

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

Monitor Name: Aiden Carson, Elaine Elam, and George Elam virtually, and Cheryl Williams in person

Date & Time: August 1, 2023 3:30 PM

Names of Board Members Attending:

Jake Quinn, Chairman

Steven Aceto, Board Member

Glen Shults, Secretary

Mary Ann Braine, Board Member

Sally Stein: Board Member

Names of Staff Attending: Corrine Duncan, Director

Anna Katherine Moore, Administrative Coordinator and Clerk to the Board; Neggy Fox, Deputy Director; Devin Whitney, Elections Tech. Specialist; Bria Baily, Elections Technical Specialist

Observers:

Fifteen observers including 4 from LWV; 1 from Common Cause; at least 3 from Buncombe County Democrats, and at least 1 from the Buncombe County GOP

Agenda Items

Minutes from 6/13/23 and 7/18/2023 approved

Office Updates (Corrine Duncan):

- This is the first meeting of the new Board with 3 returning members (Quinn, Aceto, Shults) and 2 new members (Braine and Stein)
- The office is read to start issuing Voter IDs on August 2, 2023 following the issuance of a press release by the State Board of Elections
 - Across the state, people can go to their County Board of Elections Office during regular business hours
 - They hope to enable MAT teams to issue the IDs
 - The Buncombe BOE has 3 photo ID machines and is looking for opportunities to take the equipment into the community to make IDs more accessible
- The political parties have submitted their nominations for elections officials and BOE staff are reviewing them.
 - Nominations will be discussed at the next Board meeting

- Candidate filing for offices in Weaverville, Woodfin, and the Water and Sewer District has closed
 - A [list of candidates](#) is on the BOE webpage
- August 2, 2023 BOE will release the [Early Voting Plans](#) to be discussed later in this meeting.
- Board members will attend a state required training from August 13-15 (Sun – Tues)

Elections System Software Upgrade

- Newly approved equipment will be demonstrated Monday August 14 at 5:00 pm at the Embassy Suites Hotel in Concord NC near Charlotte and the SBE will try to create a virtual option for the public and others to observe
 - Elections Systems and Services (ES&S) has released an upgraded high-speed scanner and tabulator, the DS 950, which was approved by the State Board on July 6, 2023 but still needs additional testing on simulated elections
 - The BOE knew the DS 950 was going to be available and told the Buncombe County Commissioners that the office would acquire them when they became available
 - The new system accommodates the County's upgrade from Windows 7 to Windows 10
 - According to the ES&S website, the new system includes an upgrade to the Microsoft Windows 10 operating system, increased memory capacity, the new DS300 polling place scanner/tabulator, the new DS950 high-speed scanner/tabulator, and new reporting and ballot design modules, among other features
 - Ms. Duncan noted that the new equipment will be able to scan without sorting, but absentee ballots will have to be kept in order by precinct anyway to, among other things, facilitate recounts
 - Buncombe County is not the only NC county to start using the DS 950
- Expanded options for the Vote Express machines also exist
 - Voters will not see much difference but it offers larger fonts
 - Multiple contests can be displayed on a single screen which could make voting faster
- BOE staff will have to formally request the upgrade to County Commissioners although they were alerted to the potential for upgraded equipment during budget discussions

- NC SBE numbered memo 2021-1 issued March 1, 2021 (Revised April 14, 2023; July 20, 2023) outlines the requirements for adopting and acquiring a certified voting system
 - Mr. Aceto asked whether the steps proposed by the BOE will meet statutory requirements
 - Ms. Duncan noted that the statutory citation was on the memo
 - Following the formal recommendation to the commissioners on 8/15, on 8/16 the vendor will run a simulated election using the types of machines that will be used by Buncombe County. This ensures that the machines and software will all play nicely with each other.
 - After that step, the equipment will be ordered and is expected to arrive by 9/13, in plenty of time to be tested before they are used in the November Election.

- A discussion ensued about the differences between a mock election and a simulated election as well as the roles played by representatives from ES&S, the equipment vendor, and Print Elect, the print vendor for ballots

Further Discussion of Process to Purchase Approved Voting Equipment – Bria Bailey

- The numbered memo requires that the public shall be invited to observe a demonstration of the equipment in a simulated election
 - Mr. Aceto questioned the requirement that the simulation involved coding by precinct and style
 - Precincts may have more than one ballot style
 - The simulation must include 10 percent of all precincts or 5 precincts, whichever is greater, and must include all administrative polls including at least one one-stop site per every 10 precincts up to a maximum of 3 sites
 - The ballots in the simulation will be pre-printed, not hand marked, by Print Elect
- A simulated election is not the same thing as a mock election which BOE conducts with poll workers and officials prior to each election to help ensure workers/officials are familiar with the equipment
 - Ms. Duncan confirmed Ms. Braine’s question about whether mock elections records are retained for 5 years
- The audience for the simulation is the SBE which wants to help ensure that County Commissions have confidence in the equipment

- SBE will also have staff at the simulation
- Ms. Duncan reported that the number of precincts selected for the simulated election will be determined by an algorithm established by the SBE and that the point is to determine that the equipment works correctly which is not based on any specific precinct. Moreover, she noted that the equipment is already in use by other counties.

Elect Secretary for the Board of Elections

Glen Shults was nominated and approved as Secretary

Present Board Calendar – Anna Katherine Moore

- Mr. Quinn noted that once election season starts the Board will generally meet at 5:30 pm
- Ms. Moore said the proposed calendar, which is a combination of statutory requirements and past practices, contains links to general statutes
 - Approval by the Board can occur in two phases with the municipal election calendar adopted prior to the calendar for the 2024 primary and general elections
 - The starred dates are the ones during which a vote must take place
 - Most are business meetings which have more flexibility in changing dates or absentee meetings which have less flexibility. For example, absentee meetings must start before the election but not before the absentee ballots are mailed. As a result, the meeting scheduled for 10/3 might be moved to 10/6 when the ballots are mailed.
 - Ms. Moore penciled in meeting dates in the event a second primary is needed

Finalize Municipal Early Voting Plan – Neggy Fox

Ms. Fox noted that there is not a lot of flexibility regarding dates for the Municipal Elections and passed a copy of the plan to Board members and observers

- The Municipalities are in the driver's seat and must pay for the elections although the Board's actions must comply with state law
- Mr. Quinn hopes that all votes regarding the plan will be unanimous because otherwise the plan must be reviewed by SBE
- Early Voting dates are Thursday, 10/19 through Saturday, 11/4
 - Weekdays the early voting locations must be open from 8 am to 5 pm
 - Only one Saturday, 11/4, is included and the site must be open from 8 am to 3 pm

- The main site is the Board of Elections Office at 59 Woodfin Place in the first-floor conference room
- The Weaverville Town Council requested an additional site for Saturday, 11/4, at the Weaverville Community Center
- Eligible voters can vote at any early voting site, regardless of whether they live in Woodfin or Weaverville.
- Ms. Fox confirmed for Mr. Aceto that the new equipment will be used
- After the voter checks in their ballot will be run through a machine to add the bar codes and labels for precinct number and ballot style
 - Voters will then sign the authorization to vote, receive their ballots, mark them with Express Vote and insert them into the tabulator
 - First time registrants will vote with a provisional ballot
- In response to a question from Ms. Stien about “words of wisdom” based on experience, Mr. Quinn and Ms. Duncan noted that the municipal elections offer staff and poll workers an opportunity to become familiar with the new equipment in a smaller scale situation than if Asheville was also conducting municipal elections
 - Participation is generally lower and generally there are no primaries
 - Mr. Aceto suggested that since a “plan for implementation is required”, perhaps that wording would be good to use when the plan is released to the public although the statutory citation at the bottom of the page will suffice
- Mr. Quinn moved that the plan be voted on and it was accepted unanimously
- Ms. Fox will post the plan on the BOE website

Present 2024 Primary Early Voting Plan (Primary on 3/5/24) – Neggy Fox

The implementation plan for Early Voting for the March primary must be out for public comment for 30 days and will likely undergo many revisions as it is discussed over many meetings. Key dates include:

- 8/1 present proposed plan to Board
- 8/2 post plan on [website](#) to open public comment
- 9/8 public comment closes at 5 pm
- 9/12 public comment review begins
- 10/17 Board votes on the Early Voting plan

Public input will be gathered using 6 questions; comments regarding possible voting sites has very helpful; and by gathering comments in Oct BOE staff can begin planning for staff and supplies so they can “hit the ground” running by the time Early Voting starts

- The 6-question survey for public input is at <https://publicinput.com/2024primarysurvey>
- The Board will meet on September 12 to discuss the public comments and vote on the plan
- The mandated Early Voting period runs from Feb 15 to March 2, 2024
- Weekday Early Voting hours are 8 am to 7:30 pm
- Last Saturday hours are 8 am to 3 pm
- All Early Voting sites will operate under those hours and if one site opens then all must open
- The Board decides:
 - The number of sites
 - Weekend hours of operations
 - Board decisions must be unanimous or must be sent to the SBE to decide
- Considerations for sites are based on historical data regarding the number of sites and number of registered voters
- Site suitability is based on ADA compliance, Party input, convenience to voters, square footage, and available budget
- Other considerations include the capacity of staff, poll workers/officials, and facilities; current laws and SBE memos; and public input
- The proposed 11 sites are Black Mountain Library, East Asheville Library, Enka Candler Library, Fairview Library, Leicester Library, North Asheville Library (TBD, due to limited parking another north Asheville site would be preferred), South Buncombe Library, second south Buncombe location TBD, Weaverville Community Center, the newly remodeled Wesley Grant Center in lieu of BOE office, and West Asheville Library
 - As much as possible Early Voting sites need to be accessible by bus
 - Mr. Aceto noted that the county can demand use of tax supported facilities which must occur 90 days before the election and the use of non-tax supported facilities must be approved by the SBE
 - Ms. Fox said that there is no charge for using any of the proposed sites, except the Wesley Grant Center
 - Ms. Fox will submit a request to use the Westley Grant Center to the SBE once the Board has voted on the plan
 - Mr. Aceto noted that the law requires the plan to include three things: 1) adequate security; 2) provisions for folks who have voted; and 3) provisions for the presence of political party representatives
 - Ms. Fox said the plan for each site that she gives to SBE will include those provisions

- BOE staff will publish public comments

Present 2024 General Early Voting Plan – Neggy Fox

Ms. Fox provided Board Members a handout, but noted that the plan is very preliminary and does not have any dates in it except that the Early Voting period will be from 10/17 to 11/2

- staff will propose to have 14 Early Voting sites, including the 11 proposed for the primary Early Voting plus the Bee Tree Fire Department in Swannanoa, UNCA, and downtown Asheville
- Early Voting hours will be the same as for the primary:
 - 8 am to 7:30 pm Monday thru Friday
- The Board decides the number of sites and the weekend hours provided that all sites adhere to the same hours
- BOE staff will present a more complete plan in the summer of 2024
- Mr. Quinn and the Board discussed whether to put the very preliminary plan on the web and decided not to since doing so may confuse members of the public although a notice that the BOE is working on the plan may be in order

Public comment:

Cathy Walsh from Common Cause read from letter from the NC Elections Boards Association that noted concerns about how proposed legislation could harm rather than protect the elections process. The letter was signed by 7 incumbent executive committee members along with 25 of the state’s longest serving county board members. The signers were divided equally between Republicans and Democrats and who together have decades of practical experience in administering elections. The commentor urged the Board to join the Swain County Director of Elections and write to the legislators to oppose the proposed legislation. The Board did not comment.

Meeting adjourned at 5:17 pm

Next Meeting Date:

August 14 (Simulation) at 5 pm
August 22 at TBD

Embassy Suites in Concord NC
Location: 59 Woodfin Place

Side Note: The July 30, 2023 edition of the Guardian US reported the following:

The first job many people take out of college usually doesn't come with a lot of responsibility. Adam Byrnes's first job is to make sure democracy works in a critical US swing state.

Before graduating with a political science degree from Emory University, Byrnes, 21, applied to be the director of elections for Swain County, a mountainous region of about 14,000 people in western North Carolina. He was offered the job before he had a diploma in hand and started at the end of May. He's currently preparing for municipal elections in the county seat of Bryson City, which take place in November, while also laying the foundations for the 2024 presidential contest.

Although he'd worked with an on-campus civic engagement organization and an outside group that researched voter access in Georgia, Byrnes quickly learned that those outward-facing concerns were just the tip of the electoral iceberg.

"Administratively, there's a lot to learn. For instance, right now we're dealing with mid-year campaign finance reports," he explained. "When you're in a civic engagement group, that's not really something you deal with."

The decentralized system of elections in the United States places a lot of responsibility on county-level officials like Byrnes. And while he may be North Carolina's youngest election director, he's far from the only one learning the ropes during a crucial period for American democracy.

Over the last four years, at least 40 of North Carolina's 100 counties have had to replace their election directors due to retirements, resignations and other career moves. Patrick Gannon, a spokesperson for the state Board of Elections, said that's a significantly greater level of turnover than the state has seen before.