



# NORTH CAROLINA

State Board of Elections & Ethics Enforcement

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## NUMBERED MEMO 2018-03

**TO:** County Boards of Elections  
**FROM:** Kim Strach, Executive Director  
**RE:** **New County Boards and the Upcoming Primary**  
**DATE:** April 17, 2018

We are just a day away from the beginning of one-stop early voting and North Carolina's first election with four-member boards! It is very important that we continue the success we have had over the past several years in ensuring uniformity in our processes. Please share this Numbered Memo with your board members.

### Meetings and Proceedings of County Boards

Nearly all county boards now have four members. Remember that a county board cannot meet without a *quorum*, which means three members must be in attendance. Please also note that the support of at least three members is required for any board action. These requirements are contained in [G.S. § 163A-767](#).

**The State Board has directed that all board members must vote on all matters that come before them unless the member has a conflict that would require recusal.** A board member cannot simply decide not to vote on a matter that is before the board. If a board member does have a conflict of interest, the board should follow the process in [G.S. § 153A-44](#) and board members are encouraged to consult with their county attorney.

As members of a public body, county board members must comply with [G.S. Ch. 143, Article 33C](#), which includes public notice requirements, records requirements, and rules for electronic meetings. Bear in mind that outside of a meeting no more than **two** county board members can meet or exchange emails to discuss anything that is the subject of board responsibilities.

### Notice Regarding Social Media

All staff and board members are reminded that we are all prohibited from making written or oral statements intended for the general public that support or oppose a candidate or referendum. We must be aware of this obligation at all times, including when engaging in social media. Many of you have already received the State Board's [Notice Regarding Social Media](#), but I have provided the link in case you have not yet reviewed the material.

## **Re-codified Chapter 163A**

The General Assembly has updated its website to display Chapter 163A. Westlaw is preparing new statute books. Although it is a challenge to learn new statutory citations, we have posted a helpful [conversion table](#) and have updated the online [Election Law Index](#).

## **Prior Guidance**

There are several Numbered Memos that you should review and provide to your new board members:

[Numbered Memo 2016-15 Same-Day Registration During One-Stop Early Voting](#)

[Numbered Memo 2016-16 Voter Assistance](#)

[Numbered Memo 2016-17 Polling Site Preparation](#)

[Numbered Memo 2016-20 Conduct at the Polls](#)

## **Election Security**

Thank you to all the counties that have signed up to join the Election Infrastructure-ISAC. As of this past Friday, 72 counties are members! This is another important effort we can undertake to secure our elections this year. The threats remain high and the malicious actors are only getting better. Remain vigilant with respect to emails you receive. Don't click on links unless you are certain of the origin. Alert your board members as well. Malicious actors are constantly seeking opportunities to exploit, so we must do everything possible to eliminate any vulnerabilities.

We now have the ability to identify emails that may contain harmful links before they are allowed into our system. If you have emails that contain absentee ballots, we recommend you send those emails to [ABSENTEE@ncsbe.gov](mailto:ABSENTEE@ncsbe.gov). If the email contains an actual ballot, we will email you the ballot immediately.

## **Additional Questions or Concerns**

Questions arise with every election, especially with board members who have only recently been appointed. We are a resource for you and your new boards. If any part of this memo or the memos it references is unclear, please let us know. When you have a question, don't hesitate to ask; it's very likely that your neighboring counties have the same question. Further, we are in a better position to assist you and counties when we are alerted to issues you are facing on the ground.

This is not only the first election for many new board members but it is the first election for many new directors. We want to make sure our new directors have all the guidance and support needed. If you have a new director in your district, reach out and let them know you support them.

Successful elections do not happen without you. Your dedication and hard work has made our elections both fair and secure. I have no doubt that we will all continue to do everything possible this election and for all future elections to ensure that same result.