

Cumberland County Board of Elections
Board Meeting
November 15, 2024

Board Members in attendance were Chair Grimes, Member Edmonds, Member King, Member Baker, Member Devore.

The invocation was offered by Member Devore.

Staff in attendance are Director Amaro, Deputy Director Hilburn

Helen Nelson Cumberland County Attorney in attendance

Challenge hearing discussion.

Action: *Member Devore moved to remove the ballot for Patricia Black that passed away before November 05, 2024, based on the death certificate we received. (second by Member Baker). Vote is unanimous in favor*

Action: *Member Devore moved to remove the ballot for Thomas Furmage that passed away before November 05, 2024, based on the death certificate we received. (second by Member Edmonds). Vote is unanimous in favor.*

Action: *Member Devore moved to remove the ballot for Virginia Simpson that passed away before November 05, 2024, based on the death certificate we received. (second by Member King). Vote is unanimous in favor.*

Action: *Member Devore moved to remove the ballot for Terrence Maher that passed away before November 05, 2024, based on the death certificate we received. (second by Member Edmonds). Vote is unanimous in favor.*

Action: *Member King moved to remove the ballot for Alice Royal that passed away before November 05, 2024, based on the death certificate we received. (second by Member Baker) Vote is unanimous in favor.*

Action: *Member Devore moved to remove the ballot for Evelyn Godwin that voted absentee and passed away before November 05, 2024, based on the death certificate we received. (second by Member Edmonds) Vote is unanimous in favor.*

Action: *Member Devore moved to remove the ballot for Dennis Bridges that voted at an early voting site and passed away before November 05, 2024, based on the death certificate we received in a finding. (second by Member Baker) Vote is unanimous in favor.*

Action: Member Devore moved to remove the ballot for Gary Hopkins that passed away before November 05, 2024, based on the death certificate we received in a finding. (second by Member Edmonds). Vote is unanimous in favor.

Director Amaro presents to the board a finding that Joseph Fields voted election day and absentee by mail. The ballot that was received absentee by mail will be challenged and is retrievable.

Action: Member Devore moved to remove the ballot cast by Joseph Fields by method of absentee by mail and not count it in this election. (second by Member Baker). Vote is unanimous in favor.

Director Amaro stated the voter was notified by mail in regard to voting election day and absentee by mail.

Chair Grimes reads the challenge of Kenneth Goodwin that voted on election day and absentee by mail. Documentation is attached that he was notified by mail.

Action: Member Devore moved to remove the ballot cast by Kenneth Goodwin by method of absentee by mail and not count it in this election. (second by Member Edmonds). Vote is unanimous in favor.

Chair Grimes reads challenge of Ms. Oglesby that voted twice by curbside at the Cliffdale voting site on election day. Documentation passed from the preliminary hearing held previously on Tuesday and a copy of the letter that was mailed to Ms. Oglesby notifying her of the hearing.

Action: Member Devore moved to remove the last ballot cast by Zyisha Oglesby and only count the first ballot cast by the voter. (second by Member Edmonds). Vote is unanimous in favor.

Chair Grimes reads challenge of Mrs. Jackson that voted twice at the Spring Lake early voting site. Director spoke to the voter and voter voted the second time after Director Amaro spoke to her on the phone.

Action: Member Devore moved to remove the second ballot cast by Renee Jackson and to not count it in this election. (second by Member King). Vote is unanimous in favor.

Chair Grimes reads challenge where voter had to cast a provisional ballot due to someone else had voted on his record at an early voting site. This was also presented in the meeting on Tuesday and a copy of the letter that was mailed to the voter.

Action: Member Devore moved to remove the first ballot cast at early voting site by someone unknown and count only the provisional ballot that was cast by Alex Evans in this election. (second by Member Edmonds). Vote is unanimous in favor.

Chair Grimes reads the challenge for Mr. Roach that voted at Kiwanis and has not completed his parole or probation. The documentation was reviewed on Tuesday with the letter that was sent to the voter.

Action: Member Devore moved to remove the ballot cast by Andre Roach and not count it in this election. (second by Member Edmonds). Vote is unanimous in favor.

Chair Grimes reads the challenge for Brandon Butler that voted at Kiwanis and has not completed his parole or probation and is not eligible to vote. The documentation was reviewed on Tuesday with the letter that was sent to the voter.

Action: Member Devore moved to remove the ballot cast by Brandon Butler and not count it in this election. (second by Member Baker). Vote is unanimous in favor.

Chair Grimes reads the challenge for Mrs. McPhaul that voted at Stoney Point and has not completed her parole or probation and is not eligible to vote. The documentation was reviewed on Tuesday with the letter that was sent to the voter.

Action: Member Devore moved to remove the ballot cast by Shanyia McPhaul and not count it in this election. (second by Member Edmonds). Vote is unanimous in favor.

Chair Grimes reads the challenge for Mr. White that voted at Smith Recreation Center and has not completed his parole or probation and is not eligible to vote. The documentation was reviewed on Tuesday with the letter that was sent to the voter.

Action: Member Devore moved to remove the ballot cast by Deondre White and not count it in this election. (second by Member Edmonds). Vote is unanimous in favor.

Chair Grimes reads the challenge for Mr. McElvine that voted at Smith Recreation Center and has not completed his parole or probation and is not eligible to vote. The documentation was reviewed on Tuesday with the letter that was sent to the voter. Anyone in the audience here authorized to represent Mr. McElvine or Mr McElvine? Mr. McElvine stood to speak on his behalf. Bobby McElvine took the oath to speak. His case was adjudicated two weeks after he voted, but before election day. He voted on October 22nd and his case was adjudicated on October 24th.

Action: Member Devore moved to remove Bobby McElvine ballot based on the fact he was a felon on election day and not count it in this election. (second by Member Baker).

Member moved to defer her motion to later in the meeting and Member Baker agreed to defer his second to the motion.

Chair Grimes reads the challenge for Mr. Wright that voted at JD Pone and has not completed his parole or probation and is not eligible to vote. The documentation was reviewed on Tuesday with the addition of the letter that was sent to the voter. Anyone in the audience here authorized to represent Mr. Wright or Mr. Wright?

Action: *Member Devore moved to remove the ballot cast by Ander Wright based on the fact he was a felon on election day and not count it in this election. (second by Member Edmonds). Voted is unanimous in favor.*

Chair Grimes reads the challenge for Mr. Booher that voted at JD Pone and has not completed his parole or probation and is not eligible to vote. The documentation was reviewed on Tuesday with the addition of the letter that was sent to the voter. Anyone in the audience here authorized to represent Mr. Booher or Mr. Booher?

Action: *Member Devore moved to remove the ballot cast by Christopher Booher based on the fact finding he was a convicted felon and has not completed his probation and voted election day and not count his ballot in this election. (second by Member Edmonds). Voted is unanimous in favor.*

Chair Grimes reads the challenge for Mrs. Esau that voted at JD Pone and has not completed her parole or probation and is not eligible to vote. The documentation was reviewed on Tuesday with the addition of the letter that was sent to the voter. Anyone in the audience here authorized to represent Mrs. Esau or Mrs. Esau?

Action: *Member Devore moved to remove the ballot cast by Morgan Esau based on the fact was a convicted felon on election day and not count it in this election. (second by Member King). Voted is unanimous in favor.*

Director Amaro states there was another felon Mr. Haywood Peele that voted, but we were not able to retrieve his ballot. He voted at College Lakes early voting.

Chair Grimes asks if Mr. Peele is present or anyone present to speak for Mr. Peele. The documentation was reviewed on Tuesday with the addition of the letter that was sent to the voter.

Action: *Member Devore moved to remove the ballot cast by Haywood Peele based on the facts he was a convicted felon on election day and not count it in this election. (second by Member Baker). Voted is unanimous in favor. (action taken even though ballot has not been located at this time)*

Chair Grimes going back to Mr. McElvine, referring to numbered memo 2022-05 revised in December 2023. Page 2. Early voting ballots paragraph middle of page.

Action: *Member Devore renews motion based on finding that Mr. McElvine was a convicted felon on November 5, 2024, and has not completed his probation moves to remove his ballot and not count it in this election. (second my Member Edmonds). Voted is unanimous in favor.*

Chair Grimes addresses Mr. McElvine that his ballot will be removed, and all information will be sent to the state.

Chair Grimes reads challenge for Mr. Simms who presented to vote at Smith Recreation Center and later self-reported he was not a U.S. citizen. The documentation was reviewed on Tuesday with the addition of the letter that was sent to the voter. Anyone in the audience here authorized to speak for Mr. Simms or Mr. Simms?

Director Amaro goes under oath: She was notified by the precinct officials from Smith. Mother came in with son the day after he voted and wanted his ballot removed. Mother stated he is a legal resident not a U.S. citizen. Amaro spoke to Mr. Simms on the phone, he stated he thought he was a U.S. citizen but he a resident of the U.S.

Action: *Member Devore moved to remove the ballot cast by Abijah Simms and not count it in this election based on the findings he is not a U.S. citizen. (second by Member Edmonds) Vote is unanimous in favor.*

Recap of challenges: Removed 8 deceased. Removed 9 felony convictions and 1 non-citizen. Removed 5 that voted twice.

Staff member Dixon gives absentee report. 3 overseas absentee ballots that have been duplicated and board to review and checked by the board.

Action: *Member Edmonds moves to approve the 3 overseas ballots. (second by Member Devore) Vote is unanimous in favor.*

Action: *Chair moves to recess until 1:30pm.*

Director Amaro reports that a provisional ballot was placed in DS200 election day, precinct officials retrieved the ballot at the end of the night when packing up ballots. We need to remove the vote; voter was not registered.

Action: *Member Devore moves to remove the provisional ballot from the count of the voter that was ineligible. (second by Member Baker) Vote is unanimous in favor.*

Director Amaro reports that we were able to retrieve 3 provisional ballots that went into the DS200 election day. One is from CC31 and one from Montebello, others were not able to be retrieved, could not find them. 7 were not able to be retrieved. One of the 7 was registered. Due to them being not properly marked as provisional.

Action: *Member Devore moves to remove the votes of the 3 retrieved provisional ballots from the count of voters there were ineligible. (second by Member King) Vote is unanimous in favor.*

Director Amaro reports that we have 114-116 that need to be retrieved and once retrieved need to be manually subtracted. They are same day registrants where their cards were returned.

Action: *Member Devore moves to retrieve 117 ballots from same day registrants where their address was not confirmed. (second by Member King) Vote is unanimous in favor.*

Board agrees to recess canvass meeting until 4:00 pm Monday November 18, 2025.

Recessed at 2:18pm

Meeting reconvenes November 18, 2024, at 4:00 pm

Chair Grimes called meeting to order

Board members present: Chair Grimes, Member King, Member Edmonds, Member Devore, Member Baker

Staff present: Director Amaro, Deputy Director Hilburn

Helen Nelson Cumberland County attorney present.

Visitor: James Whalen from Pierces Law Firm appeared on behalf of two voters: Alexander Cooper and Ayanna Grisset. Same day registrants where their cards were returned in the mail. Mr. Whalen presented to the board two sworn affidavits for Brisset and Cooper and additional documentation that they live where they are registered to vote.

Action: *Member Edmonds moves to accept the ballots for Alexander Cooper and Ayanna Grisset. (no second – not voted on)*

Table the motion for Alexander Cooper and Ayanna Grisset until attorney Nelson returns with direction from the NC State Board.

Director Amaro reports that the total number of ballots that the board voted on Friday to be retrieved had changed due to 2 voters came and cured their ballot and they had not been removed from the list, the new total would be 115. Over the weekend staff retrieved 106

ballots and 9 could not be retrieved because the precinct officials did not write the number on the top of the ballots.

Action: Member Devore moves to amend her motion from Friday to change the number of ballots to be retrieved from 117 ballots to 115 ballots due to 2 cures that were in hand by the deadline Thursday at 5:00 pm and had not been removed from the list of same day registrants where the address was not confirmed. (second by Member Baker) Vote is unanimous in favor.

Director Amaro reports that 4 total provisional ballots were retrieved from a total of 10. 6 could not be retrieved.

Attorney Nelson reports that the NC State Board guidance is that any challenges had to be brought forward on Friday and could not be brought today even though the meeting was recessed to Monday. Board should not take any action at this time. NC State Board sent a memo to Deputy Director Hilburn of this information. The affidavit could no be the sole defining document, it must accompany other documentation to satisfy the address that they used on their registration application.

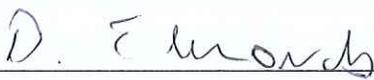
Director Amaro reports voting totals: Early Voting 98,609; Election Day 34,339; Absentee 7,267; Provisionals 726; Total 140,941 that voted.

Action: Member Edmonds moves to certify the election as provided by Director Amaro. (second by Member King). Vote is unanimous in favor.

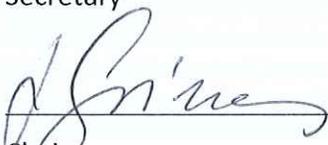
Director Amaro reports she received a request for a recount from Peter Papas. It will be held Wednesday at 9:00 am until completed.

Action: Member Edmonds moves to adjourn canvass. (second by Member Baker). Voted is unanimous in favor.

No time noted.



Secretary



Chair



Member

Billy R. King

Member

Wanda J. Lewis

Member