments were provided.

New Business

a. Sample Audit Count (Precincts 27 and 34-1)

- Mr. Bowens presented the Board with a request for staff to conduct the sample audit count for Precincts 27 and 34-1 using bi-partisan teams. Dr. Weaver moved to authorize staff to proceed with the sample audit count. The motion carried unanimously, 4-0.

b. Counting of Write-In Ballots

- Mr. Bowens presented the Board with a request to authorize bi-partisan teams to count write-in votes for the 2023 Municipal General Election. Following discussion and review, Dr. Weaver moved to authorize staff to proceed with counting write-in votes for the 2023 Municipal General Election. The motion carried unanimously, 4-0.

c. Review and Counting of Provisional Ballots

- Mr. Bowens presented the Board with 273 Accepted, 130 Not Approved, and 52 Pending Provisional ballot applications for review. Following review and discussion, 14 pending ballots included properly executed photo ID exception forms and were moved to an approved status. Two pending ballots that were missing the voter's signature were moved to a not approved status due to the voter not completing the application by 5:00 p.m. on the day before Canvass. One pending ballot for Mr. Dillon Kimmel, who the Board entered a challenge against, will remain pending until after the challenge hearing Canvass day. The remaining 37 pending ballots were moved to a status of not approved due to no photo ID provided to the Board of Elections by 5:00 p.m.
- Following the changing of the 14 pending ballots to an approved status, Mr. Boone moved to approve 287 provisional ballots and applications as recommended by staff. The motion carried unanimously, 4-0.
- Following the changing of the 37 pending ballots to a not approved status, Dr. Weaver moved to disapprove 167 provisional ballots and applications as recommended by staff. The motion carried unanimously, 4-0.

d. Review and Counting of Supplemental Absentee Ballots

- Mr. Bowens presented the Board with 77 Civilian and 25 Overseas duplicated ballots and applications for review. Following physical review and discussion, Mr. Beskind moved to accept the ballots and applications as recommended by staff. The motion carried unanimously, 4-0. Mr. Beskind also moved to allow staff to open and 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, 4-0.
- Mr. Bowens presented the Board with ballots and applications for the following categories: 12 Civilian Affidavit Review Pending, 19 Returned After Deadline, 7 Witness Information Missing, and 5 Pending. Following discussion and physical review, Mr. Beskind moved to disapprove 2 of the pending ballots that were missing a barcode on the post-office postage stamp. The motion was carried unanimously, 4-0. Dr. Weaver moved to accept one pending ballot and application where the notary provided a separate document with their notarial seal instead of notarizing the ballot application. The motion carried unanimously, 4-0. Dr. Weaver moved to approve one pending ballot where the ballot was inside of the plastic sleeve instead of the ballot return envelope. The motion carried unanimously, 4-0. Dr. Weaver moved to accept one pending ballot where the postmark was in question and determined it was acceptable. The motion carried unanimously, 4-0. Dr. Weaver moved to accept the 12 Civilian Affidavit Review Pending ballots and applications. The motion carried unanimously, 4-0.
- Following the motions for the 12 Civilian Affidavit Review and 5 Pending ballots and applications, Dr. Weaver moved to approve a total of 117 ballots and applications as recommended by staff. The motion carried unanimously, 4-0.
- Following discussion and physical review, Mr. Beskind moved to disapprove 2 pending ballots from a previous motion, 19 ballots that were Returned After Deadline and 7 Ballots for Missing

Information Incomplete, for a total of 28 disapproved ballots and applications as recommended by staff. The motion passed unanimously, 4-0.

- The approved absentee counts for the November 16, 2023, meeting was 80 Civilian, 25 Overseas duplicated, and 12 Civilian Affidavit Review ballots and applications. The total approved absentee count was 117.

General Discussion

There was no general discussion.

Adjournment

The Board adjourned at approximately 5:11 p.m. on a motion made by Mr. Boone. The motion carried unanimously, 4-0.

s/David K. Boone
Member