



APPROVED MINUTES

BOARD OF REGISTRATION AND ELECTIONS SPECIAL MEETING – OCTOBER 6, 2020

The Fulton County Board of Registration and Elections met in Special Session on Tuesday, October 6, 2020, 10:00 a.m.

VIRTUAL MEETING

Please join the meeting from your computer, tablet or smartphone.
FGTV YouTube Channel

<https://www.youtube.com/channel/UCYH7E0jH6HxE-3KTRluH8SQ>

Presiding: Ms. Mary Carole Cooney, Chairperson

Other Board Members Present:

Ms. Vernetta Keith Nuriddin, Vice Chairperson
Mr. Mark Wingate
Mr. Aaron V. Johnson
Dr. Kathleen Ruth

Staff Attending: Mr. Richard Barron, Director; Mr. Ralph Jones, Registration Chief; Mr. Dwight Brower, Interim Elections Chief; Ms. Nadine Williams, Elections Chief; Ms. Sharon Benjamin, Deputy Elections Chief; Mrs. Pamela Coman, Registration Manager; Ms. Brenda McCloud, Administrative Manager; Mrs. Cheryl Ringer, County Attorney; Mr. David Lowman, County Attorney; Mr. James Reese, Production Manager; Mr. Rico Dollar, Senior Graphics Designer, Regina Waller, Senior Public Affairs Officer; Jessica Corbitt, PIO & Director of External Affairs

Legal Counsel: Amanda Clark-Palmer & Don Samuel

Guests Attending: Aileen Nakaruma (Coalition of Good Governance), Scotty Crowe

Chairperson Cooney announced that this teleconferenced meeting is authorized pursuant to §50-14-1(g) of the Official Code of Georgia because of the Public Health State of Emergency declared by Governor Kemp on March 14, 2020, and renewed most recently on September 30, 2020, pursuant to which public meeting spaces in state and local Government have been closed due to COVID-19, and because means have been afforded for the public to have simultaneous access to this teleconference.

#1– APPROVAL OF AGENDA

Chairperson Cooney provided directives to the board members at the beginning of the meeting

A motion was made to amend the agenda to consider proposed Early Voting locations for the November 3rd Election, General Election. The motion was made by Mr. Johnson, seconded by Ms. Nuriddin and carried by a unanimous vote of 5-0.

Chairperson Cooney entertained a motion to approve the agenda as amended. The motion was made by Mr. Wingate, seconded by Mr. Johnson and carried by a unanimous vote of 5-0.

#2– COMMUNICATIONS AND PUBLIC RESPONSE

Aileen Nakamura (Coalition of Good Governance) stated:

"I hope you've had a chance to read the letter I and others have sent to you in regards to the software change that was made in the Ballot Marking Devices. Let's be clear – the Secretary of State's office is telling counties that "it's just a de minimis change" and that there's nothing to be concerned about.

As election officials, I'm sure your stance is that the State would NEVER instruct you to do anything that is against State or Federal law – why would they?

I only have two minutes, so I'm going to put it as plainly as I can.

This software change, which by nature requires the COMPELTE DELETION and ENTIRELY NEW UPLOAD of the application that runs the BMDs, is NOT EAC certified. And as soon as this software is uploaded, **Fulton County is no longer using EAC-approved equipment.**

How does the State explain this? They proudly say that they HELPED LEGISLATORS WRITE a loophole into GA code so that once they PURCHASE EAC-certified equipment, they can make whatever changes they want WITHOUT EAC approval. Let me repeat that again. As long as the equipment they PURCHASED was EAC-approved, any subsequent changes DO NOT HAVE to be approved. And the required testing for such a huge software change has NOT even been done.

I cannot stress enough how DIRE this situation is.

As one election expert explains it, this is akin to changing the avionics of an airplane as it's taking off. In fact, the Fulton County technicians responsible for uploading the new software were so disturbed by this irregular change in software that they refused to do the uploading, and instead had Dominion personnel do it."

Scotty Crowe stated:

"First I want to thank you for your willingness to take on a key, critical, scrutinized, powerful role in upholding our democracy as an Election Official.

Director Barron, thank you for your transparency and persistence in improving upon the situation we experienced here in June.

My name is Scotty Crowe, I'm a resident of Fulton County, born and raised in Georgia, and here as a member of [Showing Up for Racial Justice's Election Defenders initiative](#).

As you know, there is so much misinformation circulating about this year's presidential election and no shortage of barriers for folks to vote - many of which we have experienced and seen first hand. As we focus on what we can do locally, it is important to state the obvious: that a light is being shined on not our state, but our county, because of the importance of Georgia's role in the national landscape including, but not limited to, the outcome of the presidential election, the US Senate majority, as well as civil rights and the issue of voter suppression at large. Based on how the election is run here, we will be an example for the rest of the country.

In concert with your efforts to increase access and efficiency for all voters in Fulton County, I am here today to ask you to join other Election Officials across the country to publicly declare your pledge to count all eligible votes and make the voting process as transparent and fair as possible. While this should be inherent in your role, there is distrust and a lack of confidence in the system shared by Georgians across the state, and we want people to know that they should feel encouraged to vote and that you will play your role in defending their voting rights. [View the pledge here](#).

As Election Defenders, we also want to pledge publicly to support you in this role and stop any possible harassment from people wanting to interfere in the collection and counting of votes. We are concerned about intimidation at polling places, both to dissuade voters and poll workers from fully participating in the election. We want to support you and everyone involved in the election process in order to have an election that has integrity, includes the entire voter base of Georgia. [You can view our pledge here](#).

Director Barron, your accountability is essential in this process, and **I am here to ask that you agree a date and time to publicly declare and speak on your commitment to a transparent and fair election.** I am happy to follow up and/or meet with your offices to share our pledge and make arrangements for a statement that can be delivered at a publicly accessible space (be it safely distanced or streamed)."

EXECUTIVE SESSION

Chairperson Cooney entertained a motion to close the regular session and convene into executive session to discuss pending litigation and administrative action. The motion was made by Mr. Wingate, seconded by Ms. Nuriddin and carried by a unanimous vote of 5-0.

After executive session, **Chairperson Cooney entertained a motion to resume into regular session. The motion was made by Mr. Wingate, seconded by Mr. Johnson and carried by a unanimous vote of 5-0.**

Chairperson Cooney entertained a motion to authorize the Chairperson of the Board of Registration and Elections to sign a Consent Order with the State Election Board and authorize outside counsel to make adjustments discussed during Executive Session. The motion was made by Mr. Johnson, seconded by Mr. Wingate and carried by a unanimous vote of 5-0.

NEW BUSINESS

#3- DISCUSSION OF EARLY VOTING LOCATIONS

Mr. Johnson informed the board that there is one area of the county that does not have an early voting site. **Mr. Johnson** mentioned that he was contacted by mayors across South Fulton and other local officials to resolve the lack of accessibility to an EV location. **Mr. Johnson** wanted to discuss providing an Early Voting location at Palmetto Library. **Mr. Johnson** explained that Marta services have been suspended in this area and providing this area with an EV location would be easier for the voters to cast their votes

A motion was made to add Palmetto Library as an Early Voting locations for the November 3rd Election, General Election. The motion was made by Mr. Johnson, seconded by Ms. Nuriddin.

Mr. Barron informed the **BRE** of previous discussion with management staff and mentioned by adding an additional site will deplete the backup equipment. **Mr. Barron** mentioned that the registered voters in the Chatt Hill and Palmetto comprised of 5200 voters and historically voter turnout is very low in those areas. **Mr. Barron** informed the **BRE** that one of the mobile voting units is scheduled to be in this area for four days during **EV**. **Mr. Barron** explained with **33** EV locations opening on Monday and attempting to staff the location will be difficult for staff to complete. **Mr. Barron** informed the **BRE** that he does not recommend adding an additional **EV** location but it's the **BRE**'s decision.

Mr. Johnson recommended two weeks instead three weeks.

Mr. Barron asked **Mr. Johnson** will that be the second week of EV. **Mr. Barron** mentioned by making this adjustment it will delay the mobile unit schedule from posting to make adjustment

Mr. Johnson said yes

Mr. Johnson addressed **Chairperson Cooney** regarding amending his motion to address a portion of the county that appears to be underserved.

The motion was amended to make Palmetto Library an additional Early Voting locations for two weeks, starting October 19th-30th for the November 3rd General/ Special Election. The motion was made by Mr. Johnson, seconded by Ms. Nuriddin and carried by a unanimous vote of 5-0.

Chairperson Cooney stated that she did not want the **DRE** doing anything that they cannot do successfully. **Chairperson Cooney** asked **Mr. Barron** would staff be able to accomplish this task successfully.

Mr. Barron responded yes, it would be easier to get staff and equipment ready the following week.

Mr. Johnson mentioned receiving numerous calls regarding Voter Intimidation. **Mr. Johnson** directed **Mr. Barron** to brief the **BRE** by adding this discussion to the Monthly Operation Reports to give an overview of the **DRE**'s plan

ADJOURNMENT

With no other items requiring the Board's action, **Chairperson Cooney entertained a motion to adjourn. Mr. Johnson moved to adjourn the meeting. Mr. Wingate seconded the motion.** Collectively, the Board agreed to adjourn at 11:18 a.m.

The meeting adjourned.

Prepared by,

Mariska Bodison, Board Secretary