

**BOARD MEETING MINUTES
JANUARY 25, 2022 – 10:00 AM
REGULAR MEETING**

The Rockingham County Board of Elections met Tuesday, January 25, 2022 at 10:00 a.m. at the Commissioners Chambers.

Board Members Present: Ophelia Wright, Chair; Tom Schoolfield, Secretary; Nelson Cole, Member; Thurman Hampton, Member; and Sarah Totten, Member.

Staff Members Present: Paula Seamster, Director.

ITEM #1 – MEETING CALLED TO ORDER

The Board meeting was called to order at 10:00 a.m. by Chair Wright. Chair Wright welcomed the Board members and the guests that were present as well as those who were viewing the meeting online.

ITEM #2 – PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Member Cole.

ITEM #3 – INVOCATION

Invocation was given by Pastor Heath Lloyd of Fairview Baptist Church in Reidsville.

ITEM #4 – APPROVAL OF THE AGENDA

Member Totten moved, seconded by Member Cole to approve the agenda. The motion carried unanimously.

ITEM #5 – APPROVAL OF MINUTES

Member Hampton moved, seconded by Member Totten to approve the December 16, 2021 Special Meeting Minutes and December 21, 2021 Regular Meeting Minutes as presented. The motion carried unanimously.

ITEM #6 – PUBLIC COMMENTS

There were no public comments

ITEM # 7 – ROCKINGHAM COUNTY BOARD OF ELECTIONS PUBLIC RECORDS REQUEST POLICY

The Director stated that this policy was brought before the Board at its last meeting and added that the County does not have a written Public Records Request policy in place but has a verbal understanding that public records requests go through Legal. She stated that Brian Ferrell, the Board of Elections attorney had reviewed the policy and made changes to it and that is was now up to the Board to decide if this is a policy that the Board of Elections should have.

Chair Wright asked the Board if it had any questions or comments.

Member Hampton asked if the revisions made by the attorney were included in the document. The Director responded yes the revisions were included in the document.

Secretary Schoolfield asked how the public records requests would be responded to. He understand that the requests would come to the Director but wanted to know if the attorney would respond to the request. The Director responded that most of the information that is requested is information that is available at the Board of Elections office and she would be able to respond to that but if the request was something

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that the attorney needed to respond to it would be sent to the Board of Elections attorney. Secretary Schoolfield stated that it would not need to go to the county attorney. The Director responded that this was correct unless it dealt with something related to the County. She added that the policy can be carried out based on the Board's recommendations.

Chair Wright asked Secretary Schoolfield if he wanted to add that to the policy. Secretary Schoolfield responded that he did not want to add the step of going to the county attorney in the policy.

Chair Wright stated that she had some concerns regarding 2. Under Records Requests where it said "The Board of Elections shall acknowledge receipt of the request within a reasonable time after receiving the request, generally within (3) business days of receipt." She stated that if this was received during the time of elections it may take longer to respond and she recommended striking the 3 business day and say as soon as possible. Secretary Schoolfield responded that 'generally' would give some lead way in time. Chair Wright stated that some individuals will say that the policy says 3 days and they want to hold it to 3 days. Member Totten suggested adding a contingency for elections, etc. The Director stated that it would be up to the Board how it would like for this to read. After further discussion it was determined that this would be left as is and to allow the Director to make contact if it will take longer and she added that in 3. it explains this a little more.

Chair Wright and Member Totten noted some grammatical errors that needed to be corrected.

Secretary Schoolfield moved, seconded by Member Cole to accept the Public Records Request Policy with the corrections. The motion carried unanimously.

ITEM # 8 – MOU BETWEEN THE BOARD OF ELECTIONS OF ROCKINGHAM COUNTY AND THE ROCKINGHAM COUNTY BOARD OF COMMISSIONERS

The Director stated that the MOU was brought before the Board at its last meeting and Brian Ferrell, Board of Elections attorney, has reviewed and made changes to the MOU. She stated that the purpose of the MOU was for the Board of Elections to be able to follow the Rockingham County Personnel Policy. The Director stated that in the Rockingham County Personnel Policy on page 6 it states "All employees in the County's service shall be subject to this Policy except as noted. The following officials are exempt from this Policy: elected officials, appointed officials, and independent contractors...Employees governed by the provisions of Chapter 163 of the North Carolina General Statutes, Board of Elections, are not subject to any of the provisions in this policy."

Secretary Schoolfield asked what HR policy was used for the employees at the Board of Elections. The Director responded that the Board of Elections uses the Rockingham County Personnel Policy but it does not have permission to do so from the County so that is the reason for the MOU. She added that if the Board of Elections approves the MOU it would then go before the Board of Commissioners for a final approval. Schoolfield asked if the Airport Authority and Sheriff's Office had a MOU with the County and how their HR policies operate. The Director responded that she did not know the answer to this.

The Director stated that she had some concerns about some of the items that were added to the MOU by the attorney but if the Board was okay with the MOU she was okay as well.

Secretary Schoolfield stated that he would like to know more information about the MOUs that are with other agencies and the County to be able to compare it with the MOU we are looking at.

Member Totten asked where the information was gathered from. The Director could not remember exactly what counties she received the information from but the attorney gathered information from the

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School of Government, the State Board of Elections, as well as other counties. Member Totten asked if the Director was aware of other counties having a MOU. The Director responded that when the Board of Elections had its District meeting a couple of months ago there were 13 counties present and out of the 13 counties 3 had MOUs and the remaining 10 counties said they did not have a MOU and did not need a MOU with the county.

Member Cole moved to remove this item from the agenda and to put it on the next Board meeting and to have the Secretary to get the information he requested on the other boards.

Secretary Schoolfield asked if this was the Secretary or the Director that would gather the information. Member Cole responded that the Secretary was the one requesting the information so that was why he felt the Secretary should gather the information.

Secretary Schoolfield asked if the Director could handle gathering this information due to his current situation. Member Cole said he was okay with that.

Member Cole moved, seconded by Secretary Schoolfield to remove this item from the agenda and to put it on the next Board meeting and to have the Director to get the information he requested on the other boards. The motion carried unanimously.

ITEM #9 – DIRECTOR’S UPDATE

2022 Primary Election Update

The Director stated that House Bill 605 passed the NC House and Senate on January 19th and is now on the Governor’s desk, the Governor has 10 days to decide whether to sign or veto the bill. She added that this bill would move the primary election date to June 7th and set candidate filing for March 24th starting at 8:00 a.m. through April 1st ending at 5:00 p.m. The Director stated that under current law, the primary election is set for May 17th and candidate filing is set for February 24th through March 4th and that right now the Board of Elections is moving forward with the May 17th date until its hears otherwise.

One Stop (Early) Voting Implementation Plan

The Director stated that during this time she started working on the FY 2022-2023 budget as well as reviewing the One Stop (Early) Voting Implementation Plan which is due to the State Board of Elections by February 18th. She stated that she was glad the election was postponed because after a review of the required days and hours for remote voting sites she found that there was not enough money put into the FY 2021-2022 to cover this and added that the budget also did not include the expenditures for the municipal election that was held in October and November of 2021 so that cut the budget amount for Elections Precinct Staff considerably. The Director stated that the original budget was for \$70,000 and \$20,964.52 of that was used to pay for Elections Precinct Staff for the municipal election. She stated that in the packet she included the FY 2019-2020 budget which showed where the municipal election was included in the expenditures budget line item 4111021 Election Precinct Staff.

The Director stated that now there is only \$49,035.48 to pay for Elections Precinct staff for One Stop (Early) Voting and Election Day for the 2022 Primary Election. She stated that she prepared 4 options for One Stop (Early) Voting however only Option 1 will work within the approved FY 2021-2022 budget. She stated that the original One Stop (Early) Voting plan that the Board approved for the March 8, 2022 election estimated an expenditure of \$90,012 for the Board of Elections office, the Reidsville site, the Western site, and the Eden site however this plan was no longer feasible considering the budget.

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The Director went through the four options:

Option 1: Wentworth site (Board of Elections office) open the 13 days with the uniform hours for remote sites with an estimated expenditure of \$43,464.

Option 2: Wentworth site working regular business hours for 13 days and the Eden site (or another site) open with uniform hours with an estimated expenditure of \$55,884.

Option 3: Wentworth site & Eden site (or another site) open 13 days both with the uniform hours with an estimated expenditure of \$60,528.

Option 4: Wentworth site with regular business hours and the Eden and Western site open the uniform hours for 13 days with an estimated expenditure of \$72,948.

She stated that she had included the 2018 Primary Election One Stop (Early) Voting Schedule which included 12 days 9:00 a.m. to 6:00 p.m. Monday through Friday and the last day Saturday 9:00 a.m. to 1:00 p.m. for a total of 103 hours at the Wentworth site and 5 days 9:00 a.m. to 6:00 p.m. at 3 remote sites totaling 134 hours (45 hours for each remote site) which totaled 238 hours for all the One Stop (Early) Voting sites.

The Director stated that also included was the 2014 Primary Election One Stop (Early) Voting Schedule which had a total of 211 hours for all One Stop (Early) Voting sites. She stated that the 2022 Primary Election One Stop (Early) Voting Schedule requires 13 days 8:00 a.m. to 5:00 p.m. except the last Saturday 8:00 a.m. to 3:00 p.m. for the Wentworth site and 13 days 8:00 a.m. to 7:30 p.m. except the last Saturday 8:00 a.m. to 3:00 p.m. for all remote sites which is 115 hours for the Wentworth site and 145 hours for each remote site which adds up to a minimum of 260 hours up to 550 hours with all 3 remote sites operating.

The Director stated that she sent an email to Davy Lowman at the State Board of Elections asking for the requirements for the number of remote sites and for an exception on the remote site hours and Mr. Lowman responded that the requirements for a one stop site per 20,000 voters was no longer in place but the additional sites would need to be open every weekday 8:00 a.m. to 7:30 p.m. while the Board of Elections office remains at regular business hours. She stated that also included in the packet was a copy of the county map which showed the current four early voting sites and the distances between them and the Board of Elections office.

The Director stated that included in the packet was a breakdown of where voters in each precinct voted in the 2018 Primary Election and each were highlighted in a different color: Pink for Eden, Orange for Western, Blue for Reidsville, and Green for the Rock Central area which normally votes at the Board of Elections office or the Wentworth site. She stated that she also included breakdowns for age groups and where they voted, a gender breakdown, as well as a race breakdown for the 2018 Primary Election by precinct.

The Director stated that she also included the 2018 official Primary Election results that showed that 9,748 voters voted out of 59,751 registered voters and 2,723 of the 9,748 voted early or mailed in their ballots.

She stated that she knew that this was a lot of information but she wanted the Board to be fully aware of this prior to approving the 2022 Primary Election One Stop (Early) Voting Implementation Plan at the next Board meeting on February 15, 2022. The Director stated that she knew that this was different from prior one stop elections but her recommendation would be Option 1 and the reason for this was to be able to stay within the budget that was already approved. She stated that the early voting would take place at one site, the working hours would be controlled and the voters that vote at the Wentworth site would know immediately on the State Board site that they had cast their votes. The Director stated that in the packet

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the Board could see that 1,665 people out of 2,723 voted at the Wentworth site 2018 Primary Election during early voting.

Secretary Schoolfield stated that having more than one site for one stop would not work unless the Board of Elections received more money. The Director responded that this was correct and it was a substantial amount needed. Secretary Schoolfield stated that the only way to get more money would be to go back to the Board of Commissioners. The Director responded that this was correct. Secretary Schoolfield asked the Director if she had any idea what the reaction would be. The Director responded that she had a meeting with the county manager last Friday and she did not think it would happen because it would be over \$40,000 to be able to open all four one stop sites. Secretary Schoolfield stated that 50% of the voters voted at the Wentworth site even though they had other sites to vote at but his question was what would happen to the other half because the Board of Elections wanted to do everything possible to make voting accessible. The Director responded that the Board of Elections does want to make it possible for everyone to vote and she added that there is still Election Day which is May 17th at this point and all 15 voting precincts would be open for those voters that want to vote in their precinct. She stated that with the Board of Elections trying to stay within its budget restraints Option 1 was the only option available without having to go before the Board of Commissioners to ask for more money.

Member Totten asked if any of the precincts paid the county for the election. The Director responded that the precincts do not pay for the primary or general elections. The only time the county is reimbursed for elections was for municipal elections because it is a county service to the municipalities.

Member Hampton stated that he agreed with what Secretary Schoolfield said that people are accustomed to voting at a particular place and then he asked if the Board of Elections had enough money to adequately advertise the change and to get the information out to the public to let them know about the change in advance of the election. The Director responded that this could be done if that is what the Board chooses to do. Secretary Schoolfield stated to make it known that this would be just for the 2022 Primary Election.

Member Hampton asked if there needed to be a decision made on Option 1. The Director responded that the Board did not have to vote on the One Stop plan at this meeting because the plan did not have to be submitted to the State Board until February 18, 2022. She stated that the Board would have time to review the information that she provided and make a decision at the next Board meeting which would be on February 15, 2022.

Secretary Schoolfield asked if there were any advantages of making a decision today versus waiting until the next meeting. The Director responded that she would be able to submit it to the State Board early and information could be sent out to the public sooner. Secretary Schoolfield stated that what the Board approved early will not work. The Director responded that the plan that was approved earlier was for the election that was supposed to be held in March but that plan exceeded the remaining amount in the budget. She stated that the hours for the One Stop has increased considerably in four years. Member Totten asked why the hours had increased. The Director responded that the State Board sets the hours for one stop.

Chair Wright stated that she would like to hold off on voting on the plan to allow the public to make comments to the Board prior to voting.

Secretary Schoolfield stated that nothing would change between this meeting and the next meeting. He stated that it was pretty clear what the Board needed to do but he did not have a problem with waiting until the next Board meeting to vote on it.

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Member Hampton stated that he did not think the situation would change between now and the February meeting.

Member Hampton moved, seconded by Secretary Schoolfield to accept the revised plan Option 1.

Member Totten asked if this would give enough time to get the information out. The Director responded that it would give an extra month to get the information out. Secretary Schoolfield recommended having this on the agenda at the next meeting on how to publicize this information to the public on the changed option for One Stop (Early) Voting.

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

2022 Spring State Board of Elections Virtual Conference – Monday, March 14, 2022 and Tuesday, March 15, 2022

The Director stated that the 2022 Spring State Board of Elections Virtual Conference will be held on Monday, March 14, 2022 and Tuesday, March 15, 2022 at the Board of Elections office. She stated that the agenda had been emailed to the Board members. The Director stated that the hours for the conference will be from 8:30 a.m. to 5:00 p.m. on Monday and 8:30 a.m. to 3:30 p.m. on Tuesday.

FY 2022-2023 Board of Elections Budget

The Director stated that she had started working on the budget and that she had emailed the Board a copy of the FY 2021-2022 and FY 2018-2019 budgets to review on December 16, 2021. She stated that the FY 2022-2023 budget will be based on the FY 2018-2019 with updates such as the extended days and hours for one stop voting, etc. The Director stated that she would be glad to share the numbers that she had worked on prior to the budget meeting. She stated that the assistant county manager had stated that he would be sending out the budget information within the next couple of weeks. The Director asked the Board to look at their calendars to see when would be a good time to meet to discuss the budget within the next month to month and a half.

Secretary Schoolfield asked if there would be any guidelines sent out regarding salary increases for the workers. The Director responded that she had not received any guidelines at all. Secretary Schoolfield stated that he knew there were some inflation costs. The Director responded that she knew that utilities have gone up and continue to go up and she was still working on an analysis on the current year's utilities.

Chair Wright recommended that once the Director received the budget information to send the Board and email with dates that would be good and the Board could choose from those dates.

Chair Wright asked the Board if there were any more questions for the Director. Chair Wright recommended that the Board members contact the Director if it had any questions on anything that was discussed during the meeting.

ITEM #10 – ADJOURNMENT

At 10:58 a.m. **Member Hampton moved, seconded by Member Totten to adjourn. The motion carried unanimously.**

Respectfully submitted,

Paula P. Seamster, Director

Ophelia Wright, Chair