

BOARD OF ELECTIONS

Ken Raymond
Chairman

Stuart Russell
Secretary

Fleming El-Amin
Member



Robert H. Coffman
Director of Elections

Lamar Joyner
Deputy Director

FORSYTH COUNTY BOARD OF ELECTIONS BOARD MEETING MINUTES – NOVEMBER 12, 2013 MUNICIPAL GENERAL ELECTION CANVASS DAY

Meeting Called to Order

The 2013 Municipal General Election Canvass Day meeting of the Forsyth County Board of Elections was held in the elections storage room on November 12, 2013. The meeting convened at 11:03 AM, Chairman Ken Raymond presiding.

Board Members in attendance: Chairman Ken Raymond, Secretary Stuart Russell, Member Fleming El-Amin

Staff Members in attendance: Director Robert Coffman, Deputy Director Lamar Joyner, Joshua Chunn, Chris Duffey, Judy Speas, Jacob Wright

Public Comment Session

Chairman Raymond welcomed speakers to participate in the public comment session. Instructions for the session were that speakers would have three minutes for comments; the time could not be shared with another speaker; and, that speakers should state their name and address for the record. Questions to the Board members should be included during the allotted time and answers would be given after the speakers conclude. The public comment session included the following speakers:

Jo Anne Allen – PO Box 284, Winston-Salem, NC

Gardenia Henley – 4920 Old Walkertown Road, Winston-Salem, NC 27105

Discussion:

Chairman Raymond requested that Secretary Russell begin the discussion of the public comment session by addressing Ms. Henley's questions. Secretary Russell stated that he had been working with Assistant County Attorney Albright to select a date for the submission of the public information. Mr. Coffman confirmed that staff members tested the election equipment before all elections and that documentation would be provided with the entire public information request packet. Assistant County Attorney Albright agreed that Chapter 132 of the General Statutes allows for a reasonable time to complete a public records request. Secretary Russell made and Member El-Amin seconded a motion that the public information requested by Ms. Henley be produced in a single packet in a reasonable time as available for production; and, that guidance would be sought from Mr. Albright. **Motion carried unanimously.** Mr. Coffman also stated that the information packet should be completed and delivered to Mr. Albright's office by Friday, November 15, 2013.

Regarding Ms. Allen's comments, Chairman Raymond confirmed that the answers to his questions concerning the information packet had been distributed. He agreed to review the information and respond to Ms. Allen by the following day. Member El-Amin made and Secretary Russell seconded a motion to close the public comment session. **Motion carried unanimously.**

Approval of Minutes

Chairman Raymond requested that the Board members discuss the minutes of November 5, 2013. Chairman Raymond asked that the minutes be amended by adding his response to an Election Day incident that occurred at Precinct 101 - Bethania Moravian Church. Actions taken at that time were reviewed for the amendment. Secretary Russell made and Member El-Amin seconded a motion to appropriately amend the Board minutes of November 5, 2013 to reflect a summary of that action. **Motion carried unanimously.**

Approval of Absentee Ballots Returned

Mr. Coffman explained that state law requires that the supplemental absentee ballots received after Election Day but postmarked by Election Day are approved as timely transmitted. A postmark is required for approval of the supplemental absentee ballots. Mr. Chunn recommended 17 supplemental absentee ballots for approval and 7 supplemental absentee ballots with no postmark for disapproval. Member El-Amin suggested and Mr. Coffman agreed that the voters of the 7 supplemental absentee ballots in disapproved status should be notified of their ballot's result. An improvement to the hand stamp applied to the Absentee Ballot Reports was suggested for future use. Secretary Russell made and Member El-Amin seconded a motion that when a report of not approved ballots is stamped, the stamp needs to reflect 'not approved' in the future. **Motion carried unanimously.** Chairman Raymond made a motion to approve the staff recommendation of supplemental absentee ballots as presented and modified. **Motion carried unanimously.** Later, after the Hand/Eye Audit, Board members signed the Absentee Abstract of Votes and the Civilian and Military Certificate of Oath documents.

Approval of Provisional Ballots

Mr. Coffman explained the Provisional Voters Statistics by Result report showing 21 provisional ballots from the 2013 Municipal General Election. Staff recommended 15 provisional ballots for approval and 6 for disapproval. Reasons for disapproval were unincorporated voters and no registration. Mr. Coffman explained the process that voters discover their voting results with a special code given at the precinct. Voter registration and updates are processed from the provisional information. Member El-Amin made and Secretary Russell seconded a motion to approve the staff recommendation for provisional ballots as presented. **Motion carried unanimously.**

Village of Tobaccoville race

Mr. Coffman informed the Board of a tie that occurred in the vote total in the Tobaccoville Councilman race. Lori Shore-Smith received 187 votes and Steve Wood received 186 votes after Election night. However, the race became a tie after Mr. Wood received one additional provisional vote. The State Board of Elections determined a method for the blind draw in the case of a tie. Don Wright, General Counsel to the State Board, recommended that a recount should be completed before a blind draw is selected. A recount could change the results of the election. The procedure is that a machine recount is accomplished first; if the petitioner is not satisfied, the next step is that a certain percentage of the precincts are processed with a hand/eye audit. If a certain percentage is changed during the hand/eye audit, it is required that an entire recount of the race is completed. If a tie still exists, a blind draw is made. Since this is a small race, the State Board recommended that a recount is fulfilled with a hand/eye audit from the beginning. Either candidate must first request that the recount be

completed. Board members checked their schedules and determined that the recount could occur at a Board Meeting on Friday, November 15, 2013, at 4:30 PM, pending a candidate's request for a recount.

Hand/Eye Audit

Mr. Coffman suggested that the staff should conduct the mandatory hand/eye audit with the Board in attendance in the adjoining storage room. The purpose of the audit is to compare the number of actual paper ballots counted against the Election Night machine count. Precinct 063 – Cash Elementary School (221 votes) for Mayor of Kernersville; Precinct 305 – Carver High School (201 votes) for Mayor of Winston-Salem; and, Precinct 505 – Easton Elementary School (124 votes) for Mayor of Winston-Salem were randomly chosen by the State Board of Elections for the hand/eye audit after the 2013 Municipal General Election. After the ballots were removed from the sealed ballot boxes, a team of three employees completed the hand/eye audit. The team members marked each precinct reconciliation tally sheet with fence posting to record all votes. Each Precinct audit vote totals matched exactly with the Election Night report.

Certify Election Results

Mr. Coffman explained a situation that occurred in Kernersville where a voter voted at Early Voting and again at his precinct. The pollworkers mistakenly allowed the voter to vote an additional time on Election Day. The system caught the conflict and the ballot from Early Voting was retrieved from the vote total. Board members agreed to leave the situation as it stood since the individual was consulted and understood the mistake. Chairman Raymond asked that the precinct be identified and that the judges be contacted to be made aware. Also, precinct training should reemphasize the problem and judges should be more watchful in the future. Member El-Amin made and Secretary Russell seconded a motion to certify the election results for the 2013 Municipal General Election. **Motion carried unanimously.** Board members signed the Abstract of Votes document which would be mailed to the NC State Board of Elections, each municipal office and retained at the Forsyth County Board of Elections.

Other Business

Chairman Raymond stated that an additional request had been received from Gardenia Henley for elections information. Mr. Albright and Mr. Coffman agreed that the request could also be granted by Friday, November 15, 2013.

Adjournment

Member El-Amin made and Secretary Russell seconded a motion to adjourn the meeting. **Motion carried unanimously** and the meeting was adjourned at 12:30 PM.

Approved:

Ken Raymond, Chair

Date

Stuart Russell, Secretary

Date

Fleming El-Amin, Member

Date

Attachments on File: Provisional Voters Statistics by Voting Reasons, Provisional Voters Statistics by Result, 2013 Municipal General Election Abstract of Votes for State of North Carolina