

CHATHAM COUNTY BOARD OF ELECTIONS PRELIMINARY CONSIDERATION OF CHERI BEASLEY ELECTION PROTEST MEETING

Chatham County Agricultural & Conference Center
1192 US-64 Business
Pittsboro, NC 27312
Special Meeting
(Live Stream)
December 3, 2020 – 5:30 PM

The Chatham County Board of Elections met at the Chatham County Agricultural & Conference Center, 1192 US-64 Business, Pittsboro, NC 27312, on December 3, 2020 at 5:30 p.m. via live stream. Citizens were given the opportunity to listen only.

The following were present: Chair Laura Heise, Secretary Charles Ramos, Member Amy Meek, Member Mark Barroso, Member Frank Dunphy II, Deputy Director Steve Simos, staff Donald Lyerly, GOP Attorneys Philip Thomas, Glen Genes, and Brian LiVecchi, Beasley Campaign Attorney Wade Barber, and Chatham County Attorney Robert Hagemann.

After a moment of silence and the Pledge of Allegiance, Laura called the meeting to order. She introduced the Board, staff, had the attorneys introduce themselves, and welcomed those via live stream.

The purpose of the Board Meeting was for the Preliminary Consideration of an Election Protest filed by the Beasley Campaign that the Board had to consider:

- 1.) Was the protest filed timely?
- 2.) Does the protest comply with form requirements?
- 3.) Does the protest establish probable cause to believe that a violation may have occurred?

The Chatham County attorney stressed that question three does not mean that a violation had occurred.

The Board asked the Chatham County attorney several questions which he clarified if there is a motion to proceed with a hearing. The protest was filed through the county's old email that was still present on the North Carolina State Board of Elections website. Chatham County had sent the State their new email address following their cyber incident. There were only 90 counties out of 100 in the protest, and what the staff would need to do in preparation for a hearing.

There were several categories presented by the Chatham County attorney from the Beasley Campaign that may have 15 potential votes. Some voters may have been in several categories.

Absentee Ballots

B-2 (3 potential votes)—received after the deadline

C (1 potential vote)—self-reported having cured—may have been sent to old email
D (1 potential vote)—originally reported “accepted” or “accepted-cured” changed to rejected
Provisional Ballots

E-1 (2 potential votes)—Provisional ballot applications claim that voters reside in and are registered in Chatham County

E-2 (3 potential votes)—voters attested that they maintained residence in Chatham County despite having been removed from registration

E-4 (6 potential votes)—Self-reported attempt to register at BOE or DMV

E-6 (2 potential votes)—Voter required to cast provisional ballots during the one-stop absentee period, for reasons other than “ID-required” or “voter already voted.” These voters should have been provided an opportunity to register or re-register and were not.

The Chatham County attorney reminded the Board that it has to decide whether to move to a hearing. The burden of proof will be on the Beasley Campaign, the Board determines if any of the votes count, and the hearing must be done within 10 business days.

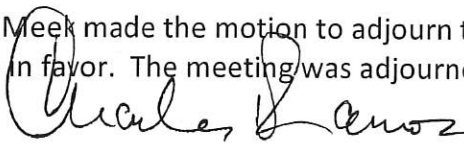
GOP attorney Brian LiVecchi asked to speak. After a discussion, a motion was made by Board Chair Laura Heise to allow the GOP attorney and the Beasley attorney to each get three minutes to speak. Member Frank Dunphy seconded the motion. The motion passed 3 (Heise, Ramos, and Dunphy) to 2. Opposed (Barroso and Meek).

The Board voted on the three questions:

- 1.) Was the protest filed timely? Amy Meek made the motion to accept, Mark Barroso seconded the motion and all were in favor.
- 2.) Does the protest comply with form requirements? Frank Dunphy II made the motion to accept, Amy Meek seconded the motion and all were in favor.
- 3.) Does the protest establish probable cause to believe that a violation may have occurred? Charles Ramos made the motion to accept, Amy Meek seconded the motion, and all were in favor.

There will be a hearing at the Chatham county Agricultural & Conference Center on December 11, 2020, at 10 a.m.

Amy Meek made the motion to adjourn the meeting. Mark Barosso seconded the motion. All were in favor. The meeting was adjourned.

 2/16/21

Charles Ramos, Secretary

 2/16/21

Steve Simos, Attest