

Thursday, September 3, 2009

The Graham County Board of Elections had a Special meeting on Thursday, September 3, 2009 at 10:00 am at the Board of Elections office at 18 Court Street, Robbinsville, NC. Present were Chairman Cody, Secretary Colvard, Member Ditmore, Mack Tallant, Steve Krake, and David Boulay.

1. Chairman Cody called the meeting to order and read the agenda. Secretary Colvard made a motion, on the advice of Mr. Tallant, to amend the agenda by changing the wording of item three to "preliminary hearing". Member Ditmore seconded the motion. Vote was unanimous.
2. No public comment.
3. Mr. Tallant stated that Mr. Boulay had challenged the right of several voters to remain registered in the Town of Lake Santeetlah due to residency issues. Mr. Tallant also stated that the purpose of this preliminary hearing is to establish probable cause through the presentation of evidence by Mr. Boulay. If the Board finds sufficient evidence to proceed, another hearing would need to be scheduled. Mr. Tallant then placed Mr. Boulay under oath and asked him to present his evidence to the Board. Mr. Boulay presented the Board with information on the family of Christopher Griggs including tax records showing the residence in question was 974 square feet and the mailing address for the tax bills was 190 Woodland Heights, Robbinsville, NC. He also presented the Board with copies of a deed of trust and online listings showing the address as 190 Woodland Heights. Mr. Boulay presented the Board with information on the family of John Garland including tax records showing the residence in question was 1157 square feet and the mailing address was PO Box 817, Robbinsville, NC. He also presented the Board with copies of a deed of trust showing the address as 247 Mountain Drive, Robbinsville, NC. He then stated in closing that both John Garland and Christopher Griggs withdrew as candidates for Town of Lake Santeetlah Council after being challenged as candidates due to residency.
4. Secretary Colvard made a motion to recess until 11:00am in order to give the Board members time to review the material given by Mr. Boulay. Member Ditmore seconded the motion. Vote was unanimous. The Board reconvened at 11:00am after reviewing the evidence presented. Member Ditmore questioned the relevancy of the information concerning the square feet of each residence. Chairman Cody made a motion that the challenge regarding the Garland family be denied. After some time without a second, Chairman Cody rescinded his motion. Secretary Colvard proceeded to ask questions pertaining to the deeds of trust for both Garland and Griggs and the dates they were recorded as well as their relevance to the issue. Chairman Cody made a motion that the challenge regarding the Garland family be denied. Member Ditmore seconded the motion. Vote was unanimous. The Board discussed the evidence pertaining to the family of Christopher Griggs. Secretary Colvard made a motion that the challenge regarding the Griggs family be denied. Member Ditmore seconded the motion. Vote was unanimous. Mr. Tallant then informed Mr. Boulay of his options if he wanted to pursue the issue further, being that he can appeal to superior court,

gather more evidence and bring another challenge prior to Election Day, or challenge on Election Day. Mr. Tallant will also draft a resolution explaining the Board's decision and a copy will be sent to Mr. Boulay.

5. Member Ditmore made a motion to adjourn the meeting. Secretary Colvard seconded the motion. Vote was unanimous.

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Dirk Cody, Chairman

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Juanita Colvard, Secretary

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Billy Ditmore, Member