

**BOARD MEETING MINUTES
FEBRUARY 15, 2022 – 10:00 AM
REGULAR MEETING**

The Rockingham County Board of Elections met Tuesday, February 15, 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 Secretary Schoolfield.

ITEM #3 – INVOCATION

Invocation was given by Pastor Nathan DeFalco, New Life Baptist Church in Madison, NC.

ITEM #4 – APPROVAL OF THE AGENDA

Secretary Schoolfield moved, seconded by Member Hampton to approve the agenda. The motion carried unanimously.

ITEM #5 – APPROVAL OF MINUTES

Member Cole moved, seconded by Member Schoolfield to approve the January 25, 2022 Regular Meeting Minutes as presented. The motion carried by a vote of 4 to 1 with Chair Wright voting no.

ITEM #6 – PUBLIC COMMENTS

The Director read the Public Comments policy.

Ann Brady –

“Good morning, I’m Ann Brady, I live at 3190 NC 65, Reidsville. Thank you for the opportunity to express my concerns. First, I am against the General Assembly’s move that took away our local option for opening remote sites. To open three remote sites will cost over \$40,000 or approximately \$40 per early remote voter based on the 2018 election numbers. 2014 and 2018 had remotes open only 5 days while Wentworth was open the whole time, that makes a whole lot more sense. Three remotes now need to be open for a total of 13 days and for longer hours or about three times as many hours thus we need to advocate at the State level to change what the General Assembly passed namely the local option on opening remote sites has been removed. My second concern is that I believe despite the costs that it is important to make voting as accessible to our citizens as possible. Leaving remote sites closed for the 2022 primaries sets a very bad precedent, in my opinion, we already have very low turnout in off year primaries. 2018 had a quarter cent referendum on the ballot as well as primaries for local candidates for both parties and yet for each one hundred voters, registered voters, in Rockingham County approximately sixteen voted at all. Of those sixteen about twelve voted on Election Day, 2 voted in Wentworth, and less than 2 at remote sites. This year has no referenda and at this point only Republicans have any local candidate choices for the primary so I would predict an

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even lower turnout. We don't need to add to this situation less poll access. We don't need to set a bad precedent by having less than all three remote sites available to our voters. We need to do all we can to encourage all of our citizens to vote. I hope the Board of Commissioners will allocate the needed funds. The memo from Lance just plays the blame game. We need the commissioners to act to make voting accessible to our citizens. Thank you Board of Elections and director for working together to make voting as accessible as possible. Please vote for all three sites, remote sites, to be open. Thank you very much."

Wally White –

"Good morning everyone, I'm Wally White from 314 Von Ruck Road in Eden. I first and mainly just want to thank you all for how well you all have been working together, it's a pleasure to see after the previous make ups that we had been seeing in recent times, so thank you all for the work you are doing together. I too, I think as Ann was saying, I think that the general public doesn't realize that the days and hours of operations are set by the General Assembly and not by you all and that that large fund of \$41,000 or whatever exactly it is, if it is done it's going into the pockets of our local citizens to work those polls and that it is not the days and hours that you would necessarily choose. It's if you give voter accessibility, you are forced to spend that money and I think it is important for them to know that that is not in your hands, and that's been forced on you by the General Assembly and I hope that people can hear that and know that. I know that the people that were involved in that press release from the County do know that and chose not to say it and I find that insulting. Thank you all for what you are doing and I hope that we can find a way to make as much voter accessibility as possible. Thank you."

Chair Wright asked the Director to read the public comment that was received via email.

The Director read the email from Chris Shenton, Legal Fellow, Voting Rights Group Southern Coalition for Social Justice, 1415 West Highway 54, Suite. 101, Durham, NC 27707 -

"Dear Director Seamster and Rockingham County Board of Elections. Please find below public comment concerning Agenda Item 7: Primary One-Stop Implementation Plan, for the February 15, 2022 meeting of the Board.

1. Option 1, with only one Early Voting site at the CBOE office, would remove both the most popular overall one-stop site in 2020 (Madison Library, where 27.91% of early votes were cast in 2020) and the one-stop site preferred by Black voters in 2020 (Salvation Army Community Center in Reidsville, where 45% of all Black early voters cast their ballots). Option 1 would also leave voters in western Rockingham County with significant travel time to vote early (in some cases over 15 miles), and reliant on limited public transportation options if they are without a car.
2. We urge you to adopt Option 5, which provides for all 4 Early Voting sites in the parts of the county where Rockingham voters are accustomed to voting early.
3. The Board of County Commissioners has a legal obligation to fund elections in Rockingham County. The State Board of Elections has said that lack of funds is not a sufficient reason to not have an Early Voting site. The budgetary reallocations proposed by the County Commissioners are not acceptable – voters should not bear the burden of

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reallocating staff salaries, voting supplies, and staff training just to have Early Voting available.

4. Even temporary changes in election procedures have a long-lasting effect on voter behavior. Even if a change in the number of Early Voting sites available was made only for the 2022 primary, experience has shown that uncertainty about where and how to vote will persist long after those changes. Academic research has verified what voters already know: a change in one election will have a ripple effect. Voters should be spared from budgetary whiplash.

5. The State Board of Elections can only consider alternative plans if there is a non-unanimous vote, pursuant to N.C.G.S. Section 163-227.6(a). If the Board of Elections disagrees with the Board of County Commissioners and would like to pursue a plan for early voting in the primary that provides full access to Rockingham voters, yet does not want to adopt Option 5 without having the funds already allocated, you should not unanimously adopt Option 1. Instead, any vote approving Option 1 should not be unanimous, and at least one motion should be offered and seconded to adopt Option 5. This should be done on the record and reflected in the meeting minutes. This will give the State Board the option to consider both plans, and to work with you to come to a solution that is best for all Rockingham County voters.

If you have any questions or concerns, please feel free to reach out to either myself or my colleague Katelin Kaiser; we are available at your convenience. Thank you for all the work you do for the voters of Rockingham County.”

ITEM # 7 – 2022 PRIMARY ONE-STOP IMPLEMENTATION PLAN

Chair Wright stated that the Board of Elections held a called meeting on February 9th. The item on the agenda was to review two suggested items from County Manager Lance Metzler from the FY 2021-2022 appropriated budget to meet the needs to open 4 one stop voting sites. She added that after the Board’s review it was not able to find \$41,000 to open the 4 sites therefore the Board does not have enough funds to change the previous vote on the One Stop (Early) Voting Plan. Chair Wright stated that the One Stop Plan needed to be sent to the State Board of Elections no later than February 18th. Chair Wright asked the Board members if they had any questions for the county manager who is willing to come into the meeting to explain his memorandum.

Member Totten stated that she had recently been advised by a county commissioner who had spoken with the other commissioners and advised that the Board of Elections should implement all four voting sites and if the funds come up short at a later time the Board of Commissioners will give the Board of Elections the funds needed. Secretary Schoolfield asked if there was any suggestions on where this money would come from. Member Totten responded that she did not ask that question and she was not given an explanation on how this came about. Secretary Schoolfield stated that the Board of Commissioners had several opportunities to do this and he was concerned about someone making that commitment because if the Board of Elections voted to implement all four sites and then there is not enough money to cover the expenses. Member Totten stated that she was not given a detailed information other than the statement.

Chair Wright stated that the Board of Elections did not have a written commitment and she did not feel as Chair she could move forward with hearsay. Chair Wright asked what the Board’s pleasure was.

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Member Cole stated that he spent the better part of the evening before going through the general statutes and the Board of Elections does not have the right to appropriate funds and if just one member of the Board of Elections votes against the One Stop Implementation Plan then the plan would go to the State Board of Elections. He stated that the State Board of Elections and the County are the only two entities involved in this process beyond the Board of Elections decision on what to do. Member Cole stated that he thought it was incumbent upon the Board of Elections to provide the opportunity for the citizens to vote in Rockingham County where they have voted in the past. He stated that he planned to vote against the plan that the Board of Elections had previously adopted. Member Cole stated that if one person was denied the right to vote the Board would be wrong.

Member Totten asked if Mr. Metzler would come into the meeting. Chair Wright asked the Director to see if Lance Metzler, County Manager; Paul Murray, Assistant County Manager, and Justin Thacker, Deputy Finance Director were available to come to the meeting.

Chair Wright informed County Manager Lance Metzler that the Board of Elections understood what he asked it to do, but some of the Board members had questions.

Member Totten stated that the Board received Mr. Metzler's memo stating where the Board could get funding from the current Board of Elections budget however she was advised by one of the county commissioners to spend the money in the current budget and if the Board of Elections at a later time had a budget shortfall then the Board of Commissioners would give the Board of Elections the funds needed to maintain its duties. She asked Mr. Metzler if he was aware of this. Mr. Metzler responded yes. He stated that he and Paula had talked and looked at the budget and there may be some discrepancies between what he found and what the director thought could be used but he felt that he could support the Board of Elections if there is a shortfall before the end of the fiscal year. Mr. Metzler stated that he would go to the Board of Commissioners with Paula to request additional funds if needed.

Secretary Schoolfield asked if this was with the backing of the County Commissioners. Mr. Metzler responded that he could not answer for the Board but he had spoken with a few of the commissioners and felt that he would be able to go back to the commissioners to seek that approval. He added that he felt comfortable with making that recommendation.

Chair Wright stated that the One Stop Implementation Plan needed to be submitted to the State Board by February 18th and she asked what the timeline would be for Mr. Metzler to go to the Commissioners and get back to the Board of Elections on a decision. Mr. Metzler responded that he asked for the Board of Elections to look within its budget to fund one, two, three, or four voting sites and at the end of the year if the Board of Elections starts to run short on funds to operate it would be brought before the Board of Commissioners to request funds at that time.

Member Totten stated so the Board of Elections would not need to seek funds. Mr. Metzler responded that the Board of Elections would find it within its Budget and come before the Board of Commissioners to get approval on a budget amendment and then if there are areas that the Board of

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Elections is running short the Board could come before the Board of Commissioners to seek additional funding.

Chair Wright stated that the Board of Elections looked at its budget and it was only able to find \$28,000 and she asked Mr. Metzler what to do about this. Mr. Metzler responded that he could point out 6 different line items that he could work with the Board of Elections staff to make sure that the \$41,000 could be found within the Board of Elections budget and he added that if the Board of Elections fell short before the end of the year he would work with the Board of Commissioners to make sure that this would be taken care of.

Member Hampton stated that if the Board of Elections found monies within the Board of Elections budget, it would need to come before the Board of Commissioners to seek approval first, it could be moved from one line item to another. Mr. Metzler responded that this was correct. Member Hampton asked how long this usually took. Mr. Metzler responded that he would put it on the next Board meeting. Chair Wright asked when the next Board meeting would be. Mr. Metzler responded February 21st.

Secretary Schoolfield stated that he was new on the Board and the cost of voting due to poor turnout bothered him which is due to the State requirements as well as having 4 voting sites. He added that it could cost as much as \$60 a vote. Secretary Schoolfield stated that he agreed with Member Cole on the obligation to the voters to make voting accessible but the Board of Elections also has an obligation to the taxpayers to not spend money frivolously. He asked how the Board of Elections could balance between accessibility and not overspending. Mr. Metzler responded that he saw the figures that Ms. Seamster put together and they were quite compelling.

Chair Wright thanked Mr. Metzler for coming into the meeting and for answering the questions that the Board had.

Mr. Metzler stated that he would work with Ms. Seamster on the budget modifications if needed.

Member Cole moved, seconded by Member Totten that the Board of Elections establish a One Stop Plan for the 4 one stop voting sites that have been used in the past and to move forward with Mr. Metzler recommendations on the budget modifications.

Member Hampton stated that the Board of Elections approved a One Stop Plan at its January 25th meeting and before the Board can move forward with approving another plan, the Board will need to rescind or change the original plan.

Member Hampton moved, seconded by Member Cole to rescind the vote from the January 25, 2022 meeting that approved only 1 One Stop Voting Site.

Member Totten stated that she wanted the public to understand that the motion was made because at that time the Board of Elections did not have the funds to operate the additional 3 voting sites.

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

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Member Cole moved, seconded by Member Totten that the Board of Elections establish a One Stop Plan for the 4 one stop voting sites. The motion carried unanimously.

Chair Wright asked that the comments that were made by the County Manager were duly noted in the minutes.

Secretary Schoolfield stated that he had some concerns, the Board of Elections was going to do this based on Mr. Metzler's information however the Board of Elections still did not have the funds. Chair Wright responded that this was correct. Secretary Schoolfield asked what would happen if the Board of Elections did not get the money. He stated that there would be an Election on May 17th and he wanted to make sure that the budget amendment gets on the Board of Commissioners agenda for February 21st.

Member Hampton asked Mr. Metzler if the Board of Elections needed to spend the money first. Mr. Metzler responded that what he recommended that the Board of Elections approve the moving the \$41,000 within its budget contingent upon him and Ms. Seamster working on an adequate budget to present to the Board of Commissioners. Member Hampton asked again if the Board of Elections would need to spend the money within its budget first. Mr. Metzler responded yes the Board of Elections would need to spend the money within its budget first.

Member Hampton moved, seconded by Secretary Schoolfield to approve the budget amendment contingent upon the County Manager and Director of Elections' recommendation on the \$41,000 within the Board of Elections budget. 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 purpose behind the MOU would be to allow the Board of Elections to use the Rockingham County Personnel Policy and Human Resources Department for personnel issues. She added that she had some concerns previously but those concerns had been answered. The Director asked the Board of Elections for its approval of the MOU and if the Board of Elections approved the MOU it would then go before the Board of Commissioners for its final approval.

Secretary Schoolfield asked if the Director had received any feedback or recommended changes from the county attorney. The Director responded no sir. Secretary Schoolfield asked if the county manager had seen the MOU. The Director responded that the county manager received a copy of the MOU as well.

Chair Wright recommended changing the year on the last page.

Member Cole asked the Director if she expected any issues with the MOU. The Director responded that she did not think so. She added that she did check to see if there were any other MOUs with the county and the only MOU with the county was the Cooperative Extension.

Member Cole moved, seconded by Member Totten to approve the MOU between the Board of Elections of Rockingham County and the Rockingham County Board of Commissioners. The motion carried unanimously.

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Chair Wright stated that the MOU was approved and the Director will take the MOU to the next step for approval from the county commissioners.

ITEM #9 – DIRECTOR’S UPDATE

2022 Primary Election Update

The Director stated that the 2022 Primary Election is still scheduled for May 17th. She added that the redistricting maps were due to the State Board of Election by 12:00 p.m. on Friday, February 18th and the maps can be appealed until 5:00 p.m. on February 18th. The Director stated that Candidate Filing would begin on Thursday, February 24th at 8:00 a.m. and run through 12:00 p.m. on Friday, March 4th.

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

The Director stated that the Virtual Conference will be held at the Board of Elections office.

Board of Elections Meeting Date Change for March 15, 2022

The Director stated that since the Virtual Conference will be held during a regular meeting date so she asked the Board if it would be okay to delay the regular meeting by one week and hold it on Tuesday, March 22nd. She stated that she had sent a request to the Clerk to the Board asking for the Commissioners Chambers on that day and she also sent a request to Roy Sawyers to see if that date would work with his schedule as well.

Member Totten moved, seconded by Secretary Schoolfield to change the regular meeting date to Tuesday, March 22, 2022 at 10:00 a.m. The motion carried unanimously.

FY 2022-2023 Board of Elections Budget

The Director stated that the Board of Elections had held its first budget work session last Wednesday, February 9th. She asked the Board if next Tuesday, February 22nd at 10:00 a.m. would be good for the next budget work session. The Director stated that the deadline for submitting the budget is March 11th. It was the consensus of the Board that the next budget work session would be held on Tuesday, February 22, 2022 at 10:00 a.m. at the Board of Elections office.

ITEM #10 – ADJOURNMENT

At 10:54 a.m. **Member Cole moved, seconded by Member Hampton to adjourn. The motion carried unanimously.**

Respectfully submitted,

Paula P. Seamster, Director

Ophelia Wright, Chair