

**EDGECOMBE COUNTY BOARD OF ELECTIONS
MINUTES FROM MEETING
JANUARY 30, 2007**

The Edgecombe County Board of Elections met, and the following persons were present: Gladys Shelton, Chairperson; Betty Lewis, Member; Mahlon DeLoatch, County Attorney; and Gayle Hudson, Director. Also in attendance were Rev. Roosevelt Higgs, Lewis Turner, Laura Ashley Lamm from *The Daily Southerner*, Zach Ahmad from *The Rocky Mount Telegram*, and other members of the public. Samuel Branch, Secretary, was absent due to a work conflict.

The purpose of the meeting was to conduct a hearing on the challenge by Lewis E. Turner to the residency of Rev. Roosevelt Higgs.

Ms. Shelton called the meeting to order and read a list of rules to be followed during the hearing. Ms. Lewis made a motion that the rules be adopted. The motion passed. A copy of the rules is attached to these minutes.

Ms. Shelton read the statutes that apply to residency challenges. The preliminary hearing was held on January 16, 2007 at which time the Board found probable cause to call a full hearing on the challenge by Mr. Turner.

Mr. Turner was placed under oath. He stated that certified letters had been mailed to Rev. Higgs at his residential address of 58 Gray Drive, Tarboro, and to his mailing address of PO Box 264, Speed and that both letters had been returned as undeliverable. He presented the letter mailed to the residential address into evidence that was marked as "no such number/street." He did not have the letter mailed to the post office box. He had pictures of a lot showing a mobile home and a bus but was unable to say what was on the lot at 58 Gray Drive.

Mr. Turner presented a copy of the tax records that show that 58 Gray Drive is composed of 2 adjoining parcels of land one of which is vacant while the other includes a pack house. He said that, even though the statutes state that a voter does not have to live in a house, there was no building on the lot. Mr. Turner closed his case against Rev. Higgs by stating that the two returned letters constitute prima facie evidence that Rev. Higgs does not live at the address of his registration. The Board raised questions about whether the Tarboro Post Office delivers mail to the area where Rev. Higgs' registration address is located. This discussion included the fact that Mr. Turner had not presented the envelope addressed to the post office address in Speed.

Rev. Higgs was placed under oath and took an oath stating that he was a qualified voter. Rev. Higgs asked the Board to dismiss the challenge because Mr. Turner had not presented evidence to prove his claim. Rev. Higgs was asked where he slept and he replied that he slept in a bed at 58 Gray Drive.

Mr. Turner requested a continuance to get the other returned envelope and information about the pictures. Ms. Shelton stated that he had ample time to gather his evidence and he had been told at the preliminary hearing to bring the missing envelope and information about the pictures to the hearing. No continuance was granted.

After discussion, Ms. Lewis stated that based on the evidence, one item being questionable and the other absent, that not enough evidence had been given to support the challenge. She made a motion that the challenge be dismissed. The motion passed.

There being no further business, the meeting was adjourned.

Respectfully submitted this 22th day of February 2007.

Secretary
