



DURHAM COUNTY
Board of Elections

201 N Roxboro Street
Durham, NC 27701
(919) 560-0700

Special Meeting Agenda
Durham County Board of Elections

William J. Brian Jr., Chairman

Dawn Y. Baxton, Secretary

Margaret C. Griffin, Member

Date: Tuesday, September 26, 2017

Time: 5:00 PM

Location: Basement

1. **Meeting Opening**
 - a. Call to Order
 - b. Pledge of Allegiance
 - c. Approval of Agenda
 - d. Approval of Minutes (9/19/2017)

2. **Director's Report**
 - a. Absentee One-Stop Voting Update
 - b. Election Preparation Center (Chief Judges)

3. **Old Business**
 - Memorandum of Understanding

4. **New Business**
 - a. Review of Absentee Ballots
 - b. 2017-2019 Chief Judge and Judge Substitutes

5. **Public Comment and Questions**

6. **General Discussion**
 - Other-Election Related Matters

7. **Closed Session** (N.C. Gen. Stat. §§ 143-318.11(a)(1), 143-318.11(a)(3)) and 143-318.11(a)(6)

8. **Adjournment**



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1. Meeting Opening

Item /Subject

c. Approval of Agenda

Applicable Statutes and/or Rules

N/A

Summary:

N/A

Resource(s):

N/A

Attachments:

N/A

Board Action Required:

Staff recommends approval



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1. Meeting Opening

Item /Subject:

d. Approval of Minutes

Applicable Statutes and/or Rules:

N.C. Gen. Stat. §§163-31 and 143-318.10(e)

Summary:

This includes minutes from the September 19, 2017 Board meeting

Resource(s):

Elections Director Derek Bowens and George McCue

Attachments:

Draft minutes for the September 19, 2017 regular board meeting

Board Action Required:

Staff recommends approval



DURHAM COUNTY Board of Elections

DURHAM COUNTY BOARD OF ELECTIONS

Minutes of Board Meeting

Tuesday, September 19, 2017, 5:00 p.m.

Members present

Chairman Bill Brian

Secretary Dawn Baxton

Member Margaret Griffin

Staff present

Elections Director Derek Bowens

Deputy Director George McCue

Elections Administrator Rose Wolf

County attorney present: Senior Assistant County Attorney Willie Darby

Audience members present: See attendance sheet

Introductory matters

Chairman Brian called the meeting to order and led the Pledge of Allegiance. In case the meeting ran long, Chairman Brian proposed rearranging the order of the agenda to move the closed session up to after the Director's Report. The Board approved the meeting agenda as modified on a motion made by Ms. Griffin, seconded by Secretary Baxton, and passing 3-0.

The Board reviewed minutes from its last meeting on September 14, 2017. Ms. Griffin moved to approve the minutes. Secretary Baxton seconded the motion, which passed 3-0.

Director's report

Mr. Bowens provided a brief demonstration of databases he had engineered to electronically track computer inventory and ballot stock supplies.

Closed session

Ms. Griffin moved for the Board to go into closed session for authorized purposes pursuant to N.C. GEN. STAT. 143-318.11(a)(3) relating to potential litigation and 143-318.11 (a)(1) and (a)(6) to discuss personnel matters. Secretary Baxton seconded that motion, which passed 3-0. The Board began its closed session at approximately 5:10 p.m.

Upon returning to open session at 5:40 p.m., Chairman Brian reported that the Board had instructed staff on certain matters and took no action requiring announcement in open session.

Old business: Memorandum of Understanding with Durham County administration

Director Bowens reported that this document was in the hands of Human Resources Director Kathy Everett-Perry and County Attorney Lowell Siler.

New business

Review of absentee ballots

The Board reviewed 7 returned absentee ballot applications that had been submitted in time for this meeting. Ms. Griffin moved to approve all applications. The motion was seconded by Secretary Baxton and passed 3-0. Director Bowens requested that the Board, pursuant to N.C. GEN. STAT. 163-234(2), be permitted to take preparatory steps with absentee ballots received. Preparatory steps include, but are not limited to, duplicating machine rejected ballots (bi-partisan team) and scanning readable ballots through a ballot counting machine, so long as results are not revealed. Secretary Griffin moved to allow staff to take preparatory steps on all absentee ballots pursuant to N.C. GEN. STAT. 163-234(2). The motion was seconded by Secretary Baxton and passed 3-0.

Kid's voting simulation

Mr. Bowens informed the Board of a proposal from Kid's Voting of Durham, to conduct a simulated voting event for children at certain voting sites pursuant to N.C. GEN. STAT. 163-166.3(7). Ms. Griffin moved to approve the proposal. The motion was seconded by Secretary Baxton and passed 3-0.

Election judge substitutions

Mr. Bowens provided the Board with a list of needed substitutions of chief judge and election judge positions. Mr. Bowens noted that these substitutions would only be in effect for the upcoming October municipal election. Board members inquired whether these substitutions were based on party recommendations. Mr. Bowens affirmed. Ms. Griffin moved to approve the list. The motion was seconded by Secretary Baxton and passed 3-0.

Public comment and questions; general discussion; adjournment

Mr. Bowens announced the fact that early voting would begin on Thursday, September 21. The Board adjourned at 5:54 p.m. on a motion from Ms. Griffin, which was seconded by Secretary Baxton and passed 3-0.

Dawn Baxton, Secretary



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2. Director's Report

Applicable Statutes and/or Rules:

N.C. Gen. Stat. §§ 163-33 and 163-35

Summary:

- a. Absentee One-Stop Voting Update (Elections Director Derek Bowens)
 - Absentee One-Stop Voting totals by site as of September 25, 2017.

- b. Election Preparation Center (Chief Judges) (Elections Director Derek Bowens)
 - The Board of Elections will be hosting a simulated election event to prepare Chief Judges for the 2017 Municipal Primary Election. This event will be hosted on the ninth floor of the Criminal Justice Resource Center on September 29, 2017 at 10:00 AM.

Resource(s):

Elections Director Derek Bowens

Attachments:

Absentee Statistics Report (Provided at Board Meeting)

Board Action Required:

Discuss as necessary



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3. Old Business

Item #/Subject:

Memorandum of Understanding

Applicable Statutes and/or Rules:

N.C. Gen. Stat. § 163-33

Summary:

Review of a Memorandum of Understanding between Durham County and the Durham County Board of Elections. The County Board of Elections has requested that the word “existing” be removed from item # 10 of the MOU presented at the June 8, 2017 Board meeting. This issue still awaited action by the county administration as of the June 22, 2017 Board meeting. The Board’s intentions were formalized in a motion passed unanimously at the June 22, 2017 Board meeting.

Resource(s):

Elections Director Derek Bowens

Attachments:

N/A

Board Action Required:

Discuss as necessary and action required



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4a. New Business

Item #/Subject:

Review of Absentee Ballots

Applicable Statutes and/or Rules:

N.C. Gen. Stat. § 163-230.1(c1)

Summary:

In accordance with N.C. Gen. Stat. §163-230.1(c)(1), beginning on third Tuesday prior to the election, the Board of Elections must review absentee ballot applications received as of the date of the scheduled meeting. The Board will be required to determine whether or not the ballots are “Approved” or “Disapproved.” The Board will be asked to sign an absentee poll book inclusive of all of the applications approved for the meeting. Staff also requests that the Board allow scanning and ballot duplication under N.C. Gen. Stat. §163-234(2).

Resource(s):

Elections Director Derek Bowens, Deputy Director George McCue, Deputy Director Daniel Lassiter and Elections Administrator Rose Wolf

Attachments:

Absentee Poll Book (Provided at Board meeting)

Board Action Required:

Discuss as necessary and action required



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4b. New Business

Item #/Subject:

2017-2019 Chief Judge and Judges

Applicable Statutes and/or Rules:

N.C. Gen. Stat. § 163-41

Summary:

In accordance with N.C. Gen. Stat. §163-41, the Board of Elections is required to fill Chief Judge and Judge vacancies on the nomination of the affected political parties. Attached is a list of these substitutions for the 2017 Municipal Primary Election.

Resource(s):

Elections Director Derek Bowens

Attachments:

2017-2019 Chief Judge and Judge Substitutes (Provided at Board Meeting)

Board Action Required:

Discuss as necessary and action required



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5. Public Comments and Questions

Item #/Subject:

N/A

Applicable Statutes and/or Rules:

N/A

Summary:

This is an opportunity for members of the public to provide comments and questions on elections-related matters.

Resource(s):

N/A

Attachments:

N/A

Board Action Required:

Discuss as necessary



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6. General Discussion

Item #/Subject:

N/A

Applicable Statutes and/or Rules:

N/A

Summary:

Discuss other election-related matters as needed

Resource(s):

N/A

Attachments:

N/A

Board Action Required:

Discuss as necessary



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7. Closed Session

Item #/Subject:

N/A

Applicable Statutes and/or Rules:

N.C. Gen. Stat. §§143-318.11(a)(1), 143-318.11(a)(3), 143-318.11(a)(6)

Chairman Statement Prior to Closed Session:

I move that the Board enter into closed session, under N.C.G.S §§ 143-318.11(a)(1), 143-318.11(a)(3) and 143-318.11(a)(6) to discuss personnel and matters related to potential litigation.

Summary:

Closed session is required to discuss personnel matters related to potential litigation under N.C. Gen. Stat. §§ 143-318.11(a)(1), 143-318.11(a)(3) and 143-318.11(a)(6).

Resource(s):

Elections Director Derek Bowens

Attachments:

N/A

Statement Prior to Returning to Open Session:

I move that the Board return to open session in accordance with N.C. Gen. Stat. §143-318.10(d) to conduct business remaining before the Board.

Board Action Required:

Board Action Required