

**MADISON COUNTY BOARD OF ELECTIONS  
REGULAR SESSION  
Board of Elections Conference Room  
March 11, 2015  
3:00 P.M.**

**MINUTES**

CALL TO ORDER

Chairman Smathers called the meeting of the Madison County Board of Elections to order at 3:00 p.m. at the Board of Elections Office Conference Room. In attendance were Dyatt Smathers, Chairman; Ray Lewis, Secretary; Jerry Wallin, Member; Shirley Ponder, Deputy Director; and Kathy Ray, Director.

AGENDA

**Moved, Seconded (RL, JW) and Carried (3,0) to set the agenda as amended to add under "Other Matters" a meeting schedule change for the month of April.**

APPROVAL OF MINUTES

**Moved, Seconded (RL, JW) and Carried (3,0) to approve both the Regular Session and Closed meetings minutes of February 11, 2015.**

CHAIRMAN'S REPORT

Chairman Smathers informed the Board that he spent two-thirds of a day with the Director and conducted a review of the Campaign Finance files and requirements for maintaining and auditing the records and reports. The Director indicated that the Campaign Finance responsibilities require 5 percent of her time. The shallow threshold of \$1000 has increased the number of reports that are filed.

Chairman Smathers also conducted a brief review of the street listing for the Town of Mars Hill and requested that the staff conduct a review of all municipal boundaries to determine if boundaries and annexations are current.

Printelect will be presenting presentations of its voting equipment for office staff and Board members at a location to be determined in Hendersonville sometime during the month of April. The Director will inform the Board as soon as the date is set.

MEMBERS' REPORT

Members are looking forward to the upcoming March Elections Conference at the Benton Conference Center in Winston-Salem.

DIRECTOR'S REPORT

The budget report for February 28, 2015 was presented for review and comment. The Board member compensation increase will be reflected on the March budget report. The invoice from ES&S for Equipment and Software Maintenance Contracts will likely be received sometime during the month of March and be deducted from the Contracted Services line item. The Director is hopeful that enough funds will remain at the end of the budget year to purchase most, if not all, of the voting booths that will be required for paper balloting.

Discussion ensued regarding the need for additional phone land line at several of the voting sites during the upcoming elections in 2016. The Director has built additional funds into the proposed budget for additional phone lines. Member Wallin suggested exploring the installation of cell phone signal boosters at some of the sites.

As per the request of Chairman Smathers to review the municipal town boundaries, the Director reported that work is being done to obtain current maps with annexations. A thorough review of all town voters using the current shape files provided by the State Board of Elections revealed that the town maps are outdated and do not contain the town boundaries for all annexations. Towns have been instructed to provide as soon as possible updated maps to the GIS Coordinator to draw the shape files to forward to the State and County Boards of Elections. A report will be provided at the April Board meeting of municipal voters who do not qualify to vote in the town elections.

Discussion ensued regarding the status of State Board of Elections certification of the ES&S ExpressVote Ballot Marker. As the current General Statute is written, the ExpressVote does not meet the statutory requirements of 08 NCAC 04.0303 Official Ballot(s) To Be Used On Voting System. Thus the County may be left with no option but to test and purchase the currently certified AutoMark ballot markers or retain a sufficient number of the iVotronic touch screen machines to provide for ADA voters' needs until decertified in 2018. Chairman Smathers remarked about the complications created by using "two" different voting systems (i.e., the iVotronic touch screens and the DS200 ballot imagers).

#### NEW BUSINESS

The Board tabled the discussion of the DS200 Voting Equipment Contract and Purchase until the April 9<sup>th</sup>, 2015 Board meeting. The State Board of Elections is in the process of creating and generating a form for the County to certify that all statutory requirements have been met regarding the purchase of a new voting system and will drive the review of the county attorney's review of the contract for purchase. The process cannot move forward until the form is received.

**Moved, Seconded (RL, JW) and Carried (3,0) to move the Wednesday, April 8, 2015 regularly scheduled Board meeting to Thursday, April 9, 2015.**

#### OTHER MATTERS

Discussion ensued regarding the statutory requirements for providing voter lists and media reports. Chairman Smathers referred to General Statute 16.82.10 to guide the conversation. The Chairman asked the Director to consult with Buncombe County Board of Elections regarding the duties of the employee responsible for responding to public record requests.

Secretary Lewis initiated a review and discussion of the county Board office's Public Records Requests. Chairman Smathers reviewed General Statute 163.82.10 regarding public records requests and deduced that the office is only required to provide public records requests on an electronic or magnetic media and free lists on a specified schedule to county and state level political party chairs. The Director commented that if public request information is being used for campaign purposes, the fee for production should be showing up on the appropriate campaign finance report(s). Secretary Lewis reiterated his concern with the amount of time that is required to respond to the requests and if the Board is recouping the actual cost associated with producing the information. Chairman Smathers requested that the Director contact Buncombe County Board of Elections to obtain information regarding the duties of the employee that is responsible for responding to public information requests and the associated fees and any costs for excessive time that is required to obtain the information. The Board will also consider what public records, if any, Board members can request and obtain at no charge. The Board will review any new and/or additional information for action at the April meeting. Secretary Lewis requested a copy of the county personnel policy for all Board members to review.

CITIZENS COMMENTS

Citizen Tom Coulson commented that Campaign Finance Reports process and campaign finance treasurers' training would likely be more efficient if electronically filed and/or completed. Mr. Coulson also inquired regarding the eligibility status of 17 year old voter.

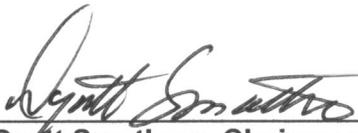
Citizen Barbara Coulson inquired regarding cross checks of voter registration and removal of deceased voters. She also asked if the proposed budget for 2015-2016 contained a request for additional staff in the Board of Elections office. She further remarked about the floor plan and modifications that may be needed at the Sandy Mush Precinct Building.

Citizen Carol Davis remarked about the informal discussions that are taking place within the community regarding the South Marshall Precinct Early Voting site.

ADJOURNMENT

**Moved, Seconded (RL, JW) and Carried (3,0) to adjourn at 4:48 P.M.**

  
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Kathy Ray, Director

  
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Dyatt Smathers, Chairman

  
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Ray Lewis, Secretary