

**CHATHAM COUNTY BOARD OF ELECTIONS
REGULAR MEETING – VIRTUAL GoToMeeting
Chatham County Agriculture & Conference Center
1192 US 64 Business, Pittsboro, NC 27312
September 15, 2020–5:30 P.M.**

The Chatham County Board of Elections met at the Chatham County Agriculture & Conference Center, Pittsboro, NC 27312 on September 15, 2020, at 5:30 p.m. via GoToMeeting for the regular scheduled meeting. Citizens were given the opportunity to listen only. Prior to the meeting citizens were instructed to email the Director of Elections with comments or concerns to be addressed during the citizens input section on the agenda.

The following people were present: Chair Laura Heise, Secretary Charles Ramos, Member Amy Meek, Member Mark Barroso, Member Frank Dunphy II, Director Pandora Paschal, Deputy Director Steve Simos, and Elections Specialist Chance Mashburn. Clerk to the Board of Commissioners Lindsay Ray and Meeting Coordinator Larilee Isley attended to ensure GoToMeeting operated properly.

Call to Order

Chair Laura Heise called the meeting to order at 5:35 p.m. and welcomed citizens via GoToMeeting. An A/V technician sent the correct meeting link to citizens and the attendance increased. Secretary Charles Ramos led everyone in a moment of silence followed by the Pledge of Allegiance to the flag.

Agenda Items

Chair Laura Heise asked if anyone would like to add anything to the agenda. Laura Heise added the process for conducting absentee meetings virtually, and Member Frank Dunphy II added questions about an absentee mailing received by his neighbor. Deputy Director Steve Simos replied that the mailing was from the Voter Integrity Project and it is a legitimate mailing.

Citizen Input

There was only one emailed comment from a citizen. The Director read the email from Cherie Dunphy who was concerned because she received her absentee ballot and her husband did not receive his. Her question was what if the absentee ballot was requested because the voter would be unavailable after September 15, 2020 for in-person voting. Deputy Director Simos, Absentee Ballot Coordinator, provided details on the absentee ballot process. Director Paschal reminded voters to use the **BallotTrax** tracking system to track their ballot after it has been mailed to find out where their ballot is located.

Approval of Minutes

Member Meek made a motion to approve the minutes for the August 18, 2020 meeting and the September 1, 2020 special meeting. Member Barroso seconded the motion, and all were in favor.

Member Dunphy asked the Director “when you send minutes for review, why do you request we reply only to you and not a mass reply to all five members.” Director Paschal replied that “if you reply to all on the email address, it is considered a public meeting with all the restrictions of public meeting laws”.

He responded “then if public meeting laws apply in a response to all on the email, you would need to give public notice, purpose, allow public participation, and document the minutes.” Director Paschal responded yes.

Absentee Ballot Update

Deputy Director Steve Simos provided the following information:

- 10,116 Civilian Ballots have been mailed out.
- 39 Military ballots have been mailed and emailed.
- 153 Overseas ballots have been emailed.
- There have been 197 completed ballots returned. This total does not include the ballots returned on September 15, 2020.

Directives were given pertaining to the reissuance of a ballot to a voter who made a mistake on their ballot. The voter, or the voter’s near relative, will need to return the ballot in person to the office and sign the log or email to Steve Simos at steve.simos@chathamnc.org or elections@chathamnc.org explaining the issue with the ballot. The voter will then be reissued a ballot in the mail.

Chair Laura Heise requested NCSBE Numbered Memo 2020-19 dated August 21, 2020 for discussion and clarification about the absentee container-return envelope deficiencies.

Member Frank Dunphy asked questions about verifying the voter’s signature on the absentee ballot container envelope. The memo states the voter’s signature shall not be compared with the signature on file because it is not required by the law.

Citizens asked about the Cure Affidavit in the NCSBE memo. They were instructed to email the Director for comments about the cure. Elections staff are waiting for more guidance from the NCSBE.

Poll Worker Approvals

In a prior meeting, the Board approved Judges and Chief Judges for the November 3, 2020 election. Since that meeting, we had three Judges that are unavailable to work. The following people were presented for Board approval to fill the vacancies: Virginia Ryan (D) – Bennett Precinct, Susan Silverstein (D) Judge - Harpers Crossroads Precinct, and Meaghan Ritticco (D) Judge - Pittsboro Precinct.

The board was also presented with the list of Assistants recommended to serve for the November 3, 2020 election. Chance Mashburn said we have a waiting list of names if other vacancies occur.

Member Frank Dunphy II commented about Republicans being under- represented on the list of names presented. Director Paschal stated this has been the norm during her 16-years at the board of elections. Member Dunphy said he would seek more Republicans for future elections. Chair Heise stated we have unaffiliated voters who volunteer and the parties approve them to serve.

Amy Meek motioned to approve the Judges and Assistants presented to serve for the November 3, 2020 election. Member Dunphy II seconded the motion, and all were in favor.

Public Access to Absentee Meeting

The board discussed ways to give the public access to absentee meetings. Deputy Director Steve Simos suggested a few people take turns in the area in front of where the meetings will be held to adhere to the CDC guidelines for the COVID-19 pandemic.

Member Barroso suggested two people from opposite parties view at the same time. Member Meek stated the space may not be large enough and suggested having live streamed meetings. Member Dunphy prefers citizens be able to view the process. As the staff had not received NCSBE guidance, the Board tabled the discussion and will provide guidance before the first absentee meeting. Access to the meetings will be given to citizens prior to the first absentee meeting.

Letter from CCBOE to Address Voting Twice

Member Barroso suggested the Board write a letter to the Chatham News + Record newspaper to object to statements by any candidate that encourages voters to vote twice to “test” our system. On September 3, 2020, Member Barroso sent two emails to all Board members. The first email contained his first letter, and the second email contained a second edited letter. Member Barroso engaged in conversation via email with some Board members. Member Barroso proposed the Board adopt his second letter. Chair Heise later proposed a third draft letter.

Member Frank Dunphy rejected the Member Barroso’s proposal due to the exchange of emails between some Board members in violation of NC public meeting laws. Member Dunphy stated that part of Mr. Barroso’s original letter was published in the Chatham News + Record dated September 10, 2020 and it identified a candidate on the ballot even though BOE members are prohibited from publicly opposing or supporting any candidate on the ballot in their jurisdiction.

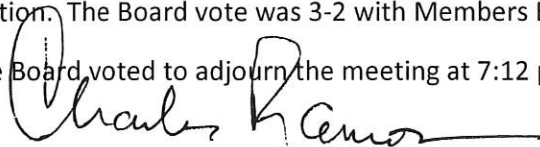
Member Meek asked why the minority would not sign a letter for the newspaper. Members Dunphy and Ramos stated that Karen Brinson Bell, NCSBE Director, opposed voting twice in a press release dated September 3, 2020, and conducted a publicity campaign directed to the public in print media, broadcast media, and social media against voting twice; therefore, a Chatham County BOE letter was redundant.

Member Barroso made a motion to adopt Laurie Heise’s letter, but it was not seconded.

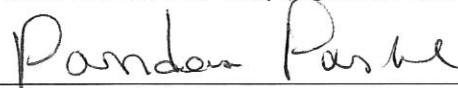
Member Meek would like to see the State Director’s message on the county website. Member Dunphy made the motion to add Karen Brinson Bell’s message to the county website. Member Meek seconded the motion, and all were in favor. (Note: The NCSBE press release “A Message from Karen Brinson Bell to NC Voters” dated September 3, 2020 was already on the website.)

Member Dunphy made a motion for the three Democratic members to do remedial reading of pages 816-828 in the 2019 edition of the North Carolina Election Law Book. Member Meek seconded the motion. The Board vote was 3-2 with Members Barroso and Heise voting against the motion.

The Board voted to adjourn the meeting at 7:12 p.m.

 2/16/21

Charles Ramos, Secretary (signature and date)

 2/16/21

Pandora Paschal Director, Attest (signature and date)