

**BOARD MEETING MINUTES
NOVEMBER 21, 2023 – 10:00 AM
REGULAR MEETING**

The Rockingham County Board of Elections met Tuesday, November 21, 2023 at 10:00 a.m. at the Rockingham County Governmental Center Commissioners Chambers.

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

Staff Members Present: Paula Seamster, Director.

ITEM #1 – MEETING CALLED TO ORDER

Chair Wright called the Board meeting to order at 10:00 a.m. Chair Wright welcomed the Board members and those who were watching online.

ITEM #2 – PLEDGE OF ALLEGIANCE

Member Schoolfield led the Pledge of Allegiance.

ITEM #3 – INVOCATION

Invocation was given by Chair Ophelia Wright. She asked that everyone remember Judge Stan Allen and Reidsville High School for the loss of a student in their prayers.

ITEM #4 – APPROVAL OF THE AGENDA

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

ITEM #5 – APPROVAL OF MINUTES

Secretary Totten moved, seconded by Member Hampton to approve the October 17, 2023 Regular Meeting; November 6, 2023 Absentee Meeting; November 7, 2023 Absentee Meeting; and the November 14, 2023 Absentee/Provisional Meeting minutes. The motion carried unanimously.

ITEM #6 – PUBLIC COMMENTS

Chair Wright opened Public Comments.

Lissa Harris (received via email) –

“Chairwoman Wright, Board Members and staff thank you for allowing me as a resident of Rockingham County to share my public comments. I am extremely grateful for staff and each of you being proactive in supporting our county have a successful municipal election. While there continues to be much work to be done to encourage our citizens to realize that the local elections are so important and not voting means your voice is not heard at the ballot box. Citizens of Rockingham County must realize that they elected officials who oversee our tax dollars and by not exercising our rights to vote its irresponsible!! Please also note that the additional efforts spent for voter education were appreciated but we must do more!! Do not think it does not make a difference it does!!! Voter education on the ground is a process that must go on year round. As a Board of Education and Director I ask you to push back to the state and ask them to create more voter education and what they do not do listen to staff and citizens of Rockingham County to help reach areas that registered voters are at. To some they it would say it’s like looking for a needle in a hay stack but I say with a magnet we can pull the needle out and the hay can be useful. Create a small

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Voter Education Task Group including nonprofit organizations, civic groups and leaders who are willing to work together to create ideas of how to reach voters in Rockingham County. As it relates to One Stop Early Voting please include more time for people like me who work 8-5pm. In the future we need to reconsider at least one Sunday vote. Then work with the faith base community to make sure they know about the option. However it's critical to have at least (2) Saturday voting opportunities! 15 minute grace period. As each of you work to support our democracy and represent all parties and all citizens please continue to push for more accessible voting opportunities. So remember we must work together!! Sincerely, Mrs. Lissa Harris, Madison, North Carolina, Voter.”

Chair Wright closed Public Comments.

ITEM #7 – 2024 PRIMARY ELECTION ONE STOP PLAN

The Director informed the Board that she provided each of them a copy of a newspaper article of the One Stop (Early) Voting hours for the 2020 Primary Elections. She stated that the 2020 Primary Election One Stop Plan ran from Thursday, February 13, 2020 through Saturday, February 29, 2020. The Board of Elections office was open 8:00 am – 5:00 p.m. Monday through Friday and on the last Saturday, February 20th 8:00 am – 3:00 pm. The other 3 satellite sites were open Monday through Friday 8:00 am – 7:30 p.m. and on the last Saturday, February 20th 8:00 am – 3:00 pm. During the budget preparation for the 2024 Primary Election I figured all 4 sites being open 13 days which is the minimum requirement per the General Statutes however all sites would be open Monday through Friday from 8:00 am – 7:30 pm and the last Saturday 8:00 am – 3:00 p.m. Originally the Board of Elections had One Stop Coordinators at each One Stop site however with SB 747, Session Law 2023-140 we are now required to have a Chief Judge and 2 Judges the entire time One Stop is open so that will increase the budget numbers that were originally proposed by \$808.00 for the same time originally budgeted. I have enclosed in your Board packet 3 options for the One Stop Plan. Option 1 is the 13 day as originally budgeted, Option 2 adds an additional Saturday which will increase the budget by \$3,968, and Option 3 adds 2 Saturdays which will increase the budget by \$7,128. The Director stated that she wanted the Board to have the increase in the budget since the budget was prepared and approved prior to the senate bills being introduced and will take effect on January 1, 2024. She stated that she had presented 3 options for the Board to consider for the 2024 Primary Election that will take place in March. The Director stated that the new law would increase the budget and once the Board approves which option it chooses the increase in the budget would have to go before the Board of Commissioners for approval. She added that the increase would most likely come from the Board of Elections budget, it would just be moved from one line item to another. The Director asked if there were any questions.

Secretary Totten asked the Director how much Option 2 would increase the budget. The Director responded that Option 2 would increase the budget by \$3,968.

Member Schoolfield asked what the difference was between a One Stop Coordinator and Judge. The Director responded that early voting officials are paid by the hour and Election Day officials are paid a set rate. She stated that the one stop coordinators in the past have always been election judges. Member Schoolfield stated that he understood that there would be an increase of 2 ½ hours a day for early voting at the Board of Elections which adds up to a lot of hours so he thought that Option 1 would offer enough after work hours for the voters.

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Secretary Totten asked if there had been many requests for an additional Saturday for early voting. The Director responded that the first request she had received was from the public comments today.

Member Cole asked the Director if she would have the resources to cover Option 3. The Director responded that she did not know because the numbers are still coming in the municipal election. She added that this would be \$7,128 for Option 3. Member Cole asked how soon the Board needed to make a decision on this. He added that opening on Saturday provides a lot of people the opportunity to vote. The Director responded that the deadline to submit the One Stop Plan to the State Board is December 1st.

Member Hampton asked the Director if she could find sufficient funds to support Option 2. The Director responded that she could try however she would not know for sure until the numbers are finalized for the municipal election. She stated that whatever the Board chooses to do, staff will make it work.

Member Schoolfield stated that there will be additional hours of operation. The Director responded that all four sites would be open the additional hours.

Member Totten stated that she liked the idea of two Saturdays because this allows for people who work out of town to have an option to vote during early voting.

Chair Wright stated that Option 2 would be an increase of \$3,968.

Member Totten asked if the budget would cover the \$3,968. The Director responded that the Board of Elections would have to cut in certain areas but it could be done. She added that whatever the Board wanted to do staff would make it work.

Member Schoolfield stated that this may mean going to the Board of Commissioners and asking for more money. The Director responded yes it would. Member Schoolfield stated that it cannot be done without moving money. The Director responded that this was correct. Member Schoolfield stated that the Board of Commissioners are not susceptible to moving funds than adding more funds. The Director responded that this was correct, the Board of Commissioners would rather we find it within our own budget than to allocate additional funds.

Member Schoolfield stated that after studying the information and after having a discussion with the director it would be hard to come up with additional funding for Option 2 and 3 without having to ask for additional funds. He added that Rockingham County did not have run away voting during the municipal election and he knew it was a different type of election but he recommended going by the staff recommendation of Option 1 which included the additional hours at the Board of Elections office over the 2020 election.

Member Schoolfield moved to approve Option 1 of the One Stop (Early) Voting Plan. The motion dies due to a lack of a second.

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Secretary Totten moved, seconded by Member Cole to approve Option 2 which would include two Saturdays and would increase the budget by \$3,968. The vote of the motion was 4 to 1 with Member Schoolfield abstaining.

Member Schoolfield stated that he abstained because he did not think it was wise spending of the money. He stated that there would be additional hours for voters at the Board of Elections office.

The Director stated that the Board had to have a unanimous vote on this motion to pass. She added that if there is not it would need to be sent to the State Board of Elections for them to decide on the One Stop (Early) Voting Plan. The Director stated that in NCSG 163-227.6 it says ‘Notwithstanding any other provision of G.S. 163-227.2, 163-227.5, and this section, a county board of elections by unanimous vote of all its members may provide for one or more sites...’, it did need to be a unanimous vote.

Secretary Totten asked the Director what her feelings were on which one of the options the State Board would choose. The Director responded that she had no idea which one the State Board would choose. Secretary Totten stated that she agreed with Member Schoolfield that it would be an increase in budget money and with the Wentworth location being open additional hours that is an increased expense however she thought as a better service to the public Option 2 would be a better fit.

Member Cole stated that on the motion if the Board of Elections cannot get the additional funding the additional hours cannot be done but the Board needed to move forward and if the motion needed to be amended it would do that. The Director responded that once the motion is made on the option that pretty much seals the deal. She added the Board of Elections would need to find the money to make the option work. The Director stated that if Option 2 is what the Board wants to do staff would make it work.

Member Hampton asked what the process would be now, does the Board of Elections go before the Board of Commissioners first to transfer this money or does the Board of Elections automatically go to the State Board because the Board does not have a unanimous vote. The Director stated that this was what needed to be decided, if the Board does not have a unanimous decision today, she would need to send all three options to the State Board for them to make a final decision and she did not know when that decision would be made. She stated that once the State Board makes that final decision that is what the Board of Elections will have to do and that is when she would need to approach the Board of Commissioners.

Member Schoolfield stated that he abstained on the motion, he could have voted against it which would have made it non-unanimous. He stated that four Board members voted for it and one that abstained so the vote still passed by the Board. Chair Wright responded that the vote was not passed unanimously. Member Schoolfield stated that he understood where the Board was going but he felt very strongly that the Board of Elections has provided adequate voting opportunity but the Board also has a financial responsibility and the members of the Board have to respect the fact that it is spending taxpayer dollars on something that does not appear to be a good investment of the tax dollars. He added that the Board of Elections has already added additional hours, after work hours,

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by increasing the voting hours at the Board of Elections office for twelve days. He did not think another Saturday needed to be added, he did not think that seemed rational to him.

Secretary Totten stated that the municipalities pay for the Municipal Elections and she asked what portion of the election the municipalities pay for. The Director responded that the municipalities pay for all of the municipal election expense however the revenues go into the general fund for the county, the revenues do not come back to the Board of Elections so the budget only reflects the expenditures.

Chair Wright asked the Director if she said something about a legislative move that caused the increase in the budget. The Director responded yes. Chair Wright stated that the legislative move should not come back to the Board of Elections and this was something that happened after the budget was approved. She added that if the Director thinks she can find the additional expense in the budget and asked for these monies to be moved it sounds like the Board can approve a different option. Chair Wright stated that this was just an observation. She asked where the Board wanted to go from here.

Member Hampton stated that the Board had a motion approved for Option 2 and he understood that it needed to be sent to the State Board for their approval. He also understood that the State Board could vote to choose any of the three options. Member Hampton stated that he understood why Member Schoolfield abstained and he agreed that with the rest of the Board voting for Option 2 it should make it a unanimous decision but he was not sure how the State Board would look at that. The Director stated that she did not know how an abstain vote would be viewed but the statutes does say that all members. Member Hampton added all members present.

Chair Wright asked the Director if she could put in a help ticket to get an explanation on an abstain vote and if the Board needed to call another meeting to make a decision to have it submitted by December 1st. The Director stated that she would text the office to submit a ticket to get an answer but she did not think there would be an answer before the meeting was adjourned.

Chair Wright asked how many hours are required before the Board can call a Called Meeting. The Director responded 48 hours.

Member Hampton asked what the purpose of another meeting would be. Chair Wright responded if the decision would have to go to the State Board. Member Hampton stated that a motion had been made and if the State Board says we can submit the plan with Member Schoolfield's abstention then we would need to go before the Board of Commissioners and if the plan needs to be sent to the State Board for their final decision then that is what is needed to be done. Chair Wright responded that the State Board may choose an option that the Board may not want to do. Member Hampton stated that that would be up to the State Board but his question was what the Board does at this point. The Director responded that the Board can leave it as it is and the question be sent to the State Board Help Desk and if the response is that the abstention is not acceptable as a unanimous vote then she would submit all the options to the State Board for them to make a final decision.

Secretary Totten asked what the increase in cost was for Option 1. The Director responded \$808.

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Member Schoolfield stated with Option 1 the county would be getting substantially more non worktime hours.

The Director stated that the \$808 would be the difference in the categories of the workers from One Stop Coordinators to Chief Judges and Judges which is due to the new law. She stated that she had budgeted for 1 One Stop Coordinator for each shift for each One Stop site but the difference would be to cover a Chief Judge and two Judges for each shift for each One Stop site. She had already budgeted for more hours for One Stop (Early) voting at the Board of Elections office during the budget process.

The Director stated that she would see how the State Board views the abstention and if they say the One Stop Plans have to be submitted to the State Board for a final decision she would do that.

ITEM #8 – DIRECTOR’S UPDATES

a. 2023 Municipal Election Updates

The Director stated that there were 472 ballots cast during One Stop (Early) voting, 14 absentee mail in ballots were received, and there were 13 provisional ballots on Election Day with the Board approving 3 Provisional ballots of those. The majority of the provisional ballots were from residents that did not live in the municipality boundaries. There were 2,613 ballots cast on Election Day. A total of 3,102 ballots cast for the Municipal Election. She asked if there were any questions or comments from the Board.

b. Principles of Conduct for Electioneering Activity

The Director stated that the Board of Elections implemented the Principles of Conduct for Electioneering Activity at its last Board meeting held on October 17, 2023. The first day of One Stop (Early) Voting was a little rocky but after that day everything ran smoothly. We have not received any written changes to the Principles of Conduct. The only verbal change I have heard was regarding food in the Electioneering area and stating that biscuits, sandwiches, etc. are allowed. She stated that everyone that was in the Electioneering Area received a copy of the Principles of Conduct. The Director stated that the Principles of Conduct were emailed out to the Chair of the Political Parties as well as the municipal candidates that were on the ballot. She asked if there were any questions or comments from the Board.

c. Recount – City of Reidsville, District B Contest

The Director stated that the Rockingham County Board of Elections will be conducting a Recount on the City of Reidsville, District B contest at 11:00 a.m. at the Board of Elections office today following this meeting. She stated that there are two seats for District B and the second and third place candidates were only separated by a .45% difference which is less than the 1% threshold. The Director stated that hopefully everything will go well at the recount and the contest will be determined at the end of the recount. She asked if there were any questions or comments from the Board.

Member Schoolfield stated that he had a comment and the Director could correct him if he was wrong, the rule regarding the 1% or less voting clearly stated that it is the difference between those candidates, not using all votes cast and then coming up with a percentage. The Director responded

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that this was correct. Member Schoolfield stated that this would still be a close race but it was over 1.5% which was over the threshold. He asked the Director to read the rule. The Director responded that she did not have the rule but she had the results, one candidate had 22.43% and the next candidate had 21.98% which would be the .45% difference. She stated that the Board of Elections would be conducting the Recount at the Board of Elections office at 11:00 a.m. or shortly after 11:00 a.m. today. Member Schoolfield stated that he was going to push for clarification on the rule and added that he thought the most important thing was that the Board follow the rules. He stated that if one section of the rule stated that it only affects the two candidates involved and the difference between the candidates is 1% or more it is not eligible for a recount. The Director responded that this contest has two seats, the one seat was secure, this will determine the second seat between the second and third place. She added that the Board had already voted to do the recount. Member Schoolfield stated that he thought this was good and it will show that the Board of Elections numbers are good.

ITEM #9 – ADJOURNMENT

At 10:44 a.m. **Member Cole moved, seconded by Member Hampton to adjourn. The motion carried unanimously.**

Respectfully submitted,

Paula P. Seamster, Director

Ophelia Wright, Chair