

**Montgomery County**

**Board of Elections**

 Mary Cagle, Chairman

John Adams, Vice Chair

Demond Hairston, Secretary

### Dree Wynkoop, Member

Debbie Burris, Member

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**BOARD HEARING MINUTES**

**August 6, 2019**

**11:00a.m.**

The Montgomery County Board of Elections (BOE) met Tuesday, August 6, 2019 at 11:00a.m. at the BOE Office at 327 Main St in Troy, NC. Present were: Dree Wynkoop, Demond Hairston, Debbie Burris, and Mary Cagle and John Adams. Also present was the Director of Elections, Rhonda Johnson and Deputy Director Kim Batten.

Mary called the hearing to order at 11:04a.m.

John Beard, the challenger in the hearing spoke to the Board of Election members.

He stated that he was not trying to be vengeful. He said he only wanted to follow the law and do what is right. He stated that Mr. Simmons stood up in a Town Hall meeting and said “I am not a resident of the Town of Biscoe any longer.” He stated that Mr. Michael Simmons did not live at the house located at 309 Church St. Biscoe, NC 27209. He said that Mr. Simmons was living on McCaskill Road in Biscoe, outside of the city limits at the time of filing. Mr. Beard stated that he had people that would testify that Mr. Simmons was living on McCaskill Road in Biscoe, NC. Mr. Beard stated that if anyone else he knew as friends or coworkers would have filed as a candidate and did not live inside the city limits, he would file a challenge against them as well.

Mr. Michael Simmons, the challenged spoke to the Board of Election members.

He stated that at the time of his filing for candidate in the 2019 Municipal Biscoe Election, he did not live at 309 Church St. Biscoe, NC 27209 but he did still own the home and he had not bought another home. Mr. Simmons went on to say that he only moved his business to McCaskill Road in Biscoe, NC onto his daughter and son in laws property. He stated that he would be returning to live at 309 Church St. Biscoe, NC 27209 shortly. Mr. Simmons went on to say that he felt like Mr. John Beard was being vengeful against him filing this challenge. He told of several different ways from being forced to park his big truck other places than his yard. He told of incidents where he had received a letter from the town of Biscoe about not parking his big truck at the railroad tracks in Biscoe. When Mr. Simmons asked the Biscoe town board about it, they said they had not discussed it.

The Board members made the decision to recess the hearing and go into closed session to talk with their county attorney about the laws on residency. The Board agreed to reconvene the hearing on August 20th at 5:30PM with a decision.

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