

CHATHAM COUNTY BOARD OF ELECTIONS REGULAR MEETING

Chatham County Board of Elections Office
984 Thompson Street, Suite D
Pittsboro, NC 27312
GoToMeeting

Recorded meeting is available at <https://www.chathamcountync.gov/government/departments-programs/board-of-elections/board-of-elections-members-meetings>

December 14, 2021 – 5:30 p.m.

The following people were present: Chair Laura Heise, Secretary Charles Ramos, Member Amy Meek (remotely), Member Frank Dunphy II, Member Mark Barroso, Director Pandora Paschal, Deputy Director Steve Simos, Election Specialist Chance Mashburn, Temp employee Donald Lyerly. Carolyn Miller Human Resource Director/Assistant County Manager was also present.

Secretary Ramos led everyone in a moment of silence and the pledge of allegiance to the flag.

Call to Order

Chair Heise called the meeting to order stating that this is a regular meeting. Chair Heise stated there was a quorum to conduct the meeting. Five members were present as stated above.

Public Input

Chair Heise stated that normally public input is the first order of business, but since all of the input is pertaining to Sunday voting the board will address the comments at the top of the agenda item for early voting plans. Public comments were emailed to the director prior to the meeting.

New Business

Approve Minutes

Chair Heise asked if the board were ready to approve the minutes from the November 16, 2021, meeting. Frank Dunphy II made the motion to approve the minutes. Mark Barroso seconded the motion. All were in favor. The vote was 5-0.

Discussion with Human Resources Director/Assistant County Manager Carolyn Miller

Chair Heise stated that Human Resources Director/Assistant County Manager Carolyn Miller agreed to spend some time with us to talk about our need for a voting space in northern Chatham County and other election matters. Prior to the meeting the board sent their concerns about the situation with finding an additional space in northern Chatham County for an early voting site.

Human Resources Director/Assistant County Manager Carolyn Miller stated she divided the concerns into three categories. She also stated to the board that she would be happy to attend board meetings at least twice during the year, or as needed, to address any questions or concerns that they may have.

1) The Performance Building

The board of elections office is slated to move into the space at the Performance building in the year of 2023, where the Greek Kouzzina restaurant is now housed. The board of elections and staff will have a lot of say as to the redesign of that space.-to ensure there is adequate staff space, meeting space, storage space, and security (For full discussion see taped meeting for December 14, 2021 at <https://www.chathamcountync.gov/government/departments-programs-and/elections/board-of-elections-members-meetings>).

2) Northeast, North Chatham early voting dilemma

The board asked Carolyn to provide input on possibly getting the county to construct a multi-purpose use building in the northern part of the county to use as an additional early voting site, since this is where the largest early voting turnout is in the county. Carolyn Miller stated that she has taken notes on the concerns the board had and will take them into consideration when the county work on new projects for that area (For full discussion see taped meeting for December 14, 2021 at <https://www.chathamcountync.gov/government/departments-programs-and/elections/board-of-elections-members-meetings>).

The board also had concerns about having better coordination with the Provost over the CCCC Health Science building where early voting is currently held. Carolyn Miller stated she would coordinate a meeting with the Provost along with the Director of Elections and other staff to solidify communications with the Provost and the staff at the CCCC Health Science building when the building is in use for voting (For full discussion see taped meeting for December 14, 2021 at <https://www.chathamcountync.gov/government/departments-programs-and/elections/board-of-elections-members-meetings>).

3) Employee accrual of compensatory time and director's overtime

The question was raised about paying out staff overtime instead of earning compensatory time to take throughout the year and paying overtime to the Director of Elections. Carolyn Miller stated that as a public entity the county can pay overtime or allow employees to accrue compensatory time. Time is recorded at time and a half to a non-exempt employee based on the fair labor standard if the employee has worked 40 hours or more in a Sunday thru Saturday work week. It is not paid out at time in a half but accrued at time in a half. The elections office does have accrual of overtime because of the demand in their jobs. Comp time has been paid out within the last two years, and

non-exempt election employees have benefitted from these payouts. It is done with lapsed salary money when it is available. The elections office is relying on non-expanded salaries from other departments because there are no turnovers. This could be worked in as an option, which would be a budgetary item.

The Director of Elections is the only exception to this. The Director of Elections position is an exempt position. By that law there is no overtime, or compensatory time; however, there is a N.C. General Statue that provides for the paying of overtime to the Director of Elections in hours worked in excess of a regular work week. The Director of Elections is the only exempt employee in Chatham County who earns overtime in any capacity. The G.S. states that it must be paid at a minimum of \$12.00 an hour. Currently the rate is set at \$12.50 an hour. There is no requirement to base it on an hourly rate. In order to be paid a different rate that would be an expansion item in the budget for the department (For full discussion see taped meeting for December 14, 2021 at <https://www.chathamcountync.gov/government/departments-programs-a-h/elections/board-of-elections-members-meetings>).

Early Voting Plans Primary/Municipal 2022

Chair Heise stated that the board will discuss and vote on an early voting plan. The board received citizens comments about Sunday voting by email prior to the meeting (For full discussion see taped meeting for December 14, 2021 at <https://www.chathamcountync.gov/government/departments-programs-a-h/elections/board-of-elections-members-meetings>).

There were two options presented for the board to vote on. They were identical except option 2 contained hours for Sunday voting. Chair Heise asked the board members to give brief comments about which option they favored. Member Amy Meek stated she could support Sunday voting. She believes we need a test year to see how many voters will use the service being that 2020 was not a normal year. Secretary Charles Ramos stated that he supports option 1. He stated there are about 44 days of absentee by mail voting, and 15 days of early voting. He thinks the staff and the early voting workers should have Sundays off. He suggested extending the hours on Saturday. He just doesn't see opening 3 hours on Sunday. Member Mark Barroso stated that he agrees with a lot of what Charles said, however, with some labor situations some people can only get off work on Saturday and Sunday and these are the only opportunities for some people to vote. Then there are people who don't have transportation. He respects the rights of these people as citizens to participate in the process. He would like to see the data outside the 2020 elections, which were not normal. Future elections should not be based on that year. He is willing to give option 2 a chance to see if the numbers justify being open on Sunday. Member Frank Dunphy II stated that he agrees with Charles that 3 hours on Sunday are short intervals. He stated by being under the jurisdiction of the courts a lot could change. He does not think it's a bad idea for voters to cast their ballots on Sunday. He stated that he would

consider it based on how processes occurred in the room tonight. Chair Heise stated she is in favor of option 2. She also stated that Goldston's early voting site does not perform as well as the other sites, but we continue to fund and open the site because it meets the need of the geographic area of the county to benefit the people who utilizes it. If the numbers for Sunday voting are not as high as we think they should be, it doesn't mean that Sunday voting has failed. We should feel good that we provided the opportunity for them to cast their ballots. Chair Heise stated that after hearing everyone's opinions and comments, unless there were arguments that haven't been heard, the floor is now open to vote. I will entertain a motion.

Member Mark Barroso made the motion to approve early voting days and times on option 2 for the Primary/Municipal Election for 2022. Member Amy Meek seconded the motion. Three members voted in favor of option 2, Laura Heise, Amy Meek, and Mark Barroso. Two members opposed option 2, Charles Ramos and Frank Dunphy II. Vote 3-2.

Secretary Charles Ramos made the motion to approve early voting days and times on option 1 for the Primary/Municipal Election for 2022. Frank Dunphy II seconded the motion. Two members were in favor of option 1 with no Sunday voting, Charles Ramos and Frank Dunphy II. Three members opposed option 1, Laura Heise, Amy Meek, and Mark Barroso. Vote 2-3.

The two plans will be submitted to the North Carolina Board of Elections to determine the days and hours for early voting for the 2022 Primary/Municipal Election because the Chatham County Board of Elections did not have a unanimous plan.

Other Election Matters

The Director addressed some questions that were given to her by Secretary Charles Ramos.

He asked when the Board of Elections started having an early in-person voting plans with the 3 Saturdays prior to the Primary and General Elections instead of just the Saturday before each election (see attached sheet with early voting stats for answers).

Were provisions made for 15 days of early voting or 17 days? 15 days were budgeted, but the Budget Director has been contacted and made aware that there is a possibility that there would be Sunday voting if the plan with Sunday voting is approved. Adjustments to the budget would be made pending approval of the county commissioners.

What is the status of the precinct merges and changes that were done, and whether Mann's Chapel will be split? The letter for approval from the North Carolina State Board of Elections was received on December 14, 2021, finalizing the merges and splits. The board decided to put off splitting Mann's Chapel precinct until 2023.

Virtual training hosted by the North Carolina State Board of Elections is scheduled for February 2-3, 2022, for staff and board members.

Member Frank Dunphy II made the motion to adjourn. Member Mark Barroso seconded the motion. All were in favor. The meeting was adjourned at 7:33 pm.

Charles Ramos

Charles Ramos, Secretary

Pandora C Paschal

Pandora Paschal, Attest