

**MADISON COUNTY BOARD OF ELECTIONS
REGULAR SESSION
Board of Elections Conference Room
Wednesday, June 11, 2014
4:30 P.M.**

MINUTES

CALL TO ORDER

Secretary Dyatt Smathers informed those present that he was the Secretary of the Board, and the former Chairman had resigned from the Board of Elections. As the sitting officer in charge of the meeting, Secretary Smathers called the meeting to order at 4:30 P.M. Board and staff members in attendance were Dyatt Smathers, Chairman; Ray Lewis, Secretary; Jerry Wallin, Member; Shirley Ponder, Deputy Director; Fay Ball, Office Assistant; and Kathy Ray, Director.

AGENDA

Moved, Seconded (JW, DS) and Carried (2,0) to set the agenda as presented.

APPROVAL OF MINUTES

Moved, Seconded (JW, DS) and Carried (2,0) to approve as presented the regular meeting minutes from the May 5th Absentee Meeting and the May 14th Regular Session meeting.

OATH OF NEW BOARD MEMBER

Retired Judge Jim Baker administered the Oath of Office to newly appointed Board Member Ray Lewis.

ELECTION OF BOARD CHAIRMAN

Moved, Seconded (RL, JW) and Carried (3,0) to elect Dyatt Smathers as Board Chairman.

ELECTION OF BOARD SECRETARY

Moved, Seconded (DS, JW) and Carried (3,0) to elect Ray Lewis as Board Secretary.

CHAIRMAN'S REPORT

The Chairman informed those present that the County Commissioners have appropriated the funds to replace the election equipment that is slated for decertification in 2018. The requested \$180K will be approved for use by the Board of Elections at the June 30th commissioners meeting. Mr. Smathers thanked the commissioners for their quick response to the request to set aside funds for voting equipment placement, thus making the selection of the machines a priority of this Board. The appropriation of the funds will enable the Board to move ahead quickly with the purchase of the machines, will put the Board way ahead of other Board's of Election in machine replacement, and will save the county \$17,000 in voting equipment trade-in value toward the purchase.

Mr. Smathers exercised the prerogative of the Chairman to appoint an ad hoc committee whose purpose will be to make a recommendation to the Board as to which machines to purchase for Madison County to vote on. Members agreeing to serve on the committee are Ray Lewis, Chairman of the Committee and Board Secretary; David Wyatt, Democratic Party Chairman; Matthew Wechtel, Republican Party Chairman; Steve Garrison, former County Manager; Judy Ball, Republican Party Chief Judge; Jacob Ray, BOE Office Assistant

and Technology Expert; Jerry Robertson, Buncombe County Schools IT Staff and Technology Expert; Jimmie Ammons, Democratic Party Precinct Judge; Jim Baker, Retired Judge and County Commissioner; Dyatt Smathers, Board Chairman and ex-officio non-voting Committee Member; and Jerry Wallin, Board Member and ex-officio non-voting Committee Member.

Commissioner Baker commented that the Board of Commissioners approved the funding for immediate replacement of the voting equipment as the State has indicated the voting equipment is unreliable and will be decertified. Commissioners also wanted to take advantage of the trade-in value of the old equipment while it still has value and considered the speculation that as the deadline approaches the price of new election equipment will get more expensive.

Chairman Smathers spoke on behalf of the Board of Elections and citizens of the county and thanked the commissioners present for their foresight and willingness to get things in place.

MEMBERS' REPORT

Member Wallin indicated that everything turned out good at the May 22nd State Board Meeting.

Mr. Lewis indicated he was looking forward to serving on the Board and overseeing fair and honest elections in Madison County.

DIRECTOR'S REPORT

The budget report for May 31, 2014 was presented. Director Ray indicated the Board will end the fiscal year with excess funds to assist with the purchase of 24 laptop computers and 24 printers for Election Day implementation of the On-Site Voter Registration Database (OVRD). She added that the staff has done a tremendous job making sure that every dollar was spent wisely. The contracted services line item is being amended and reduced by (\$10,036.25) to provide funds for the attorney and professional recorder fees for the candidacy challenge that took place.

Moved, Seconded (JW, RL) and Carried (3,0) to amend the line item specified in the amount of \$10,036.25 to pay the legal fees associated with the candidacy challenge.

Chairman Smathers indicated that the decision to purchase OVRD laptop computers came about from input from all elections staff, including poll workers and judges in the field. Having the laptops on site on Election Day will eliminate at least 75 percent of the human error that occurs during an election process. The laptop computers will be used in all future elections, and their use will not be impacted by the selection of new voting equipment.

The Precinct Verification Project is ongoing. The State Board of Elections is conducting weekly reviews and reports to assist the local board with ensuring that all voters are assigned to their correct precinct. The current week's report indicated that 122 Madison County voters continue to need review and possible reassignment. The BOE office must collaborate closely with the county GIS department in reviewing and accurately placing voters within their respective precincts. Delayed GIS mapping update information and new and/or unmapped 911 addresses can impact the number of voters needing review. The BOE office is also coordinating with both Buncombe and Yancey counties to clean up some inaccurately assigned voters along the counties' boundaries. The Director indicated that the goal is to have all voters correctly assigned to their respective precincts by the November election.

The SBOE has amended G.S. § 163-82.10(a) of the Records Retention and Disposition Schedule as of August 19, 2013 to allow local boards of election to destroy voter registration records (active, inactive, provisional, removed). The amendment also includes records regarding voluntary and involuntary cancellations (death, felony convictions, notices from other jurisdictions, voter requests). The official copy of voter registration

records is the State voter registration system maintained by the State Board of Elections. (All Madison County voter registration records have been scanned and the images attached to the appropriate voters in the SBOE maintained SEIMS database.) Approximately 800 pounds of voter registration records are slated to be destroyed onsite in the Administrative Building Parking Lot by American Securities Shredders on July 1st. Board members were encouraged to come by the Board of Elections prior to that date and inspect the contents of the boxes of documents slated for destruction. The public and Board were invited to come and observe the disposition of the records on July 1st.

A discussion ensued regarding the SBOE certification process for the office staff and Board members. The certification process requires 3 years of experience of which one must be during a presidential election, completing required coursework, and mandated attendance at SBOE trainings and conferences. Currently Deputy Director Shirley Ponder and Board Member Jerry Wallin have attained SBOE certification. Director Ray will complete the certification assessment in July. Upon successful completion of the assessment, she will be eligible for certification. Director Ray indicated she would like to pursue national certification for election directors in the near future.

The Commissioners are considering our budget requests for the 2014-2015 fiscal year. The requests include the addition of a full-time personnel position for the BOE office. Personnel salary increases approved in December of 2013 are effective through June 30th, 2014. The Commissioners will decide at the June 24th commissioners meeting if the personnel salary and Board member compensation increases are to continue in the upcoming budget year.

NEW BUSINESS

The Director informed that all counties including those that have the paper ballot tabulators are considering voting equipment replacement plans. The voting equipment is quickly reaching the end its life cycle. Directors across the state are reviewing and researching what is available as counties consider the options. Haywood County is sponsoring a quarterly district meeting session for Directors and Board members to observe a demonstration of Democracy Lives' ballot marking device on Friday, June 27th from 10:00 a.m. until 12 noon. Board members will check calendars and contact the director as to whether they can attend the demonstration.

Moved, Seconded (RL, JW) and Carried (3,0) to change the regular monthly meeting time to 3:00 p.m.
The Chairman directed the Director to notice the meeting time change.

Moved, Seconded (RL, JW) and Carried (3,0) to move the next regular meeting to July 2nd.

OTHER MATTERS

The November 4, 2014 General Election One-Stop Plan was presented. A discussion ensued regarding the need for five (5) sites and the SBOE cumulative hour requirement based upon the cumulative hours provided in November 2010. Approval of the plan was tabled until the July 2nd meeting.

PUBLIC COMMENT

Members of the public expressed an interest in the Haywood County ballot marking presentation and the options available in the selection of vendors and equipment.

The Director informed the public that Printelect is the only vendor of election services in the state. Election Services & Systems (ES&S) has the only certified election equipment in the state. Currently counties are either using the ES&S DREs or the M100 paper ballot tabulators. No other vendors of voting equipment, other than ES&S, were able to meet the strict requirements for SBOE certification of election equipment.

The Director shared that the voting equipment certification process is long and difficult and will likely take other vendors willing to try for certification at least two years to get through the process. She also informed that the equipment we currently have is beginning to fail due to age and will require another round of expensive maintenance prior to the 2016 presidential election. Terminal batteries alone will cost \$8000.

Chairman Smathers indicated that since ES&S is the only voting equipment vendor with SBOE certified paper ballot tabulators, the committee's choice and recommendation will be to either purchase from ES&S or wait to see if other vendors obtain certification prior to the 2018 deadline for replacement.

A question was asked about what the Board is doing to ensure that voter registration records for deceased voters are being purged. Information was provided that deceased voters are removed as per State DHHS communications and the signed statement of near relatives. The Board of Elections has reached out to area funeral homes with a request to add the Notification of Deceased Voter form to the packet provided to families of deceased voters.

A candidate present for the meeting thanked the Board for holding a great primary. Secretary Smathers informed the public that the Board is still under investigation by the SBOE regarding the allegations made during the Primary election.

ANNOUNCEMENTS

Next Regular Meeting: Wednesday, July 2, 2014.

ADJOURNMENT

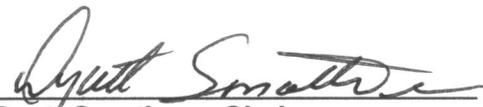
Moved, Seconded (RL, JW) and Carried (3,0) to adjourn at 5:55 P.M.



Kathy Ray, Director



Ray Lewis, Secretary



Dyatt Smathers, Chairman