

**BUNCOMBE COUNTY BOARD OF ELECTIONS
MINUTES OF APRIL 22, 2014**

THE BUNCOMBE COUNTY BOARD OF ELECTIONS MET ON APRIL 22, 2014 AT 5:30 P.M., AT 35 WOODFIN STREET, MEETING ROOM #330, IN ASHEVILLE NORTH CAROLINA, WHERE AND WHEN THE FOLLOWING BUSINESS WAS TRANSACTED:

MEMBERS PRESENT:

Jay Watson, Chairman
Lucy Smith, Member

STAFF PRESENT:

Trena Parker, Director
Rachel Rathbone, Staff
Victoria Leyva, Staff
John Noce, Staff

VISITORS:

The meeting was called to order at 5:33 p.m. Member Smith moved to approve the minutes of April 15th. The motion passed.

The Board examined the absentee applications presented by Rachel Rathbone. Member Smith moved to approve the applications on the list as submitted. The motion passed. (Attached)

Rachel presented the Board with an absentee application that was missing the witness signatures. Rachel explained that she was advised by the State Board of Elections office to notify the voter of the deficiency to give them an opportunity to correct it. Rachel contacted the voter by phone but the message on her voicemail states that she will be out of town until May 13th. Chairman Watson suggested mailing a letter to the voter so that there is not private information on her voicemail that anyone might access. Trena instructed Rachel to contact the State Board of Elections office for guidance before she attempts to contact the voter whether it is by phone or mail.

John informed the Board that as of today we are short 5 Chief Judges, 3 Republican Party Judges, and 47 assistants. John is requesting approval from the Board to begin using workers who are unaffiliated. The Board advised John to contact the party chairs and inform them of the shortage and ask that they send an email to their lists. Member Smith moved to approve the use of unaffiliated workers if John is still unable to find workers after asking the parties for assistance. The motion passed.

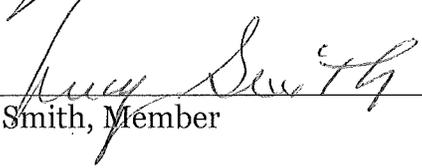
Trena presented to the Board the results of the research conducted for the zero address list provided by Jay DeLancy. Staff members have dedicated approximately 175 labor hours to the task. She stated that there were a number of reasons why these may exist and reasons depend on the size and make-up of a county; Specifically to Buncombe County many represent registrants that registered when the county operated rural routes and there were no street numbers. Many of these types of registration situations have been corrected since our conversion to the statewide database and with countywide implementation of the 911 database. One group represented on the list is registrants

whose address was provided to us by DMV in an incorrect format. The staff has been actively updating addresses since the SEIMS conversion with lots of research taking place over the last two years. The Tunnel Road group of addresses had been tagged with "no ballot style" prior to Mr. DeLancy's research. The remaining zero addresses have been tagged with "no ballot style" and the voter notified of the need to update their address.

The meeting adjourned at 7:10 p.m.



Jay Watson, Chairman



Lucy Smith, Member

North Carolina
Buncombe County

Buncombe County Board of Elections
Before the Board

IN THE MATTER OF:)
Challenge of 95 voter registrations)

HEARING
GS 163-86

THIS MATTER coming on for hearing April 10, 2014, 6:00 p.m., before the Buncombe County Board of Elections, pursuant to North Carolina General Statute 163-85, et. seq., the Buncombe County Board of Elections finds and concludes as follows:

Findings of Fact

1. On March 13, 2014 William Whitehead, a registered voter in the county of Buncombe, filed challenges to the registration of 182 registered voters, pursuant to Carolina General Statute 163-85, et. seq.
2. After giving proper notice and posting, a preliminary hearing was held on March 27, 2014, 6:00pm., by Buncombe County Board of Elections, pursuant to North Carolina General Statute 163-85.
3. At the preliminary hearing, the Board found that pursuant to N.C.G.S. 163-85(e) prima facie evidence existed to sustain the challenges of 95 of the 183 challenged voter registrations.
4. The remaining 87 challenges were not sustained by the Board due to improper mailing, death of the voter, or for other cause found by the Board. The decision of the Board to not sustain those 87 challenges was unanimous as to 32 challenges, and by a majority vote of the Board as to 55 challenges.
5. Pursuant to N.C.G.S. 163-86(b), a hearing on the remaining 95 challenges was scheduled for April 10, 2014, 6:00 pm.
6. Notice and posting of the date, time and location of the hearing was duly given on March 29, 2014,.
7. The hearing was held April 10, 2014, 6:00 pm, with the full Board seated, John Jay Watson, Chairman, Bob Knapp, Secretary, and Lucy Smith, Member. The challenger, William Whitehead, was also present and represented by attorney Gene Johnson. The hearing was well attended by members of the community and media.
8. The hearing was called to order by the Chairman, and a roll call of all 95 names of the voters whose registration was being challenged was made by the Secretary of the Board, after which the Chairman called for any party who was present at the Hearing in response to a notice of challenge to answer or otherwise make their presence known.
9. No party identified themselves as being present in response to a notice of challenge.
10. A brief recess was called to allow time for challenged voters who may be late to arrive. During the recess the Chairman provided a brief explanation of the hearing process and read aloud

applicable portions of the North Carolina General Statutes, as well as answered a question from the audience.

11. Following the recess the Secretary again called the roll of all 95 challenged voters, followed by an open call from the Chairman for any party present at the hearing in response to a notice of challenge to answer or otherwise make their presence known.
12. Again, no party identified themselves as a voter appearing in response to a challenge, nor as a representative appearing on behalf of a voter, nor were any affidavits presented on behalf of any voter.
13. Based on the above findings of fact, the Board concludes as follows:

Conclusions of Law

1. This matter is properly before the Buncombe County Board of Elections.
2. Proper notice was given to all necessary parties.
3. The Challenger has provided prima facie evidence to sustain challenged to the registration of the 95 challenged voters, and no evidence has been offered to rebut the same.
4. Pursuant to N.C. General Statute 163-90(a), when any challenge is sustained for any cause listed under G.S. 163-85(c), the Board shall cancel or correct the voter registration of the voter. The Board shall maintain such record for at least six months and during the pendency of any appeal.

NOW, THEREFORE, IT IS ORDERED, based upon the foregoing Findings of Fact and Conclusions of Law that the challenge of the attached 95 voter registration is Sustained and the voter registration of the 95 voters be cancelled. The Board of Elections directs the staff to so mark the registration of the 95 voters as cancelled, and the registrations shall be cancelled effective immediately upon the expiration of the 10 days allowed by the N.C. Statute for appeal. The Board further directs the Staff to allow 5 days beyond the 10 days for appeal for service of process of any notice of appeal, before taking final action to cancel the registrations of the 95 voters.

This the 10th day of April 2014, nuc pro tunc May 1, 2014.

BUNCOMBE COUNTY BOARD OF ELECTIONS

By: _____

John D. Watson, Chairman

BUNCOMBE COUNTY BOARD OF ELECTIONS

EXECUTED ABSENTEE BALLOTS - PRECINCT SEQ.

ELECTION DATE = "05/06/2014"

ABSENTEE TYPE = "CIV"

BOARD MEETING DT (yyyymmdd) = "2014-05-03 01:00PM"

- 1: VAD.ballot_return_lbi = "OK" AND
- 2: VAD.ballot_approval_dt <> "" AND
- 3: VAD.ballot_return_dt_str <> "" AND
- 4: VAD.is_bill_fm_before_elect_dt = 1

PCT	VTD	MUNI	NAME	RR	VRN	APPLICATION NUM	BALLOT NUM	BALLOT STYLE	BOARD MTG DATE	RETURN DATE
01.1	01.1	ASHE	MARTINEZ, ANNA MARIE		000000336653	CIV-309	000-338	D009	05/03/2014	04/30/2014
01.1	01.1	ASHE	NELSON, ERIC ALLAN		000000268288	CIV-308	000-337	N016	05/03/2014	05/02/2014
01.1	01.1	ASHE	RENFROE, MARJORIE A		000000254813	CIV-279	000-308	D009	05/03/2014	05/02/2014
03.1	03.1	ASHE	LEWIS, SAMUEL DAVID		000000397356	CIV-295	000-324	D009	05/03/2014	05/03/2014
05.1	05.1	ASHE	FREEDMAN, ABE SOL		000000020943	CIV-488	000-522	D009	05/03/2014	05/03/2014
05.1	05.1	ASHE	MOORE, MARLYN JOANNA	Y	000000390972	CIV-134	000-163	D010	05/03/2014	05/02/2014
06.1	06.1	ASHE	MOSS, HAZEL BLAINE		000000005683	CIV-169	000-198	D009	05/03/2014	05/01/2014
07.1	07.1	ASHE	ARTHUR, ALETA HARMONY		000000300501	CIV-444	000-475	D009	05/03/2014	05/02/2014
07.1	07.1	ASHE	MELLER, WILLIAM FARRELL		000000309660	CIV-443	000-474	D009	05/03/2014	05/02/2014
08.3	08.3	ASHE	ECKERT, JANICE COOMBS		000000291896	CIV-304	000-333	D009	05/03/2014	05/02/2014
08.3	08.3	ASHE	MAGGI, GAIL ROSALIE		000000390992	CIV-348	000-379	N016	05/03/2014	05/03/2014
08.3	08.3	ASHE	MAGGI, STANLEY JOHN		000000390994	CIV-347	000-378	R001	05/03/2014	05/03/2014
11.1	11.1	ASHE	STEENERSON, EDWARD L		000000196103	CIV-243	000-272	D009	05/03/2014	05/01/2014
13.1	13.1	ASHE	VEACH, DONALD P		000000171981	CIV-356	000-387	R001	05/03/2014	05/03/2014
16.2	16.2	ASHE	BRYAN, LEWIS F		000000008380	CIV-468	000-502	D009	05/03/2014	05/02/2014
16.2	16.2	ASHE	HARBISON, JEANNETTE HAYNE		000000025378	CIV-266	000-295	D009	05/03/2014	05/02/2014
16.2	16.2	ASHE	JOHNSON, JOSIAH V		000000358951	CIV-477	000-511	D009	05/03/2014	05/02/2014
18.2	18.2	ASHE	BELT, NANCY D		000000366394	CIV-428	000-459	R003	05/03/2014	05/01/2014
18.2	18.2	ASHE	CAST, DIANE		000000392090	CIV-139	000-168	D012	05/03/2014	05/02/2014
18.2	18.2	ASHE	FORT, MARIETTA ELGER		000000073299	CIV-481	000-515	R003	05/03/2014	05/02/2014
18.2	18.2	ASHE	GOODWIN, LOREE PRESNELL		000000364244	CIV-398	000-429	D012	05/03/2014	05/02/2014
18.2	18.2	ASHE	HASSALL, ROBERT EDWARD		000000396999	CIV-436	000-467	D012	05/03/2014	05/03/2014
18.2	18.2	ASHE	KERSBERGEN, ALVERN JUNIOR		000000364804	CIV-392	000-423	R003	05/03/2014	05/03/2014
18.2	18.2	ASHE	KERSBERGEN, BARBARA HOUSH		000000364809	CIV-391	000-422	R003	05/03/2014	05/01/2014
18.2	18.2	ASHE	MACKEY, TONY	Y	000000392097	CIV-292	000-321	D012	05/03/2014	05/02/2014
18.2	18.2	ASHE	SIEGLITZ, CATHERINE ROSS		000000379158	CIV-467	000-498	R003	05/03/2014	05/02/2014
18.2	18.2	ASHE	STEVENS, PATRICIA LAND		000000309591	CIV-117	000-146	D012	05/03/2014	05/03/2014
18.2	18.2	ASHE	STEVENS, PHINEAS		000000309582	CIV-118	000-147	D012	05/03/2014	05/03/2014
18.2	18.2	ASHE	STEWART, BILLIE L		000000188297	CIV-382	000-413	D012	05/03/2014	05/02/2014

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PCT	VTD	MUNI	NAME	RR	VRN	APPLICATION NUM	BALLOT NUM	BALLOT STYLE	BOARD MTG DATE	RETURN DATE
ELECTION DATE: 05/06/2014										
13	18.2	101.1	ASHE STEWART, DAVID WOOD		000000194712	CIV-383	000-414	D012	05/03/2014	05/02/2014
	19.1	103.1	ASHE SANTIAGO, ROSARIO DEL PILAR		0000000397692	CIV-207	000-236	D011	05/03/2014	05/02/2014
	21.1	103.1	ASHE THORNTON, RICHARD PRICE		000000072361	CIV-355	000-386	R001	05/03/2014	05/02/2014
	22.2	104.1	ASHE MCGOWAN, DONALD EDWIN		0000000355973	CIV-203	000-232	N016	05/03/2014	04/30/2014
	24.1	24.1	ASHE SWEENEY, PAUL J		0000000058791	CIV-476	000-510	D012	05/03/2014	05/02/2014
	26.1	26.1	ASHE CONYERS, ROBERT LEWIS III		0000000392886	CIV-483	000-517	D011	05/03/2014	05/03/2014
	26.1	26.1	ASHE CONYERS, ROBERT LEWIS JR		000000104571	CIV-482	000-516	D011	05/03/2014	05/03/2014
	29.2	102.1	ASHE AYCOCK, FRANCES THOMPSON		0000000346291	CIV-474	000-508	D011	05/03/2014	05/02/2014
	29.2	102.1	ASHE DECK, LUCIUS LINTON JR		0000000314918	CIV-100	000-129	D011	05/03/2014	05/01/2014
	32.1	32.1	ASHE ROSENTHAL, PEARL	Y	000000166345	CIV-220	000-249	D012	05/03/2014	05/03/2014
	32.1	32.1	ASHE KING, BETTY SKINNER		000000224596	CIV-447	000-478	D010	05/03/2014	05/02/2014
	35.1	35.1	BMTN LONG, WILLIAM LEE		000000036132	CIV-325	000-356	R001	05/03/2014	05/03/2014
	36.1	36.1	BMTN LUCAS, MARY CLARK		0000000036376	CIV-281	000-310	D010	05/03/2014	04/30/2014
	37.1	37.1	BMTN EASTRIDGE, ELDON WOODROW		0000000257893	CIV-399	000-430	R001	05/03/2014	05/02/2014
	38.2	38.2	ASHE HALKO, JANET MARIE		000000071539	CIV-142	000-171	R007	05/03/2014	05/02/2014
	41.1	41.1	ASHE GUNTER, CAROLYN DEBRUHL		000000024430	CIV-406	000-437	D014	05/03/2014	05/01/2014
	41.1	41.1	ASHE OLIVER, CLYDE		000000244873	CIV-463	000-494	D014	05/03/2014	05/01/2014
	41.1	41.1	ASHE REIGSTAD, PATTY CLEAR		0000000392441	CIV-342	000-373	R002	05/03/2014	05/03/2014
	42.1	105.1	ASHE TAYLOR, MABEL ALISE		000000080847	CIV-306	000-335	D009	05/03/2014	05/03/2014
	43.2	106.1	ASHE BECHINSKY, NEIL		000000289720	CIV-283	000-312	D009	05/03/2014	05/03/2014
	43.2	106.1	ASHE BECHINSKY, SYLVIA		000000290021	CIV-293	000-322	D009	05/03/2014	05/02/2014
	44.1	44.1	ASHE BRIGHTON, CHRISTINE		000000258700	CIV-119	000-148	D012	05/03/2014	04/30/2014
	44.1	44.1	ASHE BRIGHTON, JOHN		000000258382	CIV-120	000-149	D012	05/03/2014	04/30/2014
	44.1	44.1	ASHE LEDZIAN, SOPHIE ELIZABETH		000000285887	CIV-121	000-150	D012	05/03/2014	04/30/2014
	44.1	44.1	ASHE MASSEY, ALVIN		000000273193	CIV-91	000-120	R005	05/03/2014	05/02/2014
	44.1	44.1	ASHE MASSEY, TERESA ROBERTS		000000168976	CIV-92	000-121	R005	05/03/2014	05/02/2014
	45.1	45.1	ASHE TEDROW, MICHAEL		000000367467	CIV-337	000-368	R005	05/03/2014	05/03/2014
	45.1	45.1	ASHE TEDROW, VANESSA		000000367468	CIV-338	000-369	R005	05/03/2014	05/03/2014
	46.1	46.1	ASHE JONES, AFTON RUTH		000000166268	CIV-280	000-309	D012	05/03/2014	05/01/2014
	46.1	46.1	ASHE MORGAN, DORIS CAROLYN		000000064320	CIV-198	000-227	R003	05/03/2014	05/02/2014
	46.1	46.1	ASHE MORGAN, HERSCHEL SCOTT		000000115807	CIV-197	000-226	R003	05/03/2014	05/02/2014
	47.1	47.1	ASHE LAMBERT-SLUDER, ROSE EMORY		0000000393846	CIV-263	000-292	D012	05/03/2014	05/02/2014
	49.1	49.1	ASHE MOLINE, JESSICA ANNE		0000000369769	CIV-352	000-383	R005	05/03/2014	05/03/2014
	49.1	49.1	ASHE POORE, GAIL BURNETTE		000000047339	CIV-375	000-406	D012	05/03/2014	05/02/2014
	50.1	50.1	ASHE BARRY, DARRELL LLOYD		000000217750	CIV-300	000-329	R002	05/03/2014	05/02/2014
	50.1	50.1	ASHE BARRY, FRED A		000000208882	CIV-299	000-328	R002	05/03/2014	05/02/2014
	51.2	107.1	ASHE BAILEY, GERALDINE M		0000000039071	CIV-240	000-269	R002	05/03/2014	05/02/2014
	51.2	107.1	ASHE BAILEY, RUFUS HAROLD	Y	0000000003143	CIV-365	000-396	R002	05/03/2014	05/02/2014

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BUNCOMBE COUNTY BOARD OF ELECTIONS

EXECUTED ABSENTEE BALLOTS - PRECINCT SEQ.

PCT	VTD	MUNI	NAME	RR	VRN	APPLICATION NUM	BALLOT NUM	BALLOT STYLE	BOARD MTG DATE	RETURN DATE
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ELECTION DATE: 05/06/2014

51.2	107.1		FORGIE, KENNETH OWEN		000000364990	CIV-188	000-217	R002	05/03/2014	05/03/2014
51.2	107.1		FORGIE, NANETTE LOUISE		000000364991	CIV-187	000-216	R002	05/03/2014	05/03/2014
52.1	52.1		CONNER, MICHAEL LEE		000000153999	CIV-465	000-496	D014	05/03/2014	05/02/2014
52.1	52.1		CONNER, MIRIAM A		000000154000	CIV-466	000-497	D014	05/03/2014	05/02/2014
52.1	52.1		TAYLOR, CYNTHIA LYNN		000000238540	CIV-440	000-471	R005	05/03/2014	05/01/2014
52.1	52.1		TAYLOR, JAMES DAVID JR		000000145296	CIV-429	000-460	R005	05/03/2014	05/01/2014
55.1	55.1		MCCUE, JAMES COLTON	Y	000000292960	CIV-270	000-299	R008	05/03/2014	05/03/2014
55.1	55.1		MOWITZ, DIANE KAYE		000000326655	CIV-48	000-76	D013	05/03/2014	05/02/2014
55.1	55.1		MOWITZ, JAMES E	Y	000000335655	CIV-49	000-77	D013	05/03/2014	05/02/2014
57.1	57.1		MILLER, ROBERT LEE JR		000000204873	CIV-274	000-303	R003	05/03/2014	05/01/2014
59.1	59.1		LAREAU, CAROL OWENS		000000142142	CIV-427	000-458	R008	05/03/2014	05/01/2014
60.2	60.2		MCCURRY, CAROLYN HOPE		000000210777	CIV-135	000-164	D014	05/03/2014	05/03/2014
61.1	61.1		KURTZ, RICHARD ARLEN		000000173455	CIV-29	000-54	R001	05/03/2014	04/30/2014
64.1	64.1		KOON, KELLY MCKENZIE		000000362210	CIV-26	000-51	D010	05/03/2014	05/02/2014
69.1	69.1		DEWESE, MAC ARTHUR		000000234338	CIV-509	000-543	R001	05/03/2014	05/03/2014
69.1	69.1		NORRIS, MELVIN JAMES		000000108996	CIV-233	000-262	R005	05/03/2014	05/01/2014
69.1	69.1		NORRIS, SHARON JAMES		000000108997	CIV-353	000-384	R005	05/03/2014	05/01/2014
69.1	69.1		STERN, LEONA		000000177751	CIV-20	000-45	D012	05/03/2014	05/02/2014
70.1	70.1		DAWES, LESTER RAY		000000371774	CIV-462	000-493	D010	05/03/2014	05/02/2014
70.1	70.1		IRELAND, KATRINA LEE		000000339505	CIV-331	000-362	D010	05/03/2014	05/02/2014
70.1	70.1		JUBINVILLE, MICHELLE ANN		000000361548	CIV-442	000-473	R001	05/03/2014	05/02/2014
70.1	70.1		LIDDELL, ANN MAKEMSON		000000350591	CIV-371	000-402	D010	05/03/2014	05/02/2014
71.1	71.1		ENSLEY, MARGARET R		000000018921	CIV-438	000-469	R002	05/03/2014	05/02/2014
71.1	71.1		MILNER, MARIA LISA		000000160959	CIV-333	000-364	D014	05/03/2014	05/02/2014

Election Total: 91

GRAND TOTAL: 91

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BUNCOMBE COUNTY BOARD OF ELECTIONS

Duplicated

ALL MIL

to date

EXECUTED ABSENTEE BALLOTS - PRECINCT SEQ.

ELECTION DATE = "05/06/2014"
 ABSENTEE TYPE = "MIL"
 1: VAD.ballot_return_lbl = "OK" AND
 2: VAD.ballot_approval_dt <= "" AND
 3: VAD.ballot_return_dt <= "" AND
 4: VAD.is_bill_rtn_before_elect_dt = 1

PCT	VTD	MUNI	NAME	RR	VRN	APPLICATION	BALLOT	BALLOT	BOARD	RETURN
						NUM	NUM	STYLE	MTG DATE	DATE
04.1	04.1	ASHE	GOODE, BRANT BYRON		000000370626	MIL-4	000-26	D009	05/03/2014	05/01/2014
MAILED BY SCANNERS	34.1	BMTN	WAFORD, CAROLYN ROSELL		0000000147122	MIL-1	000-23	R001	04/15/2014	03/28/2014

Election Total: 2

GRAND TOTAL: 2

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MS 5/3/14

BUNCOMBE COUNTY BOARD OF ELECTIONS

EXECUTED ABSENTEE BALLOTS - PRECINCT SEQ.

ALL OVR TO DATE

ELECTION DATE = "05/06/2014"
 ABSENTEE TYPE = "OVR"
 1: VAD_ballot_return_flg = "OK" AND
 2: VAD_ballot_approval_dt <> "" AND
 3: VAD_ballot_return_dt_str <> "" AND
 4: VAD_is_bill_frn_before_elect_dt = 1

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PCT	VTD	MUNI	NAME	RR	VRN	APPLICATION NUM	BALLOT NUM	BALLOT STYLE	DATE
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ELECTION DATE: 05/06/2014

01.1	01.1	ASHE	COTE, MARCEL VINCENT		000000273634	OVR-20	000-348	D009	04/22/2014
04.1	04.1	ASHE	FALENDER, LAURA ELLEN		000000356000	OVR-12	000-18	D009	04/15/2014
05.1	05.1	ASHE	CHAPMAN, ANDREW SCOTT		000000371046	OVR-15	000-21	D010	04/29/2014
28.1	28.1	ASHE	RUDOW, CALEB ZACHARY		000000363591	OVR-9	000-15	D009	05/03/2014
32.1	32.1	BMTN	LEBRUN, JUDITH ANNETTE		000000274161	OVR-22	000-501	R001	05/03/2014
33.2	33.2	BMTN	FRYBERGER, ANNELIES WILSON		000000222371	OVR-8	000-14	D010	04/29/2014
35.1	35.1	BMTN	GROENEVELD-ELDER, JANIE ELLEN		000000329304	OVR-2	000-8	D010	04/29/2014
69.1	69.1		SEIBEL, MARK W		000000341013	OVR-18	000-36	R005	04/15/2014
69.1	69.1		SEIBEL, PATTY JO		000000341014	OVR-17	000-35	R005	04/15/2014

Election Total: 9

GRAND TOTAL: 9

PKC 5/3/14
WJ 5/13/14