

November 12, 2020

The Cumberland County Board of Elections met at the Board of Elections Office for a 9:00AM Absentee and Provisional Meeting.

Present: Floyd Johnson, Chairman
Irene Grimes, Member
Helen Nelson, Member

Linda Devore, Secretary
Bobby Swilley, Member
Terri Robertson, Director

Staff: Vickie Hilburn

Guests: Rick Moorfield, County Attorney. Live-feed available for members of the public.

Chairman Floyd Johnson called the meeting to Order at 9:00AM, and presented the Agenda.

ACTION: Member Nelson moved to approve the agenda as presented.
Seconded and approved unanimously.

Director Robertson presented several Absentee Ballot issues and updates.

One of the Civilian Absentee ballots discussed on November 3 is from a voter who subsequently registered to vote in Pitt County. State Board has confirmed that the voter's registration in Cumberland County has been removed.

ACTION: Secretary Devore moved to not accept the Civilian Ballot of a voter who is now registered in Pitt County.
Seconded and passed unanimously. 5-0

Director Robertson presented a Civilian Absentee Ballot envelope left at a precinct on Election Day.

ACTION: Member Swilley moved to not accept the Absentee Ballot envelope left at a precinct location on Election Day.
Seconded and passed unanimously. 4-0 Johnson recused.

Director Robertson presented a Civilian Absentee Ballot envelope from a voter who is a felon, and ineligible to register and vote in this election.

ACTION: Member Swilley moved to not accept an Absentee Ballot envelope from a voter who is a felon and ineligible to vote in this election.
Seconded and passed unanimously. 5-0

Director Robertson presented a Civilian Absentee Ballot envelope from a voter who has recently registered and voted one-stop in Mecklenburg County.

ACTION: Member Swilley moved to not accept a Civilian Absentee Ballot envelope received from a voter who is registered and voted in this election in Mecklenburg County, Seconded and passed unanimously. 5-0

Director Robertson presented 3 Civilian Absentee Ballot envelopes without Witness Cure Affidavits, 25 with Witness Cure Affidavits, and 1 Overseas Absentee Ballot postmarked on or before Election Day recommended for approval without irregularities.

ACTION: Member Nelson moved to accept the 3 Civilian Absentee Ballot envelopes without Witness Cure Affidavits presented without irregularities. Seconded and passed unanimously. 5-0

Board Members reviewed the 25 Civilian Absentee Ballot envelopes with Witness Cure Affidavits, and discussed whether 2 of the voter signatures on the Ballot envelopes matched the voter signature on the cure affidavit.

ACTION: Member Grimes moved to accept the 25 Civilian Absentee Ballot envelopes with Witness Cure Affidavits. Seconded and passed 3-2. Swilley and Devore against.

Member Swilley stated that he wanted to vote to accept 23 of the Ballot envelopes, but had a concern with the 2 with signature mismatches.

Board members requested a short recess. Chairman Johnson recessed the meeting at 9:40.

Meeting resumed at 9:48.

ACTION: Member Grimes moved to accept the one Overseas Absentee Ballot presented without irregularities. Seconded and passed unanimously 5-0

ACTION: Member Nelson moved to authorize staff to open and tabulate the 29 Absentee Ballots approved. Seconded and passed unanimously 5-0

Director Robertson reported that two voters whose Absentee Ballot envelopes with Witness Cure Affidavits were accepted by the Board yesterday were found to have voted on Election Day.

ACTION: Member Swilley moved to authorize staff to retrieve the two Absentee Ballots tabulated yesterday. Seconded and passed unanimously 5-0.

Director Robertson reported that the tabulator reads zero ballots.

Accepted Ballot envelopes were opened, duplicated as needed, and placed in the tabulator.

Total ballots approved: 29

DS800 Tabulator reading: 29

Cumulative Total Mail-in Absentee Ballots Approved: 23,688

Director Robertson reported that 692 voters who received Cure Affidavits voted in person. 79 voters who received a new Ballot or Cure Letter did not respond or vote. All of the voters with ballot deficiencies have been contacted multiple times.

County Attorney Rick Moorfield reviewed with Board Members the process for Challenge Hearings that will be held tomorrow morning, and offered his assistance for the hearings.

Chairman Johnson adjourned the Absentee Meeting at 10:15 to allow staff to prepare the room for review of Provisional Ballots.

Meeting resumed at 10:45 to consider Provisional Ballots.

Staff: Angie Amaro and Mitzie Roberts joined the meeting.

Director Robertson reported that 1842 Provisional Ballots were reported to the State Board on the day after the Election. Since that time, another 4 Provisional have been discovered in Election Day work. Each Provisional Ballot has been reviewed by at least two staff members on at least two occasions. A provisional review was submitted to the State Board for audit. One of the Provisional Ballots was voted on Election Day by a voter who arrived after 7:30, and it is one of the ballots not recommended for approval today.

Director Robertson explained that voters with registration issues have until 5:00PM today to present missing documentation to cure a Provisional ballot. Absentee voters with ballot deficiencies have until 5:00 today to present an executed Cure Affidavit, Military Overseas ballots executed by Election Day will be received through 5:00 today, and Absentee Ballots postmarked on or before Election Day will be accepted through 5:00PM.

Director Robertson reported, after review by staff and audit by State Board, 358 Provisional Ballot envelopes are recommended for approval, 155 for partial approval, 15 pending cure, and 1317 not be accepted. The 155 ballots recommended for partial approval were cast by voters in the wrong precinct on Election Day, so a correct ballot style was not voted. Some votes in local contests will be in the wrong district, and cannot be counted.

Director Robertson presented for Board consideration an additional Provisional envelope where the voter is registered in Cumberland County, however, the precinct judge noted on the envelope that the voter reported he has been staying in Hamlet for the past year.

Documents show that voter was from Indiana, and question was raised whether the voter may have been referring to Hamlet Indiana. Voter registered in Cumberland County in 2019. Staff was unable to contact the voter. Members discussed whether a note on the envelope was sufficient evidence that a voter is not properly registered.

ACTION: Member Swilley moved to accept the Provisional Ballot.

Seconded and passed 3-2. Johnson and Nelson against.

Chairman Johnson stated that he believed the voter was no longer a resident of Cumberland County.

Chairman Johnson recessed the meeting at 2:30 while Board Members duplicated the Provisional Ballots recommended for partial approval.

Meeting resumed at 4:00.

Director Robertson reported that two ballots initially recommended for partial approval have been discovered to be voted on the correct ballot style. There are 360 Provisional Ballots recommended for full approval in addition to the one Provisional accepted earlier in the meeting.

ACTION: Secretary Devore moved to accept and fully count 360 Provisional Ballots recommended by staff for approval.
Seconded and passed unanimously. 5-0

ACTION: Secretary Devore moved to accept and partially count 153 Provisional Ballots recommended by staff and duplicated on correct ballots.
Seconded and passed unanimously. 5-0

ACTION: Member Swilley moved to not accept 1317 Provisional Ballots with no record of voter registration in this county on Election Day.
Seconded and passed unanimously. 5-0

Director Robertson reported the DS200 tabulator reads zero.

514 Provisional Ballot envelopes were opened, duplicated as needed, and tabulated.

DS200 tabulator reading: 513 [It was discovered that one of the envelopes did not contain a ballot].

Chairman Johnson recessed the meeting at 4:30PM. Meeting resumed at 5:00.

Director Robertson reported 3 Civilian Absentee Ballot envelopes without Witness Cure Affidavits, 5 with Cure Affidavits, 2 Military Absentee Ballots, and 1 Overseas Military Ballot have been received today for Board consideration. All 8 Civilian Absentee Ballot envelopes are postmarked on or before November 3. The Military Overseas Ballot envelope is not postmarked, but was executed on October 14 and received today.

ACTION: Member Devore moved to accept the 3 Civilian Absentee Ballots envelopes without Witness Cure Affidavits.
Seconded and passed unanimously. 5-0

ACTION: Member Nelson moved to accept the 5 Civilian Absentee Ballot envelopes with Witness Cure Affidavits.
Seconded and passed 4-1. Devore against.

ACTION: Secretary Devore moved to accept the 2 Military Absentee Ballots received today postmarked on or before Election Day. Seconded and passed unanimously.

ACTION: Secretary Devore moved to accept the Overseas Absentee Ballot executed before Election Day and received today. Seconded and passed unanimously.

11 approved Absentee Ballot envelopes were opened and tabulated.

DS800 tabulator reading: **40 Absentee Ballots tabulated today.**

Cumulative Total Mail-in Absentee Ballots Approved for this Election: 23,699.

Director Robertson recommended that the 15 Provisional Ballots pending cure not be approved.

ACTION: Secretary Devore moved that the 15 Provisional Ballots not cured by 5:00PM not be approved. Seconded and passed unanimously.


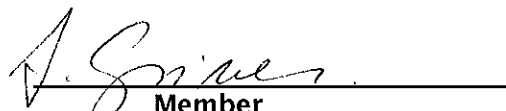
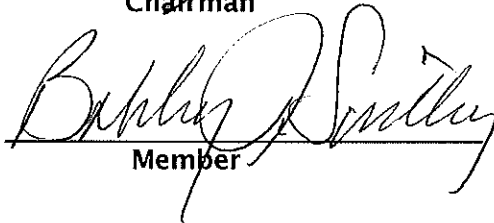
**Next Meetings: Challenge Hearings, Friday, November 13th at 9:00AM
Election Canvass, Friday, November 13th at 11:00AM
at the Board of Elections office.**

ADJOURNMENT: There being no further business, the meeting was adjourned at 5:45PM.

Submitted by,



Linda Devore, Secretary


Chairman
Member
Member
Member
Director