



SURRY COUNTY

BOARD OF ELECTIONS

BOARD OF ELECTIONS AGENDA

Meeting February 9, 2022 2:00 pm

- Chairman Dwayne Carter Open Meeting
- Approval of December 9, 2021 Meeting Minutes
- OneStop Early Voting Report
- 2022 OneStop Early Voting Plans
- Mission Statement
- 2022 NCSBE Annual Conference
- Other Business
- Adjourn



SURRY COUNTY

BOARD OF ELECTIONS

BOARD OF ELECTIONS AGENDA

Meeting February 22, 2022 2:00 pm

- Chairman Dwayne Carter Open Meeting
- Approval of February 9, 2022 Meeting Minutes
- 2022 Primary Elections OneStop Early Voting Plan
- Other Business
- Adjourn



SURRY COUNTY

BOARD OF ELECTIONS

BOARD OF ELECTIONS AGENDA

Meeting March 7, 2022 9:30 am

- Chairman Dwayne Carter Open Meeting
- Remote Meeting with North Carolina State Board of Elections
- Adjourn



SURRY COUNTY

BOARD OF ELECTIONS

BOARD OF ELECTIONS AGENDA

Meeting April 5, 2022 2:00 pm

- Chairman Dwayne Carter Open Meeting
- Approve Minutes from February 22, 2022 Meeting
- 2022 Polling Place Lease Agreements
- Absentee Meeting Procedures for 2022 Primary Election
- Other Business
- Closed Session Pursuant to Personnel
- Adjourn



SURRY COUNTY

BOARD OF ELECTIONS

BOARD OF ELECTIONS AGENDA

Meeting April 19, 2022 5:00 pm

- Chairman Dwayne Carter Open Meeting
- Approval of April 5, 2022 Meeting Minutes
- Open Forum
- Absentee Meeting
- Other Business
- Closed Session Pursuant to Personnel
- Adjourn



SURRY COUNTY

BOARD OF ELECTIONS

BOARD OF ELECTIONS AGENDA

Meeting April 26, 2022 5:00 pm

- Chairman Dwayne Carter Open Meeting
- Approval of April 19, 2022, Meeting Minutes
- Open Forum
- Absentee Meeting
- Certification UNA by Petition Candidate
- Other Business
- Closed Session Pursuant to Personnel
- Adjourn



SURRY COUNTY

BOARD OF ELECTIONS

BOARD OF ELECTIONS AGENDA

Meeting May 3, 2022 5:00 pm

- Chairman Dwayne Carter Open Meeting
- Approval of April 26, 2022, Meeting Minutes
- Open Forum
- Absentee Meeting
- Other Business
- Closed Session Pursuant to Personnel
- Adjourn



SURRY COUNTY

BOARD OF ELECTIONS

BOARD OF ELECTIONS AGENDA

Meeting May 10, 2022, 5:00 pm

- Chairman Dwayne Carter Open Meeting
- Approval of May 3, 2022, Meeting Minutes
- Open Forum
- Absentee Meeting
- Certification UNA by Petition Candidates
- Other Business
- Adjourn



SURRY COUNTY

BOARD OF ELECTIONS

BOARD OF ELECTIONS AGENDA

Meeting May 16, 2022, 4:00 pm

- Chairman Dwayne Carter Open Meeting
- Approval of May 10, 2022, Meeting Minutes
- Open Forum
- Absentee Meeting
- Other Business
- Adjourn



SURRY COUNTY

BOARD OF ELECTIONS

BOARD OF ELECTIONS AGENDA

Meeting May 17, 2022, 2:00 pm

- Chairman Dwayne Carter Open Meeting
- Approval of May 16, 2022, Meeting Minutes
- Open Forum
- Absentee Meeting
- Attorney Mark Payne – Disapproval of OS Ballots and Filing of Board Challenge
- Other Business
- Adjourn



SURRY COUNTY

BOARD OF ELECTIONS

BOARD OF ELECTIONS AGENDA

Supplemental Absentee Meeting

May 26, 2022, 5:00 pm

- Chairman Dwayne Carter Open Meeting
- Approval of May 17, 2022, Meeting Minutes
- Open Forum
- Supplemental Absentee Meeting
- Unaffiliate by Petition Candidate Certifications
- Other Business
- Adjourn



SURRY COUNTY

BOARD OF ELECTIONS

BOARD OF ELECTIONS MEETING AGENDA

July 20, 2022, 2:00 pm

- Chairman Dwayne Carter Open Meeting
- Approval of May 27, 2022, Meeting Minutes
- Open Forum
- 2022 General Election Onestop Early Voting Plan
- Other Business
- Adjourn



SURRY COUNTY

BOARD OF ELECTIONS

BOARD OF ELECTIONS MEETING AGENDA

August 23, 2022, 3:00 pm

- Chairman Dwayne Carter Open Meeting
- Approval of July 20, 2022, Meeting Minutes
- Open Forum
- Write-In Candidate Certification
- Closed Session Rules – Mark Payne
- Changes and Updates 2022 General Election
- Other Business
- Closed Session.
- Adjourn



SURRY COUNTY

BOARD OF ELECTIONS

BOARD OF ELECTIONS MEETING AGENDA

September 13, 2022, 8:45 am

- Chairman Dwayne Carter Open Meeting
- Approval of August 23, 2022, Meeting Minutes
- NCSBE Onestop Early Voting Meeting
- Other Business
- Closed Session
- Adjourn



SURRY COUNTY

BOARD OF ELECTIONS

ABSENTEE MEETING AGENDA

October 4, 2022, 5:00 pm

- Chairman Dwayne Carter Open Meeting
- Approval of September 13, 2022, Meeting Minutes
- Public Forum
- Absentee Meeting
- Other Business
- Adjourn



SURRY COUNTY

BOARD OF ELECTIONS

ABSENTEE MEETING AGENDA

October 11, 2022, 5:00 pm

- Chairman Dwayne Carter Open Meeting
- Approval of October 4, 2022, Meeting Minutes
- Public Forum
- Absentee Meeting
- Other Business
- Closed Session - Personnel
- Adjourn



SURRY COUNTY

BOARD OF ELECTIONS

ABSENTEE MEETING AGENDA

October 18, 2022, 5:00 pm

- Chairman Dwayne Carter Open Meeting
- Approval of October 11, 2022, Meeting Minutes
- Public Forum
- Absentee Meeting
- Preliminary Voter Challenge Hearings
- Other Business
- Adjourn



SURRY COUNTY

BOARD OF ELECTIONS

ABSENTEE MEETING AGENDA

October 25, 2022, 5:00 pm

- Chairman Dwayne Carter Open Meeting
- Approval of October 18, 2022, Meeting Minutes
- Public Forum
- Absentee Meeting
- Other Business
- Adjourn



SURRY COUNTY

BOARD OF ELECTIONS

ABSENTEE MEETING AGENDA

November 1, 2022, 5:00 pm

- Chairman Dwayne Carter Open Meeting
- Approval of October 25, 2022, Meeting Minutes
- Public Forum
- Absentee Meeting
- Other Business
- Closed Session
- Adjourn



SURRY COUNTY

BOARD OF ELECTIONS

ABSENTEE MEETING AGENDA

November 7, 2022, 4:00 pm

- Chairman Dwayne Carter Open Meeting
- Approval of November 1, 2022, Meeting Minutes
- Public Forum
- Absentee Meeting
- Other Business
- Adjourn



SURRY COUNTY

BOARD OF ELECTIONS

ABSENTEE MEETING AGENDA

November 8, 2022, 2:00 pm

- Chairman Dwayne Carter Open Meeting
- Approval of November 7, 2022, Meeting Minutes
- Public Forum
- Absentee Meeting
- Other Business
- Adjourn



SURRY COUNTY

BOARD OF ELECTIONS

Voter Challenge Hearing **November 15, 2022, 11:00 pm** **Agenda**

- Chairman Dwayne Carter Open Hearing
- Hearing
- Adjourn

Board Meeting **November 15, 2022, 12:30 pm** **Agenda**

Closed session pursuant to attorney client privilege



SURRY COUNTY

BOARD OF ELECTIONS

SUPPLEMENTAL ABSENTEE MEETING AGENDA

November 17, 2022, 5:00 pm

Room A Surry County Service Center Training Room

- Chairman Dwayne Carter Open Meeting
- Approval of November 8, 2022, Meeting Minutes
- Public Forum
- Supplemental Absentee Meeting
- Election Protests
- Adjourn



SURRY COUNTY

BOARD OF ELECTIONS

CANVASS MEETING AGENDA

November 18, 2022, 11:00 am

Room A Surry County Service Center Training Room

- Chairman Dwayne Carter Open Meeting
- Approval of November 17, 2022, Meeting Minutes
- Public Forum
- Canvass
- Adjourn



SURRY COUNTY

BOARD OF ELECTIONS

Election Protest Hearings **November 29, 2022, 11:00 am and 12:00 pm** **Agenda**

- Chairman Dwayne Carter Open Hearing
- Protest Hearings
- Adjourn

Board Meeting **November 29, 2022, 1:30 pm** **Agenda**

Closed session pursuant to attorney client privilege.



SURRY COUNTY

BOARD OF ELECTIONS

Members Present: Dwayne Carter
Drew Poindexter
Tim DeHaan
Jerry Forestier
Clark Comer

Members Absent:

Staff Present: Sydney Romine, Angie Harrison, Robbin Wagoner, Darlene Hodges,
Michella Huff

Guests: Tyler Daye

The Surry County Board of Elections met in the Surry County Board of Elections meeting room at 915 E. Atkins Street, Dobson, NC, Friday, November 18, 2022, at 11:00 a.m. to canvass the 2022 General Election.

Chairman Carter opened the meeting.

The board reviewed the minutes from the November 17, 2022, Supplemental Absentee meeting. The minutes were approved as presented.

There were no comments in the public forum.

Director Huff updated the board that Canvass would include all offices for the November 8, 2022, General Election, including Dobson Town Commissioner. Certificates of Election will be held for that office but that will not require a delay in Canvass.

The Block Style Canvass report was presented to the board in triplicates for signatures. The Abstract of Votes was presented to the board for signatures. County Canvass Results by Contests was presented to the board for signatures.

Board Secretary, Jerry Forestieri asked if the document the board had just signed certified the election (referring to the Abstract)? At that time Mr. Forestieri presented a document that he requested be attached to the Abstract and stated, "Surry County conducted the election in compliance with no

problem, but one incident, because of the oath of office we took to respect the Constitution of the United States and the state of North Carolina, we disagree because of how that is being applied because of the courts we make that exception. We make this a public record.” (Document attached to minutes as public record). Director Huff reviewed the document presented and it was signed by board members, Jerry Forestieri and Tim DeHaan. She provided copies for the full board.

The Results by Precinct report was presented to the board for signatures. Supplemental Absentee Abstract was presented to the board for signatures.

The board then received copies of the document that was prepared by Mr. Forestieri and Mr. DeHaan.

Chairman Carter asked if the numbers, the tallies, votes and different methods passed around were signed by Mr. Forestieri and Mr. DeHaan? Mr. Forestieri answered yes. Chairman Carter stated if signatures were obtained, then the two members are certifying and standing by those numbers. Mr. Forestieri answered yes. Are you both declining certifying the election results as credible? Both members want the document added to the certification with signatures on the abstracts. Mr. DeHaan explained they have no complaints with what Surry County Board of Elections have done, not questioning anything with the employees of the board. The concern is the way a judge has improperly changed the law, that has no authority to change law. The election was held according to the law we have but the law is not right. It is not proven to be 100% accurate because of the change of the law. No proof of every absentee ballot being voted by the person it was intended for.

Board member Clark Comer stated it is either certified or it is not under the laws of the state as they are. Mr. Comer objects to the attachment of the document to the certification of this election. It should be a stand-alone statement to the State Board of Elections.

Both Mr. DeHaan and Mr. Forestieri agreed to a notation of the document on the certification of the election that was signed it endorses the actions of the poll workers and officials of Surry County.

Mr. Comer read the last line of the document, “I respectfully decline to certify these election results as credible.” Mr. Comer stated that was troubling and he should be allowed to write a two-page document as to why he signed and supports the results of the election and include by a notation with his signature.

Mr. DeHaan stated the numbers and procedures that were done in Surry County are correct under the law, but the laws are flawed. Therefore, the election cannot prove itself as true, rather than be sure voters on the roles are coming in and are the actual people voting, we cannot do that. We cannot certify that person is who they say they were based on who we have in our records. That does not change the votes and the numbers, but it cannot certify the accuracy of the people that actually voted, of who they are. How do you define a legal ballot? I am going under the assumption they are legal ballots.

Board member Drew Poindexter stated that by signing the certification but then by attaching the document presented states that what you signed is no good, with the statement of declining the certification as credible.

The board split into bi partisan teams along with staff to mark up the election day abstracts.

Director Huff spoke with Lead Counsel, Paul Cox with NCSBE concerning the signing of canvass certification by the full board members. Board member signatures on certification of election reflects your certification of the full election. By signing, a signature means you are signing without amendment. It is up to each board member as to whether they sign or not and read and determine what they are signing. The document in question has no business being part of canvass or being sent to NCSBE or the Clerk of Court's office as a record of canvass. Points of view will be included in the meeting minutes but has no basis to change what is statutorily prescribed.

Director Huff printed new, blank Canvass Abstracts if the two members wish to decline from signing.

Chairman Carter asked if the two members would like to recess for a short period of time to determine what they would like to do. Mr. DeHaan asked for a recess of five minutes.

Upon an eight-minute recess, the Surry County Board of Elections came back into open session.

Mr. DeHaan stated he and Mr. Forestieri came to two different conclusions. Mr. Forestieri declined to sign the election certification. Mr. DeHaan, while he does not agree with what the State determines is a legal ballot and the question of what a legal ballot is. He will accept what the State says is a legal ballot and will sign election certification.

Since 2018 and Judge Biggs ruling, Mr. Forestieri has thought about the voter challenge hearing involving Mr. Odum in the 2022 Primary Election Canvass.

The Abstract of Votes went around the board table. Signatures were received by the following members:

Chairman, Dwayne Carter
Drew Poindexter
Tim DeHaan
Clark Comer

Secretary, Jerry Forestieri did not sign the Canvass Abstract of Votes.

Mr. Comer requested the minutes reflect each of the five board members originally signed the election certification abstract of votes. Chairman Carter agreed that the abstract was sent around for signatures of the five board members and all five members did sign the original abstract of votes.

In other business, Director Huff informed the board a court reporter was reserved for November 29, 2022, for the Election Protest hearings as a follow-up from the Supplemental Absentee meeting the night before.

Chairman Carter thanked the board and staff for their service during the 2022 Primary and General Elections. A resolution was made to thank the entire staff for all the hard work and late nights to get everyone to this point. It passed unanimously.

Director Huff showed the board the records from the entire election period and invited them to look through the documents. The master seal sheet was sent around for board signatures.

Sydney presented the results as final for Surry County on the big screen for the board to view.

The meeting was adjourned at 1:35 pm.

Chair

Secretary

Member

Member

Member