

BUNCOMBE COUNTY BOARD OF ELECTIONS  
PROPOSED AGENDA for April 17, 2018  
5:30 p.m.

- I. Call to order
- II. Board travels to Alport for 10% Machine Testing GS 163-33.2
- III. Consideration of Absentee Ballot Applications  
GS 163-230.1, GS 163-230.2, GS 163-231
- IV. Resolution to Count Absentee Ballots GS 163-234
- V. Approval of Minutes
- VI. Board Member Orientation
  - a. Staff Job Descriptions/Organizational Review
  - b. Confidentiality Statement/Personal Data Information
  - c. BOE 2018/2019 Budget Request/Facilities Update
  - d. ~~Systems Review~~
- VII. Additional Orientation—April 24th, (Security, Jurisdictions, Early Voting, Election Day) May 1—Campaign Finance, Emergency Planning, Provisionals, Audit Week and Canvass)
- VIII. Adjourn

April 17<sup>th</sup>, 2018

NAME

PATSY GARDIN

MARY STANDART  
*Saphire*

CONTACT INFO

828-424-7884

828-669-7088

# Buncombe County Board of Elections

Meeting Minutes

April 17, 2018

## Opening

The scheduled meeting of the Buncombe County Board of Elections was called to order at 5:30 pm on April 17, 2018 at 77 McDowell Street, Asheville, NC 28801.

## Present

Board Members-

Lucy Smith, Chairman  
Jay Watson, Vice-Chairman  
Jake Quinn, Secretary  
Stephen G. Duncan, Member

BOE Staff-

Trena Velez, Director  
John Noce  
Jennifer Sparks  
Bobbie Johnston  
Joyce Kanavel  
Daphne Young  
Wanda Peele  
Bria Bailey

Visitors-

(See Attached)

## Item One – Welcome of the Visitors

## Item Two – Machine testing GS 163-33.2

- Director Velez explained that according to General Statute 163-33.2 the Board shall test voting machine, in a reasonable number of combinations, no less than ten percent (10%) of all voting machines programmed for each primary or election.
- Chairman Smith announced that the Board meeting would move to 46 Valley Street. 5:35 pm
- The Board randomly selected seven (10) DS200 machines and eight (2) Automark machines for testing.
- The machines tested were:
- DS200
  - DS0315350201
  - DS0315350101
  - DS0315350117
  - DS0315350365
  - DS0315350165
  - DS0315331403
  - DS0315350301
  - DS0315350110
  - DS0315350432
  - DS0315350297

- Automark
  - AM0206463170
  - AM0206463754
- The Board returned to 77 McDowell Street at 6:11.

**Item Two – Approval of Absentee Ballots GS 163-230.1, GS 163-230.2, GS 163-231**

- Staff member Noce presented sixteen (16) overseas ballots
  - Noted requirement for the signed affirmation form.
- The Board reviewed and signed the sixteen (16) overseas ballots.
  - Chairman Smith reminded staff and the visitors that while ballots are being duplicated, the room is to be silent to avoid confusion and assure accuracy.
- Staff member Noce presented forty-two (42) civilian ballots.
  - Noted requirement for two signatures or a notary.
  - The Board reviewed and signed the forty-two (42) civilian absentee ballots.
- The duplication team duplicated the sixteen (16) overseas ballots.
- Chairman Smith inquired whether all calls and marks were clearly heard and seen, and the duplication team answered affirmatively.
- Chairman Smith motioned to approve the sixteen (16) overseas and the forty-two (42) civilian ballots and Secretary Quinn seconded. The Board approved the absentee ballots unanimously.

**Item Three – Resolution to Count Absentee Ballots GS 163-234**

- Vice Chairman Watson motioned to adopt the resolution to count the absentee ballots that have been received on or before Election Day at 2:00 pm May 8<sup>th</sup>. Secretary Quinn seconded and the motion was approved unanimously.

**Item Four – Approval of Minutes**

- Vice Chairman Watson motioned to approve the minutes of February 20th, 2018 as amended and Chairman Smith approved.
- Vice Chairman Watson motioned to approve the minutes of March 6th, 2018 as amended and Chairman Smith approved.
- Vice Chairman Watson motioned to approve the minutes of March 20th, 2018 and Chairman Smith approved.
- Secretary Quinn motioned to approve the minutes of April 2, 2018. Member Duncan seconded and the Board approved unanimously.


**Item Five - Board Member Orientation**

- The Board reviewed Director Velez position and her general job duties.
  - Secretary Quinn moved to approve the Directors general duties and the Board approved.
- Director Velez presented to the Board a packet of information that includes staff member job descriptions, an organizational report review, updated staff policies, and the BOE 2018/2019 budget request.
- Director Velez updated the Board on the progress of the new elections building on 50 Coxe Ave.
- Chairman Smith reviewed Memo 2016-20 from Kim Strach. (see attached)
- Chairman Smith asked the new Board to be mindful and cautious of discussing Board business outside of Board meetings.

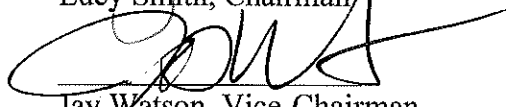
The meeting adjourned at 7:29 pm. The next meeting will be at 5:30 pm on April 24, 2018, at 77 McDowell Street, Asheville, NC 28801.

Minutes submitted by: Kevin J. Roberts

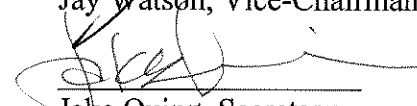
Approved by:



Lucy Smith, Chairman



Jay Watson, Vice-Chairman



Jake Quinn, Secretary



Stephen G. Duncan, Member



# NORTH CAROLINA

## State Board of Elections

Mailing Address:  
P.O. Box 27255  
Raleigh, NC 27611-7255

Phone: (919) 733-7173

KIM WESTBROOK STRACH  
Executive Director

### NUMBERED MEMO 2016-20

**TO:** County Boards of Elections  
**FROM:** Kim Strach, Executive Director  
**RE:** Conduct at the Polls  
**DATE:** October 19, 2016

This memorandum provides guidance to election officials in their effort to ensure all voters enjoy a safe environment that is free from intimidation at early voting sites and precincts on Election Day. State and federal laws prohibit intimidation and coercion at the polls. Voting opportunities must be offered in a manner free from discrimination based on race, ethnicity, national origin, language competency, physical disability or religion. Penalties for particular violations include prison time, a fine, or both.

### Enforcing the Buffer Zone and Protecting the Voting Enclosure

State law provides special protections within the marked buffer zone outside voting sites. While the buffer zone is commonly thought to limit electioneering activity, the buffer zone also prohibits all forms of hindrance and harassment:

No person or group of persons shall hinder access, harass others, distribute campaign literature, place political advertising, solicit votes, or otherwise engage in election-related activity in the voting place or in a buffer zone which shall be prescribed by the county board of elections around the voting place.

G.S. § 163-166.4(a). Both state and federal laws forbid **interference with the right of a voter to participate in an election, including hindering access to the voting place**, whether outside or within the buffer zone. 18 U.S.C. § 594 and G.S. § 163-274(3). Interference can take many forms. This memorandum identifies a few scenarios elections officials may encounter during early voting and on Election Day.

### Examples of Prohibited Acts

Agency staff has prepared a non-exhaustive list of scenarios that illustrate prohibited behavior:

1. *Individuals outside the buffer zone wear "SECURITY" insignia and inform voters that they are "monitoring" the polling place.*

**Federal law prohibits those around the polling place from displaying badges, uniforms, or credentials that reasonable individuals would interpret to mean that the person is a law-enforcement officer.** See 18 U.S.C. § 241 and *Williams v. United States*, 341 U.S. 97 (1951).

2. *Individuals in the parking lot physically delay or prevent cars from parking.*

**It is a crime to interfere with the ability of a voter to access the voting place. This is true for any voter.**

3. *Individuals intentionally distribute misleading information about the time, date or place of an election. It is a felony to misrepresent the law to the public in any communication “where the intent and effect is to intimidate or discourage potential voters from exercising the lawful right to vote.” G.S. § 163-275(17).*
4. *A radio station is played over speakers inside the voting enclosure, and the broadcast includes political discussion or commentary.  
No person may engage in election-related activity within the buffer zone. G.S. § 163-166.4(a).*
5. *Individuals use sound amplification to make racial slurs or otherwise insult those presenting to vote for their preferred candidate, and the chief judge has told the individual that their noise is causing a disruption inside the voting enclosure.  
It is a crime for any person to commit any boisterous act that disturbs any elections official in the performance of his or her statutory duties. G.S. § 163-274(4).*
6. *Individuals outside the buffer zone threaten a voter if the voter does not vote for or against a particular candidate or party.  
It is a federal crime to intimidate, threaten, or coerce anyone in order to interfere with an individual’s right to vote or not vote in an election; this includes conduct intended to force prospective voters to vote against their preferences. 18 U.S.C. § 594.*
7. *Individuals attempt to enter voter challenges without a proper basis.  
State law prohibits challenges made indiscriminately or based on speculation. G.S. § 163-90.1. It is both a violation of state and federal law for any voter to challenge an individual on the basis of their ethnicity, religion, language fluency, or national origin.*
8. **Individuals who direct any of the above noted actions against individuals or groups based upon ethnicity, religion, language fluency or national origin are in violation of state and federal law**

The following represent additional examples of conduct that may unlawfully intimidate voters:

- An individual or individuals outside the buffer zone approach only voters who appear to be of a certain ethnic group to ask whether they speak English or to demand that they verify their citizenship.
- An individual or individuals outside the buffer zone follow a non-English speaker who is receiving assistance from a person of their choice and accuse them of committing voter fraud.
- An individual or individuals outside the buffer zone yell insults or profanity at people who received assistance in the voting enclosure.

**Election officials must be prepared to respond immediately to behavior that disrupts or threatens to disrupt the peace and order of a polling site. If the behavior poses a threat to any person’s safety, the election official should immediately contact local law enforcement for assistance. The official should then contact the county elections office to report the incident, which in turn should be reported to the State Board of Elections office immediately.**



# NORTH CAROLINA

## State Board of Elections

### CONDUCT OUTSIDE VOTING SITE

North Carolinians deserve to be treated with courtesy and respect at the polls. Elections officials are committed to facilitating a safe voting experience, and the State Board of Elections is asking private citizens, campaigners, and advocates to help us promote a positive experience during early voting and on Election Day. Conduct at the voting place should conform with the following guidance:

- Respect the right of all voters to participate in the election without fear of intimidation or violence. Intimidating any voter is a state and federal crime.
- Demonstrate courtesies towards those at the voting place, regardless of differences of opinion.
- Remain civil and calm at all times. Arguments should not involve profanity or provocative gestures.
- Confine electioneering and issue advocacy to designated areas outside of the voting place. Election officials strictly enforce the marked line beyond which no electioneering or loitering is permitted.

We understand certain individuals are interested in observing the election process, though only appointed observers and runners will be admitted within the voting place. Please contact your local political party or county elections officials for more information about the appointment process under G.S. § 163-45.



Sigs Machine Testing

Kevin

CART NO.	AUTOMARK	DS-200
1	AM0208463839	DS0315350273
2	AM0206462638	DS0315350402
3	AM0206462228	DS0315350081
4	AM0206442771	DS0315350124
5	AM0206470129	DS0315350084
6	AM0206463066	DS0315350444
7	AM0208463818	DS0315350160
8	AM0206463254	DS0315350453
9	AM0206470073	DS0315350202
10	AM0206463170	DS0315350072
11	AM0206463754	DS0315350019
12	AM0206490186	DS0315350114
13	AM0206470333	✓ DS0315350201
14	AM0206441946	DS0315350323
15	AM0206463093	DS0315350448
16	AM0206463451	DS0315350337
17	AM0206463794	✓ DS0315350101
18	AM0206440257	DS0315350421
19	✓ AM0206470265	DS0315350154
20	AM0206470220	DS0315350451
21	AM0206440121	DS0315350449
22	AM0208490199	✓ DS0315350365
23	AM0206462293	DS0315350340
24	AM0206490155	DS0315350428
25	AM0206442757	✓ DS0315350165
26	AM0206462770	DS0315350433
27	AM0206470135	DS0315350092
28	✓ AM0206470321	✓ DS0315350137
29	AM0208490210	DS0315350077
30	AM0208490185	DS0315350204
31	AM0206490192	DS0315350380
32	AM0206470035	DS0315350439
33	AM0208490202	DS0315350456
34	AM0206462993	DS0315350471
35	AM0206463767	DS0315350113
36	AM0208450884	DS0315350140
37	AM0206462941	DS0315350314
38	AM0206470160	DS0315350095
39	AM0206463041	DS0315350470
40	AM0206461936	DS0315350269
41	AM0206463755	DS0315350078
42	AM0206490182	DS0315350299
43	AM0206442735	DS0315350464
44	AM0206470063	DS0315350334
45	AM0206463570	DS0315350097
46	AM0206470250	DS0315350156
47	AM0206463582	DS0315350434
48	AM0206450110	DS0315350090
49	AM0206462921	DS0315350306
50	AM0206462914	DS0315350155
51	AM0206470168	DS0315350436

52	AM0206463094	DS0315350172
53	AM0206442641	DS0315350388
54	AM0208463506	DS0315350290
55	AM0206463207	DS0315350368
56	AM0206463779	DS0315350308
57	AM0208463271	DS0315350123
58	AM0206451395	DS0315350149
59	AM0206463333	DS0315350082
60	AM0208442756	DS0315350352
61	AM0206462323	DS0315350454
62	AM0206470339	✓ DS0315331403
63	AM0208490194	✓ DS0315350301
64	AM0206463840	DS0315350079
65	AM0206461948	DS0315350289
66	AM0206463051	DS0315350423
67	AM0206470034	DS0315350249
68	AM0206463222	DS0315350261
69	AM0206470054	DS0315350098
70	AM0208470084	✓ DS0315350110
71	AM0206462994	DS0315350108
72	AM0206440506	✓ DS0315350432
73	AM0208462268	DS0315350089
74	AM0206462138	DS0315350350
75	AM0206463581	DS0315350429
76	AM0206462900	DS0315350083
77	AM0206470051	DS0315350228
78	AM0206463804	DS0315350144
79	AM0208442326	DS0315350088
80	AM0206463834	DS0315350158
81	AM0206463056	DS0315350151
82	AM0206440611	DS0315350076
83	AM0206462316	DS0315350467
84	AM0208490195	✓ DS0315350297
85	AM0208442363	DS0315350106
86	AM0206463492	DS0315350085
87	AM0206470166	DS0315350367
88	AM0206470031	✓ DS0315350117
89	AM0208463575	DS0315350107
90	AM0206440612	DS0315332115
91	AM0206462105	DS0315350475
92	AM0206440154	DS0315350304
93	AM0206462157	DS0315350463
94	AM0208471955	DS0315350446
95	AM0208490191	DS0315350087
96	AM0206462367	DS0315350240
97	AM0206463696	DS0315350364
98	AM0203463694	DS0315350377
99	AM0206470176	DS0315350162
100	AM0208462443	DS0315350100
101	AM0206462891	DS0315332138
102	AM0206463699	DS0315350472
103	AM0206463783	DS0315350395

~~INOP~~  
~~INOP~~  
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~~INOP~~  
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104  
105  
106

AM0206463777 INOP  
AM0206442759 INOP  
AM0208490205 INOP

DS0315350227  
DS0315350152  
DS0315350457

BUNCOMBE COUNTY BOARD OF ELECTIONS

36 ✓

EXECUTED ABSENTEE BALLOTS - PRECINCT SEQ.

ELECTION DATE = "05/08/2018"

ABSENTEE TYPE = "CIV"

BOARD MEETING DT (yyyy-mm-dd) = "2018-04-17 05:30PM"

- 1: VAD.ballot\_return\_lbl = "OK" AND
- 2: VAD.ballot\_approval\_dt <> "" AND
- 3: VAD.ballot\_return\_dt\_str <> "" AND
- 4: VAD.is\_bllt\_rtn\_before\_elect\_dt = 1

PCT	VTD	MUNI	NAME	RR	VRN	APPLICATION NUM	BALLOT NUM	BALLOT STYLE	BOARD MTG DATE	RETURN DATE
05.1	05.1	ASHE	SOKOL, BARNABAS		000000170748	CIV-68	000-118	D003	04/17/2018	04/12/2018
05.1	05.1	ASHE	SOKOL, LEE WILLIAMS		000000170460	CIV-59	000-109	D003	04/17/2018	04/11/2018
08.2	100.1	ASHE	PEARCE, HOLT		0000000345799	CIV-17	000-19	D001	04/17/2018	03/23/2018
09.1	09.1	ASHE	KOCIEMBA, ROSALYN COTTER		0000000395601	CIV-34	000-82	D001	04/17/2018	03/29/2018
09.1	09.1	ASHE	KOCIEMBA, THOMAS JOHN		0000000397029	CIV-35	000-83	D001	04/17/2018	03/29/2018
10.1	10.1	ASHE	ZIEMER, TREVOR KIRK		000000420500	CIV-8	000-10	D001	04/17/2018	04/09/2018
13.1	13.1	ASHE	CRISWELL, DONNA MCCOY		000000352337	CIV-19	000-21	D002	04/17/2018	04/11/2018
13.1	13.1	ASHE	CRISWELL, ROBERT BRUCE		000000352385	CIV-20	000-22	D002	04/17/2018	04/11/2018
18.2	101.1	ASHE	MAYFIELD-JOHNSON, MARION ELIZABETH		000000134945	CIV-57	000-107	D004	04/17/2018	04/12/2018
27.2	104.1		NEWMAN, LEONARD C JR		000000043520	CIV-78	000-128	D001	04/17/2018	04/13/2018
27.2	104.1		NEWMAN, SANDRA KAY		000000043524	CIV-77	000-127	D001	04/17/2018	04/13/2018
29.2	102.1	ASHE	CAVE, ELAINE WOODARD		000000458650	CIV-37	000-85	R007	04/17/2018	04/04/2018
29.2	102.1	ASHE	CAVE, WILLIAM PRESTON		000000458651	CIV-36	000-84	R007	04/17/2018	04/04/2018
33.3	33.3	BMTN	THOMAS, EMMA CLAIRE		000000422304	CIV-31	000-77	D006	04/17/2018	03/28/2018
37.1	37.1		MCGEE, GREGOR COLLIN		000000409727	CIV-12	000-14	D006	04/17/2018	04/11/2018
39.2	39.1		LEARY, JOHN ROBERT	Y	000000428387	CIV-83	000-133	R010	04/17/2018	04/11/2018
39.3	39.1		HENINGER, ANDREA LEE		000000308857	CIV-23	000-25	D006	04/17/2018	03/26/2018
39.3	39.1		HENINGER, MICHAEL BYRNE		000000364407	CIV-24	000-26	D006	04/17/2018	03/26/2018
41.1	41.1		GUNTER, ASHLEY DWIGHT		000000259876	CIV-98	000-151	R009	04/17/2018	04/16/2018
41.1	41.1		GUNTER, CAROLYN DEBRUHL		000000024430	CIV-96	000-149	R009	04/17/2018	04/16/2018
41.1	41.1		GUNTER, OLIVER CLYDE		000000244873	CIV-97	000-150	R009	04/17/2018	04/16/2018
43.2	106.1		TAYLOR, BOBBY LEE JR		0000000373567	CIV-47	000-95	D002	04/17/2018	04/17/2018
44.1	44.1		MILLS, SOPHIE EVELYN		000000412760	CIV-3	000-3	D004	04/17/2018	04/16/2018
48.1	48.1		MILLER, COLLIN MATTHEW		000000411946	CIV-55	000-103	R008	04/17/2018	04/02/2018
48.1	48.1		SMITH, FRANCES LOUISE		000000408761	CIV-49	000-97	D004	04/17/2018	04/02/2018
48.1	48.1		SMOAK, DOROTHY LOUISE		000000124300	CIV-50	000-98	D004	04/17/2018	03/28/2018
49.1	49.1		BURROWS, LINDSEY PATRICK		000000292038	CIV-32	000-80	D004	04/17/2018	04/10/2018
49.1	49.1		RATHBONE, BARRY JAY		000000231818	CIV-21	000-23	R008	04/17/2018	04/02/2018
53.1	53.1		SAWICKI, TREVOR JOSEPH		0000000367455	CIV-33	000-81	D004	04/17/2018	04/02/2018

PCT	VTD	MUNI	NAME	RR	VRN	APPLICATION NUM	BALLOT NUM	BALLOT STYLE	BOARD MTG DATE	RETURN DATE
<b>ELECTION DATE: 05/08/2018</b>										
56.2	102.1		DOWLING, LESTER MICHAEL		000000330012	CIV-18	000-20	D005	04/17/2018	03/29/2018
56.2	102.1		FARMER, MARY ANN		000000330046	CIV-14	000-16	D005	04/17/2018	03/29/2018
67.1	67.1		MAZELIS, JOEL PHILIP		000000387207	CIV-15	000-17	D003	04/17/2018	04/17/2018
67.1	67.1		STILLSON, JEANNE		000000387206	CIV-16	000-18	D003	04/17/2018	04/03/2018
68.1	68.1		WINER, JOY RUTH BRUZELIUS		000000324085	CIV-43	000-91	D004	04/17/2018	03/29/2018
68.1	68.1		WINER, STEVEN MARK		000000324087	CIV-44	000-92	D004	04/17/2018	03/29/2018
71.1	71.1		BRIGMAN, ROSA LEE		00000007368	CIV-60	000-110	D003	04/17/2018	04/11/2018

Election Total: 36

GRAND TOTAL: 36

*pdw* 4/17/18

BUNCOMBE COUNTY BOARD OF ELECTIONS

EXECUTED ABSENTEE BALLOTS - PRECINCT SEQ.

ELECTION DATE = "05/08/2018"

ABSENTEE TYPE = "OVR"

BOARD MEETING DT (yyyy-mm-dd) = "2018-04-17 05:30PM"

- 1: VAD.ballot\_return\_bj = "OK" AND
- 2: VAD.ballot\_approval\_dt <= "" AND
- 3: VAD.ballot\_return\_dt\_str <= "" AND
- 4: VAD.is\_bill\_rtn\_before\_elect\_dt = 1

PCT	VTD	MUNI	NAME	RR	VRN	APPLICATION NUM	BALLOT NUM	BALLOT STYLE	BOARD MTG DATE	RETURN DATE
<b>ELECTION DATE: 05/08/2018</b>										
01.1	01.1	ASHE	BOOKWALTER, BRENT JAMES ✓		000000374440	OVR-21	000-48	D001	04/17/2018	04/09/2018
01.1	01.1	ASHE	BOOKWALTER, JAMIE DINKINS ✓		000000373419	OVR-22	000-49	D001	04/17/2018	04/10/2018
03.1	03.1	ASHE	GRIESMANN, LEAH ANN ✓		000000318024	OVR-8	000-35	D001	04/17/2018	04/09/2018
04.1	04.1	ASHE	CARTER, DARBY FARRELL ✓		000000368750	OVR-24	000-51	R008	04/17/2018	04/10/2018
05.1	05.1	ASHE	GONZALEZ, ELIZABETH LOUISE ✓		000000434556	OVR-42	000-69	D003	04/17/2018	04/11/2018
16.2	106.1	ASHE	BURKE, HILARIE KENNEDY ✓		000000109185	OVR-14	000-41	D002	04/17/2018	03/22/2018
20.1	20.1	ASHE	SCARBOROUGH, MARTHA ✓ MAZONSON		000000216845	OVR-2	000-5	D001	04/17/2018	04/13/2018
20.1	20.1	ASHE	SCARBOROUGH, WILLIAM ✓ LAWRENCE JR		000000216453	OVR-1	000-4	D001	04/17/2018	04/10/2018
22.2	104.1	ASHE	SCHAEFER, ROBIN LYNN ✓		000000369308	OVR-23	000-50	D001	04/17/2018	03/26/2018
23.3	103.1	ASHE	COOPER, GARTH HARRISON ✓		000000143775	OVR-11	000-38	D001	04/17/2018	04/06/2018
27.2	104.1		HARMON, LAURA MICHELLE ✓		000000429781	OVR-34	000-61	D001	04/17/2018	04/10/2018
33.2	33.2	BMTN	FRYBERGER, ANNELIES WILSON ✓		000000222371	OVR-45	000-104	R010	04/17/2018	03/28/2018
42.1	105.1	WFIN	AVENT, CLAYTON BURNS NEEL ✓		000000433342	OVR-54	000-208	D002	04/17/2018	04/17/2018
44.1	44.1	ASHE	SURGI, MARY LOUISE ✓		000000283584	OVR-31	000-58	D004	04/17/2018	03/20/2018
67.1	67.1	WVLE	STERN, PAUL WILLIAM ✓		000000316298	OVR-56	000-225	R009	04/17/2018	04/13/2018
67.1	67.1	WVLE	STERN, SARAH BETH ✓		000000290634	OVR-55	000-224	R009	04/17/2018	04/16/2018

Election Total: 16

GRAND TOTAL: 16

*[Handwritten signatures and dates]*  
 [Signature] 4/17/18  
 [Signature] 4/17/18