



APPROVED MINUTES

BOARD OF REGISTRATION AND ELECTIONS REGULAR MEETING – JUNE 17, 2021

The Fulton County Board of Registration and Elections met in Regular Session on Thursday, June 17, 2021 at 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: Mr. Alex Wan, Chairman

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. Patrick Eskridge, Deputy Director; Mr. Ralph Jones, Registration Chief; Ms. Nadine E. Williams, Elections Chief; Ms. Sharon Benjamin, Deputy Elections Chief; Ms. Shamira Marshall, Registration Manager; Ms. Brenda McCloud, Administrative Manager; Ms. Breauna Jenkins, Administrative Coordinator I; Mrs. Cheryl Ringer, County Attorney; Mr. David Lowman, County Attorney; Mr. James Reese, Production Manager; Mr. Rico Dollar, Senior Graphics Designer, Jessica Corbitt, PIO; Regina Waller, Senior Public Affairs Officer

Outside Counsels: Don Samuels and Amanda Clark

Guest Attending: Stephen Fowler (GPB), Bridget Thorne, Susan Shapiro, Julie Allen, Janice Johnson, Naomi Bock,

Chairperson Wan 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 through June 29, 2021, 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

Chairman Wan entertained a motion to amend the agenda to add the March 30th Executive Session Minutes to item # 3. The motion was made by Mr. Wingate, seconded by Mr. Johnson and carried by a unanimous vote of 5-0.

Chairman Wan entertained a motion to adopt 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

Bridget Thorne expressed concerns of the integrity of the elections and being ignored by the Board. **Ms. Thorne** continued to convey strong opinions about leadership, poll working training, and her perception on how elections were ran in 2020.

OLD BUSINESS

#3- APPROVAL OF MINUTES

- Executive Session Meeting- March 30, 2021
- Executive Session Meeting- April 15, 2021
- Special Meeting- May 11, 2021
- Regular Meeting- May 13, 2021
- Executive Session Meeting- May 13, 2021

Chairman Wan entertained a motion to approve all the minutes simultaneously. The motion was made by Mr. Wingate, seconded by Dr. Ruth and carried by a unanimous vote of 5-0.

#4- MONTHLY OPERATIONS REPORT FOR MAY 2021

Mr. Barron reported:

- Municipalities' Packets was distributed, packets that included:
 - Projected budget proposals
 - Advanced voting locations
 - Timelines of documentation due dates
- TSPLOST/ESPLOST revision to the budget of Atlanta Public Schools and Fulton County School Board
- Polling locations have been contacted for the General Municipal
- BOC agenda item failed and the **DRE** lost \$400,000 in Grant Funds to purchase additional equipment needed
- Approval and Purchase of Inventory System completed
- **SB 202** reduce the amount of drop boxes countywide (map in packet)
- **SB 202** made Mobile voting obsolete, **VEO** will utilize for Education and Outreach
- A legal hold remains on the **DRE** voting units from the April 18, 2017 and June 20, 2017 6th Congressional Special Election and Runoff Special Election (**Relocated to offsite facility**)
- **555** randomly selected AMB envelopes for UGA Researchers Audit Match
- Total voter registration applications received in 2021: **39,198**
- **6,363** voter registration applications received in June
- As of June 1st, **857,544**(820,643 active and 36,901 inactive) registered voters reside in Fulton County
- SOS will run a National Change of Address (NCOA) late summer
- Total New Applications: **3,712**
- Felon Hearings: **0**
- Felon Letters Mailed:**90**
- Municipalities updated Street Files due July 2021
- Administration maintaining expenditures from Grant Funds and County Budgets
 - 2021 Processing Invoices
 - Budgeting Grant Funds
 - Processing the Auditor's request
 - 1st Draft due by June 30, 2021

- Weekly meetings with various Departments
- Personnel Vacancy:
 - Registration Officer
- Pending Soundings Item:
 - Requesting (9) Additional Positions

Dr. Ruth inquired about the **DRE's** contingency plan with regards to Happy Faces item failing

Mr. Barron mentioned the County will have to find a way to pay outstanding invoices because the **DRE** is unable to use Grant Funds after June 30, 2021.

Concerns by the **DRE**:

- Other Agencies lack of bandwidth and commitment
- No shows from other Agencies during last Election cycle
- Ability to quickly backfill recruiting needs
- Vendors on the Statewide Contract are unable to meet the DRE needs
- Working with multiple agencies to staff personnel
- Fulton HR system, 45 day process to hire/ replace personnel.
- Reasons the **DRE** decided to use a staffing agency in 2015
 - The Affordable Care Act and the restrictions
 - Limitations in personnel hours able to work
 - Amount of staff needed to work multiple shifts through an election
 - Too many rotating personnel equals less efficiency
- County's personnel needed to hire supplemental staff does not exist
- Municipalities conducting their own elections due to limitations in **DRE's** personnel

Chairman Wan inquired about a calendar build out and notifying the Municipalities and School Boards

Mr. Barron responded yes. **Mr. Barron** informed the **BRE** of the cost to bring on personnel versus using a staffing agency.

Chairman Wan explained at this point the Board wants to understand the reasons and have a contingency plan in place. **Mr. Chairman** directed **Mr. Barron** to draft a memo to the **BRE** with drop dead dates over the next 60 days.

Dr. Ruth recommended mapping out those contingency plans during the upcoming BOC meeting if Happy Faces is voted down again, then you can immediately propose these other possibilities.

Mr. Barron responded the **DRE** is at a critical stage

Chairman Wan directed **Mr. Barron** to provide the memo and also outline cost associated with the

Mr. Barron acknowledged the directive.

Mr. Johnson clarified that the BOC did not vote the item down.

Mr. Johnson suggested:

- Discussion with the Commissioners to solidify the vote because this is a critical time
- Discussion with the Cities to inform them if we don't get this passed, explain the outcome
 - Conducting their own elections and maybe the cities can help you convince some of the commissioners to be available
- Backup plan: Using alternative and multiple statewide vendors for temporary personnel

"I know it'd be a headache, I understand that. I understand that it would probably be an administrative nightmare. But at the same time, us not being able to handle elections for the cities at such a critical point this year; would also be a travesty."

Mr. Barron mentioned all three temporary agencies the **DRE** used was in communications with one another; however, Happy Faces undoubtedly had the bandwidth to staff and backup all the other agencies. **Mr. Barron** acknowledged the suggestions and explained that he intends to map out the memo and contact the Cities.

Mr. Johnson reiterated:

“Highly recommend reaching out to the cities and the leadership of those cities can reach out to the Commissioners. And some of the issues that the Commissioners have with Happy Faces and the temporary process is something that could potentially be looked upon in the future. But in this short gap, we need a plan”

Mr. Wingate inquired about **Mr. Barron’s** reaction to the Republican Party providing Fulton County’s residents that’s willing to work the full early voting cycle.

Mr. Barron explained those listed persons will be required to go through the staffing agency, whatever staffing agency. “The most efficient way to conduct early voting is to have people that will work the entire period. You have a team that works together from beginning to end. That’s how early voting is conducted and how it’s conducted efficiently.”

Mr. Wingate inquired about alternative hiring process for the identified group that the Fulton Republican Party suggested.

Mr. Barron explained the County does not hire Early Voting personnel and the staffing agency is the only hiring mechanism currently. **Mr. Barron** encouraged anyone that wants to work early voting to go through the hiring process

Mr. Wingate requested staff provide the procedures for the staffing firm. **Mr. Wingate** continued by encouraging his Democrat colleagues to do the same

Mr. Barron directed **Ms. Benjamin** provide the requested items to **Mr. Wingate**.

Mr. Wingate inquired about the Municipal Elections and voter turnout. Do we still require the same number of poll managers and workers for these elections, as we would for the 2020?

Mr. Barron explained the difference between the municipal elections and the other elections:

- Early voting count is lower during Municipal election
 - Fewer people vote early in a municipal election than they do in the larger election.
- Some voters go into the polls on Election Day
- Fewer voters vote by Absentee Ballot
- More voters are showing up, especially in the Atlanta race (very competitive across the board)
- Anticipating a pretty high turnout in Atlanta
 - 30-35% turnout,
- Other Municipalities: 10-15% range
- ESPLOST and the TSPLOST could also affect the turnout countywide

“I think just because of civic engagement of voters now, I think also we should expect a higher turnout in probably many of the smaller municipalities this year.”

Vice Chair Nuriddin replied:

Director, I was wondering, since this situation we’re having with Happy Faces is sort of a unique situation. Is there anything that our department can do moving forward to prevent this reliance on an outside entity to conduct elections? Because I do hear your challenges with not having the bandwidth to train and then the stipulations around requiring health benefits for employees that work a certain number of hours. What I’m concerned about is giving this much weight to an outside entity. If the Board of Commissioners decided against cities like Chatt Hills, really small cities like Fairburn, they may not have a big problem of conducting their own elections because they generally just have less than a handful of polls. But for City of Atlanta that’s a different conversation and Alpharetta, the biggest city Sandy Springs and Roswell; that just won’t translate. We are good client for Happy Faces, but it may be one day, we were not their best clients. So in other words, is there any way to prevent from being here again?

Mr. Barron responded the **DRE** has a request on the BOC agenda to increase staff by (9) next month and then add another 11 before next year.

"I think that the more people we have full time or working for the department the better, because they're going to have more of a vested interest in the success of the election."

- Cost analysis of what it would cost the county to bring on people full time and keep them for the full two year cycle.
- The ability to keep personnel busy full time 16 to 18 months of that 24 month cycle.
- Furlough personnel until the next cycle

Vice Chair Nuriddin inquired about the use of grant funds and how Senate Bill 202 affected those funds being used.

Mr. Barron responded the grant funds were received before Senate Bill 202 passed.

Attorney Ringer explained

Madam Vice Chair, we have researched the issue and unless the legislative act is expressly retroactive. It's prospective. And so the June 30th date is the problem with grant funds not SB 202.

Vice Chair Nuriddin asked:

My concern is the Board of Commissioners is saying that this is not an option for us, even with the knowledge that it would negatively impact us conducting the elections effectively, because even if municipalities conduct their own elections, we're still responsible for anything that happens during those elections. This Board wouldn't be absolved of any errors is made or any process that's not done correctly. Thank you so much Ms. Ringer for that because that did provide clarity. My concern is the Board of Commissioners saying no, I'm hoping that maybe somebody has reached out to you or staff saying, we have a workaround. We're not going to approve this but we're going to make sure that the **DRE** has everything it needs to staff the bandwidth? Or is the BOC telling, you NO to Happy Faces? And now you figure out how to conduct the elections? Are they communicating with you?

Mr. Barron responded:

Yes, we've been working with the County Manager's office, Personnel and Finance. The **DRE** is exploring all options going forward. We presented items for more staffing to County Manager's office a few weeks ago and I think we are going to request more staff this year, going into next year. Because we do want to reduce our reliance on supplemental staff. Many of the supplemental staff that we have are really good people that are working for that staffing agency that put their hearts into their jobs and would love to have full time position. And those are the types of people that we need working for us.

Mr. Wingate inquired about unused CTCL Funds

Mr. Barron explained of the 10.7Million received if all items at the last BOC meeting passed the amount refunded would be \$126K but that has changed due to certain items failing

DRE items that failed at the BOC:

- Not to Exceed Amount- Spending Authority
- Request to purchase KnowInk Poll pad Inventory
- \$800-876K will be refunded to CTCL

"Spending grant funds would be optimal. It would be better because Fulton County taxpayers don't have to foot that."

Chairman Wan asked how does that impact your operation budget going forward? And specifically, does that squeeze out something from the \$750,000 such as activities that the **DRE** need and was planning on for this upcoming election

Mr. Barron mentioned the impact is that taxpayers may now be responsible for paying for items instead of the CTCL grant funds. The **DRE's** goal:

- Maintain a set of equipment for early voting, Election Day, and equipment for training
- Omit pulling equipment from various sources to account for insufficiencies
- Omit turning equipment around on the weekend before Election Day
- To decrease challenges conducting logic and accuracy (L&A) testing on a large number of equipment and then get it deliver in a short period of time
- Decrease logistic concerns

Chairman Wan suggested:

In terms of the monthly report, there are a number of items on the timeline that the dates have passed in terms of their due date. And there are comments about it, you're enhancing them there, you're waiting on information, I think it would be helpful for us to have more information about that kind of reset or new target dates going forward. So I don't know if that's something

that between now and the next meeting, you can you and your team can just provide an amended version of that just to give a little bit more information, or and then definitely starting in the July meeting. I think that would be more informative for us, just to understand exactly what the new push out dates are going to be.

Mr. Barron responded the Strategy Office has created access to the board members

- BRE access to AchieveIT completed
- Instructions are forthcoming to the board members
- Access to uploaded paperwork and notes on each one of those items
- Board member training pending

Chairman Wan inquired about two incidents: the Warehouse break-in and the Open Records Request

Mr. Barron directed **Ms. Williams** to discuss the ballot transfer forms and chain of custody.

Ms. Williams was non-responsive

Mr. Wingate asked **Mr. Eskridge** about the staffing of the Absentee Ballot Division

Mr. Eskridge responded those positions have to go before the Board of Commissioners for approval.

Dr. Ruth inquired about the RFP

Mr. Barron mentioned to the **DRE** received three responses and a (5) person committee completing evaluations for each vendor.

Dr. Ruth requested a communication packet on SB 202 for the Board as they communicate with the public

Ms. Williams responded to earlier inquiry:

- Drop box rules required teams of two
- Each drop box in Fulton County has mandated video surveillance
- Each team assigned to specific drop boxes (most routes have 6-8 stops)
- The box is unlocked to retrieve the ballots, ballots are counted, and form completed at the box
- Ballots are placed in a sealed bag
- Drop box is locked
- Sealed bags delivered to the Registration office
- Registration staff recounts the ballots and sign the form
- Forms are filed in our office

Mr. Barron added that the incident at the Warehouse, he thought the video would have been released, but it's still pending.

Mr. Johnson questioned

The responses to articles, opinions, blogs, all these different things are going to come up because we're in such a hyper partisan or hypersensitive, posture right now, not just in Fulton County, not just in Georgia, but nationwide it's no secret. People are throwing spaghetti and seeing what sticks. And we just got to make sure that when we're responding, we're responding to legitimate concerns, as opposed to things that are just out there. And I also understand we do have a public relations aspect that we have to make sure that we are transparent, but at the same time, we have to be mindful of what we're responding to. That's my only concern!

Mr. Wingate asked if the EPC, the building where Election records are stored, was fireproofed?

Mr. Barron and **Ms. Williams** was not sure

Attorney Ringer responded

Under O.C.G.A, the Election code 21-2-500

The department doesn't have control of the documents anymore. They are placed into the custody and control of the Clerk. We can look into this and express your concerns to the Clerk. But I don't know that this body would be able to make the

determination one way or another. I do think this is something to look at for Election Central, and providing you all new space, if that function is coming with you out to a new building, that might be something you can ask them about.

Ms. Williams mentioned most of our records the SOS receives the original copy.

Chairman Wan asked if the Chiefs want to provide any updates

Mr. Jones mentioned that the SOS will be running the NCOA's in August.

NEW BUSINESS

#5- ACKNOWLEDGEMENT OF MRS. VERNETTA KEITH NURIDDIN FOR YEARS OF SERVICE

**On behalf of the Department of Registration and Elections and Board of Registration and Elections:
We Thank You For Your Service Vernetta Keith Nuriddin!!
Tenure: March 201-June 2021**

Chairman Wan announced:

Acknowledgement of Madam Vice Chair and years of service, this will be her concluding meeting on her term this year. And I'm sure my colleagues have comments. In the short time that I've had the pleasure of working with you, it's remarkable with everything you know about elections in different places for information, data, and other relationships across the state that that we always should be thinking about, with regard to work that we're doing. So I wish our time together, were a little longer. But I did want to at least acknowledge and thank you for the brief time that we had and how impressed and grateful I was for what I learned from you in this short time. Thank you.

Mr. Wingate expressed:

You have been just a joy to know that and thank goodness that this, though your term has expired, and you're not going to be on this board any longer that I know that several of us have made a great friend, thank you. And I have admired not only your knowledge, your tenacity at this stuff, I mean, you just dig in where I didn't even know there was a dig in. And I just want to express from me personally to you that you've been a delight to work with and I look forward to you know, any continuance that we will, you know, potentially have, you know, as the as days go forward, so thank you very much, my dear. Appreciate it.

Dr. Ruth expressed:

It is truly amazing to work with you. I remember when I joined the Board a few years ago, you were so welcoming to me. And just I learned so much from you. I mean, you are committed to always learning about election laws, processes, to ensure that the registration and election process is efficient, and effectively provided to all of the citizens of Fulton and you've been just a really great colleague, and most of all, a dear friend. And I also commend you on always willing to work to be collaborative, and work in a bipartisan manner. And you will truly be missed my friend.

Mr. Johnson expressed:

We will miss working with you I think everybody has said all the words that you can think of nobody knows this stuff better than you. If we get wrong, you'll be the first one to say this is what it's supposed to be. And we always appreciated you getting us all the information from the Secretary of State's office that we didn't even know existed. The books, the manuals, the notes, the memos, the meetings that were being set up. And we always wonder, but one thing we do know is that you may not be on the board, but you will continue to be on the board because I can tell that you will not be around as much as possible. And I think that we might still need to call on you, thank you and don't change your number, we might need it.

Mr. Barron expressed:

I wanted to echo the thoughts that Aaron had. I was always amazed that she was always in Firefly and the Buzz and was always up on all the memos coming out of the Secretary of State's office. I think she even read them before we even knew they were in

our email boxes. So yes, that was always refreshing; you and I talked recently and we plan on continuing even after your service here to stay in contact

Vice Chair Nuriddin expressed gratitude.

#6-REVIEW OF BRE MEETING SCHEDULE

Ms. Williams informed the Board:

The **DRE** worked with GIS to see where we could possibly positioned the (8) drop boxes the county is permitted to have, to evenly distribute them throughout the county. Due to SB 202, the boxes are required to be at an advanced voting location. Reviewing the maps in your packet, you should have three attachments. One list all the advanced voting locations we're proposing and noted in there is where those drop boxes will be. And there's a map that shows the voter population amount of accessibility. The Dre made every effort to evenly distribute (8) boxes compared to 38 throughout Fulton County.

Mr. Johnson asked about SB 202 as it pertains to municipal election, each city gets one. How does that work? And can we talk about that?

Ms. Williams responded that only applies to if the city itself is conducting its own election, they're required to have a Drop box. Although, it's a municipal election and the DRE is conducting the election, we're still limited to eight boxes.

Mr. Johnson asked which cities are conducting their own election

Ms. Williams answered the two cities conducting their own election is Mountain Park and Palmetto. The DRE intends to contact those two cities to make sure that there is signage that informs voters not to drop the county election ballots in their drop boxes.

Vice Chair Nuriddin inquired about the **DRE's** interpretation of SB 202:

Deputy General Counsel Sarah Beck from the Attorney General's office sent an email saying that for each municipal election, each of Fulton's municipalities would need at least one Dropbox for the municipality that is holding a municipal election. And what I'm hearing you say maybe you're interpreting that to me that the Dropbox is only for the cities that are conducting their own elections. Is that what I hear you say? I reached out because it was unclear. And I know that the State Elections Department may have been waiting to respond to the counties who had this concern, because we do have 15 cities. The response from the Deputy General Counsel for the attorney general's office said that, that she interpreted the law to mean that if a municipal election is holding an election, municipality is holding an election, that they have, that by law, they meet at least one Dropbox per municipality. If anybody want to add clarity there, like we've learned with the law this county and state in the legislature disagrees

Ms. Williams responded that the **DRE** is not leaving anything up to the DRE's interpretation on SB 202. The email was forwarded to SOS and they confirmed that it is not correct. That is only for cities that are conducting their own election.

Mr. Wingate asked the reason Milton library was chosen versus the Alpharetta library?

Ms. Williams mentioned an effort to put one drop box in each commissioner district

Mr. Wingate mentioned Alpharetta Library would be better location logistically

Vice Chair Nuriddin requested the DRE to consider an alternate location for the drop box from Northwest Library at Scott's Crossing and move it to CT Martin

Dr. Ruth asked about the distance between the boxes

Ms. Williams requested the information from GIS

Chairman Wan entertained a motion to approve the drop box locations as presented with the exception of Northwest library and Milton Library; replaced by CT Martin and Alpharetta Library. The motion was made by Mr. Johnson, seconded by Vice Chair Nuriddin and carried by a unanimous vote of 5-0.

#7- VOTER EDUCATION AND OUTREACH PLAN

Mr. Eskridge greeted the Board and outlined the Action Plan for Voter Education and Outreach:

Overview:

The Voter Education and Outreach Team (VEO) is an essential non-partisan comprehensive team providing the citizens of Fulton County with vital voting and election information that enhances the voting experience. This is our responsibility to the democratic process. The goal of the Voter Education and Outreach Team of Fulton County is to nurture enthusiasm for the electoral process, and to reach out to all eligible voters throughout the county.

Action Plan Components:

(Please note the information and examples provided are not exhaustive, and were listed only to provide base point to build from)

Establish and Defining the Focus

- Voter education and outreach has been determined widely to increase voter participation

Gaining knowledge and understanding the county landscape and its constituencies –

- It is imperative that team members have a clear and concise knowledge base about those with whom they will interact.

Recognize and identify available resources –

- Mobile bus units, partnerships with community organizations & leaders, informational materials for dissemination

Establish Goals/Objectives:

- Increase voter awareness, confidence and participation in the election process
- Educate county residents on the new changes and requirements of SB 202
Specifically (but not exhaustively) information for voters on new:
 - Absentee by Mail application requirements to include requesting guidelines/procedures/timeline changes
 - New Voter Identification requirements and ways & means to ensure having the correct forms in order for verify one's identity
 - Provisional voting ONLY after 5pm on Election Day; otherwise voters will be directed to their respective precincts

Organize an Education & Outreach program

- Mock elections via the mobile units – establish and foster relationships with school systems, colleges/universities, nursing/retired communities, neighborhood associations/organizations, law enforcement agencies, and fire stations

Implementation

- Implementation is the moment at which the action plan is tested and when lessons are learned which will bring about new innovations, ideas, and approaches to build upon or improve our outreach

Measuring/Evaluation

- Evaluation is a powerful strategy for distinguishing programs and practices that make a difference

Mr. Wingate suggested Mr. Eskridge consider the Fulton County Republican Party to assign an individual as a liaison into the outreach group

Mr. Eskridge explained contacting **Mr. Wingate** offline to discuss what that looks for the **DRE**

Mr. Johnson commented that the Board members were the liaison to the Political Parties

Dr. Ruth expressed approval of the **VEO** plan (the Academy and other details)

Chairman Wan requested timeline to accompany the plan

Mr. Eskridge explained the **DRE**'s efforts to getting back on track with the AchieveIT items and a draft presented to this body. From this point to implementation, it will follow with certain milestones and timelines have rolled out.

Chairman Wan mentioned the content presented today was great, I think it covers everything. **Mr. Chairman** warned the **DRE** to be mindful of the clock ticking against the **DRE** and November is approaching.

EXECUTIVE SESSION

Chairman Wan entertained a motion to close the regular session and convene into executive session to discuss Pending Litigation. The motion was made by Mr. Johnson, seconded by Mr. Wingate and carried by a unanimous vote of 5-0.

After executive session, **Chairman Wan entertained a motion to resume into regular session. The motion was made by Mr. Wingate, Motion failed due to No Quorum.**

ADJOURNMENT

With **No quorum**, the meeting concluded by default at 1:12 p.m.

Prepared by,

Mariska Bodison, Board Secretary