

**CHATHAM COUNTY BOARD OF ELECTIONS
PROVISIONAL/SUPPLEMENTAL ABSENTEE 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-a-h/elections/board-of-elections-members-meetings>

August 4, 2022 – 4:00 p.m.

ATTENDEES:

Chair Laura Heise, Secretary Charles Ramos, Member Frank Dunphy II, Member Mark Barroso, and Member Amy Meek (remotely), Director Pandora Paschal, Deputy Director Steve Simos, and Election Specialist Chance Mashburn.

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 this was the Provisional/Supplemental which is required after each election to count any provisional ballots that were cast, and to count any absentee by mail ballots that were received by July 29, 2022, with the postmark of July 26, 2022. A quorum was present to conduct the provisional/absentee meeting for the Cary Runoff Election.

Approval of Agenda

Chair Heise asked for a motion to approve the agenda if there were no changes. Secretary Ramos made the motion to approve the agenda. All were in favor. Vote 4-0 (Member Meek was not present.)

Provisional Ballots

There were no provisional ballots cast for this election.

Supplemental Absentee Ballots

There were 2 civilian supplemental ballots received postmarked by Election Day to count for this election. Deputy Director Simos asked the board to verify the zero tape on the supplemental absentee Verity Scan voting machine. The board review the container envelopes to ensure they contained the required signatures before approving. Member Barroso made the motion to approve the 2 supplemental absentee ballots. All were in favor. Vote 4-0 (Member Meek was not present.) The board fed the ballots into the scanner and closed the polls. The thumb drive was taken out and uploaded into the Verity Count machine in the presence of bi-partisan board members. The totals were put on a clean thumb drive to upload to the NCSBE Election Night Reporting system by the director in the presence of

bi-partisan board members. These totals were added to the election night totals making them official. The board completed the Supplemental Absentee Abstracts to send to the NC State Board of Elections.

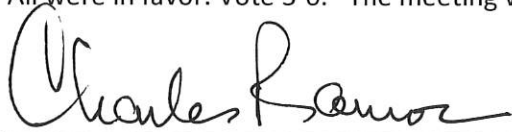
Other Election Business

Member Dunphy made a statement about equal party representation at the July 28, 2022 Sample Audit. He stated he would state the facts about partisanship and let citizens make their conclusions. He read his critique. Director Paschal responded. Both statements are included with the meeting minutes. For full details of this discussion click on this link:

<https://www.chathamcountync.gov/government/departments-programs-a-h/elections/board-of-elections-members-meetings> and click video for the August 4, 2022 meeting. Member Meek was present for this part of the agenda.

Adjourn Meeting

Member Barroso made the motion to adjourn the meeting, and Member Dunphy seconded the motion. All were in favor. Vote 5-0. The meeting was adjourned at 5:16 pm.



Charles Ramos, Secretary



Pandora Paschal, Attest

CRITIQUE: PARTISAN HAND-TO-EYE AUDIT CONDUCTED JULY 28, 2022:

I am mindful that I took an oath to all the citizens of Chatham, not just Republicans, but Democrats and other citizens. In this discussion, I will state the facts and let the citizens make their own conclusions.(1) In 2002, the Help America Vote Act introduced electronic voting. Under North Carolina Statutes, a paper record or paper ballot must be generated as a backup for each electronic vote. The audit is a quality control mechanism using a hand count of paper ballots as a double-check for accuracy in the electronic voting machines.(2) Unfortunately, on July 28, 2022, a partisan audit occurred at the Chatham Board of Elections. At that audit, counters/talliers/observers were selected to numerically advantage two Democrats and two Unaffiliated participants, while disadvantaging only one Republican. At this critical time, a major midterm election is approaching and voting integrity is under intense public scrutiny. Any irregular conduct by voting administrators (like a partisan audit) may undermine public confidence.

Paradoxically, the Director of Communications for the State Board of Elections, Pat Gannon, was published by WRAL on July 31, 2022. The reporter quoted Mr. Gannon, “The current environment, including increased demands and hostility toward these public servants, has led elections workers to leave their positions.” Chatham’s Director was quoted in the same article: “In this Political Climate, my staff is facing more scrutiny.”(3) I agree with Mr. Gannon and Chatham Director’s comments that the current environment is charged regarding voting integrity with a domino effect directed toward voting administrators. I stress that the current environment should require that Chatham Board of Elections take increased devotion to avoid any appearance of partisanship. Appearance of audit partisanship may translate into toxic optics that can undermine this Board’s reputation and further Balkanize the public discourse. Finally, if the audit organizer had exerted effort toward equal Republican participation, this critical letter was totally avoidable.

Frank Dunphy, (Member, Chatham Board of Elections), August 4, 2022

I request this critique be included in the final approved Board meeting minutes that are posted on the Chatham website.

(1) Paraphrase from, Franklin D. Roosevelt’s New York State Annual Report, fireside chat radio broadcast, 1929.

(2) Election and Related Laws and Rules of NC, 2019 Edition, Chapter 163, (pages 171-2, 203-5).

(3) “Threats, intimidation and legal action. Skeptics strain NC election workers.” By Paul Specht, WRAL state government reporter. Posted July 31, 2022.

The Sample Hand -to-eye Count
N.C.G.S. 163-182.1(b)(1)

The sample audit count is required by statute and helps ensure the reliability of election results tabulated by machine. The audit is a comparison of the machine counts with hand-to-eye counts completed as a test to ensure voting equipment reads the voters' choices accurately.

The public is allowed to attend the Sample Hand-to-Eye Count. The count must be conducted **by a bipartisan team** and as early in the canvass period as possible.

- There were a lot of factors in the decision to use staff for audit.
- It's the end of July a lot of election officials are on vacation.
- It is a nonpartisan election
- It only took 30 minutes to conduct.

- A bipartisan team was used. Robert Waldrop Democratic Chief Judge at North Williams precinct, and Cindy Schmidt Republican Judge at Hickory Mountain Precinct, and 3 staff members, 1 Dem, 2 UNA's. were used.
- Member Dunphy (REP) and Secretary Ramos (REP) were present at the audit to observe. Both samples came out correctly with the machine count.
- In the May 17, 2022, Partisan Primary election 3 registered democrats and 3 registered republicans conducted the Sample Hand to eye count.
- On several occasions during board meetings Member Dunphy has stated that he has tried hard to find discrepancies in the election's office administration, and how the staff conducts elections with impartiality and integrity.
- If board members have questions about partisanship in the administration of the office staff it should be dealt with internally to gain facts, and not pass the assumptions to the public creating doubt with false narratives.

Response to Member Dunphy's Critique letter submitted by Director Pandora Paschal to attach to the August 4, 2022, minutes at the request of Board of Elections Chair Heise.