

# BRUNSWICK COUNTY

## BOARD OF ELECTIONS

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Meeting Minutes · Regular Meeting · May 20 · 2:00 p.m.

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**Board Members Present:** Chair Edward Lewis, Secretary Stuart Smith, Member Paula Clarity, and Member Randy Pelton

**Board Staff Present:** Director Sara LaVere, Deputy Director Melissa Chambers, Deputy Director Adrienne Rushton, and Election Logistics Technician Ryan Childress

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### **Meeting Opening**

Mr. Lewis called the meeting to order and everyone in attendance recited the Pledge of Allegiance.

### **Approval of Agenda**

Ms. Clarity made a motion to approve the agenda. The motion carried unanimously.

### **Approval of Minutes**

Mr. Smith made a motion to approve minutes from the meeting on April 29, 2025. Motion carried unanimously.

### **Public Comments**

There were no public comments.

### **Director's Report**

April voter registration statistics were provided in the agenda packet.

Legal updates were provided with information supplied by Paul Cox, General Counsel, North Carolina State Board of Elections:

### ***Griffin protest - conclusion***

- The state courts agreed with Griffin's protests on UOCAVA-photo ID and UOCAVA voters who have never lived in NC. Would require cure for photo ID and removing votes from UOCAVA who never lived in NC.
- The federal court disagreed, saying this violated the Constitution.
- In the end, the federal court agreed with the conclusion of the State Board in December: it violates due process to change the rules of an election after the election has taken place.

- Result: The election is certified and no cure process required. SBE is considering efforts to address registrations lacking SSN/DL.

#### ***Future Actions as a Result of Litigation***

- Moving forward, UOCAVA voters are going to be required to show photo ID like other voters. Only applies to state contests.
  - If UOCAVA voter sends ballot back but doesn't cure photo ID - we would have to count federal contests.
- Regarding the "never resident" UOCAVA voters, the statute is invalid for state elections only. So, the "never resident" voters are eligible to register and vote in federal contests, not state and local.

#### ***Board Appointment Litigation***

- Superior court held that the shift in appointments from Governor to Auditor violated the state constitution.
- The NC Court of Appeals has stayed (i.e., halted) that decision and let the law go forward.
- The Governor has appealed the stay to the Supreme Court of NC. No specific timeline for decision.
- Meanwhile, Auditor appointments have occurred at the State Board and will occur for CBE chairs on June 24.

#### ***Board Appointments***

- For CBE appointments, the state parties are currently gathering nominations from county parties. The state parties send their nominations to SBE.
- Nominees must fill out an application form, so SBE can ensure they meet the qualifications.
- SBE will make appointments of the 4 regular CBE members (2 Ds and 2 Rs) on June 24, the same day the Auditor selects each CBE chair.

#### ***State Board Members and Executive Director***

- On May 7, state board members were sworn in and elected a chair and secretary.
  - Francis X. De Luca (Rep) – Chair
  - Stacy "Four" Eggers IV (Rep) – Secretary
  - Robert Rucho (Rep)
  - Jeff Carmon (Dem)
  - Siobhan O'Duffy Millen (Dem)

- State Board appointed Sam Hayes as the state agency's executive director, beginning May 15.

***Same-day registration litigation***

- 2 cases were filed in federal court in late 2023 challenging SDR changes from SB 747: Voto Latino and DNC.
- The court issued a preliminary injunction, which led to the "cure" process in NM 2023-05 for undeliverable address verification mailings for SDR voters.
- SBE and the parties have settled those cases, requiring the process in that numbered memo to continue in effect.
- A separate case about these SDR changes, Democracy NC, is still proceeding.

Ms. LaVerre recognized Deputy Director Adrienne Rushton for 10 years of service to Brunswick County in her various positions with the Board of Elections. Her contributions and vast institutional knowledge of the elections process are invaluable to the team.

The entire staff was recognized in the County Safety, Health and Wellness Newsletter for their efforts with the April Health and Wellness Challenge – staff members logged walking a combined 430.486 miles.

**Old Business**

There was no old business.

**New Business**

There was no new business.

Mr. Pelton made a motion to adjourn. The motion carried unanimously.