

Tuesday November 10, 2015 2:00pm

The Graham County Board of Elections met for a continued meeting on Tuesday November 10, 2015 at 2:00 pm at the Graham County Board of Elections office located at 18 Court Street Robbinsville, NC. Present were Chairman Cody, Secretary Crisp, Member Colvard, Director Garland, Deputy Director Adams, Jack & Connie Gross, Roger Carlton and County Attorney Donna Cody.

- 1. Chairman Ditmore called the meeting to order and asked for a motion to approve or amend the agenda as written. Member Colvard made a motion to approve the agenda as written; Secretary Crisp made a second to the motion. Vote was unanimous*
- 2. Member Colvard made a motion to go into closed per NCGS 143.318.11(a) (3); Secretary Crisp made a second to the motion. Vote was unanimous. Chairman Ditmore made a motion to come out of closed session; Secretary Crisp made a second to the motion. Chairman Ditmore asked Donna Cody, county attorney to speak. Attorney Cody stated that the board has the opportunity to dismiss the challenge but has decided to schedule a preliminary hearing which will involve just the challenger which is Mr. Carlton, to present information to the board to determine if there is probable cause to have a full blown hearing. Mr. Carlton asked if this would be an open or closed meeting. Attorney Cody told him it would be an open meeting. Mr. Carlton asked if people would be allowed to refute what he says, Attorney Cody told him yes people would be able to refute what he says at a full blown hearing and he asked if the board would be questioning other people on Friday and Attorney Cody told him no that Friday it would only be him on Friday. Mr. Carlton asked whether he thought Attorney Cody thought this twostep process was allowable with the NCGS, Attorney Cody told yes. It was allowable. Mr. Carlton informed the board that Friday was not a good day for him and the board asked when a good day was. Mr. Carlton stated he did not know what to prepare for, Chairman Ditmore told him he would be given all of*

the materials he is using for the people who he has challenged (the voters). The Board mentioned several dates none of which were agreeable with Mr. Carlton. Attorney Cody told the board to set a hearing and that the statutes state that the voters who are being challenged must be given a ten day notice. The board discussed a time frame and that ten days from now would put us in the thanksgiving holidays. Member Colvard made a motion to set a hearing for December 5, 2015 at 10:00 am; Secretary Crisp made a second to the motion. Vote was unanimous. Member Colvard made a motion to adjourn the meeting; Chairman Ditmore made a second to the motion. Vote was unanimous.

Billy Ditmore, Chairman

Lowell Crisp, Secretary

Juanita Colvard, Member