

Mecklenburg County Board of Electors

February 11, 2021

Approved Minutes

Present were Jeanne M. Capello Chair, Robert P. Chadeayne Secretary, Yvonne Alexander, Jason Corwin Registrar, Jeff Stratford Democrat Committee Chair, Ann Miller, and Tony Ratcliffe.

The meeting was called to order by Ms. Capello at 12:58 PM. Ms. Capello led us in a brief prayer.

The proposed agenda was agreed to without modification.

The minutes of January 12, 2021 were approved with the addition of Jeff Stratford as having been present.

The Chairperson opened the public hearing at 1:05 PM to consider the concerns of Ms. Ann Miller, Chief Officer of Election precinct 201, as expressed in her letter to Commissioner Piper and the NAACP. Ms. Miller was recognized for her presentation.

The basis of her concern is rooted in the fact that an individual refused to wear a face mask while inside the precinct, claiming a medical condition that exempted this person from the requirement. This refusal disturbed Ms. Miller on a personal level because she claims to take the COVID pandemic very seriously and that she was promised that all would have to wear a face mask. Ms. Miller introduced a racial motivation as the individual was Caucasian and all others are African American. Several other claims were made by Ms. Miller regarding statements or actions purported to have been made or committed by this individual.

Ms. Alexander stated that under the Governors Executive Order 63 persons with a stated medical condition are exempted from mask wearing. Under law we cannot inquire as to what the medical condition is. Ms. Miller was asked why she failed to raise this issue on election day or with the Electoral Board prior to writing her letter to Commissioner Piper. Ms. Miller had no answer. The first indication Ms. Alexander had that there was an issue was an inquiry by Mr. Stratford in a post-election email.

Ms. Capello also addressed the lack of notification by Ms. Miller to either an individual board member or the board as a whole that there was an issue, which would have given the board an opportunity to address her concerns at the time. By making the initial complaint to the Commissioner of Elections and the NAACP the Mecklenburg Electoral Board who has the authority and responsibility over see elections within the county and consequently was denied timely information as well as the ability to resolve the issue.

Mr. Stratford testified that he was not made aware of any concerns until the day after election. Mr. Corwin reported that Ms. Miller stated on the incident report that there was a lady at the precinct without a mask without additional information. He stated that a mask not being worn for medical reasons was not in violation of the rules or the Governor's EO 63.

The chair closed the hearing at 1:49 PM as there was no new information to be discovered. Ms. Miller was advised that the board would meet in closed session to discuss her testimony and determine what if any action is required by the board. At this time the board returned to regular order.

Reorganization: Ms. Alexander made a motion to re-elect Jeanne M. Capello as Chairperson, Robert P. Chadeayne as Secretary for the current year. Motion seconded and passed.,

Precinct 802 Relocation: Letters were sent to the Board of Supervisors and the School Board requesting a permanent change of location to Bluestone Middle School. Paul Nichols, School Superintendent, requested to delay action by the School Board until their March Meeting for the convenience of the board. Mr. Corwin indicated that would not be a problem.

Officer of Election Application Form: Mr. Corwin reported that he has revised the form to include a disclaimer regarding precinct assignment as directed by the board.

New Envelope 3/5 and Risk Limiting Audit (RLA): Mr. Corwin reviewed the guidelines for conducting an RLA. The Party Chairs have been notified of the audit and a brief explanation of the process. The RLA also has created a need to change envelope 3/5 to track ballot styles in the future, and usage of ballots, i.e., spoiled, voided, unused, cast etc., on the reverse side of the envelope. We currently track this data on a separate report. By including the information on the envelope, the data will remain with the ballots for the legal storage time period under seal. The board concurred with the change without objection. The RLA will be conducted in the law library at the Court House March 2, 2021 1:00 PM by the board. We will video record the audit and post it on the website for the public to see.

Office Relocation: Work is in progress and Mr. Corwin anticipates we will be able to move in May, 2021.

Pollbook Equipment: The vendor has been delayed in delivery of the custom inserts for the equipment storage cases. Expectation is that our order will be delivered in mid-March.

New Legislation: Mr. Corwin shared his spreadsheet which tracks the bills that have passed or failed in either chamber. He briefly discussed some of the bills that have passed or are anticipated to pass.

Budget and 5-year plan: Mr. Corwin reviewed the proposed FY 2022 budget and 5-year plan. Motion by Mr. Chadeayne to approve the budget and plan for submission to the Board of Supervisors. Motion passed.

Re-naming Precincts: We have an opportunity to re-name our precincts during the redistricting process to make them easier to understand the relationship of poll name and physical location. The board was asked to think of any changes and recommendations and be prepared to discuss at the next meeting.

Public Comment: Mr. Ratcliffe commented that he is impressed by the degree of transparency and the level of detail displayed by the Electoral Board. He expressed appreciation for the ability to witness the board's work and to make his comments public.

Mr. Stratford commented on the Miller hearing and the effect of poll observers during an election. A brief discussion was held regarding roles and responsibilities of observers and Officers of Election. This is an opportunity to enhance our future training curriculum.

A motion was made to recess the Electoral Board meeting at 3:10 PM to reconvene in closed session for the purpose of:

- Reviewing revisions to Voting Systems Security & Network Security Plan;
- Discussion of the Miller hearing;
- Review and sign off of Security Compliance letter.

Motion passed.

The closed session of the Electoral Board was called to order at 3:15 PM.

The closed session of the Electoral Board was adjourned at 3:37 PM to reconvene in open session.

The open session of The Electoral Board was called back into order by Chair Capello at 3:40 PM. No observers were present to re-join the meeting. Ms. Capello reported that there were no votes taken nor was there any discussion other than the three issues above during the closed session.

Motion was made to approve the Voting Systems Security & Network Plan as revised and to sign off on the Compliance letter. Motion passed.

Ms. Alexander moved to prepare a letter to Ms. Ann Miller informing her that her services as an Officer of Election are no longer required. The letter to go out over the signatures of the board. Seconded by Mr. Chadeayne. Motion passed three to zero by roll call vote.

As there was no further business to come before the board, the meeting was adjourned at 3:52 PM.

The next meeting will be on March 2, 2021 at 1:00 PM to conduct the Risk Limiting Audit at the Court House.

Respectfully Submitted,

Robert P. Chadeayne

Secretary