

Buncombe County Board of Elections
Asheville/Buncombe County Board of Elections

Monitor Names: Linda Kinsinger, George Elam, Elaine Elam

Date & Time: January 15, 2026 2:30 PM

Names of Board Members Attending:

Glenda Weinert, Chairman (R), Jake Quinn, Board Member (D), Mary Ann Braine, Secretary (R), Sally Stein, Board Member (D)

Absent: Courtney Blossman (R)

Names of Buncombe Co Staff Attending:

Corinne Duncan, Director; Kurt Euler, County Attorney; Angela Tyler, County PIO

Location of Meeting: 35 Woodfin Street, Asheville NC

Observers:

I. Office Updates – Corinne Duncan, Director

- Ms. Duncan said that absentee ballots have been mailed and sample ballots have been posted online.
- She noted that Board members had 2 outreach resources at their desks: a flier on 3 ways to vote and a card about early voting.
- Training on early voting has begun.
- An Outreach Coordinator has been hired, Rachel Wunderlich.

II. Question from a Board Member

- Mr. Quinn asked about a voter records request that he recently received from a group called “American Oversight.” Ms. Duncan said that the request was sent to other counties, as well, and is typical of the many requests she gets. It is unusual for it to go directly to Board members. Board members were reminded to keep their county and personal emails separate. Board members do not have to do annual disclosures. Ms. Duncan reminded the Board that everything they do is considered a public record.

III. Presentation on Challenges/Challengers

- Ms. Duncan gave a presentation on the upcoming hearing procedures. There will be 2 hearings on Jan. 20, one for a Sheriff’s candidate and the other for an Asheville City Council member. Dr. Weinert will preside. A court reporter will be present, as will likely many in the media. She stressed that Board members will need to remain civil and respectful. She noted that the burden of proof of eligibility to run is on the candidate. The Board has up to 20 days to issue a decision but she wants that done much more quickly. (Slides from the presentation are attached in a separate file.)

- Slide 1: Hearing Overview
 - Chair Introduction of Proceedings
 - Opening statements
 - Case in Chief: presentation of evidence
 - Relevant audience testimony/evidence
 - Closing statements
 - Deliberation (in open session)
 - Decision
- Slide 2: Chair Introduction
 - Chair will announce all parties present.
 - Cover the Allegation from the filed candidate challenge
 - Discuss who had the burden of proof (the candidate)
 - Explain the legal standard in this case (preponderance of the evidence)
 - Cover any other administrative details
- Slide 3: Opening Statements
 - Both the challenged candidate and the challenger will be given 3 minutes to make an opening statement
 - Opening statements are not evidence. They are a preview of the case, outlining what each side contends the evidence will show, serving to help the Board understand the upcoming testimony and exhibits.
 - An opening statement may be made by either the challenger or candidate or by either's attorney if present
- Slide 4: Case in Chief – both parties, Candidate first (burden of proof on candidate)
 - Evidence:
 - Documents, affidavits, etc., may be presented at this time
 - The Chair can then admit that evidence into record or not.
 - Opposing party can object to evidence and the Chair rules on the objection.
 - The Board can also object if they disagree with the Chair and then a vote is taken.
 - Witnesses:
 - All witnesses will be placed under oath (including candidate or challenger testimony, if desired).
 - The party that calls the witness will conduct direct examination, the other party can then conduct cross examination, then the Board may ask questions of the witness.
 - Challenger may not be questioned unless subpoenaed or volunteers to testify under oath.
- Slide 5: Relevant Audience Testimony/Evidence
 - Board may allow anyone who is present to present evidence.
 - If this occurs, it will happen after both sides have presented their case in chief.

- The Chair will address this during the introduction.
- Audience members will be asked to raise their hand, be given a piece of paper to state their name and what relevant testimony or evidence they wish to put on the record.
- Chair will determine the relevancy of each audience member's request.
- Closing Statements
 - Both the Challenged Candidate and the Challenger will be given two minutes to make a closing statement.
 - Again, this is not considered evidence.
 - The challenger or the challenged candidate's attorney may make this closing statement.
- Deliberation and Decision
 - Once closing statements are finished, no more evidence may be admitted.
 - Board will deliberate for as much time is needed, while still in open session.
 - At any point, a member of the Board may call for a motion to decide on the case.
 - Once a motion carries, a written decision will be completed after the hearing and will be served on all parties.
- Legal Standards
 - Once challenged, the burden is on the candidate to show by "a preponderance of evidence" that he or she is qualified to be a candidate for office.
 - Preponderance of Evidence means proving something is more likely true than not, like tipping a scale slightly in your favor (over 50% probable). It's the standard of proof in most civil cases, requiring evidence that is more convincing, not necessarily absolute certainty, to show a fact is true.
 - Decision can be appealed within 2 days to the State Board of Elections and then to the Court of Appeals.

Mr. Euler stated:

- The Board Chair can choose to deny or accept evidence. The Board can vote to overrule the Chair.
- Parties may submit affidavits and they must be put on the record.
- Attorneys may be present and may speak on the issues, but their remarks are not considered evidence.
- All who speak must be sworn in.
- Any audience member wishing to speak must be sworn in and can be cross examined.
- The Board must weed out any comments that are not relevant.
- The Board must agree on findings of fact, but they do not have to agree on all supposed facts.

Ms. Duncan stated:

- If a candidate dies after ballots have gone out, the name is left on the ballot. If that candidate wins the vote it will be thrown out and the candidate with the next highest vote count will be declared the winner.
- In answer to a question regarding the State Board's ability to challenge the Board's decision, she said they can do so only if errors are found during the process.

Mr. Euler said that if the Board is contacted by anyone regarding the challenge, it must be documented and regarded as public record. Mr. Quinn said he had been contacted by a candidate asking about the process, and Mr. Euler said that would be regarded as *ex parte*.

The meeting adjourned at 3:07 pm.

IV. Next meeting date: January 20, 2026 at 2:30, 35 Woodfin Street, Asheville