

Tuesday, January 12, 1993 8:15 A. M.

OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met in the board of elections office on Tuesday, January 12, 1993 at 8:15 A.M. Members present were David Abernethy, Bill Hasty and Albert Yount.

Each member had minutes of previous meeting prior this meeting. The chairman, Mr. Abernethy asked if there were any corrections or additions to the minutes. Hearing none, he stated they stand approved.

The changing of the polling place for Monogram #21 precinct had been discussed by phone between the three members. The Monogram Community Center was being sold and we had to vacate. Olivett Baptist Church invited the Board to use their fellowship hall with some stipulations. By majority vote, the polling place for Monogram precinct #21 was changed to Olivett Baptist Church, effective February 1, 1993. Mr. Hasty voted no. Mr. Abernethy signed the legal ad and resolution.

RESOLUTION REGARDING CHANGE OF PRECINCT  
MONOGRAM #21 PRECINCT POLLING PLACE

WHEREAS, North Carolina General Statute 163-128 allows the county board of elections to change voting places within a precinct;

NOW, THEREFORE, BE IT RESOLVED by the Catawba County Board of Elections, that the voting place for Monogram #21 precinct will be moved from the Monogram Community Center TO OLIVETT BAPTIST CHURCH, Long Island, N. C.

BE IT FURTHER RESOLVED that a copy of this Resolution be filed with the North Carolina State Board of Elections.

BE IT FURTHER RESOLVED that notice shall be given by advertisement in a newspaper having general circulation in Catawba County, by posting a copy of this resolution at the Catawba County Courthouse door, and by mailing a copy of this resolution to the chairman of every political party in the County of Catawba.

I, David Abernethy, Chairman of the Catawba County Board of Elections, do hereby certify that the foregoing is a true, exact and correct copy of a resolution adopted by the Catawba County Board of Elections on January 12, 1993.

Witness my hand and seal of this office, this 12 day of January, 1993.

David Abernethy  
Chairman, Catawba County Board of Elections

The March 16, 1993 School Bond Referendum ballot facsimile was discussed and reviewed. Mr. Hasty had questions about the instructions. They were explained to his satisfaction. The wording was given by the bonding counsel. It was unanimous the facsimile be approved. David Abernethy moved to use a traditional paper ballot (not machine ballot). This was seconded by Albert Yount and unanimously approved. It was agreed by all to order 100% of registered voters based on estimated number of voters after the purge.

The purchasing of a shredder was discussed. It was agreed not to make the purchase.

The supervisor reported 3 situations where a voter was on two registration books and two poll books. One person was recorded in two precincts and was on two poll

books (one printed on our registration books and one the voter was written in). There was no precinct transfer (yellow) or Notice of Election Day Transfer (green) filed. David Abernethy moved to send letters to both registrars and ask that they shed some light on this. Albert Yount seconded the motion.

Two other persons were on two precinct books (1, our printed registration book and one written in and on two poll books. A Notice of Election Day transfer was on file for both. There was no precinct transfer (yellow) on file for either. David Abernethy moved to send letters to both registrars and set out the facts. Ask them if the names were entered by error and confirm back to us. This motion was unanimous.

Mr. Abernethy stated he had no objection to talking about the fall election. In the discussion it was decided to check on the following:

Purchasing of static mats for the tabulators.  
Have additional print-outs for the election in the precincts.

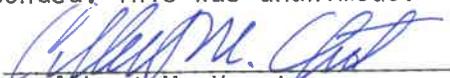
David Abernethy moved to budget for additional copies of voter registration books.

The problem with registrations was discussed as some never get turned in. David Abernethy suggested we get a booklet of registration forms from Mecklenburg County and take a look at them. Theirs was discussed at a district meeting of election board members. The supervisor advised the forms may be changing due to the new law of registrations by mail effective 7/1/93.

The size of the precincts were discussed based on problems in the last election. This was discussed thoroughly, especially those over 2,000 voters. It was pointed out that splitting some of those precincts alphabetically helped, but the number of ballots caused the bottleneck at the tabulator, and also caused the tubs to over-fill. The three largest precincts were discussed in terms of splitting. Those precincts were Sherrills Ford #31, Springs #33 and Viewmont 3 #38. Mr. Abernethy felt the Board should make an inquiry of the people in these areas before doing anything. Bill Hasty made motion that the Board consider Catawba County precincts as a whole and examine with thoughts of consolidation and dividing precincts as needed for ease of voting and the Board has designated dates for meeting for the Bond Referendum and we use them in a dual purpose. This motion was seconded by Albert Yount. Discussion called. David Abernethy had done preliminary work and shared it. If split Viewmont 3 #38 along Hwy 127 N, would be 1490 voters on East side and 1212 voters on West side. If split Springs #33 along Springs Road, would be 1748 voters to the North and 2165 voters to the South. In splitting Sherrills Ford #31, there were 3 different areas it could be done. David Abernethy made motion to amend the motion on the floor not to look at every line county wide, bearing in mind the need to re-educate the people, not worth it to do on a county wide basis. Would like to have a hearing of people in the area of the three largest precincts and consolidation of the 2 Longview boxes. This amended motion was seconded by Albert Yount. Vote call. David Abernethy and Albert Yount voted aye, Bill Hasty voted no. Motion as amended was passed.

It was decided to get a growth map of the county, maybe from Western Piedmont Council of Government. Next meeting was scheduled for 1/26/93 and at that meeting will schedule a public hearing.

Bill Hasty moved to adjourn. Albert Yount seconded. This was unanimous.

  
Albert M. Yount

1/12/93. The supervisor advised each board member by phone for the minutes that the Campaign Reporting for the annual report (or final) will be mailed 1/15/93.

Tuesday, January 26, 1993 8:15 A. M.

OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met in the office of the board of elections Tuesday, January 26, 1993 at 8:15 A. M. Members present were David Abernethy, Bill Hasty and Albert Yount.

Each member had minutes of previous meeting prior this meeting. The members were asked if there were any corrections, hearing none, the chairman announced "they stand approved".

The polling place for Mtn View 2 #24 was discussed because of information from the registrar. It was agreed to contact the registrar again for further information.

The Board discussed the three persons where the records showed a voting record in two precincts. The office had secured information from the registrars of two precincts. It was unanimous to write two of the persons and turn the other one over to the district attorney. (Niehoff and Zimmerman were written by the chairman, and Seagle was turned over to D.A. by the chairman). The Board members requested David Abernethy to call the one registrar we had not heard from.

The Board discussed the static mats again and agreed to check with Steve Rickey about electric static mats.

It was agreed by all members to budget \$1700.00 for precinct print-outs for the May 1994 Primary.

A memo to David Abernethy from Toni Kelly was read and Mrs. Kelly requested it be a part of the minutes.

"Toni Kelly called for David Abernethy on 1/25/93 to let him know how much she appreciated Joyce's being so helpful in getting her husband registered".

The Board discussed registration forms in a pad form for Libraries and special drives. David Abernethy recommended getting a bid from a couple of printing companies.

The Board discussed growth areas of the county in reference to precinct sizes. It was unanimous to have 3 public hearings for citizen input. The hearings are as follows:

1. Pct. 17, #18 & #38 on Saturday, February 13, 1993 at 9:00 A. M. City Hall in Hickory
2. Pct 21 & #31 on Saturday, February 20, 1993 at Sherrills Ford Library at 9:30 A. M.
3. Pct. 33 on Saturday, February 27, 1993 at 9:00 A. M. at Mt. Zion Lutheran Church.

The Board agreed for the supervisor to draft the public hearing and Mr. Abernethy would do the question.

NEW BUSINESS: The supervisor presented each member with the 1993-1994 Fiscal Year Budget for their review and approval. Bill Hasty moved to take it home to study and approve at next meeting.

Bill Hasty moved to go into executive meeting to discuss personnel. They reconvened back into regular session and adjourned. No action taken.

  
Albert M. Yount, Secretary

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Saturday, February 13, 1993 9:00 A.M.

## OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met in the board room at City Hall, Hickory on Saturday, February 13, 1993 at 9:00 a.m. Members present were David Abernethy, Bill Hasty and Albert Yount.

Each member had minutes of previous meeting. They were approved unanimously as submitted.

The purpose of this meeting was for a public hearing for citizen input about splitting Viewmont 3 #38 precinct and merging Longview 1 #17 and Longview 2 #18. No citizen showed for or against the question. Albert Yount advised the Board of comments from Bruce Meisner, Alderman for Ward 2. Mr. Meisner thought it was an excellent idea to split Viewmont 3 #38 precinct (he lives in #38) and the polling place a good choice. Name changes were discussed. The purpose of this meeting was discussed thoroughly and a decision will be made after all public hearings are held.

The supervisor was asked to check with Bethel Methodist Church about the merging of Longview 1 #17 and Longview 2 #18, and retaining their church as the polling place, if the double traffic would be a problem if continued to use their fellowship hall as a polling place.

The proposed budget was submitted to members for their review as to deletions, additions and approval at last meeting to be discussed at this meeting. In discussion Mr. Hasty requested the office to purchase a good tape recorder. Mr. Abernethy suggested, if the Board did request a tape recorder, it be the kind you put microphone in middle of table such as for taking depositions. It was agreed that Mr. Hasty would check on the purchase and type of recorder, and if we could, perhaps purchase out of 92-93 budget. Other discussion was the increase of Board Members pay. Per Diem for Board Members had been budgeted as \$2,400.00 since 1977-1978 year. The members have stayed below that except for one year. The supervisor suggested \$3,000.00 in the proposal. It was discussed thoroughly and unanimously agreed that the Per Diem should be \$35.00 per meeting (the state law is \$25.00), \$50.00 for election day in the municipal year, primaries and call election days, and \$100.00 for General Election day in even year. The supervisor was requested to figure what this increase would be and report to the Board at next meeting. The Board reviewed each line item and asked for explanation since the odd years were always high in some line items. Mr. Hasty moved the budget as presented be approved subject to figures of Per Diem for Board Members. This motion was seconded by Albert Yount and unanimously approved.

In other business, the supervisor presented a brochure of voting equipment that weights 47 pounds vs 76 pounds for their review since we have been on hold with the county for 3 years on our 5 year financial plan and our current machines had the life of 10 years and were purchased in 1981. She explained that we would only have 1 or 2 ballots vs 7 & 8 we had this year depending on the districts, with a savings in ballot printing. She asked that they look at the machine. The consensus was "let the new board look at it."

There being no further business, the meeting was adjourned.



Albert M. Yount, Secretary

Saturday, February 20, 1993 9:30 A M

## OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met at the Sherrills Ford Branch Library on Saturday, February 20, 1993 at 9:30 a.m. Members present were David Abernethy, Bill Hasty and Albert Yount.

The minutes of February 20, 1993 were unanimously approved. (Each had copies prior this meeting).

The purpose of this meeting was for citizen input about "should the boundaries of Monogram #21 and Sherrills Ford #31 precincts be redrawn in order to divide Sherrills Ford precinct and where an additional polling place can be located". The Board had input from Robert Eades from Monogram #21 precinct and Madge Beatty from Sherrills Ford #31 precincts.

The size and boundaries of both precincts were discussed thoroughly. David Abernethy moved to tentative make 2 precincts out of Sherrills Ford #31 if a voting place can be secured. Mr. Hasty agreed. The tentative split is as follows: Beginning at the bridge on SR 150 over Lake Norman, proceed southwest along SR 150 to Little Mtn. Road, go NW along Little Mtn. Road to Mt. Pleasant Church Road; go SW along Mt. Pleasant Church Road intersecting with SR 150; thence SW along SR 150 to the county line. It was agreed by all to leave Monogram #21 precinct as is. The supervisor was requested to contact Mt. Pleasant Methodist Church about their fellowship hall as a polling place.

The supervisor advised the Board that Gretchen Peed was one (1) day late with her campaign reporting. She was advised to contact State Board of Elections as is the law.

The supervisor was requested to bring any absentee applications on hand to the next meeting scheduled for February 27, 1993 at Mt. Zion Lutheran Church for their review.

Old Business: One item left pending from previous meeting. It was agreed to request \$3915.00 in Per Diem in order to raise the Board Members to \$35.00 a meeting, \$50.00 for election day (Special, Municipal & Primaries) and \$100.00 for even year election day. The current pay set by General Statute is \$25.00 per day.

Mr. Bill Hasty reported researching the purchase of a tape recorder.

Mr. Yount advised the members of a conversation he had with the County Manager in reference to buying new voting equipment. He spoke to Mr. Lundy about new voting technology. Each member shared their thoughts.

David Abernethy moved to adjourn, seconded by Bill Hasty and it was unanimous.

  
Albert M. Yount

Saturday, February 27, 1993 9:00 A M

OFFICIAL MINUTES OF THE Catawba COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met Saturday, February 27, 1993 at 9:00 A M in the Mt. Zion Lutheran Church Fellowship Hall. Members present were David Abernethy, Bill Hasty and Albert Yount.

Mr. Hasty made motion to approve minutes of previous meeting (each had copies prior this meeting). This was unanimous.

The purpose of this meeting was to review the precinct lines of Springs #33 and decide if the precinct should be divided due to its size. Seven persons of this precinct were present. The Board gave each time to speak. Ira Cline read a letter that had been sent the Board but they had not received. The persons present did not want their precinct split. They requested additional equipment. David Abernethy made the motion not to split Springs #33 precinct, but recommended we provide an additional tabulator if we still have the same tabulators in a big election such as the one we had 11/3/92. This motion was seconded by Bill Hasty and unanimously approved. Mr. Abernethy and Mr. Hasty cautioned the two precinct officials in attendance of how difficult it is to have two tabulators and add the totals and get the vote correct. At this time Mr. Yount shared with the persons present of some voting equipment available that would eliminate so many ballots and would probably be a reality in a year or so.

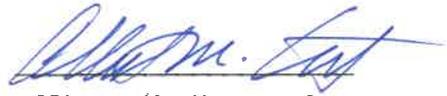
Motion was made by David Abernethy to approve the following absentee applications and container envelopes: C-1, OS-, OS-2, OS-3, OS-4 and OS-5. This motion was seconded by Albert Yount and unanimously approved.

Mr. & Mrs. Kenneth L. Bissette appeared before the Board to object to allegations they were not residents of the Startown precinct, and not allowed to vote on November 3, 1992. Following are some of the questions asked by the Board and the Bissette's answers: Albert Yount asked "where do you live"? Mrs. Bissette answered, at the crossroads in Startown. He then asked "where do your children go to school"? Mr. Bissette replied, right now, Davidson County. Mr Yount asked to be explained to him why are the children in school in Davidson County if you live here. Mr. Bissette replied "I don't advertise in the Startown Community what I do. I am on a temporary assignment. We are here 4 or 5 days a week. We have not changed our address. All my bills come to Startown, the power is still on. My mail is checked here regularly by us. Mr. Yount asked to get it straight in his mind: What you are saying, you are burnt up at about what happened in November, that you could care less about tomorrow. Mr. Yount's question was, did you go vote and they told you you couldn't vote, that you did not live there anymore. You got made and left. Mr. Bissette replied "yes" that's about it". Mr. Bissette requested of the Board to define residency and then maybe he would understand by they were being accused of not being residents. Mr. Abernethy told him, he had plent of law on that but his question at this point was how did they wish to proceed under the statutes. He asked them if they would like for Mrs. Johnson, the registrar, to file a written challenge and for the Board to determine their residency, "Yes", or "No". Mr. & Mrs. Bissette replied "yes". Mr. Abernethy asked if there was any day they would like to have the hearing to which Mr. Bissette replied "any day except Monday". Mr. Bissette also asked if he should bring a lawyer and would they be notified of the hearing to which Mr. Abernethy replied, the meeting will be very formal and if you wish to bring a laywer, you may, and all would be notified.

Old Business: At the 1st meeting to discuss precinct splits or merging, it was decided to make a decision after all public meetings were held. Albert Yount made the motion to merge Longview 1 #17 and Longview 2 #18 precincts. To rename Longview 1#17 TO Longview North #17 and rename Longview 3 #19 TO Longview South #19; to split Viewmont 3 #38 along 127 N to the river. That the West side of SR 127 be named Northwest oct. #39 precinct with polling place at the Neill Clark Recreation Center. This motion was seconded by Bill Hasty and unanimously approved. These changes to be effective July 1, 1993 (approved by phone call to each Board member). (East side of 127 N be Falling Creek #38, same polling place.)

The supervisor reported to the Board of information requested by them about Static mats and information from Mt. Pleasant Methodist Church. She also advised of talking with Rehobeth United Methodist Church as a possibility of a polling place if the precinct was split.

There being no further business, David Abernethy moved to adjourn. This was unanimous.



Albert M. Yount, Secretary

Tuesday, March 2, 1993 8:15 A M

## OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met in the board of elections office Tuesday, March 2, 1993 at 8:15 A M. Members present were David Abernethy, Bill Hasty and Albert Yount.

Minutes of the previous meeting (2/27/93) were given to each member to read. David Abernethy moved that the sentence be revised where Mr. & Mrs. Bisette appeared before the board as proposed and go back and add to the minutes any pertinent statements about their status made by the Bissettes. This motion was seconded by Albert Yount and unanimously approved. Bill Hasty moved to withhold approval of the minutes until this is added.

It was unanimous to approve absentee application and container envelope OS-6.

The purpose of this meeting was to have a preliminary hearing of a challenge that Kenneth L. and Peggy P. Bisette do not live in Startown #34 precinct. Kathy Johnson, the challenger was present and sworn. Mr. David Abernethy stated "let the minutes show Mr. & Mrs. Bisette requested to be challenged in writing". Mrs. Johnson has done so to allow the Board to his this probable cause hearing and settle this matter. According to the statute the Board must conduct a preliminary hearing to find probable cause. If there is substantial evidence against them, the Board will have a real hearing. Mr. Abernethy stated "I would think the rule would be that there is substantial evidence before the Board that Mr. & Mrs. Bisette are not presently residents of Catawba County, then it will be our duty to schedule a hearing". In evidence given by Mrs. Johnson was a conversation with Mrs. Bisette last July when the two of them were picking up their children from a camping trip. Mrs. Bisette told her about the house and said it was not finished but close to it and they would be moving in time for the children to go to school, that the children already knew where they would be attending school. Mr. Abernethy stated he thought the record should reflect that Mr. & Mrs. Bisette stated that their children are attending school in Davidson County. Mr. Yount stated he thought the record should reflect that Mr. Bisette asked "just tell me where I can vote". Mr. Hasty asked of Mrs. Johnson: You felt you had probable cause to challenge him, that in your opinion you felt he did not live in Catawba County, therefore you, in your opinion, rightfully challenged him for his right to vote. Mrs. Johnson replied she was in the process of doing the paper work, that she had verbally challenged him. Mr. Bisette tore up his ballots that had been marked and gave the others back. She stated she told them to mark their ballots but not to put in the tabulator until it could be resolved if they were residents or not, so she could make a formal challenge. She stated "I did not deny them the right to vote".

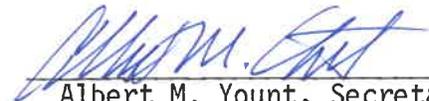
David Abernethy moved the Board find probable cause and have a hearing about Mr. & Mrs. Kenneth L. Bisette. This motion was seconded by Bill Hasty and unanimously approved. Mr. Hasty requested to enter into the record that both parties be given 10 days notice. David Abernethy requested the supervisor to provide each of the members a copy of the case law of Lloyd vs Babb N.C. 296-416. Bill Hasty moved the challenge hearing be March 16, 1993 at Startown Precinct #34 at 8:15 a.m. The supervisor was requested to send written notice to the registrar, and the other two precinct officials, also the Bissettes and both party chairmen. (Mr. Abernethy drafted the letter).

In other business pertaining to old business: Bill Hasty moved that the numbers of the precincts changed on 2/27/93 be the supervisors decision if would make the office work simpler as she requested, they are to be:

Northwest precinct #39

Falling Creek precinct #38 and change West Newton from #39 to #40, leaving #18 vacant for future use, all effective 7/1/93. This motion was seconded by Albert Yount and unanimously approved.

Bill Hasty moved to adjourn, seconded by David Abernethy. This was unanimous.

  
Albert M. Yount, Secretary

## OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met in the Conference Room of the Catawba County Government Center on Monday, March 15, 1993 at 5:00 p.m. (1st day prior an election). No meetings were held on the 8th, 6th, 4th day before election as no business to conduct. Members present were David Abernethy, Bill Hasty and Albert Yount.

Motion was made by Bill Hasty to approve the minutes of February 27, 1993 and March 2, 1993 as each member had copies prior this meeting. This motion was seconded by Albert Yount and unanimously approved.

Motion was made by David Abernethy to approve the following absentee applications and container envelopes: OS-7 through OS-31. This motion was seconded by Albert Yount and unanimously approved.

In attendance at this meeting were the three school superintendents, President of CVCC and several members of the Bond Referendum Committee. They were asked to attend this meeting to see if the March 16, 1993 Catawba County Bond Referendum should be postponed due to the snow. Immediately prior to this meeting the Board held a phone conversation with the State Board of Elections and Special Deputy Atty. General and was advised that the decision as to whether to postpone the bond election rested with the county commissioners and that any postponement would need to be ordered by the State Board of Elections. Mr. Abernethy asked if any person wished to speak to the situation. Mr. Glenn Barger and Dr. Thompson reported their parking lots for the voters had been cleared at the schools where elections are conducted. Bill Hasty made the motion that we hold the election as scheduled. Albert Yount asked if the motion was in order. David Abernethy assured him it was. David Abernethy reported that he had been in contact with Robert (Bob) Hibbitts about the situation and Mr. Hibbitts wished it to be held as scheduled. Mr. Hasty's motion was seconded by David Abernethy and unanimously approved.

For the minutes, Mr. Abernethy requested to put in the minutes that Mr. Bob Thomas, District Attorney, contacted him on March 8, 1993 in reference to the investigation of a person voting twice on 11/3/92. He advised their investigation revealed no illegal activity concerning William Seagle of Hickory on 11/3/92.

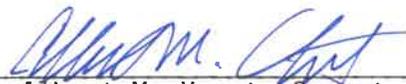
The Board discussed briefly the challenge hearing to be held in Startown precinct on March 16, 1993 at 8:15 A.M.

Under G.S. 163-41(a) David Abernethy, chairman appointed the following for the March 16, 1993 election:

J. W. Wesson, Democrat Judge in Balls Creek #1 precinct,  
 Jean Elliott, Registrar in Balls Creek #1 precinct, Mary Ellen Richard, Registrar in East Maiden #9, Faye A Lail, Democrat Judge in East Maiden #9, Margaret Drum, Republican Judge in East Maiden #9, William Treadwell, Registrar in College Park #11, Richard Hatley, Republican Judge in College Park #11, Clarence Howard, Republican Judge in Greenmont #13, Joyce Brown, Registrar in Greenmont #13, Elizabeth Connor, Registrar in Claremont #6, Tina Dunlap, Republican Judge in Oakwood #14, Doris Camp, Republican Judge in Highland #16, Nellie Singleton, Democrat Judge in Longview 1 #17, Ethel Dale, Registrar in Longview 3 #19, Mary J Whitener, Democrat Judge in Longview 3 #19, Joe Rudisill, Registrar in Monogram #21, Brenda Eades, Republican Judge in Monogram #21, Betty Curlee, Registrar in N Newton #25, Sylvia Andrews, Republican Judge in Oakland Heights #26, Jean McIntyre, Republican Judge in St. Stephens 2 #29, Margaret Hahn, Registrar in Sandy Ridge #30, Kimberly Hayes, Republican Judge in Sandy Ridge #30, Joyce Stutts, Republican Judge in Sherrills Ford #31, Rusty Lutz, Republican

Judge in Startown #34, Elbert Swink, Republican Judge in Viewmont 1 #36, Mabel Davis, Democrat Judge in West Newton #39 and Robert Leek, Republican Judge in West Newton #39 precincts.

There being no further business the meeting was adjourned by motion of David Abernethy, seconded by Bill Hasty and unanimously approved.

  
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Albert M. Yount, Secretary

Tuesday, March 16, 1993 6:00 A.M.

## OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections staff were on duty in the office of the board of elections, Tuesday, March 16, 1993 at 6:00 a.m. to be there if needed by the precincts. The three (3) board members were on call and would be at a challenge hearing at the Startown precinct at 8:15 a.m.

MARCH 16, 1993 8:15 A.M.

The Catawba County Board of Elections Board members met in the Startown #34 precinct at 8:15 a.m. to conduct a challenge hearing. Members present were David Abernethy, Bill Hasty and Albert Yount. Mr. Abernethy called the meeting to order and stated this was a hearing on a challenge of Mr. & Mrs. Kenneth Bissette's domicile and to hear any evidence concerning their domicile and how they were treated 11/3/92 about this issue. Mr. Abernethy administered the oath to Mr. & Mrs. Bissette, which they signed. Mr. Abernethy then swore in 7 witnesses that were present and also to Mr. & Mrs. Bissette again. He also swore the registrar and democrat judge. Dean Richey, the Republican Judge was absent due to illness. Mrs. Kathy Johnson, the Registrar for Startown precinct #34 gave her statements of what happened on 11/3/92. Mrs. Peggy Sigmon, the Democrat Judge gave her account of what happened on 11/3/92.

Mr. Abernethy asked Mr. & Mrs. Kenneth Bissette what they wanted to give as evidence. They both spoke in detail of their employment and their domicile. They presented documents to verify that they were residents of Catawba County, Startown precinct.

Mr. Abernethy stated there were two (2) questions to resolve.

1. Were things done properly and,
2. To decide whether their permanent domicile was in the Startown precinct.

Mr. Abernethy also stated the registrar had sufficient information and acted in good faith. The evidence also clearly showed no proper hearing. That Mrs. Johnson acted in good faith to challenge their residence. Mr. Hasty stated he found fault with the procedures, no fault with making the challenge. Mr. Albert Yount stated he tends to think they were residents of Catawba County and in his opinion they live in Startown. Motion was made by David Abernethy that the permanent domicile of Kenneth L. and Peggy P. Bissette is in Catawba County and they remain in Startown #34 precinct. This motion was seconded by Albert Yount and unanimously approved.

There being no further business, meeting was recessed to reconvene in the Board office at 5:00 p.m. to count absentees.

The following is information received during hearing and the Boards conclusion:

Mr. & Mrs. Kenneth Bissette's unquestioned domicile in Catawba County prior to April 1992. Mr. Bissette is employed by Service Master. Mr. Bissette was placed to work at N. C. Baptist Hospital in Winston-Salem in April 1992. Mr. & Mrs. Bissette purchased a home in Davidson County and set up a household there in August 1992. It was difficult to find rental property. Mr. Bissette manages 21 people in his job. He has been promised by his employer that he will be promoted and relocated back to Catawba County no later than June 1994. (Baptist hospital have 90 day termination provision). The Bissette's two (2) children are attending Davidson County School for the 92-93 school year. The Bissette's are not paying a tuition charge of \$300.00 per pupil for out of county residents. Mr. & Mrs. Bissette have retained their dwelling house in Catawba County and keep livestock here. They continue to receive mail and keep doctor and dental appointments here. Mrs. Bissette recently served on jury duty. A neighbor testified he sees someone from the family on the premises 5-6 times weekly.

Conclusion: The Bissette's intend to maintain their domicile in Catawba County. They have two (2) residences, one in Catawba County and one in Davidson County. Mr. Bissette has reasonable expectation to return "full time" to Catawba County by June, 1994.

Judgment: The Bissette's are still residents of Catawba County.

March 16, 1993 5:00 P. M.

David Abernethy, Bill Hasty and Albert Yount met in the Board room of the board of elections at 5:00 p.m. for the purpose of counting absentee ballots in the Catawba County Bond Referendum for the schools and Catawba Valley Community College. The absentee voters names were entered into the absentee poll book and each were checked by the board members. Each board member signed the poll book.

There were 32 absentee ballots counted with the results as follows:

Absentee Votes

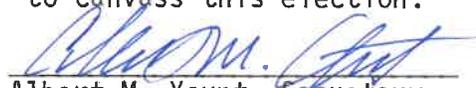
School Bonds \$33,117,000.	Item 1.	YES	<u>27</u>
		NO	<u>5</u>
CVCC Bonds \$7,000,000.	Item 2.	YES	<u>24</u>
		NO	<u>8</u>

In other business: Bill Hasty moved the minutes of March 15, 1993 be postponed.

The Board recessed to reconvene at 7:30 p.m. to receive returns from the 39 precincts.

March 16, 1993 7:30 P.M.

The Catawba County Board members met in the Board office to receive precinct returns. Members present were David Abernethy, Bill Hasty and Albert Yount. The Board members posted the results on a precinct by precinct grid in the Conference Room of the Catawba County Government Center. The unofficial precinct returns were completed at 9:00 p.m. The Board adjourned to meet again on Thursday, March 18, 1993 at 11:00 o'clock a.m. to canvass this election.

  
Albert M. Yount, Secretary

Note: For the minutes, after the hearing at Startown, David Abernethy went to Mtn. View 2 #24 precinct. The parking lot had not been scraped. Called Road Maintenance. Checked Bethel Church. The lot had been scraped. Checked Northminister Presby. Church found conditions good

Thursday, March 18, 1993 11:00 A. M.

OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met on Thursday, March 18, 1993 at 11:00 o'clock A. M. in the Board room of the Catawba County Board of Elections to Canvass the votes of the March 16, 1993 Catawba County Schools and Catawba Valley Community College Bond Referendum. This meeting is to comply with the G.S. 163-175, for the board members to meet the 2nd day after an election to officially canvass all returns. Members present were David Abernethy, Bill Hasty and Albert Yount.

David Abernethy moved and Bill Hasty seconded that the minutes of 3/15/93 and of 3/16/93 be approved as submitted. This was unanimous.

The returns addressed to the Board were opened by the chairman and checked by the members and supervisor against the abstracts prepared by the office staff using one set of returns from the audit dont on Wednesday. Precinct #7 was questioned because the numbers reported on Tuesday night were different on all 3 returns. The registrar verbally explained when reported by phone. Bill Hasty moved to accept the certified returns of the 3 officials. This motion was seconded by Albert Yount. Vote call: 2 ayes for the signed returns. David Abernethy voted no. The ayes have it. Conover East #8 had 2 returns identical and one not. E Newton #10 had 2 returns identical, one was not. Kenworth #12 had 2 returns identical, one was not. It was unanimous to accept the two (2) identical ones for the canvass. Viewmont 3 #38, on item 1. the Yes column had on the three (3) returns a figure of 203 for the County Schools and under the No column, the figure of 39 against, when in fact only 241 voted. The Registrar and Republican Judge stated at their audit, when they recounted the tally sheet, the figure under the Yes column should have been 202, since they voted 241 voters. It was unanimous to accept the figure of 202.

IT WAS UNANIMOUS THAT THE CATAWBA COUNTY SCHOOL BOND AND CATAWBA VALLEY COMMUNITY COLLEGE BOND REFERENDUM ELECTION OF MARCH 16, 1993 BE OFFICIALLY CERTIFIED.

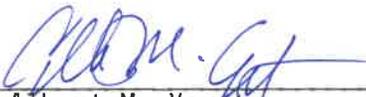
The officials results of the Canvass stands as follows, absentee votes are included:

		VOTES CAST
Item 1. School Bond \$33,117,000.	YES	2,877
	NO	1,462
Item 2. Catawba Valley Comm. College \$7,000,000	YES	2,667
	NO	1,628

The certificate of Canvass of the Catawba County Board of Elections for the Special Bond Referndum held on March 16, 1993 will be in its entirety on the next pages.

Old Business: It was discussed briefly about a polling place for a new precinct if Sherrills Ford #31 was split as calls had been made. No news had been received to this date.

There being no further business the meeting was adjourned.

  
Albert M. Yount

Note: As noted, the above stated election was held 3 days after the worst blizzard as recorded in this century, on the day the Governor declared this county to be a disaster area. Snow and ice were still on many of the roads and parking lots of polling places.

The Catawba County Board of Elections, in Catawba County, North Carolina, met in special session at the office of the Board of Elections in the Catawba County Government Center in Newton, North Carolina, at 11:00 A.M., on March 18, 1993 with the following members present:

Present: Chairman Abernethy, presiding, and \_\_\_\_\_  
Bill Hasty and Albert M. Yount

Absent: none

The Catawba County Board of Elections received from the registrars and judges of elections for the several precincts in the County of Catawba the returns of the special bond referendum held in said County on March 16, 1993 upon the questions of approving \$33,117,000 School Bonds and \$7,000,000 Community College Bonds.

After said returns had been canvassed by the County Board of Elections, David Abernethy introduced the following resolution which was read:

RESOLUTION RELATING TO THE CANVASS OF THE RETURNS OF THE SPECIAL BOND REFERENDUM HELD IN THE COUNTY OF CATAWBA ON MARCH 16, 1993 UPON THE QUESTIONS OF APPROVING \$33,117,000 SCHOOL BONDS AND \$7,000,000 COMMUNITY COLLEGE BONDS AND DETERMINING THE RESULTS THEREOF.

BE IT RESOLVED by the Catawba County Board of Elections:

Section 1. The returns of the special bond referendum held in the County of Catawba on March 16, 1993 upon the questions of approving \$33,117,000 School Bonds and \$7,000,000 Community

College Bonds of the County of Catawba having been received from the proper election officers and having been canvassed, this Board has found and determined and does hereby declare:

(a) That each registrar and judge for said referendum was duly qualified by law and had taken the necessary oath.

(b) That the election officers had incorporated in their returns not only the number of votes cast for and against each question submitted, but also the number of voters registered and qualified to vote in each precinct in said referendum.

(c) That at said referendum there were submitted to the qualified voters of said County the following questions:

#1

Shall the order adopted by the Board of Commissioners of the County of Catawba, North Carolina, authorizing not exceeding \$33,117,000 School Bonds of the County of Catawba, North Carolina, for the purpose of providing funds, with other available funds, for erecting additional school buildings and other school plant facilities, remodeling, enlarging and reconstructing existing school buildings and other school plant facilities, and acquiring necessary land, equipment and furnishings therefor, including computers, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

#2

Shall the order adopted by the Board of Commissioners of the County of Catawba, North Carolina, authorizing not exceeding \$7,000,000 Community College Bonds of the County of Catawba, North Carolina, for the purpose of providing funds, with other available funds, for erecting an additional educational building for Catawba Valley Community College and acquiring, remodeling, enlarging and reconstructing existing buildings and other plant facilities for Catawba Valley Community College, including the acquisition of necessary land, equipment and furnishings therefor, including computers, and authorizing the levy of taxes in an

amount sufficient to pay the principal of and the interest on said bonds, be approved?

(d) That no complaints have been made to this Board against the regularity of said referendum.

(e) That said referendum and the registration therefor were duly and properly held in accordance with law.

Section 2. The following schedule correctly shows the designations of the several precincts at which said referendum was held and, as to each precinct, the location of the voting place:

PCT. #1	Balls Creek Elementary School Route 2, Balls Creek Road, Newton
PCT. #2	Banoak School Shelby Highway, Vale
PCT. #3	Blackburn School Shelby Highway, Vale
PCT. #4	Brookford Town Hall 1700 S. Center Street, Hickory
PCT. #5	Catawba Baptist Church Cafeteria 103 West Central Avenue, Catawba
PCT. #6	Claremont Elementary School 215 East Main Street, Claremont
PCT. #7	Conover City Hall 101 1st Street East, Conover
PCT. #8	Conover City Hall 101 1st Street East, Conover
PCT. #9	Tuttle Middle School Water Plant Road, Maiden
PCT. #10	Newton Recreation Center-Back Brady and A Street, Newton
PCT. #11	College Park Jr. High-Back 409 8th Avenue, NE, Hickory

PRECINCTVOTING PLACE

PCT. #12	Christ Lutheran Ch. 324 2nd Avenue, SE, Hickory
PCT. #13	Westmont Senior Citizens Bldg. 1316 Main Avenue Drive, Hickory
PCT. #14	Holy Trinity Lutheran Ch. 6th Street at 6th Avenue, Hickory
PCT. #15	Brown-Penn Center 735 3rd Street, SW, Hickory
PCT. #16	N.C. National Guard Armory 1251 8th Street, NE, Hickory
PCT. #17	Longview Elementary School 2430 2nd Avenue, SW, Hickory
PCT. #18	Bethel Methodist Ch. 28th St. and 1st Avenue, NW, Hickory
PCT. #19	Southwest Elementary School 1580 32nd Street, SW, Hickory
PCT. #20	Maiden Community Center East Klutz, Maiden
PCT. #21	Olivet Baptist Church Route 2 Long Island, Catawba
PCT. #22	Mt. Olive Lutheran Ch. Mt. Olive Church Road, Newton
PCT. #23	Bethel United Church of Christ Route 12 Bethel Church Road, Hickory
PCT. #24	Mountain Grove Baptist Church-Family Life Building Highway 127 South, Hickory
PCT. #25	Gospel Baptist Church Fellowship Hall 1912 N. College Avenue, Newton
PCT. #26	Hickory Recreation Center 1515 12th Street Drive, NW
PCT. #27	Oxford Elementary School North Oxford Street, Claremont
PCT. #28	St. Stephens Lutheran Church Administrative Build. 2304 Springs Road, Hickory

PRECINCT

VOTING PLACE

PCT. #29	St. Stephens High School Gym Springs Rd., Hickory
PCT. #30	St. Stephens Elementary School-Gym Springs Road, Hickory
PCT. #31	Sherrills Ford Elementary School Rt. 1, Sherrills Ford
PCT. #32	Grace Reform United Church of Christ 117 East J Street, Newton
PCT. #33	Mt. Zion Lutheran Church Fellowship Hall County Home Road, Conover
PCT. #34	Startown School Startown-Lincolnton Highway
PCT. #35	Sweetwater School Gym 21st Street, SE, Hickory
PCT. #36	Viewmont Elementary School Gym 21 16th Avenue, NW, Hickory
PCT. #37	Mt. Olive Lutheran Church Highway 127 North, Hickory
PCT. #38	Northminister Presbyterian Church Highway 127 North, Hickory
PCT. #39	Catawba County Library Auditorium West C Street, Newton

The number of voters registered and qualified to vote in said referendum in each of the precincts in which the referendum was held, the number of votes cast in favor of the questions submitted and the number of votes cast against such questions in each precinct, the number of absentee ballots returned in favor of such questions and the number of absentee ballots returned against such questions, the number of transfer ballots cast in favor of such questions and the number of transfer ballots cast

against such questions, and the totals of such numbers is attached hereto as Attachment A.

Section 3. From the canvass made, this Board does hereby determine and certify:

(a) That 63,174 voters were registered and qualified to vote.

(b) That at said referendum 2,877 votes were cast for the order adopted on January 19, 1993, authorizing not exceeding \$33,117,000 School Bonds of the County of Catawba, North Carolina, for the purpose of providing funds, with other available funds, for erecting additional school buildings and other school plant facilities, remodeling, enlarging and reconstructing existing school buildings and other school plant facilities, and acquiring necessary land, equipment and furnishings therefor, including computers, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds and 1,462 votes were cast against said order, and that a majority of the qualified voters of said County who voted thereon at said referendum voted in favor of said order.

(c) That at said referendum 2,667 votes were cast for the order adopted on January 19, 1993, authorizing not exceeding \$7,000,000 Community College Bonds of the County of Catawba, North Carolina, for the purpose of providing funds, with other available funds, for erecting an additional educational building for Catawba Valley Community College and acquiring, remodeling, enlarging and reconstructing existing buildings and

other plant facilities for Catawba Valley Community College, including the acquisition of necessary land, equipment and furnishings therefor, including computers, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds and 1,628 votes were cast against said order, and that a majority of the qualified voters of said County who voted thereon at said referendum voted in favor of said order.

Section 4. The Supervisor of Elections of the Catawba County Board of Elections is hereby directed to transmit immediately a certified copy of this resolution to the Board of Commissioners of the County of Catawba.

Upon motion of David Abernethy, seconded by Bill Hasty, the foregoing resolution was passed by the following vote:

Ayes: David Abernethy, Bill Hasty and Albert Yount

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

Noes: None

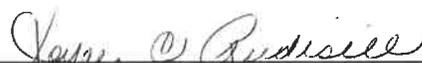
\* \* \* \* \*

I, Joyce C. Rudisill, Supervisor of Elections of the Catawba County Board of Elections, DO HEREBY CERTIFY that the foregoing has been carefully copied from the recorded minutes of the Catawba County Board of Elections at a special meeting held on March 18, 1993, at the office of the Board of Elections in the Catawba County Government Center in Newton, North Carolina, said

record having been made in Minute Book No. 4 of the minutes of said Board, beginning at page 100 and ending at page 110, and is a true and complete copy of so much of said proceedings of said Board as relates in any way to the canvass of the returns of the special bond referendum held in the County of Catawba on March 16, 1993 upon the questions of approving \$33,117,000 School Bonds and \$7,000,000 Community College Bonds.

I DO HEREBY FURTHER CERTIFY that the Chairman of said Board duly notified or caused to be notified each member of said Board of said meeting and that, at least forty-eight hours before said meeting, notice of said meeting, signed by the Chairman of said Board and stating that a special meeting of said Board would be held at 11:00 A.M. on March 18, 1993, at the office of the Board of Elections in the Catawba County Government Center in Newton, North Carolina, concerning the canvass of the returns of the special bond referendum held on March 16, 1993 in the County of Catawba, upon the questions of approving \$33,117,000 School Bonds and \$7,000,000 Community College Bonds of said County, was posted on the principal bulletin board or at the door of the usual meeting room of said Board and mailed or delivered to each newspaper, wire service, radio station, television station and person that had filed with me a written request for notice pursuant to G.S. § 143-318.12.

WITNESS my hand this 18th day of March, 1993.

  
\_\_\_\_\_  
Supervisor of Elections of the  
Catawba County Board of Elections

STATE OF NORTH CAROLINA  
COUNTY OF CATAWBA

This day personally appeared before me, David Abernethy,  
Chairman of the Catawba County Board of Elections, who, being  
duly sworn, says that the abstract of votes herein contained and  
attached hereto is true and correct according to the returns made  
to said Board.

IN TESTIMONY WHEREOF, I have hereunto set my hand and  
affixed my notarial seal, this 18th day of March, 1993.

James C. Rudisill  
Notary Public

(SEAL)

My Commission Expires: February 26, 1996

Attachment A

County of Catawba, North Carolina  
 Abstract of Votes - Special Bond Referendum - March 16, 1993

Precinct	Voters Registered and Qualified to Vote	\$33,117,000 School Bonds		\$7,000,000 Community College Bond	
		Votes For	Votes Against	Votes For	Votes Against
1	1753	57	48	54	50
2	1423	79	58	72	63
3	1250	42	22	38	26
4	557	5	13	7	11
5	1936	75	63	73	63
6	1308	78	34	75	36
7	1622	53	38	53	38
8	1714	112	72	103	81
9	1435	51	41	51	41
10	561	14	7	14	6
11	1089	101	14	92	24
12	1169	22	6	21	6
13	1167	14	31	13	30
14	1319	204	50	191	62
15	711	7	3	7	3
16	1822	49	16	45	20
17	727	2	15	1	16
18	708	5	22	3	24
19	921	17	26	15	28
20	2103	50	63	48	62
21	760	26	26	20	32
22	1993	68	46	64	50
23	2027	148	52	136	63
24	2038	57	35	51	41
25	1506	34	53	33	52
26	1795	124	44	114	52
27	1817	80	27	73	33
28	2355	87	50	80	54
29	1921	52	44	53	46
30	2420	77	33	71	39
31	2650	77	52	70	62
32	2024	131	57	116	69
33	2807	107	58	96	69
34	2506	155	60	143	71
35	1407	32	21	31	21
36	2029	169	47	158	58
37	1923	65	30	67	26
38	2679	202	39	190	51
39	1182	122	41	101	41
Absentees		27	5	24	8
Transfers		-	-	-	-
Total	63,174	2,877	1,462	2,667	1,628

Belmonte pd  
 March 3, 1993

111

Tuesday, June 1, 1993 8:15 A M

OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met in the board room of the board of elections on Tuesday, June 1, 1993 at 8:15 A. M. Members present were David Abernethy, Bill Hasty and Albert Yount.

Each member had copies of the minutes of previous meeting. It was unanimous to approve as presented.

The purpose of this meeting was to discuss the splitting of precinct Sherrills Ford #31 again as there had been some opposition, and other business.

The supervisor gave her report on the inspection of two polling places as requested by the chairman. The new Northwest precinct #39 was inspected at Neill Clark Recreation Center. It fits all needs. The supervisor did not speak with the director, but to a secretary who showed what was available. She also inspected Rehobeth Methodist Church as a prospective polling place if Sherrills Ford #31 precinct was split as had been planned. It fits all the needs of the board of elections. The chairman requested a letter of acceptance be sent to the minister and church council thanking them for their offer. This was done. The supervisor advised that the merge of Longview 1 and Longview 2 and the split of Viewmont 3 had been completed.

A letter from the City Manager of Hickory, Gary McGee, was presented. He advised the Board that Margaret Baucom, a registration commissioner had retired and Barbara Barger no longer wanted to do this. He recommended that Paul R. Henry of Rt 1 Box 597, Hickory N C be appointed. David Abernethy moved that Mr. Henry be appointed. This was seconded by Albert Yount and unanimously approved.

The splitting of Sherrills Ford #31 was discussed as the main order of the day. Each member had input into the split. Albert Yount made the motion to continue with what the Board had been doing, to make the split of Sherrills Ford precinct #31, it to be along Highway 150 from the county line to the river as already discussed and approved by the N C Legislative Research and final approval from the State Board had been received, with the polling place to be Rehobeth United Methodist Church, to be effective 7/1/93. The name to be Lake Norman Precinct #41. This motion was seconded by Bill Hasty and unanimously approved.

Albert Yount suggested this Board recommend to the new Board that the polling place be moved from the Lions Den into the School Gym for Sherrills Ford #31 precinct once the school is completed. This was unanimous.

There being no further business, David Abernethy moved to adjourn, this was seconded by Bill Hasty. It was unanimous.



Albert Yount, Secretary

6/1/93  
c. 11-13

Tuesday, July 20, 1993 12 noon

OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

In accordance with N.C. G. S. 163-31, the newly appointed members of the Catawba County Board of Elections met in the office of the board of elections in the Catawba County Government Center at noon on the 20th day of July, 1993. Oliver Noble, Chief District Court Judge for the 25th Judicial District administered the oath of office to each member in accordance with the above statute. Appointed and sworn were Albert Yount, Allen Wood and David Abernethy.

Immediately after being sworn, the Board met to organize for 1993-1995.

The minutes of the previous meeting were approved. They were signed by Albert Yount, Secretary.

1st item of business was the election of a Chairman. Motion was made by Allen Wood to elect Albert Yount as Chairman. This motion was seconded by David Abernethy and unanimously approved.

2nd item of business was the election of a Secretary. Motion was made by Albert Yount to elect David Abernethy as Secretary. This motion was seconded by Allen Wood and unanimously approved. The secretary authorized Joyce Rudisill, the supervisor to keep, record and maintain the official minutes of the board meetings as they occur. Mr. Abernethy requested a rough draft of the minutes before being typed.

The Supervisor presented each member with a folder containing a map, meeting dates, 1993 timetable, a voter file, administrative code, new law book, etc.

The Supervisor advised the members of the State Municipal Seminar to be held in Raleigh August 26, 1993 and August 27, 1993. Each member indicated their intention to go.

The county instructional meeting was discussed and a tentative date set for September 21, 1993. In discussion it was decided if there was a county wide election in November, the Board may choose to have a Tuesday and Thursday instructional meeting.

The Supervisor requested of the Board to decide on a meeting time for each of the board meetings. In the past they had met at 8:30 a.m. and at the present, it is 8:15 a.m. 8:00 o'clock was discussed. It was unanimous that the Board would continue to hold their meetings at 8:15 a.m.

Mr. Abernethy asked of the Supervisor if the party chairmen had been notified of making their recommendations for new precinct officials and registration commissioners. She advised that both chairmen had been sent a precinct roster of officials and registration commissioners with forms to be used for the new recommendations. They were advised of the date the list had to be in our office which is 8/12/93 for the appointments by the board on 8/17/93. August 17, 1993 is mandated by law as a date the Board shall meet for this purpose.

A list of duties for the Board members done by William Campbell of the Institute of Government and the duties of the Supervisor were given each member. Also a booklet of Board Policies was given. It was decided the Board would meet August 5, 1993 at 8:15 a.m. to add, change or delete what they deem necessary for both. As of this date, the policies continue in effect as is until changed.

In response to the recent passage of a law by the Legislature, David Abernethy made motion that this Board have a rule that smoking is not allowed in polling places on election day. This motion was seconded by Allen Wood and unanimously approved.

It was unanimous to request the Supervisor to draft a letter to be sent on behalf of the Board to Mr. Hasty thanking him for his service on the Board.

The Supervisor advised the Board briefly of changes being done in the budget process. She would know more at the first budget kickoff meeting in December. The county is changing the budget process to "Reinventing Government".

Mr. Abernethy requested of the Chairman, that perhaps the Board needed to be thinking about the purchase of new voting machines and putting the wheels turning as money had been appropriated in the 1993-1994 capital improvement budget (long-range) to be completed in the 1994-1995 year. Mr. Abernethy requested that the Board have a demonstration at the State meeting. It was unanimous to write 2 vendors of the optic scan voting system to see if a meeting could be arranged. The two vendors are Opec Tech 3 PD and Accu Vote Election System 2000. The Opec Tech 3 PD is Business Records Corporation and the Accu Vote Election System 2000 is Global Election Systems, Inc.

There being no further business, David Abernethy moved to adjourn. This was seconded by Allen Wood and unanimously approved.

*J. David Abernethy*  
David Abernethy, Secretary

A small reception given by the office staff in honor of the board members was enjoyed by all.

## OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met in the board room of the board of elections on August 5, 1993 at 8:15 a.m. Members present were Albert Yount, Allen Wood and David Abernethy.

Motion was made by Allen Wood to approve minutes of the previous meeting. This motion was seconded by David Abernethy and unanimously approved.

The purpose of this meeting was to review the duties of the supervisor as they are to be filed with the State Board of Elections after each new Board is appointed and sworn and also to review the current board policies.

All current policies were unanimously re-adopted with the exception of the following:

One dated January 17, 1992 was deleted as was a duplication of November 2, 1990 and not as complete;

The other dated January 17, 1992 had a sentence added. (party chairs are encouraged to request copies of the poll book only in those precincts that will actually be picked up);

Added word "staff" in the last sentence of October 17, 1989 (pertaining to hiring by supervisor as needed);

Deleted October 3, 1985 (pertaining A/B absentee applications) as the same as in the duties of the supervisor;

Deleted August 27, 1982 (written notice to supervisor if registration commissioner go on an organized drive) by motion from Allen Wood, seconded by David Abernethy and unanimously approved;

Deleted unanimously the other August 27, 1982 (pertaining to restrictions on special registration commissioners and election officials).

The policy dated October 1, 1991 provided that any time the staff is working other than normal business hours, there shall be staff members of the opposite party present. Mr. Wood made a motion to delete such policy, which was seconded by Mr. Yount. In discussion, Mr. Abernethy argued that the motion should be defeated, for the reasons that (1) previous instructional meetings conducted by the State Board of Elections had repeatedly emphasized that, to inspire public confidence in the office, all functions of the County Board should be carried on so as to give the public the opportunity to observe them; and (2) the presence of anyone alone in the office outside normal business hours creates a bad impression. Mr. Abernethy stated his position was also the position of the Republican Party. The motion to delete the policy dated October 1, 1991, carried, Mr. Abernethy dissenting.

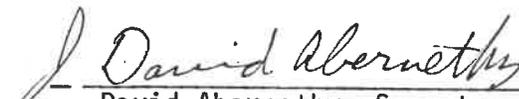
In other discussion, it was agreed by the Board for Allen Wood and David Abernethy to draft a letter to the State Board of Elections requesting legislation pertaining to removing the Board members from being solely responsible for counting absentees, that three (3) persons be appointed by each county board and sworn for this in the even year general election, in order to free the Board Members for other election problems, but they would count the hand counted ones. This letter to be on the agenda of this Board's next meeting on August 17, 1993.

Next item of business was the Duties of the Supervisor. Some items were amended and the Supervisor advised to type and forward to each board member with a copy of the board policies for their approval and the duties will be placed in the board's minutes upon approval at the next meeting with copy forwarded to The State Board of elections.

It was agreed to FAX each of the municipal ballots to the Board Members prior to sending to city attorneys and the State Board of Elections for approval.

In the Supervisor's report was the time the Board Members would be meeting with sales representatives of BRC and Global Elections on August 26, 1993 in Raleigh. She gave each member copies of the ratified bills pertaining to elections and also their reservation confirmation for the State Board of Elections Municipal Seminar.

There being no further business, David Abernethy moved to adjourn, seconded by Allen Wood and unanimously approved.

  
David Abernethy, Secretary

*David Abernethy*

Tuesday, August 17, 1993 8:15 a.m.

## OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met on Tuesday, August 17, 1993 at 8:15 a.m. in the office of the board of elections. Members present were Albert Yount, Allen Wood and David Abernethy.

Motion was made by David Abernethy to approve the minutes of previous meeting as each had copies prior this meeting. This motion was seconded by Allen Wood and unanimously approved.

The purpose of this meeting was to appoint precinct officials, registration commissioners and special library deputies for 1993-1995 as set out in the general statute.

Motion was made by David Abernethy to appoint all precinct officials and registration commissioners as recommended by the party chairmen, also to appoint Special Library deputies and City Hall registration commissioners. This motion was seconded by Allen Wood and unanimously approved. Mr. Yount requested the minutes to show that Mildred Yount is his mother and the position was checked with the attorney general's office when recommended in the past. The appointed are as follows:

City of Hickory: Cathy M. Culler and Paul R. Henry  
Town of Brookford: Lori Moses  
Town of Maiden: Doris Bumgarner and Sharon S. Sipe

## Special Library Registration Deputies:

Catawba County Library: Lynne Bolick, Bobbie Green, Deborah Moser,  
Wanda Rozzelle and Betty Jean Stinson  
Maiden Branch Library: Annette Boston and Debbie Hovis  
Sherrills Ford Branch Library: Madge Beatty and Jane Cockman  
St. Stephens Branch Library: Ruby Broome, Shirley Sipe and Wanda Starnes

Elbert Ivey Carolyn Brown Walls, Mary Dawson, Janey Deal,  
Sheri Dickson, Robin Eckert, Sarah Heffner,  
Naomi Killian, Cora C Miller, Cynthia Sears,  
and Jean Townsend

Precinct	Registrar	Democrat Judge	Republican Judge
#1 Balls Creek			Nell Drum
#2 Banoak	G Alan Lutz	Patricia F Davis	Joe Wyant
#3 Blackburn	Evelyn Jarrett	Nancy L. Crain	Chad W Bumgarner
#4 Brookford	Lorene K Griffey	Betty T Anthony	Gaither Hefner
#5 Catawba	Rebecca E Cox	Janey Woods	Cecil Schronce
#6 Claremont	Elizabeth Connor	Rita M Busbee	Ben T Miller
#7 Conover West		Peggy Herman Smith	Lee Moritz
#8 Conover East	James W Simpson	Alma B. Dixon	Nancy Pannell
#9 E Maiden	Mary Ellen Richard	Faye A. Lail	Roger Williams
#10 E Newton	Virgie S Mungro	Corene H Clark	Richard A Fish
#11 College Park		Addie S Hall	Wm Treadwell
#12 Kenworth			Pat Wilkins
#13 Greenmont			Dorothy Hawkins
#14 Oakwood			Kathleen Bolick
#15 Ridgeview		Bonnie J. Rice	Elaine Witherspoon
#16 Highland	Hugh E Hunt	Winnie Mitchell	Janet Baca
#17 Longview N	HeLen G Lockman	Eva T. Ervin	Mildred Deitz
#19 Longview S	Dorothy Phillips	Ethel D Dale	Faye Bean
#20 Maiden	Wilma B. Cline	Raydell F McRee	Ruby Sigmon

Precinct	Registrar	Democrat Judge	Republican Judge
#21 Monogram	Jacquelyn S Campbell	Betty H Houston	Cheryl Wilson
#22 Mt Olive	Doris W. Blackburn	Ruby Clark	Lorena Johnson
#23 Mtn View 1	Elizabeth Coughey	Hilda Clay Taylor	Olive Gallagher
#24 Mtn View 2			Jean Pitts
#25 N Newton	Sarah Ann Lail	Betty Simmons	Betty Curlee
#26 Oakland Hgts			Sherrie Abernethy
#27 Oxford	Mary D. Bolick	Margaret M. James	Jeffrey Kaylor
#28 St Stepnes 1			Joan Noble
#29 St Stephens 2			Joyce McGhinnis
#30 Sandy Ridge		Willa Dean Adcock	Rachel Tucker
#31 Sherrills Ford	Samuel L. White	Joy Lynn C. Beatty	Jimmy Gantt
#32 S Newton	Jean P. Hinson	Lois G. Barringer	Ruby B. Cook
#33 Springs	Florence P. Lail	Evelyn Killian	Ira Cline
#34 Startown	Peggy C. Sigmon	Joyce Sigmon	Kathy Johnson
#35 Sweetwater	Frankie C. Caldwell		Ann Lutz
#36 Viewmont 1		Armada Nelson	Melissa Whisnant
#37 Viewmont 2		Herbert C Seabock	Lois S. Bigsby
#38 Falling Creek		Evelyn Walz	Rebecca Wright
#39 Northwest		Betty H Fowler	W. H. Worley
#40 W Newton	Kenyon H. Kelly	Sara W. Caldwell	Pamela Farmer
#41 Lake Norman			Clyde Sigmon

Registration Commissioners

Janet Byrd	(D)	Barbara Beatty	(R)
Anne Gilbert	(D)	C Grady Abernethy	(R)
Cynthia Grindstaff	(D)	Kim Bumgarner	(R)
Harry L Hipps	(D)	Betty Canupp	(R)
Clarice M Icenhour	(D)	Bridget DeHart	(R)
Mark L Killian	(D)	Cynthia Eades	(R)
Betty Maritz	(D)	Betty Ikerd	(R)
Camille M Whitener	(D)	Lois Kanupp	(R)
Dwayne Whitener	(D)	Wanda Leek	(R)
Dorothy S. York	(D)	Wanda Mode	(R)
Mildred Yount	(D)	Myra Myers	(R)
		Cynthia Sigmon	(R)
		Dawn Sigmon	(R)
		Patti Smevog	(R)
		Kathy Smith	(R)
		Nancy Jo Teague	(R)

Motion was made by Allen Wood to request the Supervisor to write the Democratic Party Chairman and ask him to make his remaining recommendations to this office at the close of business on August 31, 1993. This motion was seconded by Albert Yount and unanimously approved. Allen Wood also moved this Board meet September 1, 1993 to make these appointments. This was unanimous.

It was unanimous to adopt the following duties for the Supervisor and forward a copy to the State Board of Elections:

## DUTIES OF SUPERVISOR OF ELECTIONS

(August 17, 1993)

Because the Catawba County Board of Elections has a full time Supervisor of Elections with a staff of full time, part time and supplemental personnel, and that any action taken by the Supervisor is done in the name of the Board, we feel it prudent to <sup>ENUMERATE</sup> the areas in which the Supervisor may act for the Board; THEREFORE,

BE IT RESOLVED that the Catawba County Board of Elections of the State of North Carolina does hereby execute the authority contained in G. S. 163-35 and delegates to Joyce C. Rudisill, Supervisor of Elections of Catawba County, the following duties, powers and responsibilities:

1. To organize and supervise daily work of the office and supervise the full-time, part-time and supplemental personnel. Supervise the procedure for receiving and approving applications for registration. Serve as registrar at large to register or transfer citizens. (163-20(2)). To review employee applications, interview applicants, hire and dismiss all personnel with approval of the Board.
2. To perform administrative duties related to the permanent registration system, (which is supervising the maintenance of the registration books and addition of all new registrations, transfers, party changes and removal of names by death, relocation and purging).
3. To maintain handling of board records and documents. To maintain files on previous elections. To provide citizens and news media election results and other information related matters, except when policy or the judicial function of the board is affected. The chairman shall be consulted when request are made for an appearance before an official government board.
4. To supervise the selling of precinct lists of registered voters to those requesting them and accept fees for same. (163-66).
5. To receive candidates candidacy for an elective office, County, Municipal, School Board and Multi-District, also to accept filing fees for same.
6. To prepare all reports required by the State Board of Elections according to General Statutes and supervise the accepting and auditing of campaign reports from candidates. If any reports are not filed on time or include illegal contributions, to report the violation to the Catawba County Board of Elections and thereafter to the State Board of Elections
7. Prepare necessary correspondence for the Board, maintain timetable of Board duties set forth by State Board of Elections; notify all board members of all deadlines and meetings, advise board members of all changes in election laws, and any matter requiring their attention.
8. To prepare ballots for Board approval. Supervise the storage, maintenance, sealing and delivery to the polls the necessary machines, ballots and materials. The supervisor, along with any interested Board members will logic test all machines. Have at least one (1) staff member from each of the two (2) major parties present when logic testing takes place. (G.S. 163-143, 163-33(6), 163-61(c) and 163-33.2)

9. To supervise the issuing of absentee ballot applications and absentee ballots and keep appropriate records. To issue the A/B application and issuance of absentee ballots. To enter the names on the poll book prior to 2 P.M. on election day, (holding any that are not in order for the boards close examination). (G.S. 163-227(b) (1, 2 & 3), and 163-230.1)
10. To receive returns from precinct officials. (163-173)
11. To prepare abstracts and assist the Board in canvassing the returns of all elections. (163-33(9)).
12. To maintain contact with the precinct registrars and judges, notify them of all elections and with the chairman of the Board instruct the precinct officials in conducting elections at the instructional meeting held before each election. Keep the officials informed of changes in the laws concerning their duties. (163-46).
13. To purchase all equipment and supplies, including all printed materials necessary to the maintenance of the permanent registration system, negotiating specifications and printing of ballots, etc., for the conduct of all elections in Catawba County. To consult with Board for all capital expenditures in excess of \$1,000.00 which are not approved as line items in the county budget.
14. To review validity of petitions and prepare reports for local and State Board of Elections and present to the Board for certification.
15. To supervise needed reports for Data Processing and data going into the computer terminal located in board office.
16. To prepare the budget for approval of this Board prior to submission to the County Manager for the County Commissioners. To serve as budget officer for the Board of Elections. (163-33(11))
17. To attend State Board of Elections seminars and be aware of all changes in the General Statute pertaining to the Board of Elections.
18. To perform such other duties as may be assigned by the Board.

Unanimously approved on 8/17/93 and since will be in minutes, saw no need to sign.

Albert Yount  
Allen Wood  
David Abernethy

There were no corrections to the Board Policies after being typed.

The fall instructional meetings for the precinct officials were discussed and the dates set are Tuesday, October 19, 1993 and Thursday October 21, 1993 which was agreeable by all members.

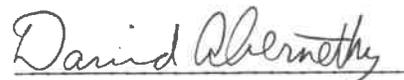
Old Business: Allen Wood presented a rough draft of a letter to the State Board of Elections of legislation the Board felt would help each county board on election days. The Board hoped it could be introduced in the short session of 1994. It was unanimous to write the letter with a copy to the 10 or so largest counties.

Motion was made by David Abernethy to send our letter requesting a method of Precinct Transfer Voting since we have a new Board and must meet the deadline notice of 60 days (163-72.3(c)). This was unanimous.

The facsimile ballot of the State Constitution and Bond Referendum was reviewed. Motion was made by Allen Wood, seconded by David Abernethy and unanimously approved to approve the facsimile ballot and to use paper ballots furnished by the state in those precinct not having an election this November and precincts where voted less than 100 in the last municipal election.

The supervisor presented a registration application for Michael J. Hegedus who registered to vote at the DMV and gave his residence as 489 Siecor Park, Hickory, N. C. She felt that Mr. Hegedus did not live there but qualified as an over-seas voter from his previous domicile. (A secretary gave supervisor information that Mr. Hegedus lived in Japan and was employed by Siecor). Mr. Abernethy knew him. It was unanimous to deny his registration. Mr. Abernethy requested a letter be sent to Mr. Hegedus with copy to Mr. Abernethy before mailing.

There being no further business, David Abernethy moved to adjourn, seconded by Albert Yount. It was unanimous.



David Abernethy, Secretary

Note: The supervisor presented each board member with their membership card in the board of elections members association.

Wednesday, September 1, 1993 8:15 A M

## OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met in the office of the board of elections Wednesday, September 1, 1993 at 8:15 a.m. Members present were Albert Yount and Allen Wood. David Abernethy asked to be executed.

It was unanimous to approve the minutes of previous meeting.

The purpose of this meeting was to appoint additional precinct officials and registration commissioners as recommended by Fred Fulbright, chairman of the Catawba County Democratic Party. Motion was made by Allen Wood to appoint those as recommended. This motion was seconded by Albert Yount and unanimously approved. They are as follows:

Johnny Hager, Democrat Judge Balls Creek #1, Alice M Watts, Registrar in College Park #11, Barbara M Meadows, Registrar in Kenworth #12, Buddy Wayne Little, Democrat Judge in Kenworth #12, Olive M. Kaylor, Democrat Judge in Greenmont #13, Ann Hardin Mason, Registrar in Oakwood #14, Violet A. Barkley, Democrat Judge in Oakwood #14, Annette Jones, Registrar in Ridgeview #15, Betty J. Hefner, Registrar for Mtn View 2 #24, Opal A. Bowman, Registrar for St. Stephens #1 #28, John Joseph Hicks, Sr., Democrat Judge in St Stephens 1 #28, George Futrelle, Democrat Judge for Sweetwater #35, Georgia Collins, Registrar for Viewmont 2 #37, Henry Lee Jarvis, Registrar for Falling Creek #38, Bobby Lee Peeler, Registrar for Sandy Ridge #30, and Dynetta S Brooks, Winnie L Dula, Druccella T Coulter (Hartsoe) and Hallie Lucas as Registration Commissioners.

It was unanimous to appoint Elaine D. Seaver as Republican Judge in Kenworth #12.

It was unanimous to approve the State Constitution and Bond Referendum Ballot facsimile as approved by the State Board.

Motion was made by Allen Wood to deny the registration application of Carolyn S Hegedus who registered at the DMV, and to handle it the way that Michael J. Hegedus' registration application was handled. This motion was seconded by Albert Yount and unanimously approved.

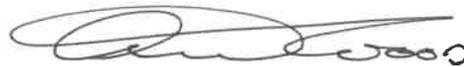
The registration application for Olivia Ann Rhoney dated 8/21/93 was reviewed. Motion was made by Allen Wood that the registration be denied and that Olivia Rhoney be written explaining that her registration was denied as she was registered by a precinct official whose term of office expired on August 17, 1993 and was not reappointed and to request her to see one of the qualified officials or come to the board of elections and be re-registered, with a copy of the letter to be sent to Larry Rhoney explaining the situation. This motion was seconded by Albert Yount and unanimously approved. The letter to Olivia Rhoney is to be sent by certified mail as required by law.

By unanimous vote the supervisor was requested to inspect the Sherrills Ford School if the Board chose to move the polling place from the Lions Den into the school.

Two voting systems were discussed as all board members had a private demonstration at the State Board of Elections meeting in Raleigh on August 26, 1993.

The Board of Elections will be purchasing new equipment in the year 94-95. State law requires a test in at least one precinct. It was unanimous to test the Optic Scan of BRC in Mt. Olive #22 precinct and the Optic Scan of Global Election System in North Newton precinct #25.

There being no further business, Albert Yount moved to adjourn, seconded by Allen Wood and was unanimously approved.



Allen Wood, Acting Secretary

Tuesday, September 28, 1993 8:15 a.m.

## OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met on Tuesday, September 28, 1993 at 8:15 a.m. in the office of the board of elections. Members present were Albert Yount, Allen Wood and David Abernethy.

Motion was made by Allen Wood to approve the minutes of previous meeting. This motion was seconded by Albert Yount. The motion carried. David Abernethy made some remarks pertaining to a registration that was denied because the person doing the registration was not qualified since his term of office expired and he was not reappointed. Mr. Abernethy suggested Mr. Wood to read the case law in another similar case, and perhaps he or the supervisor call Johnnie McLean at the State Board of Elections for their reaction. Mr. Wood suggested maybe the Board could make policy pertaining to such registrations after talking with Johnnie McLean.

The purpose of this meeting was to review absentee applications for the November 2, 1993 election. Motion was made by David Abernethy to approve the following:

C-1, C-2 and C-3.

This motion was seconded by Allen Wood and was unanimously approved. A military absentee request was presented to the Board that had requested ballots for the primary election. It was unanimous by all board members to place this application in the May 1994 primary folder.

Motion was made by Allen Wood to appoint the following precinct officials and one registration commissioner as recommended by Fred Fulbright, Chairman of the Catawba County Democrat Party:

Walter Boone, Registrar for Lake Norman Precinct #41  
Freda E. McNeely, Democrat Judge for Lake Norman Precinct #41  
Misty Harrington, Registrar for North Newton Precinct #25 and  
Barbara Thomas, Registration Commissioner.

This motion was seconded by David Abernethy and was unanimously approved.

Albert Yount, chairman, requested information of how many vacancies there were in the precincts. This information was given. The supervisor was requested to contact both party chairmen, advising them of the vacancies. They are to advise this office by 10/5/93 for the Boards action at its regular meeting on 10/5/93 of their recommendations or the Board will fill the vacancies. The Board wanted all precinct officials in place in preparation for them to attend the instructional meetings to be held 10/19/93 and 10/21/93.

The supervisor advised the Board she had inspected Sherrills Ford School as a polling place as requested to do. It fit all areas of need. She called the Registrar for Sherrills Ford precinct #31 for his reaction. He advised "the officials wanted to stay in the Lions Den". The Board agreed it would stay there for time being.

There being no further business, David Abernethy moved to adjourn, seconded by Allen Wood and unanimously approved.

*David Abernethy*  
David Abernethy, Secretary

Tuesday, October 5, 1993 8:15 a.m.

OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met on Tuesday, October 5, 1993 at 8:15 a.m. in the office of the board of elections. Members present were Albert Yount, Allen Wood and David Abernethy.

David Abernethy moved to approve the minutes of previous meeting as each had copies prior this meeting. This motion was seconded by Allen Wood and unanimously approved.

Allen Wood moved to approve the following absentee applications:  
C-4, C-5, C-6, C-7, C-8 and C-9.

This motion was seconded by David Abernethy and unanimously approved.

Motion was made by David Abernethy to appoint Yvonne Wood as Registrar in E Newton #10 precinct as recommended by Fred Fulbright and to appoint Sharon Abernethy as Republican Judge in E Maiden #9 precinct, Margaret Hahn as Republican Judge in Sandy Ridge #30 precinct, Walter Zimmerman as Republican Judge in Viewmont 1 #36 precinct, Jean Lyons as Republican Judge in Viewmont 2 #37 precinct, Mary Jo Williams and Larry Rhoney as Registration Commissioners as recommended by Joe Lutz. This motion was seconded by Allen Wood and unanimously approved.

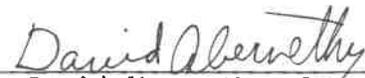
The registration done by Larry Rhoney with reference from G. S. 163-72(f) was discussed and the supervisor advised to contact Mr. Rhoney as soon as possible to have him come in and be qualified since he has been named a registration commissioner and re-do the registration denied before the deadline of 10/11/93.

It was unanimous to appoint Loretta Brittain as Registrar in St. Stephens 2 #29 precinct.

The supervisor was instructed to work on the remaining vacancies and the Board would meet Friday October 8, 1993 to appoint. She was also requested to contact Mr. Fulbright again about the vacancies.

Mr. Yount advised the members of a phone call from Russ Sloss a salesman for Business Records.

Motion was made by David Abernethy to adjourn. This was seconded by Albert Yount. Motion carried.

  
\_\_\_\_\_  
David Abernethy, Secretary

10/5/93

Friday, October 8, 1993 8:15 a.m.

## OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met on Friday, October 8, 1993 at 8:15 a.m. in the office of the board of elections. Members present were Albert Yount, Allen Wood and David Abernethy.

Allen Wood made motion to approve the minutes of previous meeting as each had copies prior this meeting. This motion was seconded by David Abernethy and unanimously approved.

The purpose of this meeting was to review absentee applications and appoint precinct officials.

Motion was made by Allen Wood to approve absentee application C-10: This motion was seconded by David Abernethy and unanimously approved.

The following precinct officials were appointed by the Board. Motion was made by David Abernethy to appoint Edna Setzer, Registrar for Balls Creek #1; Dean Sigmon, Registrar for Conover West #7; Sharon Noble, Registrar for Northwest #39; Melissa Bell Lackey, as Democrat Judge for Mtn. View 2 #24 and Scarlett Talley as a Registration Commissioner. This motion was seconded by Allen Wood and unanimously appointed. (Scarlett Talley was recommended by the Democratic Party.)

It was unanimous to ask the former Registrar in Greenmont #13 and the former Registrar in Oakland Heights #26 to serve in the November 1993 general election if they would. The Board requested the supervisor to continue to fill the other vacancies.

The supervisor requested advice on when to count absentees if other than 5 P M on election day, it would have to be advertised. It was discussed and agreed "that if no large number to count (as now) do nothing".

There being no further business, Allen Wood moved to adjourn, seconded by David Abernethy and unanimously approved.

David Abernethy  
David Abernethy, Secretary

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October 12, 1993 8:15 a.m.

OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met on Tuesday, October 12, 1993 at 8:15 a.m. in the office of the board of elections. Members present were Albert Yount, Allen Wood and David Abernethy.

Motion was made by Allen Wood to approve the minutes as each had been submitted to the members prior this meeting. This motion was seconded by David Abernethy and unanimously approved.

The purpose of this meeting was to review absentee applications and appoint precinct officials.

Motion was made by Allen Wood to approve absentee applications C-11 and M-1. This motion was seconded by David Abernethy and unanimously approved.

It was unanimous by the board to appoint Patricia A Lee as democrat judge in Oakland Heights #26 precinct, Irma Cline Holler as democrat judge in St. Stephens 2 #29 precinct, Dorothy Hawkins as registrar and Joyce Brown as republican judge in Greenmont #13 precinct and Thurman Whisnant as republican judge in Viewmont 2 #37 precinct. The Board was advised that in some of the above, the Board may have to make replacements after November.

The supervisor advised there were still 2 vacancies, and was pretty sure that Viewmont 1 #36 registrar would be filled. The chairman ask the supervisor to contact Paul Fogleman about the vacancy in Oakland Heights #26 precinct.

There being no further business, David Abernethy moved to adjourn, seconded by Allen Wood and unanimously approved.

David Abernethy  
David Abernethy, Secretary

Friday, October 15, 1993 8:15 a.m.

OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met on Friday, October 15, 1993 at 8:15 a.m. in the office of the board of elections. Members present were Albert Yount, Allen Wood and David Abernethy.

Motion was made by Allen Wood to approve the minutes of previous meeting as each had copies prior this meeting. This motion was seconded by David Abernethy and unanimously approved.

The purpose of this meeting was to review absentee applications and appoint precinct officials.

Motion was made by Allen Wood to approve the following absentee applications and one-stop envelopes:

C-12 and OS-1 through OS-10. This motion was seconded by David Abernethy and unanimously approved.

Motion was made by Allen Wood to appoint Carol Crenshaw as registrar in Oakland Heights #26 precinct and Joan Christy as registrar in Viewmont 1 #36 precinct. This motion was seconded by David Abernethy and unanimously approved.

Allen Wood commended the supervisor and staff for their help in securing precinct officials for the vacancies, and wished it be a part of the minutes. This was unanimous by the other two members.

Albert Yount reported to the board that Sally Fox had contacted him about having observers in the precincts in City of Hickory. (She is a candidate). He advised her this could not be done in a nonpartisan election under G.S. 163-45 which states " the chairman of each political party in the county shall have the right to designate two observers" etc., and that this had been verified with Mrs Johnnie McLean at the State Board of Elections.

There being no further business, David Abernethy moved to adjourn, seconded by Allen Wood and unanimously approved.

David Abernethy  
David Abernethy, Secretary

Friday, October 22, 1993 8:15 a.m.

OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met on Friday, October 22, 1993 at 8:15 a.m. in the office of the board of elections. Members present were Albert Yount and Allen Wood. David Abernethy asked to be excused.

Motion was made by Allen Wood to approve the minutes of the previous meeting. This motion was seconded by Albert Yount. Motion carried.

The purpose of this meeting was to review absentee applications.

Motion was made by Allen Wood to approve the following absentee applications and one-stop applications and container envelopes:

C-13, C-14, C-15, C-16, A/B-1, A/B-2, A/B-3, A/B-9, A/B-10, A/B-11, A/B-12, OS-11 through OS-41.

This motion was seconded by Albert Yount. Motion carried.

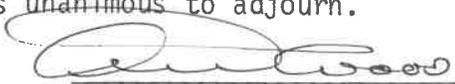
It was unanimous to appoint Lois Kanupp as republican judge in Mtn. View 2 #24 precinct. (Jean Pitts had a conflict).

It was discussed how long the monitors should be programmed. It was decided to have one to display for 5 seconds and the other for 7 seconds. The white boards for pct. by pct. reporting would be against the long wall and only list those offices with opposition. All chairs to be removed.

The supervisor advised the board there were two vacancies for the precinct officials and that Fred Fulbright had been contacted, but the office staff would help.

The supervisor also advised the board that the machines would be logic tested and sealed on Saturday, October 23, 1993 and asked if the members would like to help or observe. Mr. Yount said he did not need to, and Mr. Wood indicated he was interested.

There being no further business, it was unanimous to adjourn.

  
Allen Wood, Acting Secretary

Instructional meeting and demonstration of the Accu Vote was held on 10/19/93 with all 3 board members present.

Instructional meeting and demonstration of the Optec 3-D Eagle was held on 10/21/93. The demonstration was attended by Albert Yount and David Abernethy. Mr. Wood had a conflict. Mr. Yount did the instructional meeting. Mr. Abernethy asked to be excused as was not well.

## OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met on Tuesday, October 26, 1993 at 8:15 a.m. in the office of the board of elections. Members present were Albert Yount, Allen Wood and David Abernethy.

Motion was made by Allen Wood to approve the minutes of the previous meeting. This motion was seconded by Albert Yount. Motion carried.

Motion was made by David Abernethy to approve the following absentee applications and one-stop applications with container envelopes:

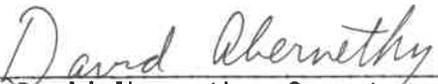
C-17, C-18, C-19, C-20, C-21, OS-42 through OS-68.  
This motion was seconded by Allen Wood and unanimously approved.

Motion was made by David Abernethy to appoint Dana Lingerfelt as Registrar in St. Stephens 1 #28 precinct and Phyllis Drum as republican judge in Mt. Zion #33 precinct. (Ira Cline in #33 had a conflict). This motion was seconded by Allen Wood and unanimously approved.

The voting equipment being tried in Mt. Olive #22 precinct and N Newton #25 precinct was discussed. The state law requires a trial election before the Board can recommend to the county commissioners what system they wish to purchase. Motion was made by Albert Yount to refer any conversation about purchasing, terms, etc. for an optic scan voting system be relayed to the Catawba County Purchasing Agent, that she receive any information in writing. This motion was seconded by David Abernethy and unanimously approved. (Mr. Yount talked with Debbie Anderson, purchasing agent requesting her help).

Let the minutes show that all machines being used were logic tested and sealed on October 23, 1993. The sealing and testing was done by Wanda Mode, Linda Mundy and Joyce Rudisill assisted by William Rudisill. The serial numbers are #405, #390, #384, #385 & #419, etc.

There being no further business, it was unanimous to adjourn.

  
David Abernethy, Secretary

Wednesday, October 27, 1993 8:15 a.m.

## OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met in the office of the board of elections Wednesday, October 27, 1993 at 8:15 a.m. (6th day prior an election). The Board did not meet the 8th day before election as was no need. Members present were Albert Yount, Allen Wood and David Abernethy.

Motion was made by Allen Wood to approve the minutes of ~~the~~ the previous meeting. This motion was seconded by David Abernethy and unanimously approved.

Motion was made by Allen Wood to approve the following absentee application and one-stop applications and container envelopes:

C-22, OS-69 through OS-80.

This motion was seconded by David Abernethy and unanimously approved.

Let the minutes show that Albert Yount, chairman appointed John Patton as democrat judge in Sandy Ridge #30 precinct under G.S. 163-41. (Willa Dean Adcock had a conflict.

Under information received from Mr. Gary Bartlett, Director of State Board of Elections, Albert Yount approved the supervisor to issue applications and ballots for sickness or physical disability under G.S. 163-230(3)(c).

There being no further business, David Abernethy moved to adjourn. This was seconded by Albert Yount and unanimously approved.

David Abernethy

David Abernethy, Secretary

Monday, November 1, 1993 5:00 P M

## OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met on Monday, November 1, 1993 at 5 p.m. (1st day prior election) in the office of the board of elections. (The Board did not meet the 4th day prior election as no need). Members present were Albert Yount, Allen Wood and David Abernethy.

Motion was made by Allen Wood to approve the minutes of the previous meeting. This motion was seconded by David Abernethy and unanimously approved.

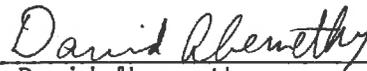
Motion was made by David Abernethy to approve the following absentee applications and container envelopes: OS-81 through OS-115, A/B-5, A/B-6, A/B-14, A/B-15, A/B-16, A/B-17, A/B-18, A/B-19, A/B-20, A/B-21, A/B-22, A/B-23, and to deny A/B-8 as the application and container envelope were not signed by the voter. This motion was seconded by Allen Wood and unanimously approved.

It was unanimous by the Board to approve Pam McCoy as Technician in North Newton #25 precinct with Accu Vote (Global Elections) and Bryan Hoffman, Technician in Mt Olive #22 precinct with Optec 3-P Eagle (Business Records).

The Board reviewed election central in the meeting room of the Catawba County Government Center and was pleased with the arrangements and what MIC had done for the Board with the TV monitors.

The Board will meet in the office of the board of elections at 5 P M on November 2, 1993 to count absentee ballots.

There being no further business it was unanimous to adjourn.

  
\_\_\_\_\_  
David Abernethy

Tuesday, November 2, 1993 5:30 a.m.

The Catawba County Board of Elections staff were on duty in the office of the board of elections on Tuesday, November 2, 1993 at 5:30 a.m. to assist precinct officials if needed. Albert Yount called the office and advised he was visiting precincts on the way to office. Allen Wood came by and was on call and would be in office at 1 P.M. David Abernethy was on call at his office. (Staff present was Wanda, Linda and Joyce)

There were 4 service calls made for malfunctions of the machines. The supervisor went to Claremont #6, Conover E #8, Sandy Ridge #30 for red print-outs and Longview N #17 for a ballot jam that was caused by spilling coffee on the machine.

Tuesday, November 2, 1993 5:00 P.M.

#### OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS

The Catawba County Board of Elections met in the board of elections at 5:00 p.m. for the purpose of counting absentee ballots. Members present were Albert Yount, Allen Wood and David Abernethy. The Board was assisted by the supervisor.

The absentee voters names were entered into the absentee poll book by the staff. Each were checked by the board members, and the poll book signed.

There were 154 absentee ballots counted with the results as follows:

Town of Catawba		Hickory Bd of Education	Absentee votes
Mayor	Absentee votes	SW 1: Daniel L. Morgan	7
John H. Elmore	0	SW 2: Bud Caywood	16
Town Commissioners		SW 3: Danny Seaver	0
Robert J. (Bob) Allen	1	SW 5: Clarence W Craig Jr	0
C. Bennett Gilbert	0	Ken B. Johnson	1
Thomas H. Jones	0	Lynn Nash	5
Paula L. Miller	0	Maiden	
Conover		Mayor	
Mayor:		Paul Burnett	1
Bruce R. Eckard	5	George (Scottie) McClellan	5
Councilmen:		Marjorie Moose	1
Garfield Cline	4	Bob Smyre	6
Paul E. Headrick	4	Councilmen:	
City of Hickory		Reggie Deaton	6
Mayor		Edna Mae Heffner	2
Tim Eckard	10	Zane R. Hudson	6
William R. McDonald IV	43	Rick Lookadoo	5
Alderman: Ward 4		Scott McClellan	5
Z. Ann Hoyle	35	Twyla B Peeler	4
Larry G. Pope	13	Bobby Sigmon	7
Alderman: Ward 5			
Sally Mullen Fox	27		
Philip C. Yount	22		
Alderman: Ward 6			
Vance James	11		
Patricia M. Moss	37		

Newton Mayor	Absentee Votes		Constitutional Amendment	Ab. votes
Wayne Dellinger	16	#1	FOR	56
Kemp Page Litton	2		AGAINST	85
H. Tom Rowe	25			
Aldermen:				
Robert Chambers	6			
Robert (Bobby) Coulter	6	#3	FOR	85
Dianne Bentley Davidson	14		AGAINST	46
Michael A. Gates	2			
Donnie R Holbrook	10	#4	FOR	93
Thomas C Hurley	6		AGAINST	39
Edward Ray Johnson	3			
Roy Johnson	16	#5	FOR	90
George Reid Jr	19		AGAINST	42
Hugh Rhinehardt	3			
William (Bill) Sams	0			
Revonda M Seitz	11			
Jim Stockner	20			
Newton/Conover School District				
Conover District				
Charles W. Lewis	4			
Newton District				
Flora Belle Abernethy	14			
Janet M. Bixby	10			
Elizabeth Gaither	23			
Sam McRee	19			

The Town of Brookford and City of Claremont had no absentees to be counted. This election is the first time for conducting the the elections for the Town of Catawba & Town of Long View.

The Board members then recessed to reconvene back in the office of the board of elections at 7:30 p.m. for receiving precinct results from the 40 precincts.

November 2, 1993 7:30 p.m.

The Board members were present in the board office at 7:30 p.m. to receive results.

The results were posted on wipe and mark boards in the meeting room of the Catawba County Government Center. The accumulative totals were displayed on the TV monitors done by the Management Information Center. Taking phone calls were Coleen Rhodes, Renae Martin, JoAnn Chase, Nellie Martin, Martha Yount and Linda Mundy. Recording on the tally sheets were Lucille Pitts, Ruth Mackie, Phyllis Nichols and Kathy Drum. Dale Chilcott worked the copier. Corie and Sheldon Coley were runners and Joe Robinson, Jr and Bud Reinhardt posted on the white boards.

College Park #11 and Oakland Heights #26 had trouble with tabulators and were instructed to bring all to the office to be recounted.

The unofficial precinct returns were completed approximately 11:00 p.m.. The Board unanimously adjourned to meet again on Thursday 11/4/93 at 11:00 a.m. sharp.

*David Abernethy*  
 \_\_\_\_\_  
 David Abernethy, Secretary

Thursday, November 4, 1993 11:00 a.m.

OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met in the Board Room in the Catawba County Government Center on November 4, 1993 at 11:00 a.m. The purpose of the meeting was to comply with N.C. General Statute 163-75 (to certify the election results at an official canvass). Members present were Albert Yount, Allen Wood and David Abernethy. Also present were Mrs. Sally Fox, Mr. Philip Yount and the Supervisor of Elections, Joyce Rudisill.

Motion was made by David Abernethy to approve the minutes of November 1, 1993 and November 2, 1993. This motion was seconded by Allen Wood and unanimously approved.

Albert Yount requested the minutes to show that the supervisor advised him on Wednesday, in doing the audit, that there were 200 more votes for Philip Yount, candidate for MW 5 in Hickory on the official returns signed and turned in by the precinct officials of Oakwood precinct #14, than was understood by phone on Tuesday night while receiving unofficial returns. Mr. Yount advised the other two board members that he had called Johnnie McLean at the State Board of Elections. That she suggested he call the two candidates, but it was not required. The chairman notified the two candidates of the situation by telephone on the evening of November 3, 1993.

Mrs. Sally Fox and Philip Yount appeared before the Board at 11:00 a.m. for the Canvass on November 4, 1993. Mr. Philip Yount (no relation to Albert Yount) verbally requested a recount of votes in his race. He was at this time given a copy of North Carolina Administrative Code, Title 8, Chapter 2 and was verbally advised by the Board that any such request must be in writing as therein provided. Mr. Yount left without filing anything in writing with the Board. A copy of the North Carolina Administrative Code, Title 8, Chapter 2 was also given Sally Fox.

The Board began the Canvass that is required by law, by opening and reviewing the returns brought and mailed to office. The tabulator had printed two precinct returns in red. The Catawba County Board of Elections did this day by written order open the ballot boxes of Highland #16 and St. Stephens #28 precincts for the purpose of recounting because the printouts were in red. (G.S. 163-175).

Motion was made by David Abernethy to accept the returns from Falling Creek precinct #38 although the two (2) returns were not signed by the officials, but the container envelopes were. This motion was seconded by Albert Yount and was unanimously approved. The supervisor was advised by the Board that it was not necessary to call the precinct officials to the office to sign the returns.

IT WAS UNANIMOUS BY ALL THREE BOARD MEMBERS THAT THE GENERAL ELECTION OF NOVEMBER 2, 1993 BE OFFICIALLY CERTIFIED.

The official results of the Canvass stands as follows: (154 absentees are included in totals).

Brookford Municipal		Catawba Municipal	
Mayor:	Votes	Mayor:	Votes
David L. Foster	37	John H. Elmore, Jr	100
Gaither Hefner (write in)	41		
Aldermen:		Town Commissioners:	
Darlene C Radford	44	Robert J (Bob) Allen	89
Neal H. Stepp	41	C. Bennett Gilbert	76
Eulon E. Warren	68	Thomas H. Jones	92
		Paula L. Miller	85

Claremont Municipal	Votes
Mayor: Joseph (Joe) Chandler	110
Councilman	
Jim L Campbell	95
Gary W Carpenter	86
Tim Lowrance	128
Conover Municipal	
Mayor: Bruce R. Eckard	592
Councilman:	
Garfield Cline	537
Paul E. Hwadrick	579
Hickory Municipal	
Mayor: Tim Eckard	1185
William McDonald III	2822
Alderman	
Ward- 4 Z. Ann Hoyle	2351
Larry G. Pope	1418
Ward 5: Sally Mullen Fox	1986
Philip C. Yount	1921
Ward 6: Vance James	1630
Patricia M. Moss	2281
Long View Municipal	
Mayor: Norman E. Cook	394
Alderman	
Ward 2: Grady D. Crump	72
Ward 5: Kenneth E. Bumgarner	94
Lester Danny Ramsey	35
Maiden Municipal	
Mayor: Paul Burnett	59
George McClellan	252
Marjorie Moose	61
Bob Smyre	393
Councilmen	
Reggie Deaton	250
Edna Mae Heffner	248
Zane R. Hudson	382
Rick Lookadoo	311
Scott McClellan	122
Twyla B. Peeler	451
Bobby G. Sigmon	341

Newton Municipal	Votes
Mayor: Wayne Dellinger	1059
Kemp Page Litton	56
H. Tom Rowe	1124
Aldermen:	
Robert Chambers	315
Robert (Bo-by) Coulter	264
Diane Bentley Davidson	846
Michael A. Gates	71
Donnie R. Holbrook	639
Thomas C. Hurley	577
Edward Ray Johnson	241
Roy Johnson	652
George Reid Jr	714
Hugh Rhinehardt	213
William (Bill) Sams	94
Revonda M. Seitz	808
Jim Stockner	893
Hickory Board of Education	
SW 1: Daniel L. Morgan	616
SW 2: Bud Caywood	872
SW 3: Danny W Seaver	484
SW 5: Clarence W Craig Jr	28
Ken B. Johnson	230
Lynn Nash	457
Newton/Conover Bd of Education	
Conover District	
Charles W Lewis	688
Newton District	
Flora Belle Abernethy	936
Janet M. Bixby	300
Elizabeth Gaither	951
Sam McRee	976
State Bond Constitutional Amend.	
#1	
FOR	3059
AGAINST	9612
Bond Referendum	
#2 \$310,000,000	
FOR	6253
AGAINST	6450
Improvements	
#3 \$250,000,000	
FOR	6658
AGAINST	5659
#4 \$145,000,000	
FOR	6968
AGAINST	5330
#5 \$35,000,000	
FOR	6488
AGAINST	5810

Write-ins as recorded:	Votes	Write-ins as recorded:	Votes
Mayor for Town of Longview		Town of Maiden	
T W Van Horn	139	Mayor: David Frye	2
Mayor for Town of Catawba		Conover School Dist	
Bob Allen	1	Mark Canrobert	2
Ridby	1	Hickory School District	
Wayne Lowrance	1	SW 3 Ken Johnson	1
Mayor of Claremont		Lynn Nash	1
Pope	2		
Gilbert	2		
Busby	1		
Sigmon	1		
City of Conover:			
Councilman: Roy Sigmon	1		
Hal Hollar	1		
Lindsay Stafford	1		
Mayor: Charles Rhyne	1		
James Simpson	1		
Franklin Travis	2		
Ellis Lail	1		
Neil Rowe	1		

In other business: The Board discussed the purchasing of new voting equipment. The supervisor was advised to talk with the purchasing agent, Debbie Anderson, and ask her to draw up a specification sheet for the following: The Board would like to review it and receive bids by December 1, 1993:

Warranty, Instructional meetings with maintenance personnel and printer, Trade in Option, Maintenance contract terms, future support, Cost F.O.B. Government Center, programmer, schematics, ask about bid for an Auto Feed, Modem, as an enhancement.

There being no further business, David Abernethy moved to adjourn. Allen Wood seconded and was unanimously approved.

*David Abernethy*  
 \_\_\_\_\_  
 David Abernethy, Secretary

Monday, November 8, 1993 8:00 a.m.

OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met on Monday, November 8, 1992 at 8:00 a.m. in the board room of the board of elections. Members present were Albert Yount, Allen Wood and David Abernethy.

The minutes of previous meeting will be reviewed at next meeting.

The purpose of this meeting was the Board had several items before them to be resolved.

1st item of business was a letter of complaint delivered to the home of Albert Yount Saturday afternoon, November 6, 1993 from Tim Eckard. It was discussed at great length. Motion was made by David Abernethy to dismiss his letter of complaint because it did not fall under the board of elections jurisdiction. This motion was seconded by Allen Wood and unanimously approved. The members requested David Abernethy to draft an ORDER detailing the Boards findings to accompany the Boards decision. (Order at end of minutes).

2nd item of business was a request in writing to the Catawba County Board of Elections on Friday, November 5, 1993 at 1 p.m. by Philip Yount, candidate for alderman of Ward 5, City of Hickory for a recount. All his allegations were discussed item by item using the Administrative Code as a guide. Motion was made by Allen Wood not to have a hearing as no probable cause was found and dismiss his complaint, but to send an ORDER responding to each specific point he raised in his letter. This motion was seconded by Albert Yount. David Abernethy voted no as to the conclusion not to have a hearing, but when he sees the ORDER that is to be drafted by Allen Wood, detailing the Boards findings, he may agree with part or all of it. The motion carried. (David Abernethy called the office after receiving the Order from Mr. Wood and he agreed with all facts stated). (Order at end of minutes).

3rd item of business. The Board reviewed a complaint from David Foster about alleged campaigning in the polling place at the Brookford precinct #4. All was discussed. The complaint did not meet the basic requirements of Chapter 3 of the Administrative Code, but did need to be considered under Chapter 2. Probable cause was found. It was unanimous to hold a hearing and subpoena David Foster, Darlene Radford, Rene Griffey, Betty Anthony and Gaither Hefner. Hearing to be Friday, November 12, 1993 at 9:00 a.m. at the Catawba County Government Center. David Abernethy made motion that Mr. Yount execute the subpoena on behalf of the Board. This motion was seconded by Allen Wood and unanimously approved.

Albert Yount shared a letter he received from Nancy R. Meek about registering to vote at the DMV office on April 8, 1993. She and her husband both registered when applying for drivers license and when appearing to vote, they were not on the registration books of Catawba County.

Albert Yount also shared a phone call from Mike Abernethy to him about a recount for Flora Belle Abernethy for school board at the Newton District of the Newton/Conover Administrative School Unit. Mr. Abernethy stated he did not have any reason of misconduct or any irregularities, it was just close, but would not pursue it.

There being no further business, it was unanimous to adjourn.

: David Abernethy  
David Abernethy, Secretary

**In the Matter of the Complaint  
Dated November 6, 1993, filed by  
Tim Eckard**

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**ORDER**

On November 6, 1993, Mr. Tim Eckard delivered a written Complaint dated November 6, 1993 to the Chairman of the Catawba County Board of Elections.

This matter came on to be heard at the meeting of the Catawba County Board of Elections held at 8:00 A.M. on November 8, 1993, all members attending.

Mr. Eckard was a candidate for Mayor of the City of Hickory in the election held November 2, 1993. In substance, Mr. Eckard's Complaint alleges while he was greeting voters outside the fifty foot boundary from a polling place at about 8:15 A.M. on election day, the Chief of Police of the City of Hickory personally approached Mr. Eckard and ordered him to be in his office at 9:30 A.M. No criminal process was served upon Mr. Eckard and no explanation was given as to the subject matter of the meeting. Mr. Eckard further alleged that he did go to the Chief's office at the requested time and was told that there was no longer a problem; that the original request was based on a report that Eckard was taking down some of his opponent's signs.

The Board of Elections is first required to determine whether the Complaint substantially meets the legal requirements for a Complaint and whether the Complaint

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Order

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establishes probable cause to believe that irregularity, misconduct, or a violation of the election laws have occurred.

The Board hereby finds that Mr. Eckard's Complaint does not establish probable cause to believe that irregularity, misconduct, or violation of the election laws occurred.

The Board of Elections has jurisdiction to consider complaints concerning misconduct by election officials. Chief Lucas is not an election official. The Board of Elections also has the power to investigate violations of the election laws contained in Chapter 163 of the General Statutes of North Carolina. These statutes generally concern the manner of conduct of an election and also prohibit interference with, or preventing a citizen from voting. Such is not alleged in Mr. Eckard's Complaint, and the Board takes judicial notice that Mr. Eckard in fact did vote on election day.

While the State Board of Elections has the authority to order new elections in extreme cases, Mr. Eckard specifically states in his Complaint that he is not trying to change or affect the outcome of the election. Further, we independently find that the conduct complained of in the Complaint could not have changed the outcome of the election. Therefore, there is no basis for the Board of Elections to proceed on those grounds.

The Board makes no findings concerning the truth or falsity of Mr. Eckard's allegations, or as to whether such allegations, if proven, might state a valid grounds for relief on a basis other than the election laws. Upon our determination that no election law violation is alleged, our dealing with the Complaint comes to an end.

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Order

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Having dismissed the Complaint under North Carolina Administrative Code Title 8, Chapter 2, .0002(a)(2), it is hereby ordered that a copy of this Order shall be mailed to Mr. Tim Eckard and the State Board of Elections.

All members of the Board have concurred in the issuance of this order. This 8th day of November, 1993.



**Albert Yount, Chairman  
Catawba County Board of Elections**

cy: Mr. Tim Eckard  
1039 12th Street, N. E.  
Hickory, N. C., 28601

State Board of Elections  
P. O. Box 1166  
Raleigh, N. C., 27602



# CATAWBA COUNTY

P.O. Box 132 • Newton, North Carolina 28658 • (704) 464-2424 (704) 465-8440

## BOARD OF ELECTIONS

IN THE MATTER OF THE )  
 ELECTION COMPLAINT FILED ) O R D E R  
 BY PHILIP C. YOUNT )

The Election Complaint and request for re-count filed by Philip C. Yount dated November 4, 1993 and received by the Catawba County Board of Elections at 1:00 p.m. on November 5, 1993 has been considered by the Board. For the reasons set forth herein, the Board orders that the Complaint be dismissed and that the request for re-count be denied.

Title 8, Chapter 2 of the North Carolina Administrative Code requires that any Complaint concerning the manner in which votes were counted or results were tabulated be filed before the beginning of the meeting of the County Board to canvas the results of the Election. The official Canvas for the November 2, 1993 General Election was held beginning at 11:00 a.m. on November 4, 1993. The Board notes that Mr. Yount was present at the beginning of the Canvas but did not file a written Complaint at that time as required by law. Nevertheless, the Board has elected to consider Mr. Yount's Complaint.

With regard to the specific issues raised in the Complaint, the Board makes the following FINDINGS OF FACT:

1. Mr. Yount alleges that there was a discrepancy of 200 votes in his total in Oakwood Precinct #14. On Election Day, November 2, 1993, Mr. Yount received 258 votes in Oakwood Precinct. However, when the precinct officials called the unofficial totals in on Election night, Mr. Yount was erroneously recorded as having received only 58 votes. This was a human error. The correct total, as shown on the tabulator tape and confirmed at the official canvas, was 258 votes. When this mistake was discovered by the Election Office, Mr. Yount was immediately credited with the additional 200 votes. All vote totals posted on Election night were unofficial and the public and press were so advised.

2. On Election Night the tabulator in College Park Precinct #11 printed its totals in red instead of black. A red tape indicates that there could be a problem with the tabulator machine. In view of this, the election officials in College Park Precinct brought the ballots and the machine to the Catawba County Elections Office where the ballots were tabulated on a different machine prior to the results being certified by the election officials in College Park Precinct.

3. With regard to the use of trial voting machines, the Board is considering purchasing new machines and, as required by law, these machines were tested in two precincts in Catawba County, North Newton Precinct #25 and Mt. Olive Precinct #22. Neither of these two precincts have any Hickory City Voters within their boundaries.

BASED UPON THE FOREGOING FINDINGS, the Board concludes as a matter of law pursuant to Title 8, Chapter 2, Section .0002(b) of the North Carolina Administrative Code that there is no probable cause to believe that a violation of Election Law or irregularity or misconduct has occurred.

IT IS, THEREFORE, ORDERED that the Complaint filed Philip C. Yount be, and same hereby is, DISMISSED and the request for recount is DENIED.

IT IS FURTHER ORDERED that a copy of this Order be mailed to the State Board of Elections, Philip C. Yount, and Sally M. Fox.

This the 8th day of November, 1993.

  
\_\_\_\_\_  
ALBERT M. YOUNT, CHAIRMAN  
CATAWBA COUNTY BOARD OF ELECTIONS

Bd  
1900

Friday, November 12, 1993 9:00 A M

OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met in the meeting room of the Catawba County Government Center on Friday, November 12, 1993 at 9:00 a.m. Members present were Albert Yount, Allen Wood and David Abernethy.

At the conclusion of the public hearing, David Abernethy moved that the minutes of November 4 and November 8, 1993 be approved. This was seconded by Allen Wood and unanimously approved.

The purpose of this meeting was a public hearing in reference to election irregularities in the Brookford precinct #4 on November 2, 1993 filed by David Foster, Candidate for Mayor. The Board subpoenaed David Foster, Darlene Radford, Lorene Griffey, Betty Anthony and Gaither Hefner to be present. Each were sworn to give the facts as they knew it, also sworn were Myrtle Franklin and Joyce Rudisill.

After questioning and hearing testimony, the Board recessed to discuss the testimony heard and to reach a decision. (For the record a court reporter was in session to record the testimony).

The Board reconvened back in session after deliberation. Mr. Yount read the unanimous Boards decision. It is as follows:

The Board finds that there is no evidence that systematic campaigning took place in the Brookford polling place on Election day. However, the Board further finds that Mr. Gaither Hefner knew a week before the election that there was an ongoing, active write-in campaign on his behalf for the office of Mayor of Town of Brookford. Mr. Hefner should have removed himself and not served as a precinct judge for that election. His failure to do so was an irregularity sufficiently serious to cast doubt on the integrity of the election for the office of Mayor of the Town of Brookford, especially since the race was decided by only four (4) votes. Accordingly, the Catawba County Board of Elections will recommend to the State Board of Elections that a new election be held for the office of Mayor of the Town of Brookford.

Further, the Board of Elections will institute proceedings in accordance with law to determine whether or not Mr. Hefner should be removed as Judge in Brookford #4 precinct.

It was unanimous that the supervisor prepare the appropriate letter to Mr. Hefner for a hearing pertaining to removal as a Judge in Brookford precinct #4.

The supervisor presented a letter of complaint from Gloria Huffman about her daughter's voter registration done at the Octoberfest that never reached the board of election's office.

There being no further business, it was unanimous to adjourn.

David Abernethy  
David Abernethy, Secretary

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Thursday, December 2, 1993 7:30 a.m.

OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met in office of the board of elections on Thursday, December 2, 1993 at 7:30 a.m. Members present were Albert Yount, Allen Wood and David Abernethy.

David Abernethy moved to approve the minutes of previous meeting after the word "recorder" is changed to "reporter" in last sentence of 4th paragraph. This motion was seconded by Allen Wood and unanimously approved.

The purpose of this meeting was to hold a recount in the City of Hickory Ward 5 Aldermans race between Sally Mullen Fox and Philip C. Yount as ordered by the State Board of Elections

ORDER

WAKE COUNTY  
NORTH CAROLINA

The State Board of Elections, meeting in Raleigh on Tuesday, November 23, 1993, considered the Findings of Fact and order of the Catawba County Board of Elections relating to the municipal election for the Town of Hickory for the office of Alderman, Ward 5, conducted November 2, 1993, Sally M. Fox and Philip C. Yount being the candidates for that office

Following review of all submissions previously distributed to all State Board members the State Board of Elections, with all members participating Ordered

THAT the Catawba County Board of Elections conduct a recount for the Town of Hickory, Alderman Ward 5, and

THAT the Catawba County Board of Elections notify the candidates involved of the time for the recount in order that they, or their representative, may attend and witness the recount, and

THAT the Catawba County Board of Elections forward to the State Board of Elections the results of the recount and a report of the method used to recount the votes.

Entered this 23rd day of November, 1993, upon motion by Larry Leake, seconded by Jean Nelson and adopted unanimously.

By Order of the State Board of Elections:

/s/ Edward J. High, Chairman

/s/ Gary O. Bartlett, Executive Secretary-Director

The recount began at 7:30 a.m.

The outstacks were counted by the 3 board members. The end result was:

ALDERMAN WARD 5

Sally Mullen Fox	1,974	down 12
Philip C. Yount	1,918	down 3
Write-ins	-2	

The method of recount was the same used on November 2, 1993. The Board members taped the machine tape to the two (2) returns. The supervisor ran the tapes and reset machines for each precinct.

At the conclusion, the said ballots were put back in the precinct ballot box from where they were taken. The boxes were resealed. The returns were signed by each board member. Immediately after this, the Board members canvassed the returns, abstracts filled out and signed by each board member. The original abstract was sent immediately to the State Board of Elections by Federal Express, an abstract was mailed to the City of Hickory and an abstract filed in the office.

There being no further business, it was unanimous to adjourn.

David Abernethy  
David Abernethy, Secretary

Tuesday, December 14, 1993 8:15 a.m.

## OFFICIAL MINUTES OF THE CATAWBA COUNTY BOARD OF ELECTIONS:

The Catawba County Board of Elections met in the office of the board of elections on Tuesday, December 14, 1993 at 8:15 a.m. Members present were Albert Yount and David Abernethy. Allen Wood asked to be excused.

Albert Yount moved the minutes of previous meeting be approved. David Abernethy seconded. They were unanimously approved.

The purpose of the meeting was to review the specifications for bids for new voting equipment as drafted by Debbie Anderson, purchasing agent for Catawba County. In discussion, it was unanimous to ask for bids on 46 machines and an automatic counter. The extra machine in case of a precinct being split and the automatic counter would be a valuable tool for counting absentees and recounts.

The supervisor presented the board with the resignation of Gaither Hefner as Republican Judge in Brookford #4 precinct. It was accepted and filed. Other correspondence was received from the State Board of Elections. No action taken and was filed.

There being no further business, it was unanimous to adjourn.

David Abernethy  
David Abernethy, Secretary

Bd 07/16/93