

TRANSYLVANIA COUNTY BOARD OF ELECTIONS
SPECIAL MEETING MINUTES
June 22, 2023

The special meeting of the Transylvania County Board of Elections to consider the Mary C. Jenkins Community & Cultural Center as a polling site was called to order by Chair Champion at 10 a.m. on Thursday, June 22, 2023, at 150 South Gaston Street, Brevard, NC 28712.

Present

Board Members:

Staff Members:

Chair: Sara Champion
Secretary: Lee McMinn
Sandy Watson
Wendy Warwick
Judith West

Director: Jeff Storey

Visitors: Kathleen Barnes, Jeff Brewer, Ruth Christensen, Desmond Duncker, Deda Edney, Sam Edney, Wanda Foster, Victor Foster, Carol Gardner, Altha Gordon, Rachel Hall, Wendy Hawkins, Barb Jackson, Herschel Johnson, Jamie Johnson, Maureen Keate, Steve Keate, Julia Kennerly, Susan Lefler, Diane Livingston, Jayne Mallwitz, Connie Parrish, Susan Threlkel, Tom Smith, Rosalynn Storer, Richard Tucker, Nona Walker, Rich Warwick, Bruce Watson, Alice Wellborn

Review and approval of agenda

Chair Champion asked for a review of the agenda. **Secretary McMinn made a motion to approve the agenda. The motion carried unanimously.**

Director presentation of Brevard #2 polling site locations

The director presented a brief overview of previous polling sites in the Brevard #2 precinct. Maps were shown revealing the locations of the Veteran's of Foreign Wars (VFW) building, the Mary C. Jenkins Community & Cultural Center building, and the Brevard Music Center location from 2014. The distance between VFW and Mary C. Jenkins is 0.6 miles. Both locations were found to be in compliance with ADA requirements for voting. VFW's parking area contains 38 designated slots. Mary C. Jenkins has 8 in the upper-level parking and 35 in the lower-level parking resulting in 43. Director Storey provided the board with current voter registration numbers for the Brevard #2 precinct and the voter turnout since 2010 for all general elections. The average turnout was 326 voters on Election Day. The director compared the precinct layouts for each location used by precinct workers to set up the polling site. It was noted that there was currently one entry / exit point for the VFW and multiple exit points for the Mary C. Jenkins site. Secretary McMinn voiced concern over the single-entry exit point at VFW in the event of an emergency. Chair Champion asked the director to show the precinct map again showing parcels and population density in relation to the polling site locations. Secretary McMinn asked if Mary C. Jenkins was more centrally located for the population. The director responded that it would be for city elections and arguably so for county elections with only 0.6

miles difference. Chair Champion asked if there were any more questions from the board before moving on to public comments.

Public Comments

Having worked as an electioneer, Connie Parrish stated Mary C. Jenkins had sidewalks and lighting and felt it would be better suited to safety concerns compared to the VFW.

Alice Wellborn stated community centers are a traditional place for voting in the county and felt Mary C. Jenkins would be a reasonable place to vote.

Tom Smith, having served as chief judge for the Brevard #2 precinct since 2016, thanked the board for the opportunity to speak and indicated more people would have been present had the meeting been held in the evening. Mr. Smith stated he wanted to discuss 3 topics: the record of the B2 precinct, concerns with the Mary C. Jenkins Center, and concerns with the public over moving the polling site. Mr. Smith indicated as chief judge, he has never received any indication from the public regarding parking or the location of the VFW polling site. Mr. Smith stated the site has been successful due to the recruiting efforts and support from staff and the Board of Elections. Mr. Smith mentioned minority workers have previously worked in the VFW and there have been unsuccessful attempts to recruit more. Mr. Smith indicated transportation issues would not be a valid reason to move the polling site as public transportation is available for early voting, absentee by mail is an additional option, and Election Day is 13 hours. Mr. Smith took issue with comments posted on social media that minority voters were being suppressed by having the polling site at the VFW. Chair Champion interjected that conversations regarding racial bias would not be allowed in discussions over a polling site move. The emphasis is on the facility, comfort for poll workers, and accessibility to voters. The chair stated the decision is not racially motivated. Member Warwick objected to the chair's comments and felt race was a big part of the discussion today. Mr. Smith voiced concerns about the distance from the parking area to the Mary C. Jenkins building and the adequacy of parking spaces for the volume of voters on Election Day. Mr. Smith voiced concerns over the scheduling, security, and access to the building while used as a precinct. Mr. Smith compared the use of Mary C. Jenkins for cultural events to the use of churches as polling sites and was concerned the general public may take issue with displayed materials if precautions were not taken to make it more hospitable to everyone. Mr. Smith was also concerned with the administrative effort to move a precinct including signage and notifying the public. Lastly, Mr. Smith suggested the board conduct an informal poll to gauge public interest in the location of the B2 polling site or delay the decision until a meeting could be held in the evening allowing greater input from the public.

Shay Dalton, who serves as a precinct chair, voiced concerns with the number of accessible parking places for those who were not necessarily handicapped but included pregnant women. The distance from the lower parking area to the building was a concern. Ms. Dalton also felt mailings notifying the affected voters of a polling site change could be problematic and easily overlooked by the voter. Moving a polling site could have the effect of decreased voter turnout rather than increasing it due to confusion. Ms. Dalton suggested having another meeting in the evening to allow greater input for those who work and to give the public a greater voice in the decision.

Herschel Johnson voiced concerns over the process to move a precinct location and asked the Board for clarification on what the intent was to move the polling site. Mr. Johnson expressed concern that the Brevard #2 Chief Judge was not consulted in the process and felt the chief

judge would have a good insight into the public opinion within the precinct. Mr. Johnson reiterated a public meeting in the evening would have provided better input for the decision with pros / cons for moving the location.

Jeff Brewer, who serves as party chair for the Transylvania County Republican Party reiterated concern over of the B2 Chief Judge not being consulted. Mr. Brewer hoped the level of interest and attention seen in moving a polling site within Brevard #2 would be reciprocated when looking at polling sites within rural precincts in the county. Mr. Brewer referred to the Board of Election's decision to merge 7 precincts into 4 in 2012 and felt voters in the affected areas could be disenfranchised. Mr. Brewer appreciated the deep study in Brevard #2 and hopes that it correlates to a similar level of detail for rural precincts and any possible future changes.

BOARD COMMENTS

Chair Champion asked the director to respond to questions regarding notifications to voters affected by a polling site change. Director Storey stated by statute, voters are notified through their mailing address on record. A new voter registration card is issued and mailed containing the new polling site along with a letter and map explaining the change. Updates to the state and local websites are made to reflect the new polling site and publicized through local and social media outlets. Signage is also created and displayed at the former polling site directing voters to the new location. Chair Champion reiterated the board doesn't arbitrarily move polling sites but is based on circumstances, the facilities, and the best experience for the voter. The chair referenced reasons for previous moves at East Fork and Brevard #4 with the focus on what is best for the voters, workers, and staff.

Member Watson was concerned about the tight turn around in the upper parking level and the incline from the lower parking level. Signage would need to be clearly displayed directing voters. Member Watson feared that while not steep, the incline could be a potential impediment to voting at the Mary C. Jenkins site.

Secretary McMinn spoke of reasons for moving it to the Mary C. Jenkins site, including it is a suitable city government building. The VFW, while functional, is a private non-profit. Mr. McMinn stated the board has visited the Mary C. Jenkins site. It is a new facility with more lighting and better flow of voter traffic. Historically, the polling site was moved due to the deterioration of the old Mary C. Jenkins Community Center over 15 years ago. Overall, Secretary McMinn felt the new Mary C. Jenkins building is more welcoming for voters and invited the public to visit it for themselves. Addressing the concern over security and building access, the secretary stated the director of Mary C. Jenkins, Tyree Griffin and board members of the facility have given assurances that the building will meet the needs required to conduct the election. Secretary McMinn, based on the maps provided, also felt the Mary C. Jenkins was more centrally located, albeit only 0.6 miles apart.

Chair Champion asked the director to clarify the use of government buildings with elections and how that related to scheduling. Director Storey described the differences in using government owned facilities versus private facilities for elections. Statutorily, county boards of elections have the authority to utilize government facilities while agreements are negotiated with non-public facilities. Not all precincts have county owned facilities suitable for voting, hence agreements are made with community centers, for example. It was noted that Mary C. Jenkins is owned by the City of Brevard.

Member West reviewed factors involved with the decision including entrance and egress, accessibility, lighting and restated the Board's decision is focused on each facility.

Consideration of the Mary C. Jenkins Community & Cultural Center

Based on the factors presented, **Member West made a motion to adopt the resolution to move the polling site for the Brevard #2 precinct to the Mary C. Jenkins Community & Cultural Center.** Member Warwick thanked the public for coming and providing input; and the staff for the preparation involved in helping the Board with the decision. Member Warwick stated that the Transylvania County Board of Elections is committed to conducting fair, honest and impartial elections for all citizens in Transylvania County. Member Warwick indicated there have been no complaints regarding the VFW polling location and believed moving the site was racially motivated based on comments from the director of the Mary C. Jenkins Center and social media posts from the NAACP. As an impartial board, Member Warwick felt strongly that the move shouldn't be based on racially charged intentions, and therefore would not be in favor of adopting the resolution.

Chair Champion spoke of her experiences as an electioneer, a precinct official, a board member, and a voter as related to polling sites. The chair, having been to both sites involved in the decision, felt the Mary C. Jenkins building provided better access and egress options for both voter traffic and emergency evacuations. Additional exterior restrooms in the new building were a nice convenience for the public. Chair Champion understood the concerns with parking distance from the Mary C. Jenkins building but felt it was comparable to other polling sites, such as the Porter Center in Brevard #4. Chair Champion acknowledged there have been no complaints about the VFW as a polling site, but stated the Board is comparing facility to facility as to the best option for voters and precinct workers.

Member Watson asked if someone from the Mary C. Jenkins Center was available for comment regarding security. Susan Threlkel spoke on behalf of the Mary C. Jenkins Center and addressed all concerns related to scheduling and security access. There were no further discussions.

Chair Champion called the motion to adopt the resolution for a vote. The motion passed 3-2 with Members Sara Champion, Lee McMinn, and Judith West in favor and Members Sandra Watson and Wendy Warwick opposed.


Discussion of SB 749

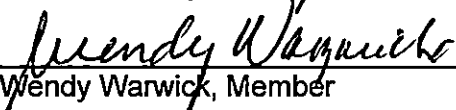
Chair Champion asked the director for a comment regarding the proposed legislative changes in Senate Bill 749. Director Storey informed the public that county boards of elections do not get involved in legislation and that the Board's discussion is based on administrative effects in relation to the proposed changes. The director shared concerns regarding conflicts of interests that could arise between the county boards of elections and the county boards of commissioners if the bill passed as proposed. Currently the Executive Director of the State Board of Elections appoints the county directors based on the input from the bi-partisan county boards of elections. The bill would move hiring authority to the county boards of commissioners who may not have a bi-partisan board. Each county director is also responsible for auditing the campaign finances of local candidates and elected officials including county commissioners, which could create a conflict of interest. Secretary McMinn voiced concerns that the proposed changes could unduly influence administrative processes in the conduct of elections. Member

Warwick wanted clarification on the appointment process. Director Storey stated currently a five-member bipartisan board interviews and submits the recommendation to the State Board of Elections. The State Board of Elections Executive Director then appoints the county directors. The proposed changes would reduce local county boards of elections to four members and give the county boards of commissioners hiring authority over county elections directors. Member West agreed with the concerns addressed by the director. **On a motion by Member West, the board unanimously agreed to sign the letter voicing concerns of administrative conflicts of interests with the proposed bill.**

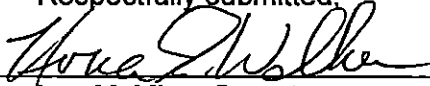
There was no further discussion.

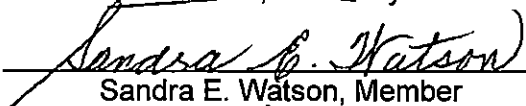
On a motion by Chair Champion, the meeting adjourned at 11:14 a.m. The next scheduled meeting will be the organizational meeting of county boards of elections at 12 noon on July 18, 2023, at 150 South Gaston Street, Brevard, NC 28712. Appointed board members will be given oaths, organize, and conduct other business.

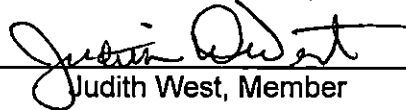

Sara G. Champion, Chair


Wendy Warwick, Member

Respectfully submitted,


Lee McMinn, Secretary


Sandra E. Watson, Member


Judith West, Member

Approved by Board on: JULY 18, 2023