

MINUTES
September 29, 2020
10:00 A.M.
Wake County Board of Elections

Chair Greg Flynn called the regularly scheduled meeting of the Wake County Board of Elections to order at 10:00 a.m. Present for the meeting were Greg Flynn, Keith Weatherly, Erica Porter, Gerry Cohen, Angela Hawkins, Director Gary Sims, Deputy Director Olivia McCall, and staff members Shanya Scott and Ariel Bushel.

The Board lead the Pledge of Allegiance.

On motion by Gerry Cohen, second by Keith Weatherly, the Board unanimously approved the Agenda as amended.

On motion by Erica Porter, second by Keith Weatherly, the Board unanimously approved the minutes from the September 11, 2020, and September 25, 2020, board meetings.

Director Gary Sims presented 33,899 Civilian absentee ballot container envelope applications to the Board recommended for approval.

Chair Greg Flynn explains that the Board met on September 25, 2020, and passed a resolution regarding Numbered Memo 2020 – 25. The NC State Board of Elections informed the Board that instructions in Numbered Memo 2020 – 19 (revised September 22, 2020) supersede board delegation and that a cure should be provided for witness deficiency while the court order is pending.

The Board reviewed the Civilian absentee ballot container envelope applications recommended for approval.

The Board went to recess at 1:05 p.m.

The Board returned from recess at 2:01 p.m.

On motion by Angela Hawkins, second by Erica Porter, the Board unanimously approved 39 boxes of Civilian absentee ballot container envelope applications that are identified by batch, username, and time of processing and directed staff to open, flatten, and sort the approved absentee by mail ballots in preparation to be scanned. See Attachment A.

On motion by Erica Porter, second by Angela Hawkins, the Board unanimously approved to run the zero tapes for the DS850 High Speed Tabulators.

The Board continued to review the Civilian absentee ballot container envelope applications recommended for approval.

On motion by Keith Weatherly, second by Gerry Cohen, the Board unanimously approved to return the Military and Overseas ballots to a secure location to be reviewed when returned from recess.

On motion by Erica Porter, second by Angela Hawkins, the Board unanimously approved 50 boxes of Civilian absentee ballot container envelope applications that are identified by batch, username, and time of processing and for the approved Civilian absentee ballot container envelope applications to be sealed in designated boxes to be opened and scanned when returned from recess. See Attachment B.

On motion by Gerry Cohen, second by Keith Weatherly, the Board unanimously approved to reconvene this meeting on Thursday, October 1, 2020, at 10:00 a.m. when the Board goes to recess.

On motion by Erica Porter, second by Angela Hawkins, the Board unanimously directed staff to begin scanning of the ballots from the approved 39 boxes of Civilian absentee ballot container envelope applications.

On motion by Gerry Cohen, second by Erica Porter, the Board unanimously appointed five Unaffiliated voters as Multipartisan Assistance Team members following Numbered Memo 2020 – 24 guidance. List of appointed names are attached to the minutes.

Director Gary Sims reported that 60 absentee by mail ballots did not scan through the DS850 High Speed Tabulator. The emergency bin absentee ballots will be addressed after the Board reconvenes Thursday, October 1, 2020.

The Board signed the zero tape and totals tape of 16,855 approved absentee by mail ballots scanned through the DS850 High Speed Tabulator.

The Board went to recess at 9:15 p.m.

The Board returned from recess at 10:00 a.m. on Thursday, October 1, 2020.

On motion by Erica Porter, second by Angela Hawkins, the Board unanimously directed staff to open, flatten, and sort the approved 50 boxes of Civilian absentee ballot container envelope applications in preparation to be scanned.

Director Gary Sims presented 121 Military and 1,054 Overseas replicated e-mail ballots and absentee ballot container envelope applications received by mail.

On motion by Erica Porter, second by Angela Hawkins, the Board unanimously approved 38 Overseas absentee ballot container envelope applications received by mail and directed staff to open, flatten, and sort the approved absentee ballot container envelope applications in preparation to be scanned.

The Board reviewed the Military and Overseas replicated e-mail ballots.

NC State Board of Elections issued Number Memo 2020 – 27 that stated county boards that receive an executed absentee container return envelope with a missing signature shall take no action to that envelope.

On motion by Gerry Cohen, second by Erica Porter, the Board unanimously approved 121 Military and 1,054 Overseas replicated e-mail ballots and absentee ballot container envelope applications received by mail.

On motion by Gerry Cohen, second by Angela Hawkins, the Board unanimously approved staff to prepare the approved replicated e-mail ballots to be scanned through the DS850 High Speed Tabulator.

On motion by Gerry Cohen, second by Angela Hawkins, the Board directed staff to begin scanning the approved 50 boxes of Civilian absentee ballot container envelope applications.

The Board replicated 21 emergency bin ballots and bi-partisan teams replicated 39 emergency bin ballots following Numbered Memo 2020 – 25 guidelines.

On motion by Erica Porter, second by Keith Weatherly, the Board unanimously directed staff to begin scanning the 60 replicated emergency ballots through the DS850 High Speed Tabulator.

Director Gary Sims reported that 69 absentee by mail ballots did not scan through the DS850 High Speed Tabulator.

On motion by Angela Hawkins, second by Gerry Cohen, the Board unanimously approved staff to replicate 69 emergency bin ballots at the next board meeting.

Director Gary Sims presented 1 Civilian absentee ballot container envelope application where the voter voted a ballot that they did not request.

After review, on motion by Gerry Cohen, second by Erica Porter, the Board unanimously moved to deny Civilian absentee ballot container envelope application CIV – 32087 and directed staff to contact the voter.

Director Gary Sims presented 3 Civilian absentee ballot container envelope applications where the absentee ballot container envelope was torn.

After review, on motion by Angela Hawkins, second by Erica Porter, the Board unanimously moved to spoil Civilian absentee ballot container envelope applications CIV – 54414, CIV – 62875, and CIV – 3377 and reissue new ballots to the voters.

Director Gary Sims presented 1 Civilian absentee ballot container envelope application where the envelope was torn that was previously approved by the Board.

After review, on motion by Erica Porter, second by Keith Weatherly, the Board unanimously moved to deny Civilian absentee ballot container envelope application CIV – 83612, directed staff to remove the ballot from the approved total, and to reissue a new ballot to the voter.

Deputy Director Olivia McCall presented 8 Civilian absentee ballot container envelope applications with discrepancies for board review that were discovered during the opening and flattening process.

After review, on motion Angela Hawkins, second by Keith Weatherly, the Board unanimously moved to not approve Civilian absentee ballot container envelope applications CIV – 44048 and CIV – 679 and to table the decision until the next board meeting.

After review, on motion Keith Weatherly, second by Erica Porter, the Board unanimously moved to deny Civilian absentee ballot container envelope applications CIV – 46467, CIV – 48054, CIV – 31933, CIV – 19870, CIV – 78868, and CIV – 79703 and directed staff to contact the voters.

On motion by Erica Porter, second by Keith Weatherly, the Board unanimously directed staff to remove the 9 absentee ballots from the totals.

On motion by Gerry Cohen, second by Keith Weatherly, the Board unanimously directed staff to begin scanning of approved 121 Military and 1,054 Overseas replicated e-mail ballots and ballots received by mail through the DS850 High Speed Tabulator.

Director Gary Sims presented 2 Military and Overseas ballots that were torn when scanned through the tabulator.

On motion by Keith Weatherly, second by Gerry Cohen, the Board unanimously approved the 2 Military and Overseas ballots to be added to the emergency bin total to be replicated at the next board meeting.

Director Gary Sims informed the Board the grand total of absentee envelopes and ballots scanned was 34,993. With the additional 71 emergency bin ballots, the total is 35,064. The total amount returned on the approved absentee report was 35,065. Staff will audit for reconciliation.

The Board signed the zero tape and totals tape of approved absentee by mail ballots scanned through the DS850 High Speed Tabulator.

There being no further business, the Board adjourned the meeting at 7:39 p.m.

Respectfully submitted,


Keith H. Weatherly, Secretary
Wake County Board of Elections



Attachment A (continued)





Attachment A (continued)





Attachment B (continued)



Attachment B (continued)

