

DURHAM COUNTY BOARD OF ELECTIONS

Minutes of Board Meeting

Thursday, March 9, 5:00 p.m.

Members present

Chairman Bill Brian

Secretary Dawn Baxton

Member Margaret Griffin

Staff present

Chief of Staff Kate Cosner

Deputy Director Sam Gedman

Deputy Director George McCue

Deputy Director Daniel Lassiter

County attorney present: Senior Assistant County Attorney Marie Inserra

Court reporter present: Mary Lynn Fuller, Legal Media Experts

Audience members present: See attendance sheet

Chairman Brian called the meeting to order, confirming all members were present. Chairman Brian led the Pledge of Allegiance.

The Board reviewed minutes from its last meeting on February 23, 2017. Secretary Baxton moved to approve the minutes. Ms. Griffin seconded the motion, which passed 3-0.

The Board moved to preliminary consideration of voter registration challenges filed by Robert Appleby. Ms. Inserra provided legal analysis regarding the disposition of these voter challenges, taking into consideration litigation in federal court over voter challenges filed in other counties prior to the 2016 General Election. According to Ms. Inserra's analysis, voter challenges required evidence that the voter had not voted in two federal election cycles in order to meet the probable cause threshold of the Board's preliminary consideration. The challenges filed by Mr. Appleby did not include evidence that the voter had not voted in two federal elections. Ms. Griffin moved to dismiss all of the challenges before the Board at this meeting. Secretary Baxton seconded the motion, which passed 3-0. Chairman Brian explained to Mr. Appleby, who was in attendance, that he could resubmit voter challenges with evidence that each voter had not voted in two federal elections.

Ms. Cosner provided an update regarding information from the State Board of Elections. She noted that according to the State Board of Elections office, there is a possibility that all municipal primaries in the state could be moved from October to September 2017.

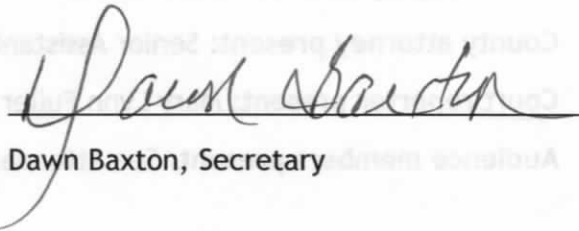
The Board next turned to agreements drafted to establish between the Board of Elections and municipalities within Durham County the costs of running municipal elections. The Board instructed Ms. Inserra to send the draft agreements to the municipalities.

The Board discussed a Memorandum of Understanding (MOU) established between the Board of Elections and Durham County administration several years prior. Ms. Inserra communicated plans to revise the MOU to clarify which entity has the power to classify employees, and to also update citations to law and caselaw.

The Board entertained public comment. Susan Pochapsky inquired about some updates to the Board of Elections website.

Secretary Baxton moved to move into closed session for authorized purposes pursuant to N.C. Gen. Stat. 143-318.11(a)(3) and (a)(6). Ms. Griffin seconded the motion. The Board began its closed session at approximately 6:00 p.m.

At approximately 7:00 p.m., the Board returned to open session. Secretary Baxton moved to establish that the Board has not waived any privilege associated with its relationship with vendor VR Systems. The Board then adjourned.



Dawn Baxton, Secretary