



APPROVED MINUTES

BOARD OF REGISTRATION AND ELECTIONS SPECIAL MEETING – OCTOBER 23, 2020

The Fulton County Board of Registration and Elections met in Special Session on Friday, October 23, 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

County Personnel: Michael Shoates (County Managers), Anna Roach (CFO)

Guests Attending: David Ross (Democratic Party of Georgia), WAGA TV/ Fox 5, Tabitha Stout, Pauline Drake

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 entertained a motion to approve the agenda as amended to include approval of an intergovernmental agreement. The motion was made by Mr. Wingate, seconded by Ms. Nuriddin and carried by a unanimous vote of 5-0.

#2– COMMUNICATIONS AND PUBLIC RESPONSE

No public comments.

NEW BUSINESS

#3 – APPROVAL OF INTERGOVERNMENTAL AGREEMENT (IGA)

➤ City of East Point

Chairperson Cooney asked Mr. Barron for the reason this IGA was delayed

Mr. Barron indicated that he was unaware of the reasoning for the delay but the listed contract is the standard agreement between Fulton County and all Municipalities

Chairperson Cooney entertained a motion to approve the Intergovernmental Agreement for the City of East Point to conduct their election. The motion was made by Mr. Wingate, seconded by Mr. Johnson and carried by a unanimous vote of 5-0.

#4- AUTHORIZATION RECOMMENDED BY ELECTION SECURITY TASK FORCE

Chairperson Cooney acknowledged Ms. Anna Roach, Chief Operating Officer of Fulton County, and requested Ms. Roach provide insight on this matter.

Ms. Anna Roach requested approval to ensure the security of the County's elections. Ms. Roach highlighted the goals of the Task Force. The evacuation procedures were developed as a part of the emergency response. The request is to delegate the authority to Director Barron to close, move, or established a polling locations in case of emergency from today, October 23 until Election Day, November 3rd.

Ms. Nuriddin noted that there are emergency guidelines written into the statute; Ms. Nuriddin asked how this is different?

Chairperson Cooney asked Ms. Nuriddin to clarify which statute she was referring to.

Ms. Nuriddin responded by noting the statute of Chairperson can call an emergency meeting within 24 hours

Chairperson Cooney explained that delegating this temporary authority would omit the call of a meeting and allow immediate action

Ms. Roach mentioned that this authorization will be utilized in cases of imminent threat

Ms. Nuriddin expressed the challenge she has providing this authority and the potential closing of polls with less than two weeks prior to an election and concerns of notification to the voters.

Ms. Ringer provided more clarity by ensuring changes would occur in extreme cases, i.e. bomb threat.

Ms. Nuriddin asked Mr. Barron in his tenure has anything like what was mentioned occurred?

Mr. Barron responded no

Mr. Johnson acknowledged the reasoning for giving **Director Barron** this authority to resolve emergency matters in extreme circumstances. **Mr. Johnson** mentioned that there are indications in the media that there is potential for Election Day disruptions and there needs to be a plan in place

Dr. Ruth added that **Director Barron** should ensure that the **Board** is informed of all matters

Ms. Nuriddin explained that all board members are required to be available on Election Day and what she doesn't want to occur is the **BRE** being notified by the news and not Mr. Barron.

Attorney Ringer explained that the task force assigned a Peace Officer to every polling location

Ms. Nuriddin expressed concerns of having Peace Officers, citing the appearance of voter intimidation.

Ms. Nuriddin agreed with the assignment but not with their involvement with the election operations.

Chairperson Cooney entertained a motion to delegate authority to Director Richard Barron to make emergency changes to polling locations to move, close, or establish on behalf of the Board of Registration and Election. The motion was made by Mr. Wingate, seconded by Mr. Johnson and carried by a 4-0; 1-Nay, Ms. Nuriddin.

#5- UPDATE ON LEGAL RESTRICTIONS FOR ACTIVITIES AT OR NEAR POLLING OR VOTE-COUNTING VENUES

Chairperson Cooney explained that the Board received a memo from their legal counsel on matters and statute that governs policy and procedures on Election Day. Chairperson Cooney mentioned that the Senior Judge Elizabeth Long has volunteered to assist with articulating

- VOTERS
OCGA Sec. 21-2-567
- PUBLIC
OCGA Sec. 21-2-406
- POLL WATCHERS
OCGA Sec. 21-2-408(d)
- CANDIDATES
OCGA Sec. 21-2-414(d)
- SOLICITING VOTES/CAMPAIGNING
OCGA Sec. 21-2-414
- CARRYING A FIREARM
OCGA Sec. 21-2-413(i)

Ms. Nuriddin mentioned this information is already provided and posted in each polling locations.

Mr. Wingate suggested providing clarity to Poll Managers with regards to Poll Watchers' roles

Ms. Nuriddin directed **Mr. Barron** to briefly discussed the viewing of tabulation

Mr. Barron stated that counting will occur at the EPC and the scanning of absentee ballots will be at State Farm Arena and transported to the EPC for tabulation

Ms. Nuriddin asked **Mr. Barron** to discuss the green activator card

Mr. Barron described the voting process during Early Voting (EV):

- The voter check-in and sign an electronic in-person app
- The voter is saved in ElectioNet (given credit for voting)
- The voter ballot is activated on a green card with a chip- no longer yellow
- The voter inserts the green card in the BMDs to vote the ballot and print their selection(s)
- The voter walks to a scanner to cast their ballot

Ms. Nuriddin asked how this process was different from the old voting system

Mr. Barron explained that the only difference is the color of the card was yellow not green

Mr. Wingate asked **Ms. Nuriddin** about when her mother received credit for voting and the complaints heard from voters that didn't see status update of this election

Ms. Nuriddin responded that her mother voted the day before and she checked her status and her status in MVP displayed accepted. **Ms. Nuriddin** reminded **Mr. Wingate** of the challenges that occurred in Northern Fulton

Mr. Barron explained that a team was established to go through all the applications to audit and update ElectioNet, if needed. **Mr. Barron** noted the issues with ElectioNet at the beginning of Early Voting contributed to the irregular processing procedures. **Mr. Barron** explained that once a voter feed their ballot into the scanner that is a clear indicator that their vote was cast.

Current Locations being audited:

- Alpharetta Library
- Northside Library
- Johns Creek Environmental Center

Mr. Wingate suggested voters continue to check their status for updated information. **Mr. Wingate** recommended auditing of the full elections.

Dr. Ruth communicated similar concerns as Mr. Wingate and asked for the reason why this procedure was incomplete

Mr. Barron spoke with **EV staff and Ms. Benjamin** both provided the same explanation that ElectioNet spooled continuously and their inability to save the record. The vote was saved in EasyVote but was unable to be saved in ElectioNet. The **DRE** is currently auditing those applications. **Mr. Barron** explained that by him being on this Bipartisan Task Force of SOS, he intends to suggest that counties have the ability to use their own voter registration system especially the larger counties.

Dr. Ruth asked has all application been reconciled to provide voter's credit in ElectioNet

Mr. Barron answered that the audit is currently ongoing

Ms. Nuriddin informed the public that they can lawfully witness tabulation and you are not required to be assigned by any political party

EXECUTIVE SESSION

The Board did not convene into executive session.

ADJOURNMENT

With no other items requiring the Board's action, **Chairperson Cooney entertained a motion to adjourn. Mr. Wingate moved to adjourn the meeting. Mr. Johnson seconded the motion.** Collectively, the Board agreed to adjourn at 10:52 a.m.

The meeting adjourned.

Prepared by,

Mariska Bodison, Board Secretary