

Meeting Agenda

Location: Henderson County Board of Elections
75 E. Central St.
Hendersonville, NC 28792

Date: September 16, 2025

Time: 5:00 PM

Linda Rebuck (R) / Cynthia Ellis (D) / Charlotte Walsh (R) / Rachel Poller (D) / Lisa Hill (R)

Agenda details:

Call Meeting to Order

Pledge of Allegiance

Approval of Agenda

Approval of Minutes

Old Business

Directors Comments

New Business

- **Board Insurance and Legal Counsel Review**
- **Poll Worker Coverage**

Chair Comments

Adjournment

WELCOME

11

Please Sign In (Name/ Organization(optional))

Date: 9-16-2025 Group

1. LuAnn Olson
2. Linda Q
3. Paul Taetsch
4. Peri David
5. Debbie Dante
6. Jane Blalock NCEIT
7. Kathy Maney
8. Caren Kessler - LWW
9. Patricia Rogers LWW
10. Karin Small

WELCOME

Please Sign In (Name/ Organization(optional))

Date: 9-16-2025

1. Peter Frick
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

HENDERSON COUNTY BOARD OF ELECTIONS

**Henderson County Board of Elections
Minutes of Board Meeting
September 16, 2025**

The Board of Elections met on September 16, 2025, at 5pm in the County Board of Elections Office at 75 E. Central Street, Hendersonville NC. Those present were Linda Rebuck, Chair, Charlotte Walsh, Secretary, Cynthia Ellis, Lisa Hill, Rachel Poller, Members, Summer Heatherly, Director.

Pledge

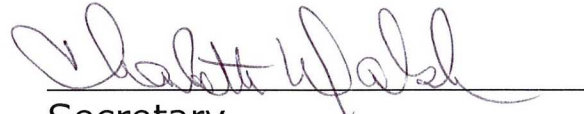
Minutes:

- Charlotte Walsh moved to accept the minutes. The motion was approved.

New Business:

- Additional judges were reviewed for positions that did not have recommendations from the political parties in the initial selection meeting. All vacant positions had suggested people to fill the positions. After discussion, the list was approved unanimously.

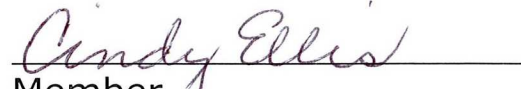
Member Hill moved to adjourn at 5:35. Motion approved.


Secretary

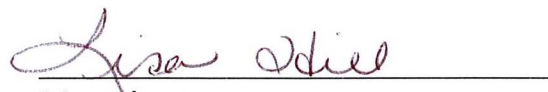
___ Approved ___ Disapproved


Chair

☒ Approved ___ Disapproved


Member

☒ Approved ___ Disapproved


Member

☒ Approved ___ Disapproved


Member

Approved this the 21 day of October, 2025

Summer Heatherly

From: Russ Burrell
Sent: Tuesday, September 9, 2025 4:04 PM
To: Summer Heatherly
Subject: FW: Board Members

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon,

I presume your question asks about a “lawyer on retainer” dealing with liability matters.

Under Federal law (applicable to Federal claims, primarily lawsuits brought under 42 USC §1983 for deprivation of civil rights), public officials have “qualified immunity”, which means they are only subject to any liability if they knew or should have known that their acts were unlawful. If they reasonably believe their acts are in accord with the law, there is no liability.

Under North Carolina law in state law claims, claims against a government official “acting in their official capacity” are really suits against the government, so no personal liability attaches. A claim against a government official “acting in their personal capacity” is a claim against the official, but they can claim qualified immunity, as above. A public official is not subject to liability unless it is proven that their actions are malicious, corrupt or outside their scope of duty.

The County’s coverage is through the North Carolina Association of County Commissioners’ Risk Management Pool. The Pool provides legal counsel to defend the County, its public officials, and its employees. The Pool would not cover a damage award IF a public official is found to have acted in a way not covered by qualified immunity, but would still provide the legal defense (under what is called a “reservation of rights”).

All that said, is there a context where a public official (pretty clearly members of the Board of Elections, who take oaths of office and who exercise discretion in performing their work, are public officials) can be liable if sued? Yes, of course. If an election board member without legal provocation slugs someone at a meeting, they can be successfully sued. They were acting in their personal capacity (the Board doesn’t have the capacity of slug) and were clearly outside the scope of their duties as set out in the General Statutes.

If your question asks about a lawyer to advise on election laws beyond the information provided by the State Board of Elections, I have performed that role in the past. However, if the Board wishes other counsel they will need to persuade the Board of Commissioners to fund the same in their budget.

I hope this helps.

Best regards,
Russ Burrell



Russ had contacted me about this on Tuesday. We are insured by the North Carolina Association of County Commissioners and yes, your board has coverage. Below is my response to him in yellow with more detail.

Let me know if you have questions.

AM

Russ,

Yes. Our Public Officials Liability coverage does apply to the BOE and does include defense costs. Below is the policy language directly related.

Also, each year at renewal I indicate that we should supply coverage for Elections.

I hope this helps,

AM

Defense Costs and Expenses

1. Except as stated in Section V(B)(5) and Section V(C)(5), for any Claim or Suit the Pool defends for which coverage is afforded under this Section V of the Contract, the Pool will pay at its expense, in addition to the limits of liability stated in the Contract Declarations:
 - a. Expenses incurred in the investigation, adjustment, defense, and settlement of covered Claims or Suits;
 - b. Other reasonable expenses, except salaries of a Covered Person, incurred by a Covered Person at the Pool's request; and
 - c. Court costs required by law, including pre-judgment interest.
2. The Pool's duty to pay expenses as set forth in this Section V(F) ends when the limit of liability is exhausted by the payment of judgments or settlements.

G. Covered Persons

The following are Covered Persons, as the term is used in this Section V of the Contract:

1. The Participant;
2. Lawfully elected or appointed officials of the Participant while acting under the jurisdiction of the Participant and within the course and scope of his or her authority as a lawfully elected or appointed official under the jurisdiction of the Participant;
3. Employees of the Participant or Employees of lawfully elected or appointed officials of the Participant working at the direction or control of a lawfully elected or appointed official of the

CHIEF JUDGES AND JUDGES APPOINTED BY BOARD FOR 2025-2027 ELECTION SEASON
(NAMES AND POSITIONS SUBJECT TO CHANGE PER POLL WORKER CONFIRMATION)

PRECINCT	NAME	ASSIGNMENT	PARTY	PARTY NOM
AR	HIPPS, TAMERA	CHIEF JUDGE	REP	REP
	HARRIS, LINDA	JUDGE	REP	REP
	MCCOMBS, JERRI	JUDGE	DEM	DEM
AT	ZUKOWSKI, JOANNE (AT)	CHIEF JUDGE	REP	REP
	JOHNSON, THOMAS	JUDGE	REP	REP
	GISLASON, CAROL	JUDGE	DEM	DEM
BC	HUNTLEY, JOY	CHIEF JUDGE	REP	REP
	HERNANDEZ, LOURDES	JUDGE	REP	REP
	DYVINE, PADMA	JUDGE	DEM	DEM
BK	ROBERTS, CAROLE	CHIEF JUDGE	REP	REP
	BRYANT, LINDSEY (EV)	JUDGE	REP	REP
	EDGERTON, ROZLAND "RIZZ" (BK)	JUDGE	DEM	
CB	MCDOWELL, SAMANTHA	CHIEF JUDGE	REP	REP
	JOYCE, MICHAEL	JUDGE	REP	REP
	PAYNE, TRACY	JUDGE	DEM	DEM
CC	LYDA, RONALD	CHIEF JUDGE	REP	REP
	CLAUSON, RICHARD	JUDGE	REP	REP
	DAVENPORT, JANNA	JUDGE	DEM	DEM
CV	VAN REESE, LOIS (CC)	CHIEF JUDGE	UNA	
	KUMOR, RENEE	JUDGE	UNA	REP
	RENO, ELIZABETH JEANNE	JUDGE	UNA	REP
ED	MEDEFINDT, JULIA	CHIEF JUDGE	UNA	REP
	MORONEY, MARLENE	JUDGE	REP	REP
	WEAST, CAROL	JUDGE	REP	REP

CHIEF JUDGES AND JUDGES APPOINTED BY BOARD FOR 2025-2027 ELECTION SEASON
(NAMES AND POSITIONS SUBJECT TO CHANGE PER POLL WORKER CONFIRMATION)

EF	WARE, CATHY	CHIEF JUDGE	REP	REP
	MAYBIN, JAMES	JUDGE	REP	REP
	BERG, CHRISTOPHER	JUDGE	DEM	DEM
ES	BELL, DEBORAH (CB) MCDOWELL, LESLIE	CHIEF JUDGE JUDGE	REP REP	REP REP
	GOODSELL, ROBYN WAXMAN	JUDGE	DEM	DEM
EV	PALMER, CHARLES FARMER, REBEKAH GLOVER, NANCY	CHIEF JUDGE JUDGE JUDGE	DEM REP REP	DEM REP REP
FL	ASHE, SANDRA STERN, LOREN SHELEY, TRACYE (FL)	CHIEF JUDGE JUDGE JUDGE	REP REP DEM	REP REP DEM
FR	KROKOWSKI, MARY WESSELINK, BRYAN CRIGLER, CHRISTY	CHIEF JUDGE JUDGE JUDGE	DEM REP REP	DEM REP REP
GM	BEASLEY, DARLENE (NE) TILSON, PAMELA COOKE, GEORGE	CHIEF JUDGE JUDGE JUDGE	REP REP DEM	REP REP DEM
GR	MCGLOSSON, COURTNEY MAYBIN, NANCY CLANCY, KAREN	CHIEF JUDGE JUDGE JUDGE	REP REP DEM	REP REP DEM
HC	BLACKBURN, GLEN LOOSEMORE, ELIZABETH (HC) OLSEN, KIM (HC)	CHIEF JUDGE JUDGE JUDGE	REP UNA DEM	REP DEM

CHIEF JUDGES AND JUDGES APPOINTED BY BOARD FOR 2025-2027 ELECTION SEASON
(NAMES AND POSITIONS SUBJECT TO CHANGE PER POLL WORKER CONFIRMATION)

HS	WELTY, KIM (HS)	CHIEF JUDGE	DEM	
	MILLER, DARYL	JUDGE	REP	REP
	ABBOTS, KAREN	JUDGE	REP	REP
HV-1				
	SANCHEZ, NORIE	CHIEF JUDGE	DEM	DEM
	SWAIM, THOMAS	JUDGE	REP	REP
	REAGEN, RHONA	JUDGE	DEM	DEM
HV-2	SHAFFER, WILLIAM "BILL" (HV-3)	CHIEF JUDGE	DEM	DEM
	STANGAR, KATHLEEN (HV-2)	JUDGE	UNA	
	AMY MAVERNIK (LP)	JUDGE	REP	
HV-3	FLOWERS, KELLY	CHIEF JUDGE	DEM	DEM
	TUTTLE, RICHARD	JUDGE	REP	REP
	FALZONE, ALAN	JUDGE	REP	REP
L	PFELEDERER, DANI	CHIEF JUDGE	REP	REP
	WOOD, DEBORAH	JUDGE	REP	REP
	THOMPSON, DENNIS (L)	JUDGE	UNA	
LP	DERY, PAMELA	CHIEF JUDGE	REP	REP
	GAY, DIANNE	JUDGE	REP	REP
	DOUBERLEY, WILLIAM "BILL" (FR)	JUDGE	DEM	DEM
MG	HARRISON, JOHN	CHIEF JUDGE	REP	REP
	VIVERETTE, PATRICIA	JUDGE	REP	REP
	MATHES, DONNA	JUDGE	DEM	DEM
NB	CALLAWAY, DOROTHY	CHIEF JUDGE	REP	REP
	HOLLINGSWORTH, SONYA	JUDGE	REP	REP
	SAUNIER, EDWARD	JUDGE	DEM	DEM

CHIEF JUDGES AND JUDGES APPOINTED BY BOARD FOR 2025-2027 ELECTION SEASON
(NAMES AND POSITIONS SUBJECT TO CHANGE PER POLL WORKER CONFIRMATION)

NE	HAYNES, DWAIN	CHIEF JUDGE	DEM	DEM
	DELSOL, DIANE	JUDGE	REP	REP
	HELMS, MICHAEL (NE)	JUDGE	REP	
NM	JAMES, CARMEN	CHIEF JUDGE	REP	REP
	BRANDT, CHERI (NM)	JUDGE	REP	
	EDWARDS, EUGENE (NM)	JUDGE	DEM	
NW	CANNON, DONNA	CHIEF JUDGE	REP	REP
	WARNER, RANDY	JUDGE	REP	REP
	WILCOX, RICHARD	JUDGE	DEM	DEM
PR	INNES, JULIE	CHIEF JUDGE	REP	REP
	FOX, DEBOARHA J	JUDGE	REP	REP
	MCCARTHY, MICHELE	JUDGE	DEM	DEM
PV	ITTER, DANIEL	CHIEF JUDGE	REP	REP
	KOOS, LINDA	JUDGE	REP	REP
	HANSEN, CAROL	JUDGE	DEM	DEM
RG	VARNER, NANCY	CHIEF JUDGE	REP	REP
	AGNELLO, ELIZABETH "LIZ"	JUDGE	DEM	DEM
	SMITH, FANNIE	JUDGE	DEM	DEM
RR	PACE, HEIDI	CHIEF JUDGE	REP	REP
	HYDE, KEVIN	JUDGE	REP	REP
	BOYCE, MICHAEL (RR)	JUDGE	DEM	
SB	DAUGHERTY, KENT (FR)	CHIEF JUDGE	DEM	
	STATON, STANLEY	JUDGE	REP	REP
	HIGLEY, PATRICIA	JUDGE	DEM	DEM

CHIEF JUDGES AND JUDGES APPOINTED BY BOARD FOR 2025-2027 ELECTION SEASON
 (NAMES AND POSITIONS SUBJECT TO CHANGE PER POLL WORKER CONFIRMATION)

SE	***PADGETT, JONATHAN (EF)***	CHIEF JUDGE	DEM	DEM
	HENSLEY, DAVID (AT)	JUDGE	REP	
	NOYES, LYNN (SE)	JUDGE	UNA	
SIM	COLE, KIMBERLY	CHIEF JUDGE	REP	REP
	BROOKS, SHARON	JUDGE	REP	REP
	TZAREFF, SUZANNE	JUDGE	UNA	REP
SW	BUCKINGHAM, DAVID	CHIEF JUDGE	REP	REP
	SLOAN, DONALD	JUDGE	DEM	DEM
	DONALDSON, AMY	JUDGE	DEM	DEM

HENDERSON COUNTY BOARD OF ELECTION CHIEF JUDGES/JUDGES APPOINTMENTS
2025-2027

☒ Approved ☐ Disapproved

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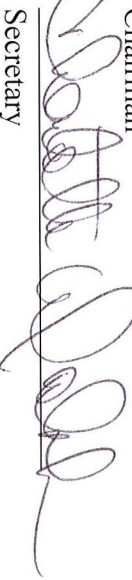
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Approved this the 19 day of September, 2025.


Chairman


Secretary


Member


Member


Member