

AGENDA

BOARD OF ELECTIONS AND REGISTRATION BOARD MEETING

11 January 2024 Minutes

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

Board Members Present: Myesha Good, Maurice Hurry, Michele Crochetiere, Kevin Evans, and Chad Word

Legal Counsel Present: Roy Hadley, Jonathan Nussbaum, Leslie Suson, and Clarence Willborn

Call to Order

Mr. Hurry called the meeting to order at 5:03PM

Approval of Agenda

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

Approval of Minutes from 14 December Monthly Board Meeting

Mr. Hurry requested a motion to approve the agenda. Mrs. Crochetiere made the motion and Mr. Evans seconded. The minutes were approved unopposed.

Citizen Comment

There were no citizen comments.

Felon Hearings

There were no felon hearings for this meeting.

Office Operations

Mrs. Danley-Bridges read the below call of election for the Georgia Senate District 30 race;

Notice is hereby given that a Special Election shall be held on February 13, 2024, in Carroll, Douglas, Haralson and Paulding Counties for Georgia Senate District 30 to fill a vacancy due to the resignation of Senator Mike Dugan. A run-off, if needed, shall be held on March 12, 2024. Qualifying for the special election shall be held at the Georgia Secretary of State's Office at 2 MLK Jr. Drive, Suite 802, Floyd West Tower, Atlanta, Georgia 30334.

The dates and hours of qualifying will be Monday, January 8, 2024, beginning at 9:00 a.m. and ending at 5:00 p.m., Tuesday, January 9, 2024, beginning at 8:00 a.m. and ending at 5:00 p.m., and Wednesday January 10, 2024, beginning at 8:00 a.m. and ending at 1:00 p.m. The qualifying fee shall be \$400.00. Tuesday, January 16, 2024, is the last day to register to vote for all persons who are not registered to vote and who desire to vote in the Special Election. Advance in-person absentee voting will begin on Monday, January 22, 2024.

Mr. Unvala informed the board that Early Voting will begin on January 22 only at the Douglas County Courthouse from 9am to 5pm Monday-Friday until February 9 with Saturday Voting available at the Courthouse from 9am to 5pm on January 27 and February 3. The election will be certified on February 16 at 5pm.

Mr. Kidd explained that the county is preparing a resolution for the qualifying fees in association with the May General Primary and he noted that this information will be published on the County website and legal organ no later than February 1st.

Mr. Smith presented an outline of the Logic and Accuracy project. He explained that each BMD is updated with the current election project. He explained that the project physically arrives from the Secretary of State's office on a locked USB drive. Each ballot is generated, and all contests are tested to ensure they print properly and are tabulated accurately. He explained that this process is open to the public and that observers must be credentialed by the office. After each piece of equipment is tested and cleared, all equipment is sealed and prepared for delivery to polling locations.

Mr. Evans asked if the people who perform this testing are county employees.

Mr. Kidd explained that each person is hired by the office on a part time basis and are sworn to an Oath of Custodian.

Mr. Hurry asked if the results from the memory cards are cross referenced against the expected results and asked if there has ever been any discrepancy.

Mr. Smith affirmed that they are cross referenced and there has been no discrepancy during this process in Douglas County.

Mr. Smith explained that the electronic pollbooks, PollPads, are tested in a similar fashion to ensure the voter file is accurate.

Mrs. Crochetiére asked which newspaper this information is published in.

Mr. Kidd explains that the Douglas County Sentinel serves as the legal organ for the county.

Mr. Word asked if Logic and Accuracy Testing dates were set for this February 13 special election.

Mr. Kidd explained that no dates have been set at this time.

Mr. Word asked how often this testing process is performed.

Mr. Smith explained that it needs to happen for every single election, including runoffs.

Mrs. Bolen announced that she has prepared a packet for board members concerning poll worker training advising that it can be read at their own leisure. She explained that the first members trained are referred to as area managers. These individuals are responsible for staffing their assigned polling locations, schedule their trainings and the first line of communication with facilities. She explained that early voting is next, noting that there are some differences between early voting and election day processes. She noted that these processes are explained in detail during in-person training and all locations are provided with these instructions.

Old Business

Mr. Kidd explained that the office has been working with legal counsel to draft a code of conduct that will be voted upon by the board. He explained that all boards in Douglas County have a code of conduct they operate by.

Mrs. Suson noted that there have been several versions of this code of conduct circulated by the board and have incorporated any recommended changes and the final version is being presented today.

Mrs. Crochetiere expressed concerns regarding the sections regarding representing themselves in public as board members.

Mrs. Suson explained that this provision allows a separation of individual representations and as a representative of the Douglas County Board of Elections.

Mrs. Crochetiere expressed concerns regarding sections regarding discussions with members of political parties, noting that members are appointed by political parties.

Mr. Kidd explained that election code explains restrictions imposed on board members once a member has taken the oath.

Mr. Word asked for clarification regarding the intent of disclosing conversations with political parties or advocacy groups.

Mr. Nussbaum explained that it was to promote transparency concerning matters brought before the board for a vote as well as any motion brought before the board.

Mr. Word sought clarification asking if a board member can bring any matter before the board on their own volition.

Mr. Nussbaum confirmed that he was correct.

Mr. Word requested a final amendment to the section to clarify that it pertains to matters currently before the board.

Mrs. Suson noted that it would be amended to clarify that board members shall not individually representing the *entire* Board and that Board members are asked to report to the Board discussions they have had with representatives of a political party, or a political advocacy group related *only* to matters before the Board *on its current agenda or as directed by the Board*.

Mr. Kidd explained that the vote can be held including pending amendments.

Mr. Hurry requested a motion to vote to approve the code of conduct with pending changes. Mr. Evans made the motion and Mrs. Good Seconded. Mr. Hurry, Mrs. Good, and Mr. Evans voted to approve the code of conduct and Mr. Word and Mrs. Crochetiere voted against. The code of conduct was approved and adopted by the Board.

Mr. Hurry explained that there were letters to be presented to the Georgia Department of Health, Douglas County Probate Court and the State Elections Division concerning vital records.

Mrs. Good asked who would be signing the letters.

Mr. Kidd explained that it would be coming from the Board as it was voted upon by the Board.

Mrs. Crochetiere asked legal counsel if it would come from the Chair or from the entire Board.

Mrs. Suson advised that it would be fine for the Chair to sign, noting that the letters note that the letters state that it is coming from the Chair on behalf of the Board.

Mr. Kidd explained that a motion is required to untable this discussion as it was tabled during the last meeting.

Mr. Hurry requested a motion to untable. Mr. Word made the motion and Mrs. Good seconded. The matter was untabled.

New Business

There was no new business.

Executive Session

The meeting entered Executive Session at 6:21pm

The meeting returned to regular session at 6:57pm. No votes were taken.

Mr. Hurry explained that the Board would be taking a vote to file a JQC complaint. Mr. Hurry requested a motion. Mr. Evans made the motion and Mrs. Good seconded. Mr. Hurry, Mrs. Good, and Mr. Evans voted to file the complaint, Mr. Word voted against, and Mrs. Crochetiere abstained.

Director's Concerns

Mr. Kidd requested the Board to authorize a letter to send to the Secretary of State's office outlining what he perceives as major challenges in calling a special election while counties are performing major redistricting activities. One of the major issues Mr. Kidd wants to highlight are the counties' inability to follow provisions of election code, including but not limited to ; notices sent to voters outlining district changes. He explained that this would be a preventative measure to indemnify the county of legal ramifications associated with not reporting these changes to voters as outlined in election code. He explained that the office is actively attempting to notify voters, including notification on the county's website as well as press briefings to all media associated with Douglas County.

Mr. Kidd explained that the election was called on January 5 and Early Voting begins on January 22. The office was originally instructed to be completed with redistricting by February 9th, and the office has since been instructed to be complete by January 17. He noted that half of the county is now in the 30th Senate district.

Mrs. Crochetiere asked if other counties were involved in this redistricting project.

Mr. Kidd explained that parts of Haralson and Paulding counties and a large portion of Carroll is in this district. He noted the Paulding County's board met earlier to issue a similar statement directed to the Secretary of State's office.

Mrs. Crochetiere asked how many precincts are involved.

Mr. Kidd explained that 10 precincts are now in the 30th Senate District.

Mr. Hurry requested a motion to approve the letter to be sent to the Secretary of State's office. Mrs. Good made the motion and Mr. Word seconded. The motion passed unopposed.

Board Member Concerns

Mrs. Crochetiere asked if staffing needs are met for the upcoming Special Election and March Primary.

Mr. Kidd informed her that all polling places have been staffed.

Mrs. Crochetiere asked for clarification on why board meetings are no longer being livestreamed.

Mr. Kidd explained that it is a directive from the county and he is unaware of any explanation from County administration.

Mr. Word asked for a timeframe regarding ballot proofs from the State.

Mr. Kidd explained that redistricting will need to be complete before the Secretary of State can create the project file.

Adjournment

The meeting was adjourned at 7:11pm