

MINUTES OF
CATAWBA COUNTY BOARD OF ELECTIONS
July 23, 2002

Chairman Johnson called the meeting to order. Director Brewer reported that there had been a complaint about some of the signs of District Attorney Candidate Bob Thomas. The State Board of Elections wrote him a letter outlining what he needed to do, and apparently, is complying with this letter.

Brewer reported that a new cardveyor has been ordered, and that the existing cardveyor is to be sold to Orange County.

After discussion regarding the times for one-stop voting, the Board approved unanimously a schedule including beginning the one-stop voting on Thursday, August 22, with that voting being open from 8 a.m. to 5 p.m. through Saturday, September 7, on which the voting will be open from 9 a.m. through 1 p.m.

The Board agreed to set the following dates and times for meetings of the Board for the purpose of reviewing absentee applications: August 20, 8:15 a.m., August 27, 8:15 a.m., September 3, 8:15 a.m., September 9, 5 p.m., October 15, 8:15 a.m., October 22, 8:15 a.m., October 29, 8:15 a.m., November 4, 5 p.m.

The Board unanimously authorized staff to remove the ballots from the last election from the boxes downstairs so that they can be prepared for the upcoming elections. Brewer reported that our sample ballots have been approved by Raleigh except for the State House and Senate races, which obviously cannot be put together until after filing ends on Friday.

The following instructional meeting dates were set by the Board: August 12, 9 a.m., August 15, 6 p.m., August 20, 6 p.m., and August 22, 4 p.m. Chairman Johnson then adjourned the meeting.

Respectfully submitted,

David W. Hood, Secretary

MINUTES OF
CATAWBA COUNTY BOARD OF ELECTIONS
August 20, 2002

Chairman Johnson called the meeting to order. Member Dennis Rhoney was not in attendance. Absentee ballot CIV 6 was denied approval due to insufficient witness information. CIV 52 was approved. The Board then reviewed the ballots, which have been printed for the upcoming primary election. The Board unanimously set the meeting on Election Day to count absentee ballots for 5 p.m. at the office of the Board of Elections. The Board agreed that elections staff will test the tabulation machines next week rather than the Board members themselves.

Director Brewer reported that the Kardveyor order is still on track, and that the existing Kardveyor is still to be sold to Orange County. He further reported that he had eight people lined up to conduct the one-stop voting beginning Thursday, August 22, 2002.

Chairman Johnson then adjourned the meeting.

Respectfully submitted,

David W. Hood, Secretary

MINUTES OF
CATAWBA COUNTY BOARD OF ELECTIONS
August 27, 2002

Chairman Johnson called the meeting to order. The following one-stop applications were approved for the primary: OS-LOB-1 through OS-LOB-255. The following mail-out absentees were approved: CIV 7, 23, 24, 29, 33, 42, 45, 49 and 51.

Director Brewer reported that Joyce Rudisill had made some calls with complaints about procedures, including the fact that there are two Republican judges in some precincts. The Democratic chair knows this, but we do not have enough Democrats to serve as judges. Brewer also reported that one of the voting machines is broken, leaving two spares. There is also a problem with the modems not working, which is due to a new server. The IT department and the machine supplier are working on the problem. The Board plans to have several companies demonstrate new machines in 2003.

The minutes for all meetings through August 20, 2002 were approved by the Board. The State Board has determined there will be no instructional meetings prior to the November election.

Chairman Johnson then adjourned the meeting.

Respectfully submitted,

David W. Hood, Secretary

MINUTES OF
CATAWBA COUNTY BOARD OF ELECTIONS
September 3, 2002

Chairman Johnson called the meeting to order. The following one-stop applications were approved for the primary: OS-LOB-256 through OS-LOB-620. The following mail-out absentees were approved: CIV 101, 100, 34, 95, 128, 82, 79, 73, 72, 69, 68, 26, 67, 25, 114, 27, 37, 38, 43, 50, 104, 120, 131, 133, 140, 144, 145, 149. CIV 58 was not approved due to lack of signatures.

The Board approved Larry Brewer's suggestion that Von Sigmon serve as Chief Judge in precinct 39 rather than serving in his home precinct. Brewer reported that a letter regarding local funding had been received from the Governor's office. Also, the ballot reading machine is still broken, and one of the spares will not accept ballots. Machine supplier in Texas is working on the problem..

Chairman Johnson then adjourned the meeting.

Respectfully submitted,

David W. Hood, Secretary

MINUTES OF
CATAWBA COUNTY BOARD OF ELECTIONS
September 9, 2002

Chairman Johnson called the meeting to order. The following one-stop applications were approved for the primary: OS-LOB-621 through OS-LOB-1297. The following mail-out absentees were approved: CIV 2, 8, 9, 12, 13, 17, 17, 20, 21, 22, 28, 30, 39, 53 through 57, 59 through 61, 63, 64, 74 through 77, 80, 87, 88, 92 thru 94, 98, 99, 102, 105, 106, 108 thru 110, 112, 116, 117, 119, 123, 129, 130, 132, 138, 139, 141 thru 143, 148, 151 thru 153, 155, 158 thru 160, 163 thru 167, 170, 172, 176 thru 178, 183, 184, 188, 189, 198, 199, 206, 211, 216, 209, 207, 194, 193, 186, 187, 1, 3, and 62. CIV 181, 118, 192, 122 were not approved due to lack of signatures.

Brewer reported that certification sent to Raleigh regarding the absentee voters list. Also, Hamilton Ward has lodged a complaint about point size in the Hilton mailers, so we have passed this along to Raleigh. Tommy Sides obtained more than 100 signatures, so he will be an official write-in candidate for Sheriff in November. Cherie Berry believes she voted the wrong ballot the other day in one-stop voting - the Board will examine this issue when that box is tabulated.

Chairman Johnson then adjourned the meeting.

Respectfully submitted,

David W. Hood, Secretary

MINUTES OF
CATAWBA COUNTY BOARD OF ELECTIONS
September 10, 2002

Chairman Johnson called the meeting to order. The Board proceeded to tabulate the results in Precinct 42, Absentees. Several ballots were received after the deadline on Monday at 5pm, and thus were not counted: CIV 78,81,162,195,204,212. Also, C-50 and C-50A were sent to the same voter because C-50 had been mistakenly marked on in the office by a staff member. The Board counted only C-50A. Also, 780 in the one-stops was blank because the voter had mistakenly placed it in before voting. The voter was given 780A and 780 was not counted in any way. The Board also retrieved Cherie Berry's ballot and determined that she had indeed voted the correct ballot style.

There was no business for the Board after the precinct results were received. Chairman Johnson then adjourned the meeting.

Respectfully submitted,

David W. Hood, Secretary

MINUTES OF
CATAWBA COUNTY BOARD OF ELECTIONS
September 12, 2002

Chairman Johnson called the meeting to order. The Board then began the official canvas of the results from the September 10, 2002 primary election. The Board took the following action regarding provisional ballots. The following ballots were counted because the voter was properly registered: 1-1, 2-1 thru 2-5, 8-1, 9-1, 12-3, 20-4, 29-4, 37-1, 42-3, 42-5, 42-6, 42-9 and 42-10. The following ballots were counted because the voter had simply had an unreported precinct transfer and thus was properly registered: 1-5, 1-6, 2-7, 2-8, 2-10 thru 2-12, 6-1, 6-2, 7-2, 7-3, 8-3, 11-1, 12-2, 16-1 thru 16-4, 16-7 thru 16-11, 20-1 thru 20-3, 22-1, 26-1, 26-3 thru 26-5, 28-1, 29-2, 35-1, 36-1, 39-1, 42-2, 42-4. The following ballots were not counted because there were incorrect or illegible signatures or because ballots were not sealed in the envelopes: 10-1, 10-2, 12-1, 15-1, 15-2, 26-2, 27-1, 28-2, 29-3, 37-2. The remaining provisional ballots were not counted because the voter was not properly registered. The Board then tabulated the results of the provisional ballots, which was 55 votes. The Board authorized staff to open the ballot boxes to prepare for the November election. Chairman Johnson then adjourned the meeting.

Respectfully submitted,

David W. Hood, Secretary

MINUTES OF
CATAWBA COUNTY BOARD OF ELECTIONS
September 16, 2002

Chairman Johnson called the meeting to order. The Board proceeded to recount the Court of Appeals primary between Brady and Walker. Upon completion, Chairman Johnson then adjourned the meeting.

Respectfully submitted,

David W. Hood, Secretary

MINUTES OF
CATAWBA COUNTY BOARD OF ELECTIONS
September 23, 2002

Chairman Johnson called the meeting to order. The sample ballots for the November election were sent to Raleigh and approved. There was one race not in alphabetical order on the state list, which has been fixed on our sample ballot. The Board set meetings to approve absentee requests for Oct 15, 22 and 29 at 8:15 am, and for Nov 4 at 5:00 pm. No-excuse voting one-stop will begin Oct 17 and last the same length and times as before the primary. Chairman Johnson then adjourned the meeting.

Respectfully submitted,

David W. Hood, Secretary

MINUTES OF
CATAWBA COUNTY BOARD OF ELECTIONS
October 15, 2002

Chairman Johnson called the meeting to order. The following absentee applications were approved: CIV 115, 177 and 178. CIV 129 was denied for lack of signatures.

Larry Brewer reported that the Lutheran Home is continuing to send in applications for residents for absentee ballots. Debra Bechtel will send a letter to them to remind them they cannot be involved in that process. Staff will also call the Home on the subject. Our ballots for the election have still not arrived, but staff will keep pressing for delivery before one-stop begins on Oct 17. Chairman Johnson then adjourned the meeting.

Respectfully submitted,

David W. Hood, Secretary

(attachments)



CATAWBA COUNTY

P.O. Box 389 100-A South West Boulevard Newton, North Carolina 28658-0389
<http://www.co.catawba.nc.us>

Telephone 828-465-8483
FAX 828-465-8392

October 16, 2002

Amber McIntosh, Administrator
Lutheran Homes
1265 21st Street NE
Hickory, NC 28601

Dear Ms. McIntosh:

My attempts to reach you by telephone over the last few days have been unsuccessful. As I indicated in a voice mail message to you, I am enclosing a copy of North Carolina General Statute 163-226.3 which makes it a felony for an employee of a nursing home to make a request for an absentee ballot or to mark or assist in marking an absentee ballot.

Two of your employees, Alice Whitener and JoAnn Mecom have violated this statute by requesting absentee ballots for Elizabeth Nall, Mary Driggins, Mary Setzer, Ruth Shetly, Margie Townsend, and Francine Yount. As these requests were made illegally, we cannot forward any absentee ballots. Anyone wanting an absentee ballot must complete the form in accordance with the law.

Please note that the voter themselves or a near relative or verifiable legal guardian are the only persons who may request an absentee ballot.

We appreciate your assistance in disseminating this important information to all of your employees as well as your residents.

Sincerely,

A handwritten signature in cursive script that reads "Debra Bechtel".

Debra Bechtel
Attorney for Catawba County

DB:jd
Enclosure

cc: ✓ Larry Brewer, Board of Elections Director

*Do Not send to
these people using
these request.*

*10/22/02
Ed.*

MINUTES OF
CATAWBA COUNTY BOARD OF ELECTIONS
October 22 , 2002

Chairman Johnson called the meeting to order. The following one-stop applications were approved for the primary: OS-LOB-1 through OS-LOB-464. The following mail-out absentees were approved: CIV 10, 14, 18, 20, 21, 32, 34, 42, 43, 44, 57, 58, 60, 66, 68, 69, 70, 71, 72, 73, 74, 76, 77, 78, 85, 86, 87, 88, 89, 94, 98, 104, 108, 109, 125, 126, 128, 136, 140, 147, 153, 156, 157, 159, 160, 164, 166, 168, 174, 175, 180, 183, 184, 186, 194, 200, 231, 237, 238, 239, 264, 265, 277, 278, 181, 285, 286. CIV 162 was not approved due to lack of signatures.

The Board agreed to meet at 5:00 pm on election day to tabulate the absentee ballots. The Board decided not to send absentee ballots to those whose nursing homes signed the applications. A letter from Bechtel to the homes was approved by the Board. The staff will test the equipment on October 28.

Chairman Johnson then adjourned the meeting.

Respectfully submitted,

David W. Hood, Secretary

MINUTES OF
CATAWBA COUNTY BOARD OF ELECTIONS
October 29 , 2002

Chairman Johnson called the meeting to order. Larry Brewer reported that we had received a request for an absentee ballot from Mr. and Mrs. Lyon who have a Charlotte address. We will call to see if they have moved within the last thirty days, because if not they cannot request an absentee ballot from us. The Board also denied a request made by Kession Young for voter Cindy Suzanne Austin, since Ms. Young is not a family member as defined by the State of North Carolina. The following one stop absentee applications were approved: OS-LOB-465 through 1550, but not including Number 1362 which was simply an unassigned number. The following mail out absentee ballot applications were approved: MIL 6, CIV 33, 55, 56, 120, 121, 132, 188, 227, 291, 292, 298, 299, 309, 312, 316, 321, 324, 325, 334, 349, 352, 389, 396, 412, 418, 435, 453, 466, 464, 475, 477, 483, 496, 504, 516, 535, 554, 561, 562, 567, 576, 602, 604, 613, 617, 637, 657, 672, 673, 684, 689, 702, 713, 753, 898, 1196, 1199, 381, 348, 344, 343, 342, 341, 340, 339, 336, 333, 331, 304, 300, 297, 295, 279, 275, 272, 271, 269, 262, 261, 260, 254, 251, 250, 246, 245, 243, 242, 241, 230, 228, 225, 176, 173, 172, 167, 151, 133, 122, 119, 111, 107, 106, 100, 93, 63, 54, 53, 25, 19, 16, 11, 3, 282, 281, 538, 365, 59, 468, 383, 338, 142, 337, 385, 252, 413, 675, 368, 363, 369, 155, 390, 154, 456, 288, 417, 391, 289, 463, 90, 116, 479, 91, 127, 424, 357, 67, 27, 28, 403, 313, 350, 446, 445, 45, 17, 110, 64, 65, 717, 203, 384, 728, 760, 954, 547, 307, 729, 1110, 1115, 7, 276, 1294, 708, 426, 421, 422, 611, 1060, 633, 868, 628, 1177, 614, 550, 257, 310, 813, 1038, 440, 805, 800, 699, 641, 1270, 767, 1195, 1074, 290, 759, 92, 315, 875, 1179, 843, 609, 569, 877, 270, 627, 293, 696, 649, 1166, 803, 428, 521, 587, 683, 977, 732, 736, 1211, 255, 256, 1016, 1274, 517, 850, 518, 677, 969, 630, 1194, 308, 916, 1187, 884, 926, 590, 103, 775, 897, 101, 46, 510, 1022, 594, 282, 281, 538, 365, 59, 468, 383, 338, 142, 337, 385, 252, 413, 682, 499, 1035, 712, 1229, 698, 995, 495, 716, 486, 894, 735, 659, 258, 374, 436, 387, 267, 259, 171, 598, 826, 266, 351, 886, 648, 360, 986, 434, 904,

849, 489, 984, 419, 980, 915, MIC 7, 625, 661, 1107, 376, 789, 793, 161, 1077, 398, 1090, 746, 745, 322, 1175, 921, 722, 946, 1297, 1240, 765, 860, 502, 695, 820, 500, 1304, 825, 918, 1045, 541, 552, 945, 509, 79, 1005, 991, 1202, 1055, 976, 437, 808, 768, 1031, 929, 990, 1131, 1140, 556, 1040, 1006, 819, 514, 955, 26, 958, 505, 586, 920, 917, 1100, 1243, 903, 415, 862, 721, 526, 852, 493, 870.

The following absentee ballot applications were disapproved because of insufficient signatures: CIV 303, 39, 833, 853, 386, 80, 38, 564, 193, 751, 589, 634, 683, 572, 1148, 1173, 1044, 709, 1079, 824, 397.

Chairman Johnson then adjourned the meeting.

Respectfully submitted,

David W. Hood, Secretary

MINUTES OF
CATAWBA COUNTY BOARD OF ELECTIONS
November 4, 2002

Chairman Johnson called the meeting to order. Dennis ~~Rander~~^{Rhoney} reported that Joyce Rudisill had voiced certain complaints about the operations of the office. He informed her to come to this meeting with a specific list of complaints, but she did not appear. As such, the matter is now closed. The following minutes were approved for past meetings of the Board of Elections: August 27, September 3, September 9, September 10, September 12, September 16, September 23, October 15, and October 22, 2002.

The Board approved having two judges from out of precinct work in Precinct 22 for the November 5 election. This became necessary when Casey Ammons had to be moved to Precinct 27 as chief judge to replace the previously scheduled chief judge who had an emergency conflict.

The following one stop applications were approved: OS-LOB 1551 through 3543, except that the voter for 1593 refused to actually vote, and number 2364 was unassigned. As far as applications by mail, CIV 314 was denied because it was turned in after 5 p.m. on November 4. The list of applications by mail which were approved by the Board are attached hereto and entitled "Executed Absentee Ballots". The list of rejected absentee ballot applications, as well as the reason for rejection, is attached hereto as "Absentee Voter Notes".

Several of the rejected absentee ballot applications were rejected because they were brought in person from the Lutheran Home by the Director of Activities. This is not consistent with the provisions of State Law regarding the return of absentee ballots.

Chairman Johnson then adjourned the meeting.

Respectfully submitted,

David W. Hood, Secretary

attachments



CATAWBA COUNTY

P.O. Box 389 100-A South West Boulevard Newton, North Carolina 28658-0389
<http://www.co.catawba.nc.us>

Telephone 828-465-8483
FAX 828-465-8392

November 12, 2002

Amber McIntosh, Administrator
Lutheran Homes
1265 21st Street NE
Hickory, NC 28601

Dear Amber,

A few days before the November 5, 2002, election a woman came to the Board of Elections office, identified herself as "the Activities Director for the Lutheran Home" and handed over a number of Absentee Ballots. I do not know if this was Alice Whitener or not but, through you, I notified her and other staff in a letter dated October 16, 2002 that she violated NCGA 163-226.3 in regards to activity related to absentee ballots. With that letter I included a copy of the statute.

NCGA 163-226.3(6) clearly prohibits "any person to take into that person's possession for delivery to a voter or for return to a county board of elections the absentee ballot of any voter, provided, however, that this prohibition shall not apply to a voter's near relative or the voter's verifiable legal guardian..."

As the absentee ballots delivered were done so in violation of the law, the Board of Elections had no choice but to determine those absentee ballots could not be counted.

This is a serious matter. I encourage you to educate your entire staff about the entire statute and to contact your own lawyer. Anyone is also welcome to visit the Board of Elections located in the Government Center in Newton where the staff would be happy to answer any questions.

Sincerely,

A handwritten signature in cursive script that reads "Debra Bechtel".

Debra Bechtel
Attorney, Catawba County

DB:jd

cc: Larry Brewer, Board of Elections Director

MINUTES OF
CATAWBA COUNTY BOARD OF ELECTIONS
November 5, 2002

Chairman Johnson called the meeting to order. The Board members opened and tabulated the absentee ballots, including eleven ballots which would not go through the machine but were instead counted as additional out stack ballots. Ballot C 1247 was counted, although the voter had requested another ballot on a note attached to the ballot inside the envelope. This is because it was obviously too late to send another ballot on election day. Upon conclusion of the tally of absentee ballots and the central location, Chairman Johnson adjourned the meeting.

Respectfully submitted,

David W. Hood, Secretary

MINUTES OF
CAITAWBA COUNTY BOARD OF ELECTIONS
November 8 , 2002

Chairman Johnson called the meeting to order. Minutes from the meetings of October 29, November 4 and November 5, 2002 were approved. The Board then proceeded to canvas the results from the November 5 election. The following provisional ballots were disallowed because the voter was not properly registered: 1-1, 1-2, 2-8, 2-12, 2-21, 2-22, 4-9, 4-14, 5-1, 5-3 through 5-9, 6-12, 6-13, 7-18, 7-38, 8-1, 8-2, 9-2, 9-4, 9-5, 10-1 through 10-3, 11-2, 12-1, 12-3, 12-5, 12-6, 13-1, 13-2, 16-1, 16-4, 16-5, 16-9, 17-1 through 17-7, 20-1, 20-9, 20-15, 20-16, 20-18, 20-20, 21-2, 21-3, 23-1, 23-3, 23-5 through 28-8, 23-10, 24-1 through 24-3, 26-5, 26-6, 26-8, 27-1, 27-3, 27-5, 27-9, 27-11, 28-1, 29-1 through 29-3, 30-2, 30-6, 31-1, 31-3, 31-5 through 31-7, 32-4, 32-6, 32-7, 32-14, 33-1 through 33-7, 34-2, 34-3, 34-5, 34-6, 37-1, 37-2, 38-4, 38-12, 38-14, 39-2, 41-1 through 41-5, 41-8, 42-1 through 42-3, and 43-2. All provisional ballots in Precincts 15 and 25 had to disallowed because the ballots were not inside the envelopes, but were instead attached outside the envelopes.

The Board decided to open all the denied provisional ballot envelopes to check for 07 or precinct transfer forms.

Due to problems with the counts done by precinct officials on election night, the out stacks for the following precincts had to be hand counted by the Board of Elections: 5, 9, 10, 15, 19, 22, 23, 24, 26, 27, 28, 29, 30, 33, 34, 38 and 39. In Precinct 23, one ballot was disallowed because it was not put in the tabulator by the voter himself.

In case there are some who request a recount of this election but no standing to do so, the Board authorizes the chairman to make the decision on whether the Board needs to meet with respect to any request by such a voter. Chairman Johnson then adjourned the meeting.

Respectfully submitted,

David W. Hood, Secretary