



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, October 3, 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 (9/26/2017)
2. **Director's Report**
 - Absentee One-Stop Voting Update
3. **Old Business**
 - Memorandum of Understanding
4. **New Business**
 - a. Review of Absentee Ballots
 - b. 2017-2019 Chief Judge and Judge Substitutes
 - c. Resolution to Adopt a Time for Counting Absentee Ballots
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 26, 2017 Board meeting

Resource(s):

Elections Director Derek Bowens and Deputy Director for Legal and Compliance George McCue

Attachments:

Draft minutes for the September 26, 2017 Board meeting

Board Action Required:

Staff recommends approval



DURHAM COUNTY

Board of Elections

DURHAM COUNTY BOARD OF ELECTIONS

Minutes of Board Meeting

Tuesday, September 26, 2017, 5:00 p.m.

Members present

Chairman Bill Brian

Secretary Dawn Baxton

Member Margaret Griffin

Staff present

Elections Director Derek Bowens

Chief of Staff Kate Cosner

Deputy Director George McCue

Election 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. The Board approved the meeting agenda 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 19, 2017. Ms. Griffin moved to approve the minutes. Secretary Baxton seconded the motion, which passed 3-0.

Director's report

Mr. Bowens provided an update on voting activity during one-stop early voting, including graphical presentations of voter demographics. Mr. Bowens also updated the Board on expanded training opportunities offered to election officials to ensure comprehensive training of precinct Chief Judges.

Old business: Memorandum of Understanding with Durham County administration

Mr. Bowens reported that this document was in the hands of Human Resources Director Kathy Everett-Perry and County Attorney Lowell Siler. Senior Assistant County Attorney Willie Darby indicated that he would speak with Mr. Siler on the status of the Memorandum of Understanding.

New business

Review of absentee ballots

The Board reviewed 20 returned absentee ballot applications that had been submitted in time for this meeting. Secretary Baxton moved to approve all applications. The motion was seconded by Ms. Griffin and passed 3-0. Mr. Bowens noted that staff would continue procedures initiated at the last absentee board meetings to prepare for Election Day counts. The Board voted to continue approving these preparatory steps on a motion by Ms. Griffin, seconded by Secretary Baxton, and passing 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

Mr. Bowens responded to a question from audience member Susan Pochapsky regarding preparatory steps associated with absentee voting counts.

Closed session

Ms. Griffin moved for the Board to go into closed session for authorized purposes pursuant to 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 5:16 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.

Dawn Baxton, Secretary



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2. Director's Report

Item /Subject:

N/A

Applicable Statutes and/or Rules:

N.C. Gen. Stat. §§ 163-33 and 163-35

Summary:

- Absentee One-Stop Voting Update (Elections Director Derek Bowens)
 - Statistical overview of Absentee One-Stop Voting totals as of October 2, 2017.

Resource(s):

Elections Director Derek Bowens

Attachments:

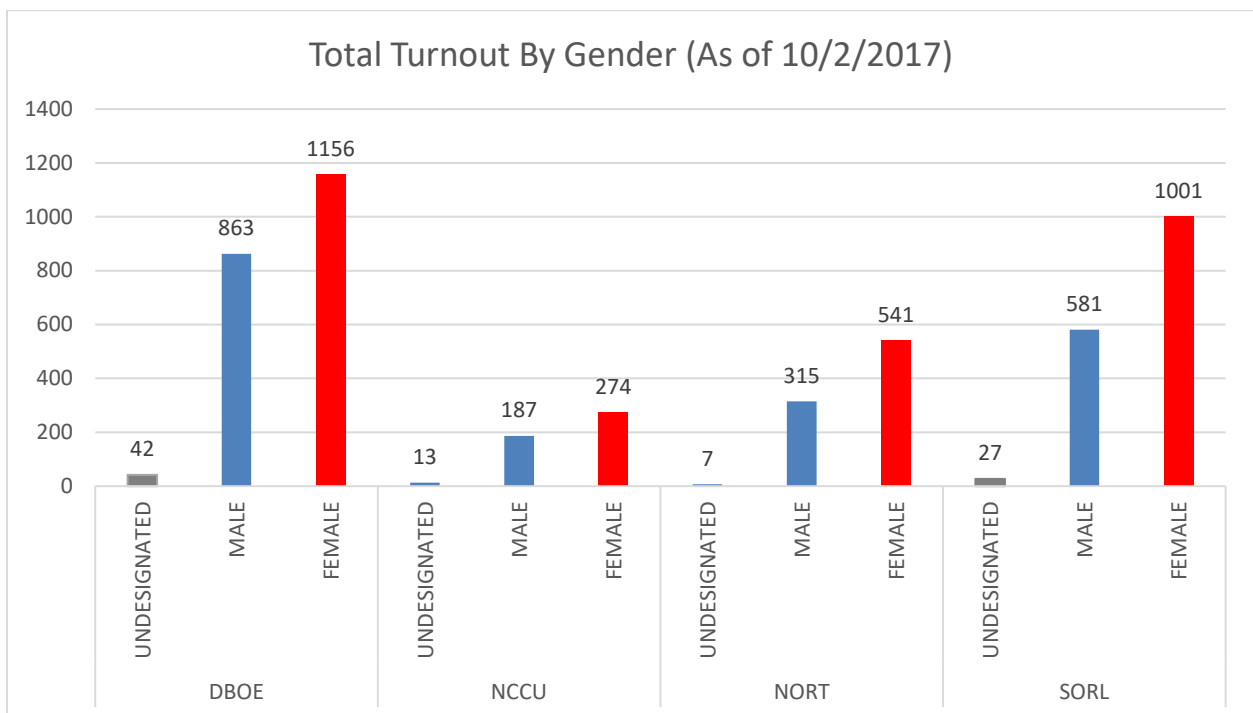
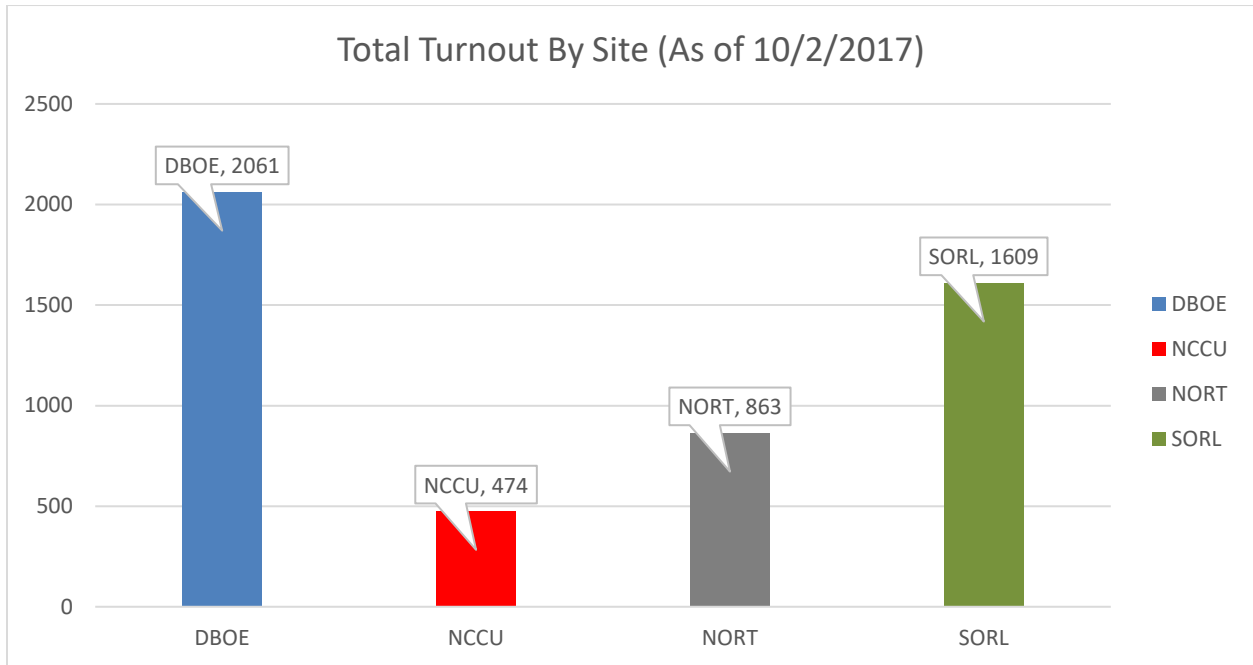
Absentee Statistics and Visualizations Report

Board Action Required:

Discuss as necessary



GRAND TOTAL OS TURNOUT AS OF 10/2/2017: 5,007

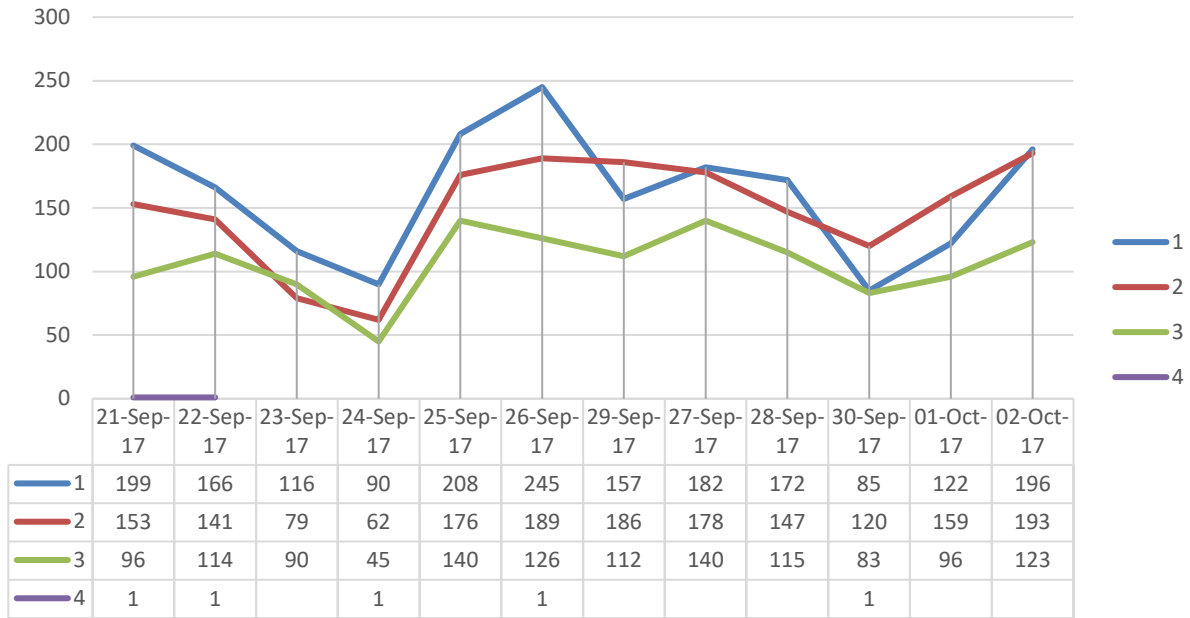




DURHAM COUNTY Board of Elections

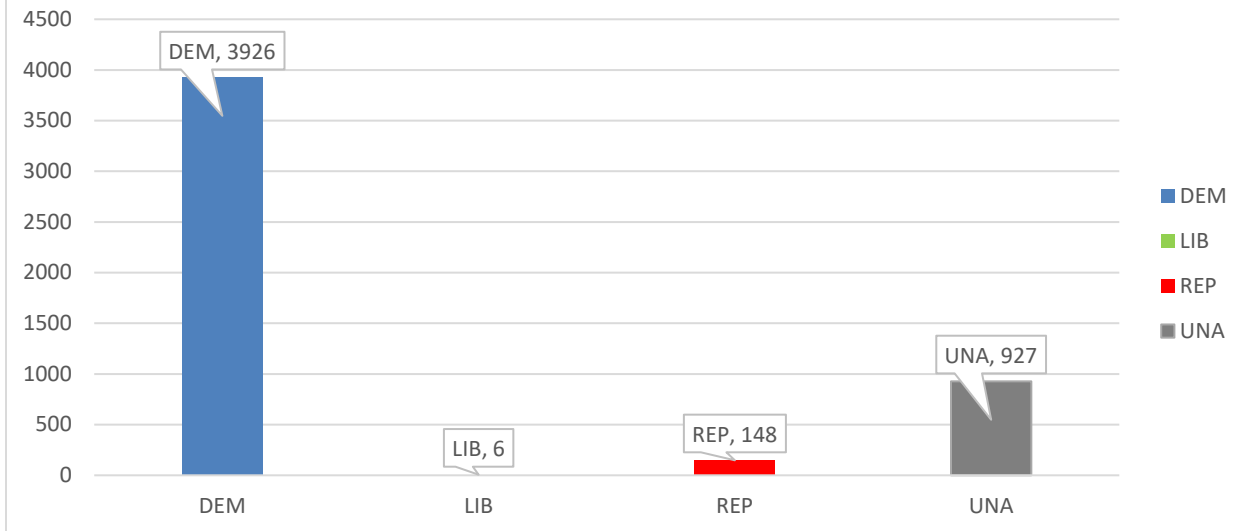
201 N Roxboro Street
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Total By Ward (As of 10/2/2017)



NOTE: "4" is the Raleigh ballot, not a ward!

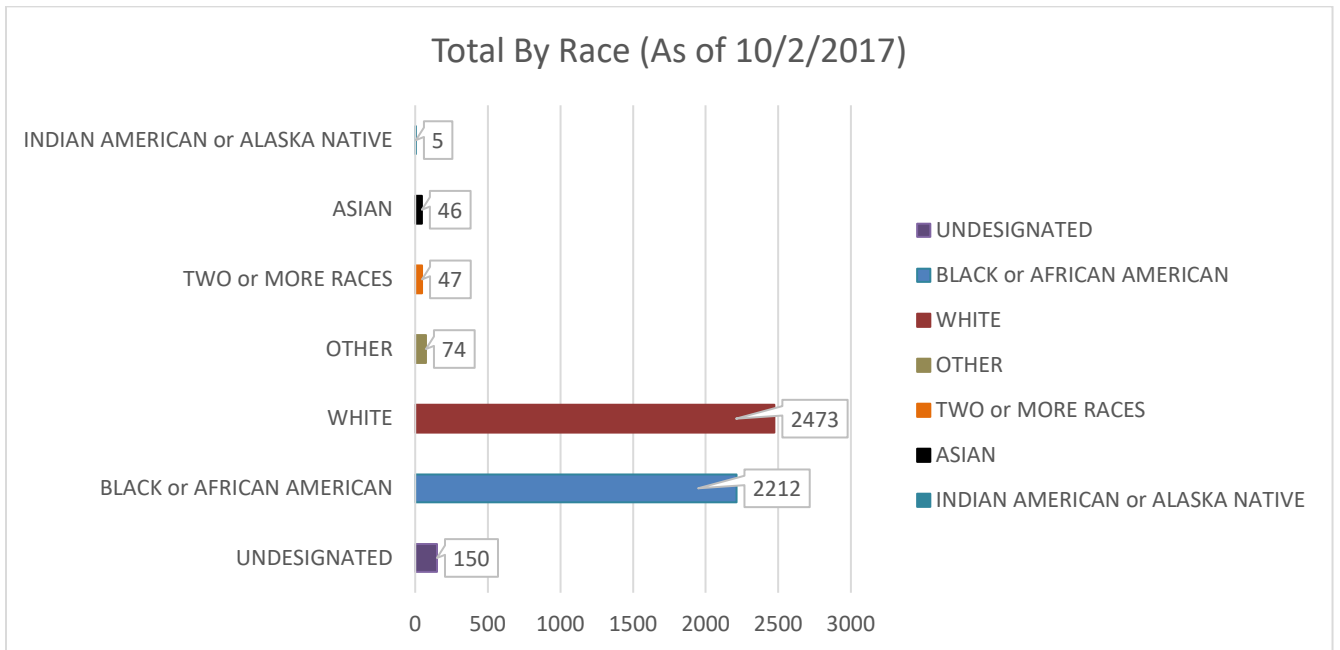
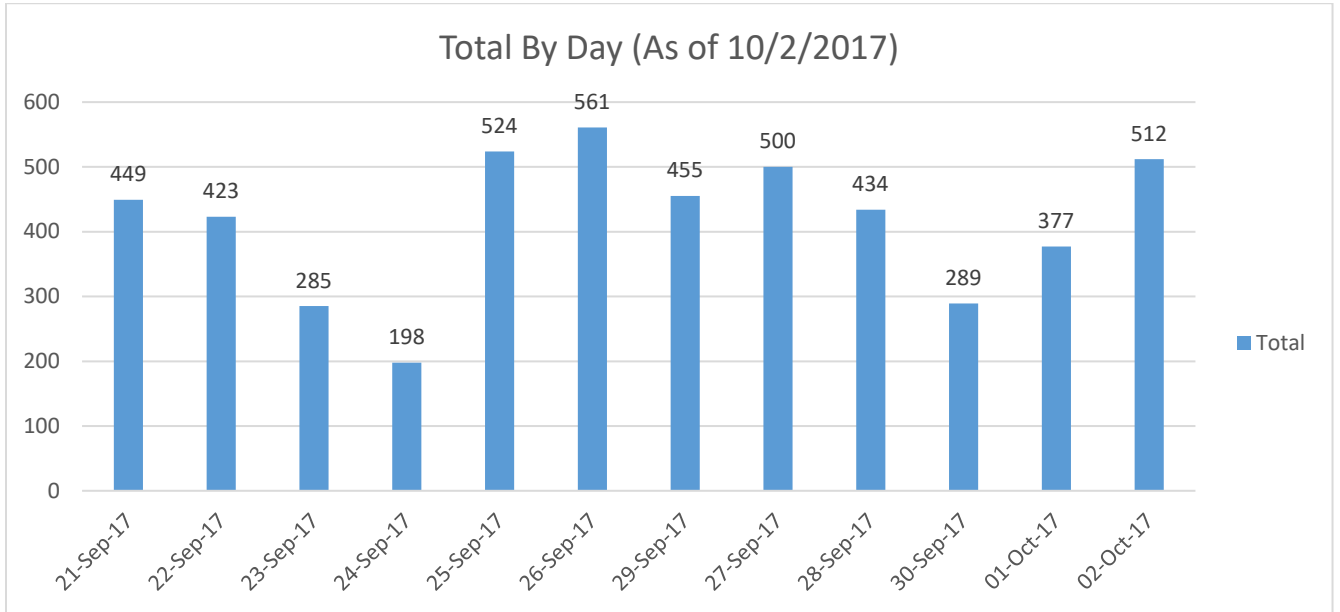
Total Turnout By Party (As of 10/1/2017)





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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 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 and Assistant County Attorney Willie Darby

Attachments:

N/A

Board Action Required:

Discuss as necessary



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Section:

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, Chief of Staff Kate Cosner, Deputy Director George McCue 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

Board Action Required:

Discuss as necessary and Action Required

2017-2019 Chief Judge and Judge Substitutes

| VRN | Home Precinct | Assigned Precinct | First Name | Last Name | Position | Party |
|-------------|----------------------|--------------------------|-------------------|------------------|-----------------|--------------|
| 00000602029 | 23 | 31 | MICHAEL | GRAY | CHIEF JUDGE | REPUBLICAN |



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4c. New Business

Item #/Subject:

Resolution to Adopt a Time for Counting Absentee Ballots

Applicable Statutes and/or Rules:

N.C. Gen. Stat. § 163-41

Summary:

Under the statutory authority set out above, the Board of Elections may opt to begin county absentee ballots between the times of 2:00 p.m. and 5:00 p.m. on Election Day, and can also set meetings to count absentee ballots on the day after Election Day and prior to the scheduled canvass. The attached resolution authorizes the Board to meet at 2:00 PM on Election Day and the day preceding the county canvass for the purpose of counting absentee ballots.

Resource(s):

Elections Director Derek Bowens

Attachments:

Resolution to Adopt a Time for Counting Absentee Ballots (November)

Board Action Required:

Discuss as necessary and Action Required



DURHAM COUNTY Board of Elections

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RESOLUTION TO ADOPT TIME FOR COUNTING OF ABSENTEE BALLOTS NOVEMBER 7, 2017 ELECTION

On October 3, 2017, the Durham County Board of Elections met in Durham, North Carolina, at its office and adopted the following resolution:

WHEREAS the county board of elections is authorized upon adoption of a resolution to begin counting of absentee ballots between the hours of 2:00 p.m. and 5:00 p.m. on Election Day;

WHEREAS such resolution also may provide for an additional meeting following the day of the election and prior to the day of canvass to count absentee ballots received pursuant to N.C. Gen. Stat. §163-231(b)(2);

WHEREAS the times for these meetings will be at 2:00 p.m. on Tuesday, November 7th and Friday, November 16th for the purpose of counting absentee ballots;

WHEREAS the location of these meetings shall be at the offices of the Durham County Board of Elections, 201 N. Roxboro St., Durham;

WHEREAS the board shall not announce the results of the count before 7:30 p.m. on Election Day;

WHEREAS these meetings are open to all who may want to attend; and,

WHEREAS the adoption of this resolution is in compliance with North Carolina General Statutes §§ 163-234(2) and (10) and will be published in a newspaper of general circulation in the county within the statutory time frame.

NOW, THEREFORE, BE IT RESOLVED that the Durham County Board of Elections hereby unanimously approves the time for Counting of Absentee Ballots as set forth above.

This the 3rd day of October, 2017.

William Brian, Jr., Chair



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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) and 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 and 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