



**ORANGE COUNTY**  
NORTH CAROLINA  
BOARD OF ELECTIONS

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Orange County Board of Elections  
Monday, October 14, 2019 – 11 AM

Present: Jamie Cox, Chair; Shawnee Bigelow, Secretary; Clare Brennan; Elvira Mebane; Jason Roberts; and Rachel Raper, Director

**Call to order:**

Jamie Cox, Chair called the meeting to order. There was no one present to address the Board.

**Director's Report:**

Director Raper provided:

- October 8, 2019 Durham Municipal Primary Election Report
- Sample Audit Count: Eno and One-Stop

**October 8, 2019 Durham Municipal Primary Election Report:**

The director reported the Durham Municipal Primary with 54 eligible voters had no Election Day issues. One voter voted during early voting and two voters voted on Election Day at the Patterson precinct. As such, reporting election results per voting method, as requested by the NC State Board of Elections, would compromise the secrecy of how the one early voter voted. Director Raper reached out to county attorney John Roberts for guidance on the Board's duty to maintain ballot secrecy as mandated in 163-132.5G(a). His response for the Board:

Given the peculiarities of the Durham election; only having three voters in the county, easy access by the public to data that identifies the voter, and the state's preferred reporting method that, if followed, would then provide the public with an accurate account of the voting activity contained on the voter's ballot, I think that so long as actual results may be accurately reported by another method and those results are not manipulated in any way through the effort to protect the voter's ballot secrecy as mandated by 163-132.5G(a) then there is no liability under 163-275. Further, failure to utilize a reporting method that adequately protects the secrecy of the voter's ballot is certainly a breach of the local board's duty and could create some limited liability for breaching that duty to protect the secrecy of the ballot and its voting record.

Therefore, the Orange County Board of Elections has certified all voting activity under the "Election Day" reporting group, an administrative designation.

**Sample Audit Count:**

The director reported that the State Board of Elections randomly selected Eno and One Stop for the sample audit count.

**Board Actions:**

The Board conducted the sample audit count for Eno and One-Stop precincts. The ending hand-eye count was the same as the original machine count that shall be reported to the State Board of Elections.

The Board reviewed the canvass reports as submitted by the director. Mr. Roberts moved and Ms. Bigelow seconded the motion the Board certify the results for the October 8, 2019 Durham Municipal Primary. The motion passed unanimously. The Board signed the official abstracts that shall be filed with the State Board of Elections, the Clerk of Court, and the Orange County Board of Elections.

**Adjournment:**

Ms. Bigelow moved and Mr. Roberts seconded the motion the Board adjourn. The motion passed unanimously.

**Next Scheduled Board Meeting: November 5, 2019 at 2 pm**