

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

Monitor Name: Elaine and George Elam and Cheryl Williams in person

Date & Time: December 12, 2023 5:30 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 Buncombe Co Staff Attending: Corrine Duncan, Director; Justin Tate, Absentee Coordinator; Anna Katherine Moore, Administrative Coordinator and Clerk to the Board; Karen Rae, Elections Coordinator; Bria Bailey, Elections Tech Specialist; and Victoria Pickens, Accounting Technician and Campaign Finance
Curt

Location of Meeting: 59 Woodfin Place, Asheville NC

Observers:

There were 12 observers. 3 LWV, 1 Common Cause, 1 or more Dems.

Two observed the meeting virtually.

Agenda Items

I. Minutes

Minutes were approved for meetings on November 6, 7, and 16, 2023

II. Operations Update: - Corrine Duncan

- Candidate filing is underway and will continue until Friday, Dec. 15 at noon.
- A position that has been vacant for some time has been filled. Ryan Oliver will oversee the voting location changes that are mentioned on the agenda. Mr. Oliver was able to locate a new location for precinct 57.1, the Skyland Fire Department, which is undergoing renovations.
- Elections Services will send 206,000 voter cards to all voters in the county because of the redistricting. Voters will receive them in January.

Staff must send them out in shifts because there are so many. But expect all to be delivered by January 30.

- She is working with HR to post the new position of Candidate Coordinator. Ms. Duncan hopes the position will be filled by February 1, 2024 which is an ambitious time frame.
- Elections Services received a new rule from the State Board of Elections moving the date that Absentee ballots need to be mailed from January 12 to January 19, which gives extra time for staff to make sure they are correct.
 - Mr. Quinn noted that filing does not end until 12/15 and a mailing date about 4 weeks after the end of filing is very ambitious.
 - Ms. Duncan said the ballots undergo review by the state and county multiple times, so the extra time is very helpful.
- An injunction has been filed against SB 749 that dealt with the structure of board of elections, including the structure of the Buncombe County Board. Consequently, the Board will remain in its current configuration until the matter is heard by the courts.
- SB 747 remains in place and contains a number of changes that the Board may affect the Board's review including:
 - The grace period to return Absentee Ballots was removed, meaning that Absentee Ballots must be returned on Election Day
 - Same Day Registrations must undergo the full verification process that involves two mailings to confirm the voter's address. If two mailings are returned, it means the address is not verified and staff will have to pull those ballots.
 - No outside funding is allowed for the administration of elections. Elections Services has not used grant funding since 2020 so such funding has not been vital to the operations in Buncombe County.
 - Elections Services will be given jury duty records to review for instances in which people state that they cannot serve on a jury because they are not US citizens.
 - Quite a number of changes have been made to observer rules. Part of the law requires the State Board to develop rules which they are currently doing. A public comment period is currently open. The State Board will forward the rules when they are ready, so the Board will have more discussion on the topic later.
 - Another big change is that Early Voting workers will be treated more like Election Day workers. Buncombe County has always tried to keep

a balance between party affiliations for both sets of workers. Now the Board will need to make appointments from the lists of Early Voting workers recommended by the major political parties as they have been doing for Election Day workers.

- The State Board has not set a deadline for this process to begin but is allowing counties to set the dates based on when they recruit workers. Based on the desire to start training on January 30, Elections Services proposes that the Board make the Early Voting appointments at the Tuesday, January 9 meeting. Because the County must give 21-days' notice to the political parties in advance of the appointment, the County could give the parties notice on Dec. 19 and ask for their recommendations then.
- At Ms. Duncan's request, a motion was made and approved to schedule the meeting on Tuesday Jan 9 at 5:30 to discuss Early Voting appointments and the coming year's budget. The State Board will be notified.
- Mr. Aceto said he will not be at the January 9 meeting because of his plans to be out of the country.

Voting Location Changes (GS § 163-128) – Ryan Oliver

- Location of precinct 57.1 will be changed for all of 2024 (Election Day only). It will be moved to Emma's Grove Baptist Church at 417 Emma's Grove Road.
- Precinct 8.2 will move from Shiloh Center to Friendship Center, for Early Voting.

MATS Team Appointments (08 NCAC 16.0103 (C) and 08 NCAC 16.0102) – Justin Tate

- Justin presented the current roll of MAT Team workers. They are all repeats. He explained the partisan makeup of the teams. A motion was made and approved unanimously to approve the appointments.

Poll Worker Survey – Karen Rae

- 31 Municipal Election poll workers from 9 polling places were asked to respond to a survey on the process. 18 responded and the results were mostly very positive.

- The high point was the 93% positive rating of the voting integrity process.

Director Delegate Resolution GS §163-35(d)

- County attorney Kurt Euler was on hand for this lengthy discussion.
- Mr. Shults wanted to withhold the director’s authority to fire permanent employees. He also seemed concerned about the Board’s liability.
- Mr. Euler stated the county protects the board as long as they do not do something illegal, such as create policy that interferes with civil rights. Buncombe is self-insured for \$500k, with supplemental backup protection. Also limited immunity for public employees and no immunity from federal suits.
- Mr. Shults then questioned the previously passed Memorandum of Understanding between the BCBOE and the county.
- The Director stated the employees are covered under the County’s policies on grievances and appeals. She also stated not approving the MOU would leave employees as “at will” employees. She also stated her position is appointed by the SBOE and as such has the authority to determine personnel issues.
- Jake stated he did not think the Board should be involved in the operation of election services.
- Mr. Shults remained stuck.
- Mr Aceto asked for a motion to limit the director’s authority to fire employees. Jake made the motion which failed 2-3, with Mr. Shults and Ms Braine voting to limit.
- Jake then made a motion to approve the Director’s authority. The motion passed 4-1 with Ms. Braine voting to limit.
- The MOU will be on the next meeting’s agenda.
- At this point Mr. Euler left the meeting.

FY2025 Budget Review (GS § 163-33(11), GS § 163-37) – Victoria Pickins

- Ms. Pickins presented the budget proposal for 2025.
- The budget was broken down by individual dept. in colored pie charts on a screen; the Board also had a spreadsheet.
- All the charts were for operations.

- There were no budget requests for personnel, capital, or non-discretionary spending.
- The proposal needs to be approved before 1-15-24 and Corrine starts presenting to the assistant county manager on 2-2-24.
- The budget is just short of \$2 million. This includes money for replacing the DS-200, \$60 k for mailing new cards to voters, a new position in February, new ballot stock for the Express Vote machines, poll worker pay increase of \$1 per hr. for poll workers, \$50 for chief judge, and \$30 for party judge. Also staff training, and re ordering usual supplies.
- The budget reflects the expected increase in voter participation in a presidential election.
- Jake motion to approve the draft budget and it was approved unanimously.
- Jake stated there is a county commission meeting on January 2 to discuss the pay raise for Corrine.