

*The Charlotte County Electoral Board held the reconvened April meeting at the County Administration building Thursday April 22<sup>nd</sup> at 1:00 p.m.*

Present were ; Lawrence Clark – Chairman/ Warren Browning – Vice Chairman / Glenwood Foster – Secretary / Rebecca Daly – Chairperson of the Charlotte County Democratic Party / Kurtis Jones – Officer of election / Kay Pieriantoni – County Supervisor of Red Oak / Wyliesburg district , Mary Davis , Doris Hill , Thelma D Jones , Eugene Wells , Jerris Wells , Peery Wells , Janice Wells , Aubrey Fane, Violet Fane and William McCargo.

>Meeting was reconvened by Chairman Clark.

>The Chairman announced a change to the agenda.

>Discussion about what was added to the new agenda.

>Secretary asked what was new on the agenda Chairman said nothing was new.

>Items ADDED to the agenda were:

- Approval of February 22<sup>nd</sup> meeting (first risk limiting audit meeting).
- Approval of February 25<sup>th</sup> Budget meeting.
- Approval of February 25<sup>th</sup> risk limiting audit (Second One).
- Vote on having Registrar post working schedule for him and assistants.
- One assistant every other day.
- Registrars position. Closed session for personnel reasons.
- Discussion on approval of the additions to the agenda.
- Chairman Clark made the motion to approve the agenda.
- The Secretary and Vice-Chairman had questions about additions.
- Secretary and Vice-Chairman didn't want to go into closed session for discussion of the Registrars position.
- Vice-Chairman seconded motion after amending it to eliminate the closed session for Registrar's position. All voted in favor, amended additions to the agenda were passed.

### ***Registrar's Report:***

-Drop boxes for the June primary.

- The burgundy canvas bags that the chiefs election supplies are in will be used for the June primaries as they were in November. They can be locked with the chief retaining the key, and there is a slot in the top ballots can be dropped through.

-At registrars office we have no security camera the drop box there will be considered a manned drop box. There will be a wooden box there that voters can come into the Registrars office between the hours of 8:30 am and 4:30 pm and drop their ballots in.

One assistant every other day

-Interim Registrar informed the board "now my understanding is ,this is pertaining to early voting. That one assistant will be in there every other day as according to ,of course ,their schedules where they are with the chief of precincts. Because my assistants still for the remainder of the budget , I've checked , they have enough funds for them to be at the office all 29 hours. But if they are working early voting as a assistant registrar, they also have assistant registrars work to do. But if they are being paid as officers of election, then in that case they completely stay inside the early voting precinct. Because at that time they are not assistant registrars, they are being paid by the Electoral Board. That's all I have on that. This was brought up, I just saw this one today so they are offering me one assistant every other day so."

-Mr. Clark added "now I had a meeting with Mr. Witt and he says that the board, the Supervisors had cut the funds for the assistants, and cut the hours I should say, and they're going to be receiving 20hours a week instead of 29 hours a week, and they were saying that the board, that the assistants could work, it says in the code. That the assistants could work as officers of election, so what we're doing is saying that we only need two people to work that 45 days before the election. And if you do that at 4 hours each for the people that are working in the office they would have to come in a half a day each. And then you would have one Officer of election to go along with that . Now we're supposed to have at least two officers of election in there and it was encouraged that we have three. The way it's set up we might have to change that because if you have your Officer of election ,and you have one other assistant registrar in there ,that leaves only you. And somebody has to man that office 24 hours, it's only certain reasons they give in the code that you don't be there or somebody's got to be there . So it's going to be a problem if some things come up where you might be required to be in there to help out and somebody comes into the office ,and then you would have a complaint and you might need to address that.

- Discussion about Chairman violating motion he made that was passed at February meeting.

Public Comment

>Rebecca Daly- commented that the board needed to get the minutes approved and not keep discussing what has happened at previous meetings. She reminded the board that we had already had the first public comment period at the meeting on the 15<sup>th</sup>. She questioned how the board could all be in on a decision if they are meeting with the administration separately. Everybody's name goes on actions of the board ,and each member has equal right to under-stand and be part of what you he board is doing because we all are liable.

>Kurtis Jones- Commented about equal representation of the parties staffing the polls on primary day. He also commented on the need for consistency and preparation at the Registrars office. He added that he thought the hiring process of the new Registrar should not be closed if it's just the methodology to hire, retain, or replace a person.

>Aubrey Fane- Commented that he has had experience with Robert's Rules and that if you are dealing with the issues and methodology it can be spoke about in the public. If you're talking about specific personnel problems, with a specific individual, those issues would be discussed in closed session. He also told the board that he was disappointed with the disorganization of the meeting so far. He suggested tat we prepare for larger numbers. He concluded with people's access to polling places should be unencumbered.

>William McCargo- Commented that it was his first time attending and he didn't want it to be his last impression. He said he expected the citizens of Charlotte county to be informed and the key word is teamwork.

>Violet Fane- Wanted to know if the registrar was evaluated every so often because she thought his job was temporary. And if so was it reported back to the board. She felt like somebody wasn't satisfied, and why they aren't is what we want to know.

>Chairman Clark then made the following statements. "He's going to be evaluated by us. The confusion is when we hired him in the beginning he was hired as Interim Registrar, and we said that we would evaluate him in May. Now that it's almost May we have to do the evaluations. What the code says is this was supposed to be handled a little bit later. I said we could talk about it if we're not talking about performance. We have to evaluate performance but we shouldn't be talking about it in this meeting. I'll state what the code says in 1.2-2 of the GREB handbook, And it says that when a registrar leaves you replace the registrar with an interim person for the remaining period left over because the person has to be elected for 4 years and what happens is when you replace that person for the 4 years and the 4 years is not up then they have to be replaced with a person for that remaining term and that is where the problem lies. When we did it we said we would evaluate him and then we put down that we would then go out and search and he would be apart of that search but that is incorrect as far as the code and he should be evaluated and if he has a satisfactory evaluation then he would be left to continue out that unused term. That's where the problem is. One board member went out and he asked about someone else taking the spot and when we were supposed to go out on a search and the code says what it does and we have that person evaluated over that period of time and then you can go out on a search. Buy the previous registrar was put in that position in 2019, so 4 years after that is 2023, when the term is over. If that person is not doing a satisfactory job that's when you look at

replacing that person but they should have that amount of time if he is doing a satisfactory job. So that is where the question arose and that is the problem is.”

>Dean Foster- We met for 5 hours that day, we consulted with the Department of Elections, we consulted with the voters liaison for the Department of Elections- Tanya Pruitt, we talked to Mr. Witt, and at the end of the discussion we decided that we would appoint Mr. Goode to serve as Registrar for 9 months as a trial period and there were 2 motions made that were made. Mr. Brander made a motion that Mr. Eric Goode Assistant Registrar, serve as Interim Registrar for Charlotte County serve until June 1<sup>st</sup>, 2021. During May of 2021, Mr. Goode will be evaluated on goals set by the board in September. The motion was seconded by Mr. Clark and passed without dissenting vote. That was the first motion that we voted on August 13, 2020. The second motion was, Mr. Brander made a motion that on June 1<sup>st</sup> 2021, the board will begin advertising for a permanent registrar whose term should begin on July 1<sup>st</sup> 2021. Prior to July 1<sup>st</sup> 2021 the board will make a decision on who will be appointed to a 4 year term as registrar of Charlotte County. The motion was seconded by Mr. Clark and passed unanimously. We had a specific meeting and one of the reasons we came to that decision is so we could remove the cloud of suspicion that anything improper was being done in the hiring of a registrar and it was pointed out that it would be for Mr. Goode’s benefit, that nobody thinks he got a job he did not deserve if we go through this process.

>Attendees in the audience began speaking without being recognized by the chair

>Secretary tried to explain the process the board had gone through in arriving at the decision to advertise and interview for the position of Registrar, Secretary explained. He said the decision was based on the fact that by interviewing, for the position the cloud of suspicion would be removed that he was not qualified for the job, and the citizens of the Charlotte County could be confident that the person selected as their Registrar was selected by a fair and transparent process, and was the best person for the job.

>A lengthy discussion broke out rolled, with audience members speaking at will about whether motions made and approved at the August 13, 2020 meeting, specifying the 9 month trial period of Interim Registrar, overruled code 24.2-110. During discussion it was decided the board would seek guidance from the County Attorney to clarify.

>Discussion went on for some time about codes, and motions, and hiring attorneys to go over minutes and, Mr. Clark claimed he had talked to ELECT to see if an attorney was available, they said we should be able to use the County Attorney.

>Chairman went on to argue with the secretary about accuracy of the minutes.

>Secretary told those in attendance that the minutes of the meetings are recorded and posted on the county website, and that audio recordings were available at the Administrators Building or the Registrar's Office.

>Chairman continued to argue about minutes of February meeting disputing the accuracy. Secretary offered a flash drive with audio recordings, to the audience so they can compare against written minutes to check for accuracy. No one accepted the offer. Secretary asked the people in attendance if they thought the truth was important, and if they thought it was ever ok to lie to someone.

>Mrs. Daly- First of all, at these meetings sometimes it is ok that we can talk during the meeting and sometimes it is not. So let's pick one, because I get cut off and have gotten cut off the last couple of meetings from any public comment during the meeting. And I don't care what it is, I just want to know what it is so that it's consistent for everybody. Secondly, if anyone goes back and reviews the minutes of the meetings since August of 2020 it is clear in those minutes it has been discussed, numerous issues with the registrar, with board members here. I actually in January, because I agree with a lot of people here, and what I believe is that you want someone to fix something where it needs to be changed and presented to them, tell them what needs to be fixed and give yh the opportunity to fix it. That's only fair. So, in January after months, months of watching, some laws are being broken, procedures are not being followed including with the election, the November election. I made a list and I researched every single thing in the code of Virginia, the GREB Handbook, and I copied it to all members of this board and I copied it to the registrar, and those same problems continue. And we have spent more time talking about those problems than we have taking care of the voting in Charlotte County. And I understand that this is, so you need to understand, if you haven't been at these meetings, why this whole thing is a source of contention because continually two members of this board don't know whats going on until they find out at a meeting that something has happened, that they didn't know about, everything from carrying the ballots to two holding meetings without public notice, to meeting with the county administration without public knowledge. These are serious issues. These are not minor things. The budget process was a total nightmare and a mess. There have been reports that have not been filed to the county of the state on time. There are a lot of issues here. I don't see it as someone trying to pick on the registrar. I see it is, there are very real issues we need to resolve. And if you bring those issues forward in writing and you talk about the multiple times and you say this is happening, this can't happen, this is what needs to be done, fixes and nothing gets fixed, then you have to decide it. What do you do with that? That's what you have to decide at this point. So I would urge all of you to go back and read the minutes because, I mean, the last thing I want to do when, when even simple events like not getting invited to the ballot counts. Right. I was voter liaison for Charlotte County. And the truth is, I'm the one that's most consistent. And I've only missed one meeting since last year. And over and over again I watched the same problem. And it is a failure to let everybody know what's going on. It's not understanding the code in the rules. So not following them legally. Those minutes override the

GREB Handbook. But it's not like these issues have been left unattended to or unstated because they're in the minutes and they have been stated more than once, all these problems. And yet you say, you know if you're not including people who are secluded and you give the public notice of meetings and stuff, I mean, I asked literally from June up to January when I had to bring in a copy of the law and say when I asked to be added to the e-mail list, for those reasons I like, you have to include me. You can't. You can't, you just ignore the fact that the public has a right to know. And a lot of this stuff with the budget and with things that are going on are all public information, there are not things that need to be hidden. There are things that have gone unattended, for example, the budget was submitted to the administrators office without the electoral Board ever seeing the budget for the electoral Board, and the budget for the Registrars office.

>Mr. Clark- Now you see, you're making statements that are not true

>Mrs. Daly- What statements have I made that are not true?

>Mr. Clark- We went over the budget and then we voted on the budget before it came over to this area. And the two board members that you're talking about were asked to talk to the registrar. They didn't understand something in that, that budget, go over it with them so that they can understand it. And they were over it and they didn't say any questions. And then they came back and said something different. I don't understand or whatever. This, this happened. And they did t ask the registrar about that. And this was what they were supposed to be doing. We went over all of those things that you had on the list, and we did something about the things we could and we didn't do something about the things we couldn't. Now, if you have something that you want us to do and we can't do it, were not going to do it. And it seems that that's what me and you had a little problem when we didn't do something that you wanted me to do.

>Mrs. Daly- Well, that's not true

>Mr. Clark- Well it is so true to me

>Mrs. Daly- And then, Bucky and Dean, did you approve the budget before it went to Mr. Witt?

>Mr. Browning- I didn't see it before it went to Dan Witt

>Mr. Foster- I didn't see it before it went to Mr. Witt

>Mr. Clark- We didn't approve the budget?

>Mr. Browning- Not before it went to Mr. Witt, he already had it when we were first presented with it.

>Approval of March 3<sup>rd</sup> meeting; Secretary made a motion to approve March 3<sup>rd</sup> minutes, Vice-Chairman seconded motion. Discussion of accuracy of minutes. Vote was taken; Mr. Foster-aye, Mr. Browning-aye, Mr. Clark-no. Motion was approved 2:1.

>Minutes of February 3<sup>rd</sup> minutes were discussed and more arguing began. Mr. Browning said he listened to the minutes to confirm accuracy. Mr. Foster made a motion to approve minutes of February 3<sup>rd</sup> meeting, Mr. Browning seconded, vote was Mr. Foster-aye, Mr. Browning-aye, Mr. Clark-no. Minutes were approved.

>February 22<sup>nd</sup> Minutes; Secretary made a motion, Vice- Chair seconded. All in favor. Minutes approved.

>February 25<sup>th</sup> Budget Meeting; Secretary made a motion, Vice- Chair seconded. All in favor. Minutes approved.

>February 25<sup>th</sup> Risk Limiting Audit; Secretary made a motion, Mr. Clark seconded. Minutes approved.

>February 25<sup>th</sup> Budget Meeting; Secretary made the motion, Mr. Clark seconded. Vote was taken; Mr. Foster-aye, Mr. Clark-aye, Mr. Browning-abstained. Minutes approved.

>Discussion about Registrar having a schedule for him and his assistants. Chairman said that although Eric had volunteered to do this. He had checked with other departments in the county,

and they didn't have schedules. Eric is the only one that would be required to do that in this here county. Mr. Clark made the motion that Interim Registrar does not have to have a schedule. Motion was not seconded.

>Secretary made a motion that the Registrar does keep a schedule of the hours that he works, and the hours that his assistants work. Motion was not seconded.

>Officers of Election assignments discussed. Confusion about willingness to work list.

>Chairman said the Board had received those e-mails.

>Secretary said he only received e-mails about precinct willingness and tenure.

>Chairman again questioned Mr. Foster and Mr. Browning of they had gotten the list. They said they had not received that e-mail.

>Chairman showed to other board members, willingness to work on the list that he had. He thought that all 3 copies were his, but after copying it was found that all 3 were the same, and were probably meant to be passed out to the board.

>Chairman passed out evaluation forms from Virginia Department of Elections

>Chairman also went over areas we were going to look at with Registrar's goals, and presented a list of goals that were presented to the board with amendments. (Truth was left out)

>Secretary reminded Chairman that in motion where Interim Registrar was appointed at August 13 meeting. Motion said Registrar would be evaluated on the goals the board set in September.

>Mr. Clark said we didn't set any goals in September

>Secretary said that it was in the motion

>Chairman said; I don't know where your motions are coming from. We went over these in January or February.

Secretary read minutes of the August 13<sup>th</sup> meeting pertaining to motion made at appointment of Interim Registrar and that he would be evaluated on goals set in September.

>Public Comment:

- Aubrey Fane- Suggested that staff be available to assist with Meeting, comments about how meetings are conducted.
  
- Rebecca Daly- There have been many issue with the board. That the board oversees the Registrar and he should be at should be at the meeting, even when facts are pointed out, they are renegotiated, again, and again. That to often the Board goes into closed session for generalized reasons. She related problems that she has had with the Registrar's office concerning, list of officers of election, determining when absent ballots will be counted, somebody entering polls after hours when door had been locked, unreturned phone calls. She reminded the board that the budget had to be cut by the county pretty significantly, because it hadn't been reduced by the Registrar or Electoral Board. She reminded the board that they are liable for what happens at and with the Registrar's office. She reminded the board that an election was starting on Friday (the next day) and she did not feel like we were adequately prepared for it because of wasting time arguing about issues that are classified as audio recordings. She would have liked for more Saturdays to have been used for Early Voting.

>Multiple conversations between the Board and audience occurred, audience was still bring critical and offering advice to the Board without taking time to listen to the audio recordings and check minutes as the Secretary asked them to do earlier in the meeting. Audio of this meeting should be reviewed by anyone concerned about the way elections are conducted in this county. In fact, all audio recordings and minutes should be reviewed, before anybody comes before this board and criticizes what is going on.

**>Board Comments:**

- Secretary- Said that he has been trying to work on this board fairly and honestly as he could and then here comes a group of people in here that already have a pre-judged notion of me, and who I am, and what we're doing here. They don't want any fairness, they just want to get their way. And we want what is best for the people of Charlotte County, and all citizens of Charlotte Count. I am working for all of the people of Charlotte Count, and I am the only Republican member of this board, and Mrs. Daly is the Democratic voter's liaison. How in the world can y'all accuse us of working together?

- Mr. Browning- I don't agree with what everybody says, but we're totally dysfunctional, and we are not doing our job.

- Mr. Clark- What I have to say is, I'm on this board to try to see if we can give a safe and honest election. I haven't seen that done by some people Jeremy. My idea is, if I'm out there and I see something wrong, I go back to the Registrar and I tell him this is wrong and that he has to handle that. And if he doesn't handle that, then I can handle that with the evaluation. Other people will see something wrong, call other people, and then later on say you did this wrong. They never gave the Registrar an opportunity to do anything with it, because they go and he handled by somebody else. Some people vote to do something, and then they turn around and go back, and then say that is wrong, and they go against that. He even had an article in the paper about it, you know, these type of things are not going to work, because they are not meant to work. Now, I don't know why we can't work together.