

Madison County Board of Elections
Meeting Minutes – Emergency Session
Preliminary Consideration Meeting
In the Matter of Election Protest of Cheri Beasley
North Carolina Supreme Court Justice Seat 01

November 19, 2020

The Madison County Board of Elections met on Thursday, November 19, 2020 at the Board of Elections Office. In attendance: Jerry Wallin, Chair; Ray Lewis, Secretary; Dyatt Smathers, Member; Sandra Tolley, Member; Brian Ball, Member; Kathy Ray, Director; Jacob Ray, Deputy Director; Donny Laws, County Attorney; Matthew Wechtel, North Carolina Republican Party Representative; Alexander Leake, North Carolina Democratic Party Representative; and Jeffrey Hullender, Madison County Republican Party Chair.

Call to Order:

Chair Wallin called the meeting to order at 4:00 p.m.

The County Attorney established the purpose for the preliminary consideration meeting. The Board was charged with the task of examining the protest documents to make a determination as to whether or not the technical requirements of the related North Carolina Administrative Codes and Statutes were satisfied and whether or not probable cause existed according to the protest allegations to move forward into a formal protest hearing. The protest challenged the efficacy of two (2) Madison County provisional ballots, alleged that both should have been counted, and requested the Board's relief to count the ballots. The County Attorney provided information regarding protest hearing timelines and procedures and referenced the North Carolina State Board of Elections Procedures Protest Guide.

The Director stated that the protest filing met all technical requirements. Discussion ensued regarding the filing documents, the allegation, the relief sought, and the potential to change the election results.


Motion, Seconded (BB, RL) and Carried (5,0) to schedule a protest hearing.

Discussion ensued regarding the protest hearing schedule and site.

Motion, Seconded (DS, BB) and Carried (5,0) to hold the hearing on November 30, 2020 at 1:00 p.m. at the Beech Glen Community Center, 2936 Beech Glen Road, Mars Hill, NC 28754.

Motion, Seconded (BB, DS) and Carried (5,0) to adjourn at 4:37 p.m.

Minutes Approved December 16, 2020


_____, Director