



MEETING MINUTES

Board of Elections Meeting
Tuesday, November 9, 2021
11:00 A.M.

Board Members:

Dawn Y. Baxton, Chairwoman
Gregory D. Irby, Secretary
Philip A. Lehman, Member
Pamela A. Oxendine, Member
David K. Boone, Member

Board Members Present: Chairwoman Dawn Y. Baxton, Secretary Gregory D. Irby, Member Philip A. Lehman, Member Pamela A. Oxendine, and Member David K. Boone

Board Staff Present: Elections Director Derek Bowens, Deputy Director Brenda Baker, and Systems and Audit Manager Daniel Lassiter

County Staff Present: County Attorney Willie Darby

Guests in Attendance: See Attendance Sheet

Meeting Type: In-Person and Zoom

Meeting Opening

Chairwoman Baxton called the meeting to order at approximately 11:01 a.m. at the Board of Elections Warehouse (2445 S. Alston Ave, Durham, NC 27703) and led the Pledge of Allegiance.

Approval of Agenda

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

Public Comment

One comment was provided in the public chat function.

New Business

a. Felony Challenge Hearing

- Mr. Bowens presented a challenge to the absentee ballot application for Dominique Tucker pursuant to a timely challenge submitted by the Chief Judge of Precinct 52 due to a felony conviction. Following the review of materials and testimony, Mr. Irby moved to sustain the submitted challenge. The motion carried unanimously, 5-0. Following the motion, Chairwoman Baxton requested for staff to remove Mr. Tucker's ballot from the official count and send him a letter to inform him of the decision and his appeal rights. An order will be prepared by Senior Assistant County Attorney Willie S. Darby.

b. Canvass of the 2021 Municipal General Election

- Mr. Bowens presented the Board with information regarding pending Provisional ballot applications. The office did not receive correspondence to satisfy pending deficiencies. Following discussion, Mrs. Oxendine moved to disapprove 3 pending provisional ballots. The motion carried unanimously, 5-0.
- Mr. Bowens presented the Board with a request to canvass the November 2, 2021 Municipal General Election. The Board executed all required documentation prior to reviewing the consolidated results for certification. Following review of Canvass documents, Mr. Lehman moved to approve the certification of the November 2, 2021 Municipal General Election. The motion carried unanimously, 5-0.

c. Reschedule of the December 2021 Meeting

- Mr. Bowens presented the Board with a request to reschedule the December 9, 2021 Board meeting to December 16, 2021 at 5:00 p.m. Following discussion, Mr. Lehman moved to approve the rescheduling of the Board meeting from December 9, 2021 at 5:00 p.m. to December 16, 2021 at 5:00 p.m. The motion carried unanimously 5-0.

General Discussion

Mr. Bowens provided the board with an update on the 2022 Primary and Election Candidate Filing Period. Filing starts on December 6, 2021 at Noon. The 2022 March Primary and Election Early Voting Plan Proposal is forthcoming; staff is planning to recommend 8 locations. Precinct adjustments for 30-1, 33, 48 and 39 have been submitted to the State Board of Elections for approval. Mr. Bowens presented the Board with a request to table the changes until after the 2022 March Primary and Election. Following discussion, Mr. Lehman moved to table Precinct adjustments until after the 2022 March Primary and Election. The motion carried, 3-2 with Mr. Irby and Mr. Boone dissenting. There is an upcoming work session with the State Board of Elections on closing schools for both the March and November elections in 2022.

Adjournment

The Board adjourned at approximately 1:21 p.m. on a motion made by Mr. Lehman. The motion carried unanimously, 5-0.

s/Gregory D. Irby
Member