

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

Monitor Names: George Elam, Elaine Elam in person; Aiden Carson virtually

Date & Time: February 3, 2026, 3:30 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), Courtney Blossman (R)

Names of Buncombe Co Staff Attending:

Corinne Duncan, Director; Gabrielle Corey, Elections Administrative Coordinator; Morgan Chance, Training Coordinator; Aaron Bell, Elections Coordinator; Bria Bailey, Elections Technical Specialist; Devin Whitney, Elections Technical Specialist; Joyce Kanavel; Amy Broughton, County Attorney

Location of Meeting: 35 Woodfin Street, Asheville NC

Observers: 2 LWV in person, 1 Common Cause, 1 Dem, 1 LWV online

I. Approval of Agenda

- Agenda was approved with an addition by Ms. Blossman for Procedural Guidelines for Providing Information to the Board.
 - Amended agenda passed 5/0

II. Minutes (G.S. § 143-318.10) Minutes for January 28, 2026 Approved by acclamation

III. Office Updates (Corinne Duncan)

- Voter registration deadline is Friday 2/6 at 5 PM
- Ms. Duncan did an interview with WLOS about voter registration. It is providing great coverage.
- She will do another Media Availability on Thursday 2/12, the first day of Early Voting
 - The State BOE sent a link to Board Members for an online conference 2/6 & 2/7. Attendance counts for educational credits for Board Members. Each person must log in to get credit for the conference.
- Training is complete for Early Voting and Early Voting begins on Thursday, 2/12/26.
- Inclement Weather Plan follows the county closures according to a resolution passed at an earlier meeting. An emergency meeting of the Board would be required if for some reason they wanted to close some but not all voting locations. They could only talk about the reason and can hold the meeting virtually.
 - Ms. Braine suggested that a dry run might be a good idea. Mr. Quinn agreed so that the Board would be familiar with the process and not have to learn as they are trying to use it.

- Ms. Duncan said the Office had done a Teams and phone hybrid meeting when the County was under tornado warning.
- Mr. Quinn reported that the Democratic Party would like to have NC be the earliest presidential primary in the nation. In his view, early voting is hard on voters because of the volatility of the weather. He encouraged people to let their elected officials in Raleigh know their views on the matter.
- Ms. Duncan said that some training had to be rescheduled because of the weather, but things are proceeding well despite staff being on three floors now.
- Operations are doing well in most of the areas that were a concern prior to the move and getting a new website. Being on three floors is not ideal but things are working well.
 - Ms. Stein asked if there had been any additional security breaches (there was a security breach last fall). Ms. Duncan said no.
- Ms. Duncan said an appeal had been filed to their decision in the candidate challenge of Mr. Morman to run for County Sherriff brought by Ms. Tina Lunsford, a Candler Republican. She said Ms. Broughton will address the Whole Board Review by the State BOE. Adam Steele, State Board attorney, talked with Ms. Broughton and said no additional evidence will be gathered. The State Board hopes to decide before Early Voting starts.
 - Ms. Broughton said there was little for the Board to do. The State Board will review all the records, a whole record review, and decide based on whether substantial evidence exists to support the Board's decision. The standard for substantial is that a reasonable person would make the same decision.
 - Mr. Quinn said the State Board meets February 4 and a candidate challenge is on the agenda, but it is not this challenge.
 - Ms. Stein asked how the public could receive updates. Mr. Quinn said the information would be on the State Board website. Ms. Duncan said the State Board has issued press releases prior to such meetings.

IV. Procedural Guidelines for Providing Information to the Board (Courtney Blossman) See Meeting video at 11 minutes, 40 seconds for reference to the Lunsford Morman challenge.

- Dr. Weinert asked Ms. Broughton to address the complaint that some information had been removed from the challenge record before it was given to the Board. More specifically, she asked why/how it was done and what law supports the action.
- Ms. Broughton said that prior to the hearing both parties submitted evidence in the form of documents. Evidence can also be in the form of testimony under oath or sworn affidavits.
 - Some of those documents had written notes from the person who supplied the document. Those written notes would not have been sworn to by the person and so would not be permissible as evidence for the Board unless the same information had been provided as testimony under oath or in a sworn affidavit.

- Notes from an individual about why the sworn statement should be accepted and how it relates to the challenge are topics for the Board to decide not the person bringing the challenge.
 - When Ms. Broughton saw that handwritten notes had been included, she advised the Election Office to redact that information.
 - She further said it is not a matter of relevance but of admissibility. She also noted that it was her opinion, and the Board was not required to accept it.
 - She also said she had made the documents available to the Board after its meeting so that Members could see exactly what had been redacted.
- Dr. Weinert summarized Ms. Broughton's presentation to note that the essence of the complaint is that the Board Members were not notified in advance that a redaction of inadmissible evidence had taken place.
 - Ms. Broughton said that had the witness provided the very same information in a sworn affidavit, it would have been a very different outcome.
 - Ms. Broughton said that her legal opinion is that the State Board will uphold the Board's decision. However, had the impermissible notes been presented and the Board had found for the challenger, she thinks it would be much harder to defend the Board's decision.
- Regarding the Morman-Lunsford challenge hearing at the previous Board Meeting, Ms. Blossman complained that information had been redacted from a piece of evidence without the Board being notified. (The decision has been appealed to the State BOE.)
- The person who submitted the evidence testified to their opinions while under oath at the hearing.
- Ms. Broughton said that her job was to protect the Board's decisions. Had the impermissible written notes of opinion been presented to the Board as evidence, it could have been argued that its decision had been influenced, however inadvertently, by information the Board should not have had, which would raise an even larger evidentiary issue.
- Ms. Braine expressed discontent with not having been notified in advance that information had been redacted. She said perhaps if the witness had stated it to be her opinion or true to the best of her knowledge, it might have been presented. She said the law required an affirmation and she did not see why the written notes would not satisfy that requirement.
 - Ms. Broughton said that the blacked-out sections of the document were notice that something had been redacted and she would have been happy to answer any questions about it at the time. In addition, the information was not presented as the person's opinion but as statements about what the document meant. Had the information been presented as evidence, it would amount to an end-run around the need to make the statements under oath, which is counter to the idea of an open meeting.
 - Ms. Broughton further noted that presented as it was, no opportunity existed for cross examination or for the Board to question the information. No other review of the information was conducted.

- Ms. Stein asked about the difference between an affirmation and stating an opinion. Ms. Broughton said that generally both testimony and affidavits are statements made under oath. Essentially, the two words mean the same thing and are subject to perjury penalties if the content is untrue. Simply stating one's opinion does not subject a person to perjury penalties.
- Ms. Blossman said when she was given the documents in a public setting, she did not realize information could have been redacted, didn't notice the black marks, and would not have known what they meant if she had noticed them.
 - Further, she said that she was one of three members of the Board who shared her experience, which was later denied by at least the Chair.
 - She did not know until the next day that information has been redacted without Board notice.
 - Her opinion is that no one can decide to redact information on the Board's behalf.
 - Dr. Weinert said that the problem was the information was inappropriate for the Board to see, lest it inappropriately affected its decision.
 - Ms. Blossman challenged the legal basis for Ms. Broughton's opinion.
- Ms. Broughton explained that information must by law be formally admitted into evidence by the Board at the hearing. That evidence cannot be shared with the Board before the hearing.
- Ms. Duncan and Dr. Weinert noted that the Board had been informed about the hearing procedures in advance and they had spent the week before the hearing training on how the process worked.
- Ms. Blossman said she had not been told that information could be redacted.
- Mr. Quinn said it was a learning experience, but he was disturbed that the issue had gone to the SBOE. He appreciated being protected by legal counsel from seeing information that would have tainted the hearing process. He said the appropriate time to bring up these questions was at the hearing.
- Dr. Weinert said that the redacted statement was the witness's opinion. If it had been submitted as a sworn affidavit it could have been acceptable.
- Ms. Braine asked about the difference between AFFIRMATION in the form of a sworn affidavit and SWORN TESTIMONY. Ms. Broughton said they are basically the same legally and subject to perjury penalties if untrue.
- Ms. Blossman thought that other Board Members had seen evidence or otherwise been informed in advance, but could not remember where she had seen that information, perhaps in an email.
 - Dr. Weinert and 2 other Board Members confirmed that they had not been informed in advance.
 - Mr. Quinn said Board Members have a responsibility to raise questions when they arise.
 - Ms. Stein said she was satisfied with Ms. Broughton's suggestion to draw attention to any future redactions.
 - Ms. Broughton said the statute requires that the Board follow section 8C of the rules for evidence, which is what she did in this case and in her

experience as a trial attorney, and her approach was ratified by Adam Steele, the NCSBE attorney.

- Dr. Weinert stated that everything that had been redacted was presented in testimony at the hearing under oath.
- Dr. Weinert thanked Ms. Broughton for attending the meeting and asked if the appeal would be shared with the Board. Ms. Broughton said yes, and she was confident that the Board's decision would be ratified.
- Ms. Braine said there were so many documents and the quality was not terribly good, so she also did not realize information had been redacted.
- Ms. Stein said that the law requires the Board to consult legal counsel in a candidate challenge and that is what it did.
- Ms. Blossman said Members should have received an opinion from staff explaining the process. There was general agreement that a procedure had been put forward and would help the Board be more informed in the future.
- Discussion ended at 34 minutes and 18 seconds.

V. Absentee Ballot Review (G.S. § 163.230.1(f)) (Aaron Bell)

- There were 41 Absentee Ballots to review (39 Civilian and 2 Overseas)
- Many of them came from MAT Teams. This batch will have many more PhotoID Exception Forms, unlike last week's group that had none.
- 795 Absentee Ballots have been sent out.
- The 2 Overseas ballots had to be duplicated. After duplicating, the team (Bria, Joyce, Devin, and Morgan) affirmed that all were happy with the process.
- The ballots were approved 5/0.

Audience member Cathy Walsh of Common Cause asked for an update on the Voter Registration Repair effort. Amy Meier came in to give the update. Buncombe County still has 1137 voter records with missing info. The NCSBOE recently issued a press release saying they were mailing out notifications to 231,000 voters with instructions on how to repair their records.

Mr. Quinn asked Dr. Weinert if there were any new updates from Dallas Woodhouse. She said there were not.

The meeting recessed at about 5:09 pm to reconvene at the Warehouse for Machine Testing.

Next meeting Tuesday, February 10 at 3:30 pm at 35 Woodfin St. (Absentee meeting for 2/4/2026 cancelled)