

Wednesday, September 30, 2009

The Graham County Board of Elections met for a Continued meeting on Wednesday, September 30, 2009 at 5:00 pm at the Board of Elections office at 18 Court Street, Robbinsville, NC. Present were Chairman Cody, Secretary Colvard, Director Farley, and Steve Krake with McKinney and Tallant Law Firm. Member Ditmore is currently out of town.

1. Chairman Cody discussed having McKinney and Tallant Law Firm advised them as to the relationship between the Board of Elections and its employees to the Graham County Commissioners; specifically interested in further clarification as to the budget authority, and if they have a right to say anything about what goes on in the Board of Elections office. The board is seeking an additional opinion through McKinney and Tallant.
2. The board submitted a budget, budget was approved, and as of the commissioners meeting Tuesday, September 29, 2009 that budget was amended to take money away. Chairman Cody feels that the County Manager acted improperly by coming over and taking employee out of the Board of Elections office.
3. The board would like to make sure of what their relationship with the commissioners is and once they feel comfortable, would like to pursue a "Memorandum of Understanding" with the commissioner's that is set forth in writing so that when the board goes forward there will not be another question. Secretary Colvard states she is in complete agreement with everything Chairman Cody has said.
4. Chairman Cody also would like McKinney and Tallant to further investigate who has the right to approve raises for employees. The board after reading letters from the Attorney Generals office has the understanding that it is up to the board to determine what hours are to be worked and that employee's rate of pay within the budget, but that the board of commissioners should fund the board of elections with a budget that will be sufficient enough to enable them to run the office properly and if the need is demonstrated. Secretary Colvard again states that she is in complete agreement with everything Chairman Cody is saying, and more so.
5. Chairman Cody would like to know the legality of them cutting the board of elections budget after only three months. Chairman Cody realizes that it can be done, but state it should be based on some demonstrated reason and not just because they can. Mr. Krake says McKinney and Tallant would be happy to look into these matters for the board and that he or Mack Tallant or both will be getting back in touch with the board.
6. Board discussed Machine /Ballot Testing. Secretary Colvard made a motion to recess while testing is ongoing. Chairman Cody seconded this motion. Vote was unanimous.
7. Secretary Colvard and Chairman Cody verified that all machine testing and ballot testing were completed to their satisfaction. Secretary Colvard made a motion to continue this meeting to Thursday, October 1, 2009 at 8:30 am. Chairman Cody seconded this motion. Vote was unanimous.
8. Secretary Colvard made a motion to adjourn. Chairman Cody seconded. Vote was unanimous.

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Dirk Cody, Chairman

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Juanita Colvard, Secretary