

BOARD MEETING MINUTES
May 18, 2021 – 3:00 PM
REGULAR MEETING

The Rockingham County Board of Elections met Tuesday, May 18, 2021 at 3:00 pm in the Commissioners Chambers.

Board Members Present: Ophelia Wright, Chair; Nelson Cole, Secretary; Leanna Lawson, Member; Bonnie Purgason, Member; and Toni Reece, Member.

Staff Members Present: Paula Seamster, Director

Other Persons Present: John Morris, County Attorney

ITEM #1 – MEETING CALLED TO ORDER

The Board meeting is called to order at 3:00 pm by Chair Wright. Chair Wright welcomed those in attendance.

ITEM #2 – PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Ophelia Wright, Chairman of the Board of Elections

ITEM #3 – INVOCATION

Invocation was given by Evangelist Jammie Redd.

ITEM #4 – APPROVAL OF THE AGENDA

Member Purgason moved, seconded by Member Reece to amend the Agenda for May 18, 2021 for the Board of Elections to include Correction of Misinformation as Item #9b. The motion carried unanimously.

Member Purgason asked to have a Point of Order and continued by saying that in Roberts Rules page 45, 30 thru 35. She stated that the question was on the adoption of the motion to repeat the motion and for those in favor of the motion to say “I” and those that oppose say “No”. County Attorney Morris addressed Chair Wright and said for transparency sake and for clarity it would be either “I” or “Nay”. Chair stated she believes it was proper to say either one but she would heed his counsel.

ITEM #5 – APPROVAL OF MINUTES

Member Purgason moved, seconded by Member Reece to table the March 12, 2021, March 16, 2021, and March 31, 2021 minutes of the Rockingham County Board of Elections due to missing information. She stated that on April 20, 2021 she asked for the March 16, 2021 minutes to be tabled because of missing information and wanted to know if that information had been corrected. Member Purgason quoted a member “10 years from now when someone picks up these minutes they will not have all the information in the minutes if we don’t have it in there to

be approved”. Director Seamster states that she did correct the March 16th minutes to read February 16 in the March 16, 2021 minutes. Also she listened to the recording regarding what Member Cole had said and he did say “voters” and not “officials or poll workers”. Member Purgason stated she did not question that but the times for the executive session and adjournment were not listed. Upon a vote on the motion, the motion carried unanimously.

Member Reece moved, seconded by Secretary Cole to approve the March 22, 2021 and April 20, 2021 Minutes. Member Reece stated that she did not include the May 7, 2021 minutes because she was not present at the meeting. Upon a vote on the motion, the motion carried unanimously.

Secretary Cole moved, seconded by Member Lawson to approve the May 7, 2021 minutes. The motion carried by a vote of three to two with Members Purgason and Reece voting no.

ITEM #6 – ESTABLISHING PROCEDURES AND PROTOCOL FOR BOARD MEETINGS

Chair Wright reiterated from their discussion at the last board meeting that the correct procedure is to ask to be recognized before speaking.

ITEM #7 – ESTABLISH COMMITTEE TO SET BOARD MEETING AGENDAS

Director Seamster recommended that before the Board Agendas are sent out to the board members that someone would represent each party. She stated that the Chair would be from one party and suggested having someone from the other party to be present during the approval of the agenda before sending the agenda out to the other board members. Member Reece and Member Purgason both objected to this recommendation. Member Reese suggested that this be on an agenda for the new board members to address. Director Seamster was agreeable to this. Member Purgason stated that she had requested an item be included on the agenda and it was not included. She added that one member should not be able to say that something should be removed once a board member presents an item. Chair Wright responded that she removed the item because she did not understand what the item meant.

ITEM #8 – PUBLIC COMMENTS

No one signed up for public comments.

ITEM #9a – UNFINISHED BUSINESS

Member Purgason and Member Lawson submitted information concerning the deep cleaning of the Board of Elections building. Member Purgason stated that she spoke with Mr. Crisp with Crisp Cleaning on Monday, May 17, 2021 and the contract had been completed and signed by all necessary agents. Member Purgason stated that shortly thereafter the pressure washing of the sidewalk and building began. She stated that Mr. Crisp estimated it will take 3 to 4 weeks to get everything completed and that some of the light cleaning will take place during office hours and the heavy cleaning will be done when the office is closed. Member Purgason stated that Mr. Crisp stated he was given a key to the Board of Elections building and this fact surprised her because she thought the badge system was installed and she felt a temporary badge for individuals should be issued so there would be documentation of anyone entering the building.

Director Seamster responded that she spoke with Billy from the maintenance department just prior to this meeting and was informed of this and she would get with Human Resources to get a badge for Mr. Crisp to clean the Board of Elections building.

ITEM #9b – CORRECTION OF MISINFORMATION

Member Purgason stated that at the December 20, 2020 Rockingham County Board Meeting Secretary Reece brought the subject of the minutes that needed to be printed to the Board's attention. Because of several factors the Board came to the consensus that we would utilize temporary staff to transcribe all the meetings from September 29, 2020 thru the time when we would hire a Director. She stated that general statutes allow for secretarial duties to be delegated. Member Purgason stated that temporary staff was hired and did an excellent job of getting all the minutes typed and presented to the Board for approval on January 19, 2021. She stated that at that meeting the temporary staff member was asked to be at the February 18, 2021 Board Meeting to record the minutes. Member Purgason stated that temporary staff was there and informed the Chair that she would be at the office on Thursday, February 20, 2021 to start the transcription of the minutes. She stated that temporary staff did not get the minutes completed and was scheduled to return to the office on Monday, February 24, 2021 to complete the minutes. Member Purgason stated that the Chair contacted the Deputy Director early on February 24th and told her to call the temporary staff member and tell her the board members would not approve her payment if she came in. She added that no board member, to her knowledge, ever told the Chair this. Member Purgason stated that Secretary Reece then went to the office to complete the minutes for submission. She stated that on March 11, 2021 Secretary Reece resigned as Secretary and on March 12, 2021 Member Cole was voted in as Secretary. Member Purgason stated that Secretary said at our last meeting that money was not there to provide for stenography services as proposed in the past and the consequences were that we didn't have the money to do it. She added that at the time we had over \$8,000 for temporary staff and she moved to have this correction entered into the minutes for today.

Member Purgason moved, seconded by Member Reece to have this correction entered into the minutes. The motion carried by a vote of three to two with Chair Wright and Secretary Cole voting no.

ITEM #10 – NEW BUSINESS

Board of Elections Office Cleaning Contract

Member Purgason stated that in reviewing the contract for S&K Services she had some questions and comments. She stated that she would like to first know who changed the dates because when the Board voted and discussed this contract, S & K were supposed to come in on Tuesday and Friday to clean but the contract now read Tuesday and Thursday. Member Purgason stated that secondly when she reviewed the list of duties she felt that a lot of the items were not being taken care of and gave the example of on several Wednesday mornings she would go by the office to check on some things and noticed the garbage hadn't been taken out or emptied. She added that it appeared to her that the desks were not being cleaned and she did not see any evidence of the walls, light switches, doors or baseboards being wiped down. Member Purgason stated that she was a little bit disappointed with this cleaning service and she did not know if anyone had talked

to them about this but she knew that this had been addressed twice since S & K was hired. Member Purgason stated that she would like to see the Board put this out for bids with other cleaning companies to see if someone can be found to best suit the needs of the Board of Elections. Chair Wright asked where the contract was obtained. Director Seamster responded that the contract came from the Power DMS system with the county. Chair Wright asked when the contract was approved. Director Seamster responded that she did not know when the contract was approved. Member Reece asked Attorney Morris when the contract was approved. Attorney Morris stated that the Board of Elections would still be under the existing contract. Member Reece asked the Director if she had noticed that the office had been cleaned. Director Seamster responded that the desks have not been cleaned and the trash in the backroom was overflowing. Member Reece agreed that the cleaning service agreement needed to be opened up for bids before the new budget year starts. Chair Wright asked the Attorney what the proper steps were to move forward with this. Attorney Morris responded that if the Board wanted to discuss any legal ramifications this would need to be discussed in closed session. Chair Wright asked Member Reece and Member Purgason if this could be discussed in closed session. Member Reece and Member Purgason agreed to discuss this in closed session. Member Reece stated that the cleaning service would need a temporary badge rather than a key. Member Purgason stated that S & K's contract ends on June 30, 2021 and she wanted to know if the process for sending out bids could be discussed in open session. Attorney Morris responded that this could be done in preparation but he would need to check the contract to see if there was an automatic renewal in the contract. Member Purgason asked if Attorney Morris could have this information at the next meeting. Chair Wright asked if 30 days would be enough time to get bids in. Member Reece responded that 30 days should be enough time.

HAVA Funds

Director Seamster stated that she had met with IT and General Services regarding the items that were needed for Elections. She stated that she was told that the Elections Workshop roof was one of the major issues that could be covered by the HAVA grant but the HAVA funds cannot be used to repair the roof of the workshop, this could need to be covered by the County. Director Seamster stated that IT recommended replacing the precinct laptops and she had received estimates of 50 laptops for the precinct at \$46,973 and 2 laptops for the office at \$1563.22. She stated that she was informed that a lot of the power strips were missing, USB cables were missing, as well as a need for more memory sticks. Director Seamster stated that General Services requested 2 to 3 hand trucks. Director Seamster stated that she had spoken with Amy Strange at the State Board of Elections and Rockingham County has \$55,625.99 in CARES Act monies and \$138,921.59 in HAVA Funds. She stated that the HAVA Funds expenditures deadline is June 30, 2021. Director Seamster stated that the HAVA fund balance did not include taking out the security cameras at \$8214 and deep cleaning of the Elections office at \$5,150 leave a total of \$125,557.59 in HAVA Funds. She stated that if the HAVA Funds are not expended or encumbered by June 30th the funds will revert back to the General Assembly to be spent somewhere else. Director Seamster stated that as far as the CARES Act monies covered expenses that occurred during March 22, 2020 and December 31, 2020. Director Seamster stated that she was going back through invoices to see that all expense had been turned in such as paper costs, printing costs, ballot printing, etc. She stated that the County is no longer allowed to claim

postage from the CARES Act monies. Director Seamster stated that if the CARES Act monies are not expended they will go back to the federal government to expend how they so choose.

Secretary Cole asked the Director if these funds ended at the end of the fiscal year or at the end year. Director Seamster responded that the HAVA Funds had to be expended or encumbered by June 30, 2021.

Secretary Cole moved, seconded by Member Lawson to move forward with what the Director mentioned and to spend the HAVA funds before June 30, 2021 and if a called meeting needed to be called to approve this it could be done.

Member Purgason asked the Director if she had a total estimate on all of these items. Director Seamster responded that she did not have an exact amount but the 50 laptops are estimated at \$46,973.06, 2 laptops are estimated at \$1,562.22, the hand trucks are estimated at \$250 each, the DS 200 proprietary USB Sticks are estimated at \$150 each and she was not sure how many were needed, and she was waiting on an estimate on the power strips, USB cables and regular memory sticks. Member Purgason asked if the Director knew how many DS 200s the Board of Elections has. Director Seamster responded that she did not have that number. Member Purgason asked the Director if there were any extra DS 200 machines. Director Seamster responded that she thought there were at least 2 or 3 extra DS 200s.

Member Reece asked the Director if an inventory had been done in the Workshop to see what other supplies were needed. Director Seamster responded that this had not been done but it was on the list to be done. Member Reece stated that there could be more items added to this list.

Member Purgason stated that there are funds in Temporary Staffing and suggested getting a couple of people in to do the inventory in the workshop. Director Seamster responded that this was a great idea.

Upon a vote on the motion, the motion carried unanimously.

ITEM #11 – DIRECTOR’S UPDATE

State Photo ID Trial

Director Seamster informed the Board that the State Photo ID Trail had concluded and the decision will likely not come until June.

Municipal Elections

Director Seamster informed the Board that no decision had been made to postpone the Municipal Elections so the plan was moving forward to hold the Municipal Election on November 2, 2021. She stated that the Candidate Filing Period begins on July 2nd at noon through July 16th at noon for all municipalities except for Eden; the Eden Candidate Filing Period begins on July 26th at noon through August 13th at noon. She stated that the One Stop Voting would take place at the Board of Elections Office October 14th through October 30th.

Campaign Finance Updates

Director Seamster stated that the Board of Elections does have one noncompliant committee and this committee was submitted to the State Board of Elections on May 5th. She stated that the State Board of Elections will prepare and send a Penalty Assessment and Notice of Noncompliance to the Committee if they choose to and a copy of the notice will be sent to the county office. Director Seamster stated that this will also be posted on the State Board of Elections website. She stated that the committee will have 3 options: 1) pay the penalty, 2) appeal the penalty to the Office of Administrative Hearings, or 3) request a waiver of the penalty from the State Board of Elections.

Member Reece stated that she was the one that asked the Director to give a report on this and she asked the Director to explain to the Board and the public more about the campaign finance procedures.

Campaign Finance Reporting

Director Seamster stated that local candidates can choose to file paper reports through the local Board of Elections or file reports electronically through the State Board of Elections. She stated that when an individual decides to run for office and will be raising money for their campaign and expending funds for their campaign there is a reporting procedure for this. Director Seamster stated that before the candidate can accept any money or expend any money the candidate will need to file a Statement of Organization with the Board of Elections. She stated that once this is done the committee will set up a checking account through a bank and a treasurer will need to be designated and will be required to take a campaign finance class through the State Board of Elections. Director Seamster stated that she had just gone through the class today which is 4 hours long, the class explains how to fill out the reports, when the reports are due, what expenditures can be expended, which expenditures are prohibited, as well as information on cash donations. She recommended that anyone that is running for office to file electronically through the State Board of Elections because there are less mistakes made on the electronic system. Director Seamster stated that the software is free. She stated that the local candidates that file out paper reports will not appear on the State Board of Elections website. Director Seamster stated that all local candidates and committees with contributions and expenditures in excess of \$10,000 must file reports electronically. She stated that all other candidates and committees may choose to file electronically or on paper. Director Seamster stated that even though the committee files electronically the committee is still required to send a signed disclosure report cover to the local Board of Elections.

Member Reece stated that this information was very informative and she added that a lot of the public do not realize this and she knew that individuals do question this process.

Member Purgason asked if the paper filings were available to the public. Director Seamster responded that everything is available for public record except for the banking information for the committee. Member Purgason asked if the contributors and amounts were available. Director Seamster responded that this information would be available to the public, the only information that would not be available would be the actual banking account information.

Unaffiliated Candidates Procedure

Director Seamster stated that if an unaffiliated candidate wants to run for the 2022 election he or she needs to come by the Board of Elections office to fill out a Request Form and Unaffiliated Petition. She stated that at this time the candidate will be given an approximate number of registered voters in Rockingham County, the unaffiliated candidate will then start collecting signatures of support in order to be placed on the November 2022 election ballot. Director Seamster stated that the unaffiliated candidate will need to get 4% of the registered voters signatures as of January 1, 2022 in order to be able to run in the 2022 elections. She stated that these petition signatures must be filed with the county board of elections on or before noon on the day of the primary election in order to be placed on the ballot for the general elections. Director Seamster stated that the local board of elections does ask the candidate to turn in the petition periodically so that the signatures can be verified as soon as possible and asked that the candidate not wait until the date of the primary election to submit the complete petition.

ITEM #12 – CLOSED SESSION

At 3:59 p.m. Member Purgason moved, seconded by Member Lawson to go into Closed Session pursuant to NCGS 143-318.11(a)(6) Personnel. The motion carried unanimously.

At 4:55 p.m. Member Reece moved, seconded by Secretary Cole to go back into regular session. The motion carried unanimously.

ITEM #13 – Upcoming Events

Summer Conference – August 2 – 3, 2021 – Virtual

ITEM #14 – ADJOURNMENT

At 4:57 p.m. Secretary Cole moved, seconded by Member Reece to adjourn. The motion carried unanimously.

Respectfully submitted,

Paula P. Seamster, Director

Ophelia Wright, Chair

