

September 9, 2016

Chancellor Sheri N. Everts
Appalachian State University
Post Office Box 32002
Boone, NC 28608
VIA Email

Re: Early Voting on Campus of Appalachian State University
Time Sensitive Request

Dear Chancellor Everts:

As you are aware, I am the Chairman of the Watauga County Board of Elections, and an Appalachian alumni. Yesterday, the State Board of Elections voted to adopt my proposed Early Voting Plan, which features early voting at our Boone 2 voting place, the Legends Social Center. One of the concerns raised by the State board members was whether you would be willing to allow the use of this building for Early Voting, and I have been asked to secure, in writing, your consent to use this location consistent with the adopted plan of the State Board of Elections.

In accordance with the instructions of the State Board of Elections, please respond to this request in writing no later than September 13, 2016 by 5:00 P.M..

I realize you will be under tremendous partisan pressure to deny use of this site to the Board of Elections, but I am sure you will appreciate the importance of respecting the majority decisions of both the state and local boards of elections. The Board of Elections has thoroughly investigated options for having a site on campus, and while the Student Union is a fine building for its purpose it is not preferable for a voting location. If you deny the Board of Elections access to the Legends Building, early voting will occur at the Student Union site, resulting in a voting site under either proposal.

When I wrote to you requesting input into potential early voting locations, I did not forward you a list of complaints and problems we had experienced with the Plemmons Student Union site, as the responsibility for such problems rests with

the Board of Elections and not the head of a major academic institution. Nonetheless, it is important for you to know the logistical problems caused by use of the labyrinthine layout of the Student Union.

Molly Hundley, a lifelong member of our community and wife of a late faculty member spoke to us at our public comment sessions about her unease in attempting to vote at this site. She was concerned not only with locating the right entrance, but also with navigating the building and being knocked to the ground in the hustle of the student union.

Online, the problems with the Student Union were summed up by a post made by Mike D. made on the local liberal blog:

"I prefer to vote at the courthouse, and I would definitely prefer Legends to the student union. The student union feels very uncomfortable to me as a voting site. There are too many points of access. Perhaps I am a traditionalist, but I like a site where there is one way in, an obvious path to the polls. I want to see candidates on the sidewalk or in a parking lot talking to voters, not in alcoves and shadowy doorways that lead to back hallways which take me to the polls. It has a back-alley feel to it, like I am headed to a secret meeting or a speakeasy or an unlicensed physician or a fortune teller. Voting should be as public as possible. I want candidates on a public street corner, waving flags and hoisting placards at passing cars, not huddled in alcoves, seemingly selling watches from under their trenchcoats. I worked to support a local Democratic candidate at the student union one time, and I felt like I was doing something wrong, just because of the physical environment.

I witnessed a number of election buffer violations at the Student Union during the March primary, including people handing out buttons in a narrow hallway blocking the voting line and repeated violations of the campaign buffer to individuals waiting to vote. I personally had to ask a lady working for Democracy NC on three separate occasions in a single morning to leave the voting place where she was campaigning illegally. Many of the written complaints regarding this site were not maintained by the previous county elections director, but the absence of these reports does not mean they do not exist. In the instance of the 2016 primary election, our staff was simply too busy processing voters and minimizing wait times to patrol all the hallways leading to the voting enclosure for election buffer violations. I have asked Director Snyder to attach the written complaints in his possession to this letter, and I have also attached a very lengthy document detailing my Findings of Fact regarding the preference of the Legends Social Center (our regular elections day voting location) for the Early Voting site.

Unfortunately, you will find the location of this site to be a highly partisan dispute. The uncompromising insistence by Ms. Anderson and activists in the local Democratic Party that only the Student Union is an acceptable early voting site demonstrates their desire to gain partisan advantage through a site which the Board of Elections cannot properly monitor and police. The plan adopted by the State Board of Elections addresses these issues and allows us, with your consent, to have fair and accessible voting opportunities to all members of the community, without fear of coercion or pressure from activists.

Chancellor Everts, I have taken you at your word that Early Voting opportunities for Appalachian State University are important to you and that you are willing to work with the Board of Elections to accomplish this goal. In doing so, it is my optimistic hope that you will respect the decisions of the State and local Boards of Elections in allowing us to use the Legends Social Center for Early Voting. To yield to the very vocal and insistent demands of partisan activists demanding the Student Union site would make you the instrument of those partisan activists. I appreciate your efforts to date to remain non-partisan in your role as Chancellor, and it is my hope that you will do so by supporting the decisions of the local and state Boards of Elections.

I realize this decision of the State Board of Elections has placed you in the tempting position of substituting your own opinion for that of the duly appointed board of elections members in the hopes of appeasing an outspoken minority. In the end, I am hopeful that your decision will be based upon a spirit of cooperation with the Board of Elections to use the site most suited to our needs in running a fair and efficient election.

I would welcome the opportunity to sit down and discuss this matter with you at your earliest convenience. If you have any questions or concerns, I look forward to speaking with you about them.

Very truly yours,



Bill Aceto, Chairman
Watauga County Board of Elections
Appalachian Class of 2007

cc: Matthew Snyder, Watauga County Board of Elections Director
Dayton Cole, Esq., ASU General Counsel
Enclosures