

Minutes

Franklin County Board of Elections

Board Meeting – November 13, 2020 (Pre-Canvass Challenge Hearing)

The Franklin County Board of Elections met on this date at 10:00 am. The following were present at that time: Chairperson Sonravea Privette, Secretary Harry Barrick, Board Members M. Rose Gill (later), Barry Gupton, Angela Pearce (virtual), Director Michelle Chavis, Deputy Director Colette S. Kneeland, Franklin County Attorney Boyd Sturges and Observers Ann Quinlan and Armenta Eaton (later).

Chairperson Sonravea Privette called the meeting to order and turned the meeting over to Director Michelle Chavis. The Director explained that the purpose of the meeting is to hold a Challenge Hearing for the seven one-stop absentee voters prior to the Canvass of the 2020 Presidential General Election.

New Business

Challenge Hearing
November 13, 2020
NC GS 163-89

Director Michelle Chavis stated that County Attorney Boyd Sturges would conduct the hearing for the seven one-stop absentee voters for the 2020 Presidential General Election. The Director reported that two of the voters (Tony Avalone Hayes and Tevin Jeffrey Arrington) had been cleared by the State Board of Elections (SBOE) and were not required to appear at the hearing. During the proceedings the Director explained that the one-stop voters were identified as convicted felons by the SBOE and by the North Carolina Department of Correction Felon Conviction reports. The reports are provided by the SBOE and are processed daily during one-stop voting by the Franklin County Board of Elections. The reports and SBOE findings were announced by the County Attorney during the proceedings to be set forth as records incorporated with the hearing documents.

When the hearing began County Attorney Boyd Sturges administered an oath to Chairperson Sonravea Privette who was sworn in as the Challenger for the seven voters in the 2020 Presidential General Election. The Attorney conducted the hearing as follows:

1. Tony Avalone Hayes
 - a. The voter challenge was mooted per SBOE investigations the voter is cleared
 - b. Their one-stop absentee vote would be counted for said election
2. Eric Demont Brooks
 - a. The signed certified mail receipt was returned on 11/6/2020 for the Notice of Felony Conviction
 - b. The voter was sent a Hearing letter by US Mail
 - c. The voter's name was called aloud several times by the County Attorney to confirm voter was not present
 - d. Determined that voter was a felon and ineligible to vote in this election and that voter was a felon at the time the ballot was cast in said election
 - e. Per preponderance 50% +1 (unanimous vote) the vote is stricken from said election results
 - f. The Board unanimously agreed to remove all necessary voting records and to submit the results to the State Board of Elections for further action

3. Winfred Eugene Hill
 - a. The signed certified mail receipt was returned on 11/5/2020 for the Notice of Felony Conviction
 - b. The voter was sent a Hearing letter by US Mail
 - c. The voter's name was called aloud several times by the County Attorney to confirm voter was not present
 - d. Determined that voter was a felon and ineligible to vote in said election and that voter was a felon at the time the ballot was cast in said election
 - e. Per preponderance 50% +1 (unanimous vote) the vote is stricken from said election results
 - f. The Board unanimously agreed to remove all necessary voting records and to submit the results to the State Board of Elections for further action
4. Frank Kingsberry
 - a. The voter was served a Notice of Felony Conviction by certified mail receipt
 - b. The certified receipt and the Notice have not been returned and the voter address on record for the county was used
 - c. Notice of hearing sent by US Mail has not been returned
 - d. The voter's name was called aloud several times by the County Attorney to confirm voter was not present
 - e. Determined that voter was a felon and ineligible to vote in said election and that voter was a felon at the time the ballot was cast in said election
 - f. Per preponderance 50% +1 (unanimous vote) the vote is stricken from said election results
 - g. The Board unanimously agreed to remove all necessary voting records and to submit the results to the State Board of Elections for further action
5. Tevin Jeffrey Arrington
 - a. The voter challenge was mooted per SBOE investigations the voter is cleared
 - b. Their one-stop absentee vote would be counted for said election
6. James Antonio Strickland
 - a. The signed certified mail receipt was returned on 11/5/2020 for the Notice of Felony Conviction
 - b. The voter was sent a Hearing letter by US Mail
 - c. The voter's name was called aloud several times by the County Attorney to confirm voter was not present
 - d. Determined that voter was a felon and ineligible to vote in said election and that voter was a felon at the time the ballot was cast in said election
 - e. Per preponderance 50% +1 (unanimous vote) the vote is stricken from said election results
 - f. The Board unanimously agreed to remove all necessary voting records and to submit the results to the State Board of Elections for further action
7. Aaron Winston Lloyd
 - a. The voter was served a Notice of Felony Conviction by certified mail receipt
 - b. The certified receipt and the Notice have not been returned and the voter address on record for the county was used
 - c. Notice of hearing sent by US Mail has not been returned
 - d. The voter was mailed a voter verification card
 - e. The voter's name was called aloud several times by the County Attorney to confirm voter was not present


- f. Determined that voter was a felon and ineligible to vote in said election and that voter was a felon at the time the ballot was cast in said election
- g. Per preponderance 50% +1 (unanimous vote) the vote is stricken from said election results
- h. The Board unanimously agreed to remove all necessary voting records and to submit the results to the State Board of Elections for further action

At the end of the hearing two questions were addressed as follows: 1. Did any of the felons vote absentee by mail? Response from the Director was that they were one-stop voters who registered and voted in person. 2. When the felon has completed their sentence and their rights are restored can they vote? Response from the Director was that they are not automatically eligible to vote because they are removed from the voter rolls by the SBOE and they must re-register to be eligible to vote.

The motion was made by Secretary Harry Barrick, seconded by Board Member, M. Rose Gill to adjourn the Board Meeting. The vote was unanimous.

With no further business, the meeting was adjourned at 10:29 am.


Secretary, Harry Barrick


Deputy Director, Colette S. Kneeland