



NORTH CAROLINA

State Board of Elections & Ethics Enforcement

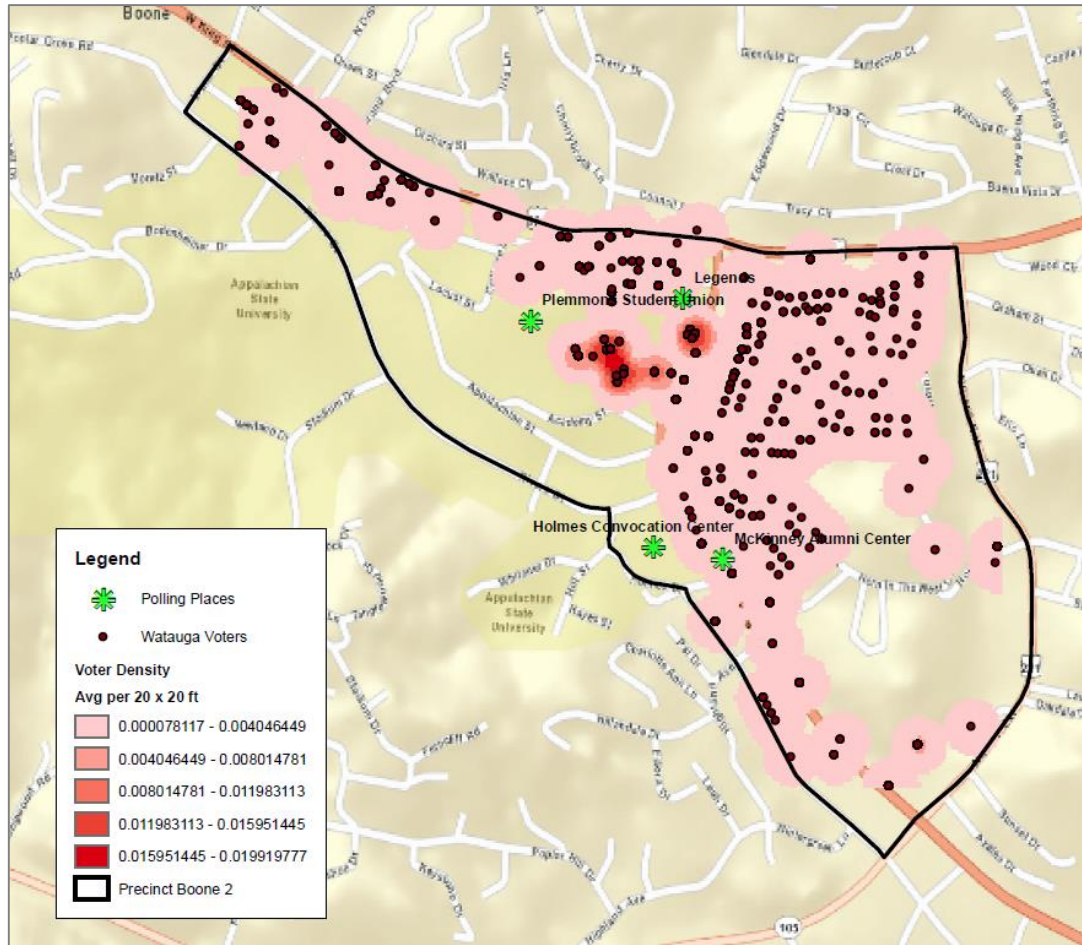
Mailing Address:
P.O. Box 27255
Raleigh, NC 27611

(919) 814-0755
Fax: (919) 715-0135

EMERGENCY ORDER IN RESPONSE TO EXTREMELY INCLEMENT WEATHER IN WATAUGA COUNTY

Pursuant G.S. § 163-27.1, I hereby designate the Appalachian State University Plemmons Student Union as the Boone #2 Precinct voting location for the election held November 7, 2017. This Order is based on my finding that there is a substantial likelihood that a critical component of elections administration in Boone #2 Precinct has been disrupted. The Order is based upon application of the following standards and findings contained in Proposed Rule 08 NCAC 01.0106:

1. **A qualifying incident has occurred.** The Town of Boone experienced high levels of flooding on October 23, effecting the previously designated voting location for Boone #2 Precinct. Associated mold has rendered the site unfit for use as a precinct voting location on November 7. A “flood” is a qualifying incident permitted by statute and identified in Proposed Rule 08 NCAC 01.0106(a)(1)(D); and flooding is the direct and proximate cause of the disruption of elections activity.
2. **The remedial measure is substantially calculated to offset the disruption based on the consideration of the following factors under Proposed Rule 08 NCAC 01.0106(b)(1) through 01.0106(b)(10):**
 - a. ***Geographic scope of disruption:*** The remedy is limited to Boone #2 Precinct, which is the only voting location affected by the incident.
 - b. ***Effects on contests spanning effected and non-effected areas:*** None anticipated.
 - c. ***Length of forewarning and foreseeability of disruption:*** The Watauga County Board of Elections was notified October 27 that the precinct could not be used, and has failed to establish an alternative site.
 - d. ***Availability of alternative registration or voting opportunities:*** Voters must appear at their designated precinct location on Election Day in order to ensure they are able to vote their full ballot. In reviewing possible sites, I have considered the precinct lines and the voter registration density map (Fig. 1) and find that the site designated under this Order is reasonably proximate to the prior precinct voting location and is appropriate for use during the November 7 Municipal Election.



[Figure 1]

- e. ***Duration of disruption:*** The disruption will not subside before November 7.
- f. ***Displacement of voters or election workers:*** Watauga County will post signage and station an election worker at the old site to direct voters. The designated site is reasonably proximate to the prior location, less than a half mile, and is central to the precinct.
- g. ***Access to secure voting locations:*** The designated location is secure. Alternative methods, such as tents or mobile units, in the prior location’s parking lot require generators and lack appropriate bathroom and other amenities and are not suitable for predicted weather conditions, given available alternatives.
- h. ***Sufficiency of time remaining for the General Assembly and the Governor to adopt emergency legislation addressing the disruption:*** There is insufficient time for legislative action.

- i. *Detrimental effects on election integrity and ballot security*: The designated precinct voting location has been used as a one-stop early voting site in the 2017 Municipal Elections, and detrimental effects are not anticipated.

- j. *Aggregate effects on important Federal and State certification deadlines*: None.

SO ORDERED, this 2nd day of November, 2017

A handwritten signature in black ink, reading "Kimberly Westbrook Strach", written over a horizontal line.

Kimberly Westbrook Strach, Executive Director
Bipartisan State Board of Elections & Ethics Enforcement