



BOARD OF REGISTRATION AND ELECTIONS APPROVED MINUTES

REGULAR MEETING –FEBRUARY 8, 2024

The Fulton County Board of Registration and Elections met in Regular Session on Thursday, February 8, 2024 at 11:00 am

**The meeting was recorded and is available for your review on
FGTV YouTube Channel**

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

Board Members Present Mrs. Patrise Perkins-Hooker, Chairperson
Mr. William Michael Heekin, Vice Chair
Mr. Aaron Johnson
Mrs. Teresa Crawford

Swearing In Ceremony: The **Honorable Che' Alexander** administered the Sworn Loyalty Oaths of Office for the following newly appointed member of the Fulton County Board of Registration and Elections:

Ms. Julie Adams

Term: unexpired- June 30, 2025

Staff Attending: Mrs. Nadine E. Williams, Director; Mr. Patrick Eskridge, Deputy Director; Mr. John Ross, Election Chief; Mrs. Sharon Benjamin, Deputy Election Chief; Mrs. Kathryn Glenn, Registration Manager; Mrs. Jodi Brittan, Absentee Manager; Ms. Janice Dickenson, Administrative Manager; Mrs. Janell Barganier, Financial Systems Manager; Ms. LaShandra Little, VEO Manager; Mr. Thomas Johnson, Registration Supervisor; Mr. Corey Henson, Elections Equipment Manager; Mr. David Lowman, Supervising County Counsel; Mr. Chad Alexis, Senior County Counsel; Mr. James Reese, Production/ Film Manager; Mr. Mark Baucom, Public Affairs, Senior; Mr. Darryl Peek, Mr. Tyree Spencer, Mr. James Artis

County Officials: Madam Che' Alexander (Clerk of Courts), Commissioner Bridgette Thorne , Mr. Nicholas Cotten (Chief Public Relations & Marketing Officer), Mr. Daniel White (Deputy Chief of Staff).

Guests: Jim Gaines (AJC), Kenneth Mitchell, Helen McLaughin (ACLU), Earl Ferguson, Christine Propst, Lucia Fraizer, Brian Dunn, Kenneth Mitchell, Jean-Pierre Irie (Canopy Atlanta), Candy Muldowney, Kevin Muldowney, Matt Rowenczak, Lucien Tancil, Mary Jo Peed, Lauren Waits (Democrats for Fulton), Annette Fisher, George __, Sara Amis (Decaturish), Corrine Lindo (City of Atlanta Municipal Clerk)

ACRONYMS:

BRE- Board of Registration and Elections
DRE- Department of Registration and Elections
EHOC- Elections Hub and Operations Center
BOC- Board of Commissioners
ABM- Absentee by Mail
L&A- Logic and Accuracy Testing
VEO- Voter Education and Outreach
REIF- Reporting Elections Systems Issue Form

BMDs- Ballot Marking Devices
SOS- Secretary of State's
SEB- State Election Board
DDS- Department of Driver Services
CERA- Certified Elections Registration Administrator
GARViS- Georgia Registered Voter Information System

#1– APPROVAL OF AGENDA

Chair Perkins-Hooker entertained a motion to reconsider the agenda to add a new business, item #8 Reconsideration of the Challenge Hearing decision held on December 8, 2023. The motion was made by **Vice-Chair Heekin**, seconded by **Mrs. Crawford**, and carried by a vote of 5-0.

Chair Perkins-Hooker entertained a motion to approve the agenda as amended. The motion was made by **Vice-Chair Heekin**, seconded by **Mr. Johnson**, and carried by a vote of 5-0.

#2-COMMUNICATIONS AND PUBLIC RESPONSE

Kenneth Mitchell commented on signage, public transportation to the Election Hub, and advocated for persons with disabilities to work during the elections.

Lucia Fraizer congratulated the newest Board member (Julie Adams) and commended the VEO team on their outreach events. Mrs. Fraizer requested Zoom capabilities to make public comments instead of requiring the public to physically attend the meetings. Mrs. Fraizer asked what are the qualifications to certify an election?

Brian Dunn congratulated the newest Board member (Julie Adams). Mr. Dunn asked what are the qualifications to certify an election? Mr. Dunn alleged that Georgia's voter rolls were dirty.

Earl Ferguson cited election codes regarding his challenge hearing held in December 2023. Mr. Ferguson requested the BRE reconsider their rejection.

Matt Rowenczak commented on the speaker cards, voter rolls, the certification measures and quoted the oaths given to the BRE members. Mr. Rowenczak congratulated the newest Board member (Julie Adams).

Chair Perkins-Hooker entertained a motion to reconsider the agenda to add a new business, item #8 Reconsideration of the Challenge Hearing decision held on December 8, 2023. The motion was made by **Vice-Chair Heekin**, seconded by **Mrs. Crawford**, and carried by a vote of 5-0.

OLD BUSINESS

#3– APPROVAL OF MINUTES

➤ **Regular Meeting-** January 11, 2024

Chair Perkins-Hooker entertained a motion to approve the proposed minutes of January 11, 2024. The motion was made by **Mrs. Crawford** and was seconded by **Vice-Chair Heekin** and carried by a vote of 5-0.

#4– MONTHLY OPERATIONS REPORT FOR FEBRUARY 2024 ELECTION UPDATES: DIRECTOR WILLIAMS

Director Williams greeted the Board members and congratulated the newest board member Ms. Adams. Welcome Aboard!!

She provided a brief overview of current operations:

- Cyber Incident occurred in Fulton County
- Preparation for the (Presidential Preference Primary) PPP election has been on-going
- Logic and Accuracy (L&A) Testing is ongoing and open to the public
- Election Operations were not impacted by the cyber-attack.
- Staff currently utilizing GARViS on a secure platform

Chair Perkins-Hooker commended the rapid response of the county and our partners at the Secretary of State's Office to protect and preserve the integrity of the entire elections' database.

Director Williams announced that there were Poll Worker upcoming recruitment fairs at the Election Hub and Operations Center and the Johns Creek Environmental Center.

#5–2024 REDISTRICTING UPDATE

Mrs. Glenn provided a brief update:

- 98% complete with updating information in the system due to redistricting
- Currently utilizing the ESRI tool to ensure accuracy of changes made
- Allowed access back in GARViS on February 5, 2024

Chair Perkins-Hooker inquired about the plan that was developed and discussed previous issues regarding redistricting. She indicated that she did not want the DRE to repeat any previous problems.

Mrs. Glenn confirmed the status of completion for redistricting and shared that she was uncertain if our Geographic Information System (**GIS**) Department would be able to assist as previously discussed. Mrs. Glenn informed the BRE that the DRE is currently utilizing the ESRI tool and the cities' GIS to confirm accuracy.

Chair Perkins-Hooker asked what was ESRI?

Mrs. Glenn explained ESRI is a GIS tool provided to all counties by the Secretary of State's Office to verify the redistricting changes made (map data). This tool checks Congressional, State House and State Senate, it does not check changes made to local districts.

<https://www.esri.com/en-us/about/about-esri/overview>

Chair Perkins-Hooker questioned which voters were impacted.

Mrs. Glenn confirmed the impacted voters but noted that combo codes that are assigned to voters include local, county, state, and school board races.

Mrs. Crawford inquired about the timeframe given to the cities to return their information for redistricting.

Director Williams answered approximately two weeks.

Mr. Johnson asked about the date that the precinct cards are to be mailed out.

Mrs. Glenn explained the original deadline to complete redistricting in GARViS was February 9, 2024, but due to being locked out the system, the DRE was given an extension. Also, the redistricting changes do not impact the Presidential Preference Primary (PPP) Election. Therefore, precinct cards will be mailed mid- late March.

Mr. Johnson inquired about the Head of Household letters.

Mrs. Glenn answered yes, the plan is to send notices to all Fulton households.

#6-APPROVAL TO AMEND THE ADVANCE VOTING LOCATION

- Adams Park Recreation Center to Adams Park Library

Director Williams highlighted the reason for the change to relocate due to connectivity issues.

Chair Perkins-Hooker expressed concerns regarding this change on Election Day due to the size and the number of voters assigned to the location.

Director Williams mentioned this change only impacts Advance Voting not Election Day.

Mr. Ross explained that this change does not affect the Election Day polling locations because the process during Advance Voting differs from Election Day operations.

Chair Perkins-Hooker expressed concerns on the size of the facility (Adams Park Library) proposed.

Director Williams explained that the county is offering **36** locations during Advance Voting and the DRE wanted to ensure that area had representation. This change only impacts Advance Voting because of the cellular Pollpad's inability to sync at the previous location (Adams Park Recreation Center).

Vice-Chair Heekin asked were the Election Day polling locations published.

Director Williams referred all voters to check their polling location at: <https://mvp.sos.ga.gov/s/>
Also, the polling locations assigned for the PPP can be found at:
[Election-Day-Polling-Locations-March-12-2024.pdf \(fultoncountyga.gov\)](https://www.fultoncountyga.gov/files/2024/03/Election-Day-Polling-Locations-March-12-2024.pdf)

Mr. Johnson highlighted the information that will be disseminated to voters and political parties:

- Precinct Cards
- Head of Household Notices
- Listing provided to Political Parties
- Full Election Day Locator on the Website

Chair Perkins-Hooker entertained a motion to approve the amended Advance Voting Location due to connectivity concerns. The motion was made by **Mrs. Crawford** and was seconded by **Mr. Johnson** and carried by a vote 4-1; Nay vote by **Chair Perkins-Hooker**.

NEW BUSINESS

#7–LEGISLATIVE UPDATE

Ms. Little provided an update on the information presented to the BRE for Week 4 of the Legislative Session. The DRE is currently tracking several bills.

- To adjust the election code regarding, Equipment Allocation:1 BMD per 250 voters
- 20+ Bills pertaining to Election Bills: watermarks, no QR Codes
- Crossover Day on Thursday, February 29, 2024, or Sine Die on Thursday March 28, 2024

Chair Perkins-Hooker asked for clarity on an item that was identified as a priority on reducing equipment. Madam Chair explained that this could be a double edged sword.

ELECTIONS

Fulton County supports adjustments in the Election Day equipment allocation formula, recognizing that analysis of current data and voting trends demonstrate that more than half of Fulton County voters choose to participate in Early Voting.

Ms. Little explained that this is not designed to limit access. Ms. Little provided an example: 3,000 voters assigned to a precinct on Election Day and 2,500 voted during Early Voting. That location will not need the equipment allocation of 12 BMDs for the remaining 500 voters as required by law currently.

Commissioner Thorne informed the BRE that she supports a Bill that will allow adjustments to be made for equipment allocation. Commissioner Thorne highlighted her tenure as a poll manager, she worked at a precinct with 2,000 voters assigned with a large allocation of equipment and a small number of voters voting on Election Day. Commissioner Thorne mentioned the support of this bill will allow more flexibility.

Chair Perkins-Hooker expressed that some of the language Commissioner Thorne outlined would be helpful if included into the bill.

Ms. Adams asked was there any statistical data that supports the bill.

Director Williams answered yes, the DRE reviewed elections historical data for precinct mergers and Election Day turnout.

#8–RECONSIDERATION OF THE CHALLENGE HEARING DECISION

The robust dialogue: [Fulton County Board of Registration & Elections Meeting February 8, 2024 \(youtube.com\)](#)

1:02-1:23:29

Chair Perkins-Hooker acknowledged Mr. Ferguson’s submitted a packet to the members of the BRE regarding the Challenge Hearing held on December 11, 2023. Madam Chair outlined the history of Challenge Hearings and the code that governs challenges to residency.

The Secretary of State's office removes voters on a regular basis for failing to vote in two consecutive federal election cycles. You can be removed if you fail to vote. We excluded the inactive voters because the Secretary of State's office notifies us of inactive voters. I don't want to have Fulton County sued by a voter whose rights were removed from them during the time limit which is 90 days before an election by the National Voter Registration Act. There isn't enough law on this and part of it is because people were passing Senate Bill 202 and not realizing all the other laws that had different provisions, it did not say we could remove them automatically that's not what the law says.

Vice Chair Heekin asked a series of questions regarding the Georgia Election Code that governs this practice by citizens.

This email is to request your legal opinion regarding the status of certain persons under the Georgia Election Code, Article 6 (Sections 21-2-210 through 21-2-236, Official Code of Georgia Annotated), who are registered as electors in the State of Georgia but living in another state. Specifically, I request an opinion on the following questions:

First Question: Is a person registered as an elector in the State of Georgia (the “Elector”) considered to have lost his/her Georgia residence if the Elector leaves his/her home in Georgia and goes into another state (“the New State”), for temporary purposes only, with the intention of returning to the State of Georgia, and without registering to vote in the New State?

Second Question: Is the Elector considered to have lost his/her residence in Georgia if the Elector, while living in the New State, registers to vote in the New State?

Third Question: If your answer to the Second Question is in the affirmative, may the Elector remain registered and eligible to vote in Georgia, while also registered to vote in the New State?

Fourth Question: If your answer to the Second Question is in the negative, is the Elector subject to removal from the list of electors in Georgia?

Mr. Lowman provided guidance on the steps to conducting a Challenge hearing.

Mr. Alexis added that the source of confusion is based on the National Voter Registration Act (NVRA) which is a federal law and the Secretary of State actually sent out an official election bullet in 2017 that describes how voters can be removed from the voter roll. The Secretary of State's Office made it very clear that we need to follow the National Voter Registration Act

Vice Chair Heekin asked if the BRE relied on what the Georgia statute says in the absence of the federal law and guidance from the Secretary of State, should the listed persons be removed?

Mr. Alexis responded if you read the Georgia statute in a vacuum yes; however, the 11th Circuit has applied NVRA to counties.

Vice Chair Heekin requested to get a copy of the information that Mr. Alexis cited.

Ms. Adams asked what authority the BRE has to remove voters from the roll.

Mr. Alexis responded due to the National Voter Registration Act (NVRA) being the superior Authority.

The NVRA allows election jurisdictions to move voters to an inactive voter list if the registrant:

- has not either notified the applicable registrar (in person or in writing) or responded during the period described in the statute, to the address confirmation notice sent by the applicable registrar
- has not voted or appeared to vote in two or more consecutive general elections for Federal office.
- Before moving voters to an inactive list, jurisdictions verify voter rolls through mailings or the U.S. Postal Service's National Change of Address (NCOA) service.
- This inactive status and the fail-safe provisions of the NVRA allow such people to vote if there was an error.

Chair Perkins-Hooker accepted the motion to deny reconciliation of the December decision. The rescinded motion was made by **Mrs. Crawford**, seconded by **Mr. Johnson**. No action taken.

Mr. Johnson introduced the new Municipal Clerk for the City of Atlanta, **Ms. Corrine Lindo**.

EXECUTIVE SESSION

Chair Perkins-Hooker entertained a motion to close the regular session and convene into executive session to discuss litigation matters. The motion was made by **Mr. Johnson**, seconded by **Mrs. Crawford** and carried by a unanimous vote of 5-0.

After the Executive session, **Chair Perkins-Hooker** entertained a motion to reconvene from executive session. The motion was made by **Mr. Johnson**, seconded by **Vice Chair Heekin** and carried by a unanimous vote of 5-0.

ADJOURNMENT

There being no further business, **Chair Perkins-Hooker** entertained a motion to adjourn. **Mr. Johnson** moved to adjourn the meeting. **Mrs. Crawford** seconded the motion. There being no further business on the agenda, the Board adjourned the meeting at 12:28 p.m.

The meeting adjourned.

Prepared by:

Mariska Bodison, Board Secretary