

AGENDA

BOARD OF ELECTIONS AND REGISTRATION BOARD MEETING MINUTES

9 November 2023 at 5:00 PM

Board members present: Myesha Good, Maurice Hurry, Michele Crochetiere, Kevin Evans, and Chad Word

Staff present: Milton Kidd, Tesha Green, Ann Bolen, Crystal Danley-Bridges, Cameron Fairley, Heather James, Philbert Smith, and Malcolm Unvala

Legal counsel present: Jonathan Nussbaum and Leslie Suson

Call to Order

The meeting was called to order at 5:05PM

Approval of Agenda

Mrs. Good requested a motion to approve the agenda. Mr. Evans made the motion and Mr. Word seconded. The agenda was approved unopposed.

Approval of Minutes from 12 October 2023

Mrs. Good requested a motion to approve the minutes from October 12, 2023. Mr. Word made the motion and Mr. Evans seconded. The minutes were approved unopposed.

Citizen Comment

There were no citizen comments.

Felon Hearings

Mrs. Green explained that all list maintenance activities are suspended during an active election and that there is no update for this meeting concerning felon letters.

Office Operations

Mr. Kidd began by thanking all poll workers and staff for a successful municipal election. He noted that certification will take place on Monday, November 13th at 5:00PM at the Douglas County Courthouse. He added that a runoff election will be held for Villa Rica's mayor on December 5th, with early voting beginning on November 27th at

8:30AM until 5:00PM until December 1st. He explained that November 27th will be the last day to request an absentee by mail ballot and that there will only be one election day polling location at Mirror Lake Elementary.

Mr. Kidd explained that during the municipal election, a candidate sought early voting information from the Secretary of State's website. The office advised this candidate that this was not the best practice because the State has acknowledged that it is still working on improvements on their own system's ability to produce accurate reports. He advised the public going forward to consult the Douglas County Board of Elections regarding information and data during an active election and that the office has mitigation measures in place to resolve any discrepancies during voting.

Mrs. Good asked for clarification regarding the list obtained by the candidate in question.

Mr. Kidd explained that the Secretary of State's office has acknowledged issues concerning their reporting function as information is transferred from the electronic poll books to the voter registration system and this candidate obtained incorrect information and was duplicating information and that Douglas County's information was correct.

Mrs. Crochetiere asked if there would be Saturday Voting for the runoff.

Mr. Kidd announced no Saturday voting.

Mr. Word thanked the staff and poll workers for their successful election.

Old Business

Tabled discussion from September Board Meeting

Mr. Kidd explained that there was previously a tabled discussion concerning the deceased voters from a previous board meeting and legal counsel's presence was requested to provide an update on the processes and procedures concerning these voters.

Mr. Nussbaum explained that there are three avenues to deal with deceased voters. The first is cited in 21-2-321(b) where vital records are submitted to the secretary of state's office which are then transmitted to county registrars. The second is under 21-2-231(e)(1) where if the board receives certain information proving death, the board can remove that voter from the rolls, including death certificates or obituary in a local newspaper. Mr. Nussbaum explained that certain sources may be more reliable than others. The third option is under 21-2-228, that the board has a general obligation to verify the eligibility of voters on its rolls and that there are specific procedures to issue such a voter challenge.

Mr. Kidd added that such challenges would not be able to be held in conjunction with the regularly scheduled board meetings and a separate hearing would need to be called for each challenge. He noted that concerning the original list of deceased voters, all but three have been captured by the confirmation notice processes generated by existing procedures.

Mr. Word cited 21-2-231(f), noting that county registrars shall initiate appropriate action within 60 days after receipt of notification of voter ineligibility and failure to act will subject the board to a fine by the State Election Board. Mr. Word noted that he is confident that these cases are caused by a communication breakdown between governmental entities and databases but noted that the code stipulates the procedures to be followed and reiterated his concern that vital records information is not being transmitted accurately at the present time.

Mrs. Suson asked for clarification that three of the fifteen individuals are still active.

Mr. Kidd confirmed that all but three are currently involved in a confirmation process that will eventually remove these voters from the rolls.

Mr. Word presented five motions to the board;

1. The Election's Office submit a FOIA request to the registrar of vital statistics of Douglas County concerning records transmitted to the Secretary of State's office between October 2022 to October 2023. Mrs. Crochetiere seconded the motion. Mr. Word and Mrs. Crochetiere voted in the affirmative, Mr. Evans, Mrs. Good and Mr. Hurry voted against the motion. The motion did not pass. Mrs. Good requested that a report concerning vital records be made in subsequent board meetings.
2. The Election's Office submit a FOIA request to the registrar of vital statistics of the State of Georgia concerning records transmitted to the Secretary of State's office between October 2022 to October 2023. Mrs. Crochetiere seconded the motion. Mr. Word and Mrs. Crochetiere voted in the affirmative, Mr. Evans, Mrs. Good and Mr. Hurry voted against the motion. The motion did not pass.
3. The Election's Office submit a FOIA request to the Secretary of State's office concerning vital records received involving Douglas County from October 2022 to October 2023. Mrs. Crochetiere seconded the motion. Mr. Word and Mrs. Crochetiere voted in the affirmative, Mr. Evans, Mrs. Good and Mr. Hurry voted against the motion. The motion did not pass.
4. The Election's Office sends letters to the county's office of vital statistics, the State of Georgia's office of vital statistics, and the Secretary of State's office concerning findings regarding deceased voters remaining on the rolls of Douglas County. Mrs. Crochetiere seconded the motion. Mr. Word, Mrs. Crochetiere, Mr. Hurry and

Mrs. Good voted in the affirmative and Mr. Evans voted against. The motion passed.

5. Begin a formal voter challenge process established by the Douglas County Board of Elections against the three remaining active voters believed by Mr. Word to be deceased. Mrs. Crochetiere seconded the motion. Mr. Word and Mrs. Crochetiere voted in the affirmative, Mr. Evans, Mrs. Good and Mr. Hurry voted against the motion. The motion did not pass.

New Business

Discussion of Code of Conduct and Ethics Draft

Mr. Kidd explained that most boards across the State have codes of conducts governing their roles and responsibilities.

Mr. Nussbaum explained that this was crafted from various boards across the state and the Board can offer its own input or suggestions.

Mr. Kidd added that this is an opportunity to review it before voting upon a code of conduct in the December meeting.

Mrs. Good asked for clarification regarding administrative functions afforded to Director Kidd versus the governance authority granted to the Board.

Mr. Nussbaum explained that there is discretion afforded to the Board to determine these roles.

Mr. Kidd added that he is a contracted employee of Douglas County, and his contract explains certain duties expected of him including the day to day operations of the Elections office.

Mrs. Crochetiere raised a concern regarding language concerning the ability of a board member to interact among the community.

Mr. Nussbaum explained that it primarily concerns the ability of an individual board member to appear to act on behalf of the Douglas County Board of Elections on their own.

Mr. Word noted that there is too much vague language, and more definition would be required before voting upon such a code of conduct.

Mr. Kidd suggested that all concerns regarding this Code of Conduct be sent to the Elections Office for review before legal counsel.

Board Member Concerns

Mrs. Crochetiere noted many individuals showed up to polling places for this municipal election that believed they could vote despite not living in a municipality, and requested any ideas on how individual board members could assist in voter education activities.

Mr. Evans noted that several individuals believed they would be voting for Sheriff in this election.

Mr. Kidd noted that he has sought legal counsel concerning campaign signage but was advised that there is no avenue to restrict political speech.

Mr. Word noted that in the previous meeting that KnowInk was late in providing the Voter File and asked whether the office has followed up with this vendor.

Mr. Kidd explained that office staff has been in communication with the company and voiced its concerns to both KnowInk as well as the Secretary of State's Elections Division.

Mr. Word asked for a status update regarding external ballot drop boxes.

Mr. Kidd explained that all ballot boxes are currently sealed and covered. Options for their removal are currently being explored.

Adjournment

The meeting was adjourned at 6:37PM

Next Regular Board Meeting – Thursday, 14 December 2023 at 5:00pm