



APPROVED MINUTES

BOARD OF REGISTRATION AND ELECTIONS SPECIAL MEETING – SEPTEMBER 29, 2020

The Fulton County Board of Registration and Elections met in Special Session on Tuesday, September 29, 2020 6:30 p.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: Lori Shellenberger, Gowri Ramachandran (Brennan Law), Cynthia Battles (Common Cause Georgia)

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 through September 10, 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. The motion was made by Mr. Johnson, seconded by Mr. Wingate and carried by a unanimous vote of 4-0.

#2– COMMUNICATIONS AND PUBLIC RESPONSE

Cynthia Battles (Common Cause Georgia) urged the **BRE and DRE** to adopt the recommendation presented by their partners at Brennan Law regarding providing all polling locations with adequate supplies and at least 40% emergency/ provisional ballots

Gowri Ramachandran (Brennan Law) urged the **BRE and DRE** adopt the recommendation presented to this Body. **Ms. Ramachandran** implored the **BRE** to provide 40% emergency/ provisional ballots instead of the state mandated 10% due to the record number of expected turnout of voters this upcoming election and to ensure voters are not disenfranchised

NEW BUSINESS

#3- DISCUSSION OF SEPTEMBER 29TH, 2020, SPECIAL ELECTION FOR CONGRESSIONAL DISTRICT

Mr. Barron informed the Board of two **incidents** that occurred at the two polling location this morning. **Poll workers** at Ponce De Leon Library could not gain entry to the building due to issues with the key.

- One voter voted outside- emergency ballot was issued

Park Tavern the security guard did not show on time

- Six voters voted outside- emergency ballots were issued

Therefore, all polling locations opened on time and there **was** no delay in the voting process

Mr. Barron mentioned an issue at a polling **place** with one of the carriers containing voting equipment and the technician onsite was unable to resolve.

Mr. Barron informed the Board:

- **94** Polling Locations
- **8,756** Votes cast during Early Voting
- **450** Absentee by Mail (**ABM**) counted; Drop box ballots count remaining
- **11,855** Votes cast on Election Day as of 5:00 p.m. on Election Day
- **105** Provisional Ballots as of 5:00 p.m. on Election Day

Mr. Barron explained the process of moving voters while conducting an election where some voters were affected. **Mr. Barron** contacted Secretary of State (**SOS**) office about the ability to move voters according to the election. The State's database system, ElectioNet, is unable at this time to delineate between the elections. Therefore, the **DRE** was required to move all the voters into their new polling locations, order **their** precinct cards and mail their **HOH** mailers to ensure clarity. Once that task was completed the **DRE** was tasked with returning all the voters in the 5th Congressional District back into their previously assigned precinct for the Special Election. The error was made when a letter was mailed to voters in the 13th District **of whom** approximately twelve voters **appeared** at that location.

Dr. Ruth inquired on the timeframe of the resolution regarding the BMDs

Mr. Barron informed the **BRE** there were six BMDs assigned and four were operational, no disruption to voting. A roving technician from the Election Preparation Center (**EPC**) was able to quickly resolve due to close proximity of the poll

Chairperson Cooney reiterated the preliminary statistics listed above

Mr. Barron mentioned **Chairman Pitts** and **County Manager Dick Anderson** visited several polling locations, they both reported low turnout

Mr. Wingate inquired about the conclusion of the election tonight

Mr. Barron answered that runners are on standby and he hopes to complete by 11pm, when the news is on

Mr. Barron mentioned some inquiries received today from **BRE** members regarding the 39th Senate District Race on the ballot on November 3rd. **Mr. Barron** mentioned he contacted the **SOS** about this race:

- If you request an ABM 39th Senate Race will be on your ballot
- If you vote in person you can choose a ballot with or without the Senate race

Mr. Barron noted that it seems unfair that a voter would have to indicate their party of choice during a General Election. **Mr. Barron** stated according to **SOS** personnel this procedure is in accordance with the code.

Mr. Wingate asked was this issue discovered during L&A Testing

Mr. Barron stated no, this was discovered during training when the **DRE** was training poll workers assigned to polls in that district.

Mr. Barron reported that during pre-election testing on the new BMDs, election officials in two counties discovered a problem with the display for the, 21-candidate U.S. Senate race. Under certain circumstances, not all of the candidates' names would not fit on a single screen. **Mr. Barron stated that the candidate display issue** was discovered by another county with regards to the Senate Race with twenty candidates

Chairperson Cooney asked did this delay the **DRE's** L&A Testing

Mr. Barron stated no, the **DRE** was not scheduled to begin L&A Testing until October 1st due to this Special Election for the 5th Congressional District unexpired term

Mr. Johnson asked for clarity on District 39 Senate Race

Mr. Barron clarified his inquiry with **SOS** about the race. **Mr. Barron** intend to contact SOS to provide a better understanding of the Senate District race

Ms. Nuriddin urged and encouraged voters to vote in the Senate Race. **Ms. Nuriddin** informed the body that she was informed by Director Harvey of **SOS**; District 39 Senate is a Democratic Special Primary. **Ms. Nuriddin** noted that during a General Election voters are not required to declare a party

Mr. Wingate noted the turnout **seemed** very low

Mr. Barron explained that no Rollover Ballots were mailed for this Special Election

Mr. Johnson mentioned **there** being confusion surrounding this election with regards to the Rollover Ballot List

Mr. Barron agreed and noted that this will be the **case** during the Special Runoff Election in December

Chairperson Cooney mentioned action should be taken by the Board and notifying the voters simultaneously

Mr. Barron noted that the Election Codes provides exceptions to Rollover Ballots being mailed and during a Special Election; this is one of the exceptions

#4-DISCUSSION ON PREPARATION OF THE GENERAL ELECTION

Mr. Barron informed the **BRE** that today approximately 35 Poll managers assigned to work during the General Election shadowed experienced Poll Managers

Mr. Barron discussed:

- Allocations Completed- BMDs, Poll Pads, & Scanners
- Mobile Schedule- Pending
 - 3 Check-in
 - 10 Voting Stations
 - 1 scanner
 - ADA Compliant
- Training will resume this week
- Know Ink committed to ensuring efficiency
 - Cachebox Testing
 - Providing support throughout the November Election
- Reservation at Dominion Warehouse- back-up to ensure poll pad bulk file upload is efficient

Mr. Barron discussed the county's portal streamlining the **processing** to be able to process request from two **locations** due to the ability to scan all **requests** into the County's portal: SOS Portal and DRE's Portal

Additional Information:

- 30 EV Locations:
<https://fultoncountyga.gov/inside-fulton-county/fulton-county-departments/registration-and-elections/early-voting-locations>
- 18 Days of Mobile Voting, last Day will operate as the overflow for the busiest EV locations
- Delivery of EV begins October 5th
- ABM Ballots have been mailed
- SOS has Ballot Tracks for voters with inquiries

Mr. Wingate inquired about the **final** mobile schedule

Ms. Williams responded that **a** few locations are pending, upon approval from those facilities. **Ms. Williams** anticipates completion in the upcoming days

Dr. Ruth inquired about the testing Know Ink is conducting with the Cachebox

Mr. Barron stated yes, Know Ink was onsite yesterday testing the Cachebox and testing continued today.

Dr. Ruth expressed concerns regarding timeframe remaining and limited resolution. **Dr. Ruth** asked how soon the bulk file can be uploaded for Election Day

Mr. Barron explained that **uploading begins** early that Saturday morning, the day after early voting ends. **Mr. Barron** mentioned being in close contact with the President of Know Ink and he believes a

solution will be found, there have been some improvements in the past few weeks. Final Step, **Mr. Barron** noted will be to install the Meraki devices and complete final testing

Dr. Ruth expressed approval of the working relationship that was formed between Know Ink and the **DRE** in recent weeks. **Dr. Ruth** asked will Know Ink support the **DRE** during EV and Election Day

Mr. Barron explained the Poll Pads are used differently during EV and on Election Day, EV use the poll pad as a card creator and there have been limited issues with the exception of the last election at those four EV locations. **Mr. Barron** noted that the county just **purchased** Cradle Points for each polling locations, the **DRE** currently **has** three Cradle Points. This will enable the **DRE** to see the status of equipment in polling **locations** and reset the poll pads, if needed.

Dr. Ruth inquired about the allocation of Emergency/ Provisional ballots

Mr. Barron explained the law states 10% required; however, **DRE** intends to provide 20% possibly because 10% is inadequate

Dr. Ruth directed to be updated when the percentage is finalized

#5-CONFIRMATION OF CERTIFICATION DATE

Mr. Barron suggested conducting the Certification of Results for the Special Election to fill the unexpired term of the 5th Congressional District on the same day as the Regular Meeting, October 8th, Thursday

EXECUTIVE SESSION

Chairperson Cooney entertained a motion to close the regular session and convene into executive session to discuss pending litigation. The motion was made by Mr. Wingate, seconded by Mr. Johnson 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 Ms. Nuriddin, seconded by Mr. Wingate and carried by a unanimous vote of 4-0.**

ADJOURNMENT

With no other items requiring the Board's action, **Chairperson Cooney entertained a motion to adjourn. Mr. Johnson moved to adjourn the meeting. Ms. Nuriddin seconded the motion.** Collectively, the Board agreed to adjourn at 8:08 p.m.

The meeting adjourned.

Prepared by,

Mariska Bodison, Board Secretary