



## MINUTES

### **BOARD OF REGISTRATION AND ELECTIONS REGULAR MEETING – AUGUST 11, 2016**

The Fulton County Board of Registration and Elections met in Regular Session on Thursday, August 11, 2016, at 10:00 a.m., in the Advanced Voting Area of the Public Safety Building, 130 Peachtree Street, SW, Suite 2186, Atlanta, Georgia.

**Presiding:** Ms. Mary Carole Cooney, Chairperson

**Other Board Members Present:** Mr. Luther Beck, Vice Chair  
Mr. David Burge

**Absent:** Mr. Stan Matarazzo  
Ms. Rukiya Thomas

**Staff Attending:** Mr. Dwight Brower, Elections Chief; Mr. Ralph Jones, Registration Chief; Ms. Pamela Coman, Registration Manager; Ms. Sharon Benjamin, Deputy Elections Chief; Ms. Brenda McCloud, Administrative Coordinator II; Ms. Breana Jenkins, Administrative Specialist; Ms. Cheryl Ringer, Senior Attorney and Mr. David Lowman, Staff Attorney.

**Guests Attending:** Mr. David Ross; Ms. Patricia Marshall, City of Atlanta Office of the Municipal Clerk; Ms. Elizabeth Poythress and Ms. Sally Fitzgerald, League of Women Voters of Georgia; Ms. Minnie Ruffin, BPANA/GCPA; Ms. Felisa Cordy and Mr. Charles Shelton.

#### **#1 – APPROVAL OF AGENDA**

**Vice Chair Beck moved to approve the agenda for this regular meeting of the Board with the addition under Item Number 9 of Proposal Number 11/16A-Precinct Boundary Line Change. The motion was seconded by Mr. Burge and carried by a unanimous vote of 3-0.**

#### **#2 – COMMUNICATION AND PUBLIC RESPONSE – There were none.**

#### **#3 – REMOVAL OF NAMES FROM VOTER LIST DUE TO FELONY CONVICTIONS**

**Ms. Coman** presented the August 11, 2016 Felon Report to the Board and recommended the removal of 166 names from the electors' rolls.

**Mr. Burge moved to remove 166 names from the electors' rolls as listed on Exhibits A, B, C, D and E on the August 11, 2016 Felon Report. The motion was seconded by Vice Chair Beck and carried by a unanimous vote of 3-0.**

## OLD BUSINESS

### #4 – APPROVAL OF MINUTES

**Mr. Burge moved to approve the minutes from the Regular Meeting on July 14, 2016 and the Special Meetings on July 26 and 30, 2016. The motion was seconded by Vice Chair Beck and carried by a unanimous vote of 3-0.**

### #5 – MONTHLY OPERATIONS REPORT FOR JULY 2016

**Mr. Brower** highlighted elections related issues, as follows:

- Recovery of all voting equipment used at each polling site during the 2016 General Primary Runoff Election has been completed.
- Payment checks have been disseminated to all poll workers and election workers.
- The vacant position of Elections Officer was filled by Johnny Harris. The Elections Division is currently fully staffed.
- Scheduled Mock Transmission Testing for the 2016 General Election will be held on October 4<sup>th</sup> and November 3<sup>rd</sup>.

**Mr. Burge** asked his assessment of the current condition of the voting equipment.

**Mr. Brower** answered the voting equipment is in pretty good shape. We have about two pallets primarily of DRE voting units from the 2016 General Primary and Runoff Elections that will be shipped for repair.

**Mr. Jones** highlighted voter registration related issues, as follows:

- Number of voter registration applications received in July 2016 – 26,000.
- Staff has been working overtime to process a total of 53,000 voter registration application and currently we have 40,000 voter registration applications.
- Two petitions were received and processed by staff. Another was received on August 9, 2016 consisting of 900 pages and we expect to complete processing by August 19, 2016.
- Next week two staff members will attend the Election Center Annual Conference in Pennsylvania.

### #6 – UPDATE ON PREPARATIONS FOR THE NOVEMBER 8<sup>TH</sup> GENERAL ELECTION

**Mr. Brower** reported as follows:

- Poll workers and voting equipment quantity have been identified for the November 8<sup>th</sup> 2016 General Election. Due to the addition of voters to the voter registration rolls, quantity adjustments will be made. Poll managers have been provided their allocation of workers and to proceed with recruiting staff for their specific polling location on Election Day.
- The poll workers' payroll system has been activated and the training system is being reviewed by staff to ensure it is functioning properly.
- ES&S is the vendor who will be printing our ballots and they have been alerted. Typically, our provisional ballots are printed in-house; however, due to the volume estimated at 32,000 ballots, ES& will do the printing.

**Chairperson Cooney** asked how we are addressing the lack of provisional ballots at polling places; which has occurred in the past.

**Mr. Brower** said he met with Mr. Barron and established the quantity provisional ballots to be distributed. Although printing the ballots will be done by ES&S, we still have the capability to print ballots in-house.

#### **#7 – UPDATE ON FINANCIAL OVERSIGHT**

**Chairperson Cooney** deferred this item because Mr. Matarazzo had an emergency and was not in attendance to present the report.

#### **#8 – APPROVAL OF PRECINCT BOUNDARY LINE CHANGES – PROPOSAL NUMBERS 01/16D AND 01/16A THROUGH 08/16A**

**Mr. Brower** explained each proposal to the Board; which were held from the July 14, 2016 meeting.

**Vice Chair Beck moved to approve the Precinct Boundary Line changes (Proposals Numbers 01/16D and 01/16A through 08/16A). The motion was seconded by Mr. Burge and carried by a unanimous vote of 3-0.**

### **NEW BUSINESS**

#### **#9 – APPROVAL OF PRECINCT BOUNDARY LINE AND POLL LOCATION CHANGES – PROPOSAL NUMBERS 09/16A THROUGH 10/16A AND 14/16 THROUGH 22/16**

**Mr. Brower** explained each proposal to the Board; which includes the addition of Proposal Number 11/16A – Annexation/Precinct Boundary Line Change.

**Chairperson Cooney** asked what other methods are being utilized to notify voters of location changes, other than the mailing of yellow cards.

**Mr. Jones** said head of household letters will be mailed during October 1-10, 2016 in Number 10 envelopes with proper postage affixed.

**Vice Chair Beck moved to approve the Precinct Boundary Line changes (Proposals Numbers 09/16A through 11/16A and 14/16 through 22/16). The motion was seconded by Mr. Burge and carried by a unanimous vote of 3-0.**

#### **#10 – APPROVAL OF PROVISIONAL BALLOT NUMBERS, MACHINE AND POLL WORKERS FOR EACH POLLING LOCATION FOR THE 2016 GENERAL ELECTION**

**Mr. Brower** said the allocation of voting equipment was determined by the number of registered voters in the precinct and the current number will probably change. The ratio used for express poll units was one to every 1100 voters; however, we never send only one express poll unit to a precinct. If a precinct has only 500 voters, we would provide two express poll units. The total number of DRE voting units slated for distribution is 1,937 and the total number of express poll units, based on the currently registration numbers is 565.

**Vice Chair Beck moved to table the approval of the Item #10 report pertaining to provisional ballot numbers, machine and poll workers for each polling location for the 2016 General Election until the next regular meeting of the Board to be held on September 8, 2016 due to the changes in numbers that would be occurring.**

**Mr. Burge made a substitute motion to approve the report presented as is. The motion failed due to lack of a second.**

**The main motion was seconded by Chairperson Cooney and carried by a majority vote of 2-1.**

**Votes cast as follows: Yeas – Chairperson Cooney and Vice Chair Beck**

**Nay – Mr. Burge**

**Chairperson Cooney** stated to staff that she would like a little more finality in the numbers.

**Mr. Burge** mentioned we may be in violation of our consent decree with the Secretary of State (SOS) whereby, the Board agreed to make certain determinations on early voting and voting equipment to avoid a 2008 and 2012 situation. He believes that was why the staff presented this item before the Board.

**Chairperson Cooney** stated the Board would reconvene prior to early voting; which begins in October and the numbers presented would be more realistic.

## **#11 - APPROVAL OF PLAN FOR EARLY VOTING SITES AND SCHEDULES FOR 2016 GENERAL ELECTION**

**Ms. Benjamin** presented to the Board a draft copy of the early voting locations and reported as follows:

- Early voting for the 2016 General and Special Election will commence on October 17, 2016 and end on November 4, 2016.
- The same locations that were utilized during the 2016 Presidential Preference Primary and the General Primary Elections, except for the following three changes:
  - Southeast Atlanta Library will be used instead of Georgia Hills Library;
  - College Park Library will be used instead of College Park Historical Building; and
  - Wolf Creek Library will be used instead of Palmetto Library.
- The mobile concept will be utilized for two days during early voting at nine senior facilities and the campuses of Georgia Tech, Georgia State University and Clark Atlanta University.

After further discussion, **Chairperson Cooney** inquired about the notification to seniors and other individuals within the universities of the mobile early voting.

**Ms. Benjamin** noted a wide range of communication avenues which will be utilized, such as, flyers, pamphlets, Facebook, Twitter, newspaper and radio advertisements. Ms. April Majors in the Communications Office will be assisting us with advertisement. By next week everything will be in black and white. The calendar of dates will be placed on line and Ms. Arnold will have the calendar to email to the Board.

**Mr. Burge** said his legal question was that he was told early voting cannot be held at any building that was not a government facility and as far as he knew the colleges and universities stated were private facilities.

**Mr. Brower** said colleges and universities, he understood were public. He knew Georgia State University and Georgia Tech were public. He needed to verify whether Clark Atlanta University was a public facility.

**Chairperson Cooney** asked have we communicated with the SOS's Office regarding the mobile voting concept and the use of private facilities.

**Mr. Brower** said no discussion about this concept has been made with the SOS. We can talk with them to determine if there are any restrictions of us doing a mobile concept or using any of the facilities.

**Vice Chair Beck moved to table Item Number 11 – Approval of Plan for Early Voting Sites and Schedules for 2016 General Election until the next regular meeting of the Board scheduled for September 8, 2016. The motion was seconded by Chairperson Cooney and carried by a majority vote of 2-1.**

**Votes cast as follows: Yeas – Chairperson Cooney and Vice Chair Beck**

**Nay – Mr. Burge**

**Chairperson Cooney** requested Senior Attorney Ringer and Staff Attorney Lowman to do a quick research during this meeting to obtain a legal opinion as to whether we can approve early voting locations at other than government sites.

## **#12 - APPROVAL OF CONTRACT TO CONDUCT SPECIAL ELECTION FOR THE CITY OF COLLEGE PARK ON NOVEMBER 8, 2016**

**Ms. McCloud** said the City of College Park has requested us to conduct their special election for a bond referendum for November 8, 2016. The contract was presented to the Board for approval and later it will go to the Board of Commissioners (BOC) for their approval.

**Chairperson Cooney** asked if the Intergovernmental Agreement for the City of College Park substantially identical to the others that the Board has approved.

**Ms. McCloud** said it is.

**Chairperson Cooney** asked was this the exception to that statement that there will be no charge for conducting this election because the Board of Commissioners said so.

**Ms. McCloud** said that is correct.

**Senior Attorney Ringer** stated in regards to “no charges” to the cities, there have not been any amendments to the document before the Board; however, there will need to be at some point and time. The BOC has approved the agreements; however, an amendment has to be made to the contracts prior to execution. She does not believe the contract has to come back before the Board or the BOC, if said amendment is consistent with the BOC's action. We just do not have the written amendment thus far. Senior Attorney Ringer verified the City of College Park had done their call for the election, and then we have time to work up the amendment and bring it before the board at the next meeting.

**Vice Chair Beck moved to table until the next regular meeting of the Board scheduled for September 8, 2016 Item Number 12 – Approval of Contract to Conduct Special Election for the City of College Park on November 8, 2016 in order for the amendments to be made to the Intergovernmental Agreement pertaining to the elimination of charges to the cities. Plan for Early Voting Sites and Schedules for 2016 General Election until the next regular meeting of the Board scheduled for September 8, 2016. The motion was seconded by Chairperson Cooney and carried by a unanimous vote of 3-0.**

**#11 - APPROVAL OF PLAN FOR EARLY VOTING SITES AND SCHEDULES FOR 2016  
GENERAL ELECTION (Continued)**

**Staff Attorney Lowman** stated pursuant to Georgia Election Code Section 21-2-382, basically list facilities we are able to use and the senior centers are authorized to be utilized for the conduct of early voting. However, we may have to do a further research regarding the use of the colleges/universities.

**Chairperson Cooney** said we have a legal opinion stating we can conduct early voting at the senior centers and we would be able to conduct early voting at Georgia Tech and Georgia State University because those are government, but the use of Clark Atlanta University was questionable.

**Vice Chair Beck moved to remove Item Number 11 off the table in order for action by the Board to be taken during this regular meeting. The motion was seconded by Chairperson Cooney and carried by a unanimous vote of 3-0.**

**Vice Chair Beck moved to strike Clark Atlanta University from the plan for use as an early voting site. The motion was seconded by Chairperson Cooney and carried by a unanimous vote of 3-0.**

**Vice Chair Beck moved to approve the plan for the use of all early voting sites and scheduled dates stated, excluding the use of the Clark Atlanta University location, for the 2016 General Election. The motion was seconded by Chairperson Cooney and carried by a unanimous vote of 3-0.**

**Mr. Burge** encouraged staff to find a solution, if there is a public building in the area of the Clark Atlanta University that could be used for an early voting site, such as an ROTC armory on campus or someplace that is government related.

**EXECUTIVE SESSION**

No executive session was held.

**ADJOURNMENT**

With no other items requiring the Board's action, **Chairperson Cooney** entertained a motion to adjourn.

**Vice Chair Beck moved to adjourn the meeting. The motion was seconded by Chairperson Cooney and carried by a unanimous vote of 3-0.**

The meeting adjourned at 11:11 a.m.

Prepared by,

Shirley L. Arnold  
Secretary of the Board