

**MADISON COUNTY BOARD OF ELECTIONS
REGULAR/ABSENTEE SESSION
Board of Elections Conference Room
Wednesday, November 17, 2016
9:00 AM**

MINUTES

CALL TO ORDER

Chair Smathers called the meeting of the Madison County Board of Elections to order at 3:00 p.m. at the Board of Elections Conference Room and recessed to move the meeting to Room 26. In attendance were 7 members of the public; Dyatt F. Smathers, Chair; Ray Lewis, Secretary; Jerry Wallin, Member; Wade Gahagan, Deputy Director; and Kathy Ray, Director.

AGENDA

Moved, Seconded (RL, JW) and Carried (3,0) to set the agenda, with flexibility to change the order in which items are addressed as needed.

APPROVAL OF MINUTES

Moved, Seconded (RL, JW) and Carried (3,0) to approve the October 12, November 7, and November 8, 2016 meetings minutes.

CHAIR'S REPORT

The Chair complimented the job performance of the elections staff.

The Chair informed those present of the purpose of the meeting.

Chair Smathers added that approximately 11,300 Madison County voters exercised their right to vote in this election.

MEMBERS' REPORTS

Member Wallin commented that election day was smooth.

DIRECTOR'S REPORT

The October 31, 2016 budget and expenditure report was presented.

The Director reviewed the incidents reports from early voting and Election Day.

NEW BUSINESS

The Board began the task of approving supplemental absentee and provisional ballots. The Board Chair indicated that each supplemental absentee and provisional ballot application would be reviewed and approved by individual motions.

The Board recessed at 10:30 a.m. for a 5 minute break.

CITIZEN COMMENTS

A citizen reported that a pickup truck belonging to the Chief Judge was parked next to the Sandy Mush Precinct Building on Election Day and had a cap with NRA engraving, clearly visible in the windshield, to voters as they entered the polling place. He commented that the display was a “clearly a form of voter intimidation” and exhibited “poor judgment on behalf of the official”. He hopes the reporting of the incident makes a difference in the behavior of election officials in future elections.

A citizen complimented the election staff’s research on the provisional applications/ballots.

NEW BUSINESS (CONTINUED)

The Board continued its review and approval process for provisional applications/ballots.

The Board recessed for lunch at 11:54 a.m. and reconvened at 1:00 p.m.

The Board continued its approval and review of the supplemental absentee and provisional applications/ballots.

The following is a summation of the Board’s approval process for supplemental absentee and provisional applications/ballots:

Moved, Seconded (RL, JW) and Carried (3,0) to extract coded ballot OS-BOE-104-965 (wrong voter) from the election results.

Moved, Seconded (RL, JW) and Carried (3,0) to deny 2 absentee mail in ballots (see attached).

Moved, Seconded (RL, DS) and Carried (2,0) to deny 1 absentee mail in ballots (see attached). Member Wallin voted to approve the ballot.

Moved, Seconded (RL, JW) and Carried (3,0) to spoil 4 absentee mail in ballots (see attached).

Moved, Seconded (RL, JW) and Carried (3,0) to approve 62 provisional ballot applications (see attached).

A Mars Hill Public Library one stop voter reported to the poll worker that the iVotronic machine did not record her candidate selections. The poll worker concurred that she did not hear machine action during the vote session. The voter was offered a provisional ballot. **Moved, Seconded (JW, RL) and Carried (3,0) to count the provisional ballot of Beech Glen Voter Nina Ledford and extract corresponding coded ballot OS-MHPL-101-792 from the election results.**

Moved, Seconded (RL, JW) and Carried (3,0) to deny 97 provisional ballot applications (see attached).

Moved, Seconded (RL, DS) and Carried (2,0) to deny 3 provisional ballot applications (see attached). Member Wallin voted to approve the provisional applications/ballots for Kayla McMahan, Frances Norton, and Justin Scott Collins).

The Board acknowledged that it will revisit, prior to its canvass, any denied provisional ballot applications as per the ongoing State Board of Elections DMV research for any voters who may have attempted a DMV registration.

Moved, Seconded (RL, JW) and Carried (3,0) to approve 17 civilian and 1 overseas absentee applications and ballots.

NEW BUSINESS (CONTINUED)

Moved, Seconded (RL, JW) and Carried (3,0) to duplicate 13 incorrect precinct provisional ballots.

Moved, Seconded (RL, JW) and Carried (3,0) to duplicate 1 damaged provisional ballot.

Moved, Seconded (RL, JW) and Carried (3,0) to duplicate 2 improperly marked provisional ballots.

Moved, Seconded (RL, JW) and Carried (3,0) to go into closed session at 2:54 p.m. to duplicate provisional ballots.

The Board recessed at 3:50 p.m. and reconvened at 4:00 p.m.

The Board recessed at 5:00 p.m. for supper and reconvened at 6:00 p.m.

The Board tabulated the provisional and supplemental absentee ballots.

The Board removed the two aforementioned coded ballots from the Unity results and tabulated and reported the approved supplemental absentee and provisional applications/ballots results.

Moved, Seconded (RL, JW) and Carried (3,0) to approve the Hand-Eye Audit, the absentee mail-in reconciliation, the one stop reconciliation, and the Election Day reconciliation reports.

The Board recessed at 7:35 p.m.

The Board reconvened at 10:00 a.m. on Friday, November 18, 2016.

A discussion ensued regarding the process of reconciliation of poll books, authorization to vote forms, and number of ballots cast.

A discussion ensued regarding the reconciliation of the poll books and votes cast at Mars Hill Precinct on Election Day.

Moved, Seconded (DS, JW) and Carried (3,0) to go into closed session to discuss personnel. Back to regular session at 10:41 a.m.

Moved, Seconded (RL, JW) and Carried (3,0) to approve the Supplemental Absentee Abstract.

The Director reported on an email from State Board of Elections Executive Director Kim Strach advising counties to delay canvass pending the State Board of Elections research of voters who attempted to register through the Department of Motor Vehicles.

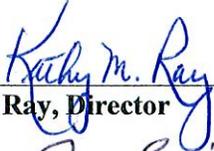
CITIZEN COMMENTS

A citizen commented that she was asked to attend the scheduled canvass meeting by the governor and had received no notices otherwise.

A citizen commented that she appreciated being included.

A citizen commented that the State Board of Elections will be meeting in Raleigh "week after next" to approve the county canvasses.

Moved, Seconded (RL, JW) and Carried (3,0) to adjourn the meeting at 10:46 a.m.



Kathy Ray, Director



Ray Lewis, Secretary



Dyatt Smathers, Chairman