



APPROVED MINUTES

BOARD OF REGISTRATION AND ELECTIONS REGULAR MEETING – MARCH 11, 2021

The Fulton County Board of Registration and Elections met in Regular Session on Thursday, March 11, 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>

**Swearing- In of the Chairperson
Unexpired Term: March 11, 2021- June 30, 2021**

Conducted By: The Honorable Cathelene “Tina” Robinson, Clerk of Court

The Honorable Cathelene “Tina” Robinson administered the oaths presented to newly appointed Alexander “Alex” Wan.
Sworn Oaths:

- **The Official Oath of the Member Board of the County of Elections**
- **The Loyalty Oath**

Chairman Wan announced:

“I just want to express that it is a deep honor to have been selected and appointed by the Board of Commissioners to serve in this role and to work alongside you colleagues going forward. I recognize that these have been challenging times for the Board and the department. But my one on one conversations with each of the members up to this point, I'm really heartened by the fact that we all have the same goal. And we recognize we've been entrusted by the citizens and voters in Fulton County. Our job is just to make sure we're doing everything we can to deliver fair, accurate and efficient elections. I know that if we just keep that in our mind and use that as our guidepost, we'll be all right. I also want to thank everybody for the grace you've extended me and trying to get up to speed and the learning curve this week. And I thank you in advance for the grace. I hope you'll continue to give me grace; I'm a hard worker and a quick study. But it's going to take me a little bit of time all the help and guidance you all can provide me will be much appreciated. But again, I thank you for the opportunity to work with you and I look forward to the days ahead.”

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. Ralph Jones, Registration Chief; Ms. Nadine E. Williams, Elections Chief; Ms. Sharon Benjamin, Deputy Elections Chief; Mrs. Pamela Coman, Registration Manager; Ms. Brenda McCloud, Administrative Manager; Ms. Breauana 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

Commissioner(s): Commissioner Hausmann

County Personnel: Nicholas Cotten (Chief Deputy - Public and Media Relations)

Guest Attending: David Ross (Democratic Party of GA), Aileen Nakamura (Coalition of Good Governance), Bridget Thorne, Susan Shapiro, Anna Tillman, Sarah Pedro, Melissa Dale, Jill Wright, Kate Brumback (Associated Press), Donna Renfro Lawson, Marlene Welch, Aquaria Richardson-Smith, Christopher Alston, David Cross

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 April 7, 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 requested to amend the agenda to swap items 4 and 5 due to an emergency requiring **Mr. Barron** to leave at approximately 10:45 a.m.

Dr. Ruth requested to add an item to agenda as Item #7: Action to determine authority and the employment of the County Election Director

Chairman Wan entertained a motion to swap items # 4 and 5 and add item # 7. The motion was made by Dr. Ruth, seconded by Vice Chair Nuriddin 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. Johnson, seconded by Vice Chair Nuriddin 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

- **Regular Meeting- February 11, 2021**

Chairman Wan entertained a motion to approve the minutes from February 11, 2021. The motion was made by Mr. Wingate, seconded by Mr. Johnson and carried by a unanimous vote of 5-0.

- **Executive Session Meeting- February 11, 2021**

Chairman Wan entertained a motion to table the approval of Executive Session minutes due to late receipt. The motion was made by Vice Chair Nuriddin, seconded by Dr. Ruth and carried by a unanimous vote of 5-0.

➤ **Special Meeting- February 16, 2021**

Chairman Wan entertained a motion to approve the minutes from February 16, 2021. The motion was made by Mr. Wingate, seconded by Mr. Johnson and carried by a unanimous vote of 5-0.

#4- MONTHLY OPERATIONS REPORT FOR FEBRUARY 2021

Chief Williams, Chief R. Jones, and Ms. McCloud delivered the operation report:

- Municipalities' Packets was distributed, packets that included:
 - Projected budget proposals
 - Advanced voting locations
 - Timelines of documentation due dates
- Polling locations have been contacted for the General Municipal
 - Response due March 12th
- 2-Additional Check-In Centers added for future elections
- Several demos of Inventory Systems
- Reorganizing Poll worker recruitment & training
- 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**)
- Total voter registration applications received in 2021: **17,938**
- **5,695** voter registration applications received in February
- As of March 1st, **856,462** (818,722 active and 37,740 inactive) registered voters reside in Fulton County
- Total New Applications: **11,105**
- Felon Hearings: **0**
- Felon Letters Mailed:**348**
- Administration maintaining expenditures from Grant Funds and County Budgets
 - Finalizing 2020 Invoices
 - 2021 Processing Invoices
 - Budgeting Grant Funds
- Weekly meetings with various Departments
- Campaign Contributions and Late and non-Filers Reports were filed
- Monitoring Legislative Bills affecting the Department
- Personnel Vacancy
 - Deputy Director- Pending
 - VEO Manager- Pending

Mr. Wingate inquired about the funds remaining in the Grant Funds the Department received.

Ms. McCloud answered that the funds are being used to pay outstanding invoices remaining and Mr. Barron has directed personnel to purchase some equipment with the Grant Funds.

Mr. Wingate requested **Ms. McCloud** provide an update to the **Board** on the expenses from the Grant funds.

Ms. McCloud agreed.

NEW BUSINESS

#5- POST-ELECTION ASSESSMENT REVIEW

Mr. Barron informed the Board:

The Office of the County Manager partnered with the Fulton County Board of Registration and Elections and the Registration and Elections Department to provide administrative, guidance and operational support for the 2020 election

cycle following the June 2020 election. The County Manager, along with the COO and CFO, formed an internal work group that consisted of County leaders from various departments.

ENHANCEMENTS

- Hiring Election Day Poll Technicians
- Hiring security for every precinct on Election Day
- Development of data reporting systems
- Development of a poll worker staffing plan
- Increased funding to cover the cost of staff, election operations and equipment
- Implementation of a mobile application
- Implementation of an Elections Call Center
- Enhanced early voting communications plan
- Staffing response in the midst of a COVID-19 Outbreak
- Expansion of absentee ballot drop boxes
- Implementation of a work plan to more efficiently process absentee ballots
- Identification of alternate space to accommodate work processes
- Deployment of mobile voting buses

ELECTION LEARNINGS

OPERATIONAL
Recommendations
Develop an Annual Automated Elections Project Plan
Create Poll Worker Staffing Plan for Election Day Workers
Implementation of Poll Worker University for Election Day and Early Voting Staff
Enhance Poll Worker and Election Technician Screening Process
Automate Poll Worker AMS Entry and Pay
Implement Early Voting Staffing Plan
Provide Absentee Ballot Security Transport
Document Absentee Ballot and Signature Verification Process
Document Polling Location Selection Process
Create an Equipment Inventory and Tracking Process
Revise Elections Check-In Lists for Election Equipment Return

ADMINISTRATIVE
Recommendations
Restructure/Reorganize the Department
Develop Contingency Plans
Develop Grant Tracking Procedures
Create a Shared Permanent Call Center
Develop Standardized Departmental Operating Procedures (SOP's)
Document Standardized Election Budget Process
Develop a Departmental Cross Training Program
EDUCATION AND OUTREACH
Recommendations
Develop a Robust Voter Education Program

Election Plan

ELECTIONS CENTRAL
Recommendations
Procure/Build Centralized Elections Warehouse and Offices
LEGISLATIVE
Recommendations
Modify the Absentee Ballot Request Deadline
Implementation of Vote Centers
Codify on Poll Watchers/Observers Rights and Responsibilities
Implement Election Worker Security Plan and Penalties
Defending mobile voting centers, drop box and Sunday early voting

MOST CRITICAL RECOMMENDATIONS:

Of greatest importance for operational continuity and efficiency are the **top six recommendations** for immediate consideration:

- A review of the departmental leadership structure
- Elections Central
- Development of Standard Operating Procedures
- Automated elections project plan
- Implementation of an inventory and tracking system
- Defend voter rights and accessibility without restrictions

Mr. Barron surmised that the most critical of these recommendations that that I identified was the review of departmental leadership structure that is necessary going forward, not only just the hierarchy, but the people that are in place doing Election Central, which I spoke about. We need to make sure that we have our call centers, absentee by mail processes, all of our offices, and our warehouse operations; everything in one place. All of that is key going forward, because if we can have linear progressions, for example, with the absentee by mail process, it is it's going to be much easier with chain of custody; whereas, before we had up to six locations within the Government Center, the Darnell Center and State Farm in some of the earlier elections. By January, when we had the entire area at Georgia World Congress used, we were able to streamline all the processes and make them much more transparent and easier to manage. When we had so many different locations we were working out of, with the few middle managers that we have, it was harder to supervise all of those areas as much as we wanted to. We need to make sure that all of our operating procedures are streamlined, efficient, audited, so that we can bring a consultant in and have them review what we do and get feedback and then implement any of the changes that need to be made. The automated elections project plan that's been completed. We are getting close to implementing an inventory and tracking system. And of course, then we also want to defend voter rights and accessibility without restrictions.

Mr. Barron continued with we have a lot of timelines set for many of these recommendations, and we're working on making some of the tentative timelines firmer. For example, with regard to election central, the goal for the county is to have that up and running by June 2022. We're hoping for that sooner. But that will be a game changer for the department to have everything in one place with regards to election central, because we'll have our call center space, our tabulation area, the division office space, the ballot storage area, loading docks, observation and media area vote review panel work area. All of that will be in one building. And we're looking at three hundred thousand square feet for that. And from there I can take any questions

Chairman Wan recognized that this is kind of a high level presentation of recommendations. Chairman requested a roadmap for the next meeting, I think would be helpful for everybody, including the public, in the form of a Gant chart. We can track and make sure that the timeline is reasonable for each one of them. You also can tell which ones are higher priority than others, and then we can track it as we go, to ensure we're hitting the milestone or not.

Mr. Barron responded that the request was being added into the project work plan. Some of these are already underway and then some of them aren't underway. We have to issue RFPs in a couple of instances. And then with regard to changing the department hierarchy and organizational structure, that would be something that would require the Board of Commissioners' approval.

Chairman Wan acknowledged a question from the chat, with regards to the election satisfaction statistic that you pointed out, the 98.8% can give us a little more background on how that was conducted.

Mr. Barron answered the surveys are completed in each of the polling locations, both early voting and on Election Day, 98.8% satisfaction rate.

Chairman Wan asked did we think about using the app and does the app have the capacity

Mr. Barron mentioned discussing the suggestion with External Affairs, Jessica Corbitt, because that's good idea. The ability to integrate that into the app for future use, this may be a way to promote the app more at the polling places and get more people to download the app. We were using Qualtrics and normally in past elections we used paper forms; I believe we started using Qualtrics in August.

Vice Chair Nuriddin mentioned **Mr. Chair**, I do not have a question for **Mr. Barron**, but I do have a question for you. Did you receive a copy of this elections project plan?

Chairman Wan replied, "I don't believe I have. I was going to ask for it in my follow up from this meeting.

Mr. Barron replied, "We haven't sent that out yet, but we can send it out as it is right now, and then we'll incorporate the rest of these timelines later.

Dr. Ruth inquired about the participants in the survey

Mr. Barron informed the **BRE** that those statistics will be requested from Bridgette Bailey and provided to the Board.

Mr. Johnson inquired about the **DRE's** plan to move forward when county personnel is no longer available, legislative changes that are pending are passed and the internal changes being contemplated.

Mr. Barron informed the **BRE** of some of these bills and their impact:

- Reduction of Absentee Ballot by Mail
- Increase the number of Election Day polling places and Early voting locations.
- Restriction of Absentee Ballot drop boxes
- Restriction to receiving Grant funds in the future
- Prohibition to Mobile Voting busses

Mr. Barron mentioned most of these things are under way and many of them will be done before the November election. Most of them are enhancements or refinements to our current processes. And what we're hoping to do, especially the inventory system, bringing in a consultant, going through a lot of our procedures revamping training and cross training.

Chairman Wan directed **Mr. Barron** to provide the work plan as a chart with target timeline; this will allow the Board to be able to track the **DRE's** progress. **Chairman Wan** referenced the **AJC's** article with regards to Senate and House Bills being introduced legislature that could directly impact the Department's operations.

Mr. Wingate responded to the Post-Election Assessment:

"We're looking at this playing over a screen for the first-time; I know that's my issue as well. I think the bigger question is for this board is what is our role in this? We have not been (to my knowledge) at least I know I personally haven't been involved in any of this kind of planning process, let alone any discussion regarding any of this. So I think as a five panel board, we just need to be sure what our role is in this. (If any) Or do we just take what's being put out here as the way that it's going to be done? And I just think that we need to get our arms around whatever that may be. I'm not saying that there are flaws in this plan, I don't know. I haven't had a chance really to look at the substance of it, as mentioned by Ms. Nuriddin. And so I think that we probably ought to have some pause here to make a determination as to what the way forward with this is. It seems like that there is an awful lot of planning and structuring being done without this particular board involvement. We've got a lot of County Officials who are not Election Officials that seemingly are adding much of the content. So I'm not saying that's wrong (don't get me wrong), I'm saying that's fine, because all the help we can get from everyone I think is pertinent. And, Mr. Chairman, as you suggest, that there will be timelines put to this so that it's measurable is certainly something that should be done. So I would just hope that we, as a five member board, get more heavily involved in the structuring of this going forward.

Chairman Wan explained that our charge is to oversee the operations process and make sure we have our Buy-In in terms of what that plan looks like before we get into implementation.

Dr. Ruth requested to see an organizational chart, especially if there's a lot of restructuring being planned, even if personnel have not been hired; show vacant positions and what those positions would entail. In addition to this plan, I did have a question about the role of Happy Faces. I know that the department used them quite a bit in the past and wanting to know if there is a plan to faze them out by using more county employees.

Mr. Barron lost reception.

Vice Chair Nuriddin asked:

"I wanted to ask, since this board voted to terminate, recommended to terminate **Mr. Barron** on February 11th and to date, who is he reporting to? Do you know that **Chairman Wan**, because they created the report. They've had discussions about elections. And is that the county manager? I was just wondering if he's reporting to someone. And I was hoping we can get just a little clarity around that.

Mr. Barron responded to the **Board** the **DRE** does not report to the County Manager's office. We have to coordinate every election with departments from County Police, DREAM, and Libraries for early voting. There are various departments involved with the elections. So what this work group did was allow us to come together in a weekly meeting and collaborate in a more direct way rather than in the way we did in the past. Everything that happened in June just required us to go forward in that type of manner.

The county manager's attitude has always been that they are there to support us and that the department will make the final decisions to this draft plan. We came up with that in conjunction with them so that we could codify a lot of the things that we want to do going forward. And then we wanted to present it to the Board. Part of what Mr. Wingate talked about was the timelines and we were getting all of those timelines together. And I can share all of those timelines with the Board from a tracking system called Achieve It. We can also put it into more of a chart if that would make it easier visually. But I will provide that with support. The timelines to the board with regard to Happy Faces Personnel. I'm not sure if you heard my answers to that, but if we can get more permanent staff, it's better for the department to have staff that is vested interest in everything that we do. The supplemental staff that we've had from Happy Faces has been a good partner over the years because most of the personnel have returned for years. I think everybody's resources were stretched last year, we were thankful to the county for providing us staff that was on administrative leave. But the more permanent staff we have the better, we would have to get approval for that from the Board of Commissioners. And there are plans for more staff at what scale we would need to complete a survey, to see how many more staff we would have to keep on year round in order to reduce our reliance upon supplemental staff.

Vice Chair Nuriddin responded:

"Thank you so much, Mr. Barron. I think the question to the Chair was since February 11th, when the majority vote of this body recommended your termination, I saw a press release from Fulton County saying that your job was still in place. So I wonder who called you and since that time, who have you been reporting to? Not your department, you as the Election Supervisor"

Mr. Barron answered that he reports to the **Board**. The Board of Commissioners (**BOC**) voted last week regarding the recommended termination, so until further notice, I'm the Director.

Mr. Johnson clarified to the Board that Work Plan is a continuation from the plans that were created back in July. **Mr. Johnson** agreed with **Mr. Wingate** that the Board should be conferred with, as we're moving forward, making sure the Board has a Buy-In to the recommendations to the **DRE**. **Mr. Johnson** noted that this is a continuation of the meetings that started back in July after the June Election. The disconnect was that it's been going on consistently since July. **Mr. Johnson** agreed that it is time to bring the Board back into the fray, to ensure the Board is consistently updated to provide input as to the direction of the **DRE**. Most of these ideas are a combination of what the Board of Registration and Elections, the Department, and the County Manager's team suggested while working with the Task Force. **Mr. Johnson** suggested the Board have a work session to discuss the details and implementation. I think that might be the most productive way forward.

Attorney Ringer reminded the Board that this internal working group comprised of Fulton County Departments, in fact, the second task force that Chairman Pitts had requested the working group be put together. And I also wanted to advise the **Board** that this is not unlike situations that the County has used in the past. We had similar group that came together with the various Departments that were involved in that process in 2017 regarding some issues with the tax digest. They met on a weekly basis and provided advice, assistance, resources and recommendations. **Attorney Ringer** mentioned this working group was formed because Chairman Pitts directed the County Manager.

Vice Chair Nuriddin explained:

The press release said that some entity took over that responsibility for the management of the Election Supervisor and that the recommendation from the **BRE**, the **BOC** took that authority away by rejecting the termination. So I wasn't sure. I know that there's going to be some studies done recommended by the **BOC** to address that issue. This Board by majority vote recommended his termination. So I respect the **BOC**. They voted their conscience just like I did on February 11th. I just wanted to know that we have to have some type of a chain of command. And if it's not the Board of Registration and

Elections, then we have to kind of figure that out first before we do anything. But that was my question, if the **BOC** is saying they are the better entity to manage **Mr. Barron**; then so be it, they are legally within their right to do that.

Mr. Wingate inquired about the Consent Order from the State Election Board (**SEB**) which was a huge directive in terms of the areas that needed to be addressed. **Mr. Wingate** inquired has the order been resolved.

Mr. Barron responded that outside counsel should be in contact with the **Board** to discuss or to provide an update. **Mr. Barron** mentioned that from the **DRE**'s perspective every requirement of the Consent Order was met.

Chairman Wan suggested the Board follow-up on some outstanding questions during the April meeting. **Chairman Wan** agreed with the recommendation of a work session the Board to be able to take a deeper dive into the recommendations; to provide edits and comments based on our experience. I do think that it is our role to help set those establish priorities, monitor and guide that.

BRE Inquiries:

- Affirming Consent Order outcome- **Mr. Wingate**
- More information on the Survey completed- **Dr. Ruth**
- BRE's role pertaining to whom the Director reports- **Vice Chair Nuriddin**
- Implications from the Board of Commissioners' action to reject recommendations- **Vice Chair Nuriddin**

#6-REVIEW OF BRE MEETING SCHEDULE

Secretary Bodison recommended changing two of the meeting dates on the calendar:

- April 8th meeting moved due to spring break and re-scheduled on April 15th
- November 11th meeting will be moved to November 12th due to the holiday

Chairman Wan entertained a motion to approve the Board's updated calendar schedule. The motion was made by Mr. Johnson, seconded by Dr. Ruth and carried by a unanimous vote of 5-0.

#7- ACTION TO DETERMINE AUTHORITY AND THE EMPLOYMENT OF THE COUNTY ELECTION DIRECTOR

Dr. Ruth stated:

"So given that we find ourselves in an unprecedented situation with regards to this Board's authority and the employment and management of the County Elections Director, I would like to make a motion that we send a letter to the Attorney General (AG) to evaluate who has the actual authority to manage and the election employment"

Mr. Wingate stated:

"There is clearly a legal issue here that as you know, the majority of the board did vote to terminate **Director Barron**. That issue for the voters of Fulton County cannot really go away until there is an authority that looks at this legally. And then makes the determination as to whose authority it is, as just stated by **Dr. Ruth**, if indeed this goes without having any of that looked at by the Attorney General in our opinions. 159 counties in this state are operating differently than state law, so we're not trying to be legal experts on this. But yes, we clearly have sought the advice of outside counsel in this matter and feel it very important not just for this particular group of board members, but for the ongoing nature of the Fulton County as well as other Counties' Board of Registration and Elections

Vice Chair Nuriddin stated:

"I do believe that what has transpired may be outside of the law. And that's why I support this letter. They don't have an opportunity this session because crossover day was Monday to bring forth legislation. But it's a proper way to do it. So

instead of just saying, oh, it's unprecedented to be done in Fulton County for the Board of Commissioners to reject the recommendation and then call for two studies on a decision that had already been made, it just seems a little backwards to me. Generally, you do the study first and then you make the decision. But I just wanted to say that's why I support it, because there is a legal remedy for them that wasn't taken. And what's done is hurting Fulton County voters. I think waiting to see ahead of the 2022 midterm elections. **Mr. Barron** talked about bringing some of his plan online in the middle of the primary for the midterm elections and what we saw in June with bringing the system online. I don't believe that we're going to ever be Post-Pandemic. The Pandemic is here and as humans must learn to live with it, as we did with others in our history. But it could be a considerable amount of time before it's ever back to normal. I did want to just share that. You know, I definitely disagree with the Board of Commissioners politicizing this department. That's why I'm supporting this letter"

Chairman Wan stated:

This is where my legal expertise limitation will show. I'm all for removing the cloud and the uncertainty around that. I think that serves everybody well especially the Fulton County voters. My question is what is the purest path to that? Is it a letter to the AG or is it litigation that can then be decided by the Georgia Supreme Court? I don't know the answer to that, but I also don't want us to continue taking these interim steps when perhaps we just, ultimately need to get a decision by the final authority in the state.

Attorney Ringer explained:

"The matter that has a two-step process, the legislation that put the two-step process in place when the recommendations come from the **BRE** and up to the **BOC** is a matter that was adopted by the Georgia General Assembly. It's a local act that impacts Fulton County and no other county. There are means by which the Board of Commissioners could undertake to change the local act, but that requires a specific process. I believe that is the intent of the matters that are coming forth both from Commissioner Ellis and Commissioner Arrington of the **BOC** to determine if the **BOC** have any appetite for trying to move to change the local act. The other way to change the local act would be to have the Georgia General Assembly do it.

I don't believe an opinion from the AG would be sufficient because we have a local act that specifically applies to Fulton County that is on the books. A letter from the AG is not going to change the legislation that was adopted by the Georgia General Assembly. It may assist in getting folks to change the law, but I don't think it in itself would be dispositive of the issue."

Chairman Wan asked **Dr. Ruth** her thoughts on what was just explained by **Attorney Ringer**. Chairman expressed wanting to get this matter resolved.

Dr. Ruth stated:

"It seems like we're kind of at an impasse, but at the same time we need clarity. We need someone or an opinion and what we're asking for is the opinion of the AG now with regard to this matter. And hopefully that could steer support for this board. I personally feel like the legs of the board have just been cut out from under us and it's important that we get some clarity around what we can and cannot do as a board as it relates to the employment management of the Director."

Vice Chair Nuriddin stated:

"If it is determined that this body is no longer needed, then that may be the answer. I'm not a lawyer and I don't profess to be one. (Believe it or not) I didn't think that the L.A. County ordinance would supersede state law, but based on Miss. Ringer, that is the case. So I think that's why we wanted that clarity from the state level authority to see. So if the Delegation and the Board of Commissioners feel that they are more comfortable with governing. Because right now, honestly, Mr. Chairman, I believe that the Board of Commissioners is governing the Elections Supervisor. Now that I think of it, I'm not even sure if Crossover Day really matters as it relates to local legislation, I think if it is approved in the House and the Senate approves it, if the local delegations agree, in the House and the Senate agrees. But that may or may not be the case for Fulton County. But like I said on February 11th, that the all five of us voted our conscience including our former Chair who I just want to say served this county well. **Mary Carole Cooney** did a great job as Chair. And I will I will say that. So I will miss her on this Board and wish her well."

Attorney Ringer expounded:

"I just wanted to clarify a few things. I believe Ms. Nuriddin is right. You may have local legislation that could still be enacted without having gone through Crossover Day. So we referenced the fact in question, that's Fulton County Code section 14-42, part 1. It was enacted in 1989, the local act of the General Assembly. So it is not county legislation. It is State legislature. Also, to go back to the **Dr. Ruth** asking for clarity about the board's role. You may be able to get that from the opinion. I think it's a matter of what questions you posed to the AG. I can't speak specifically, but my response was with regard to getting rid of the local act that put in place that two-step process of recommendation by the **BRE** and approval by the Board of Commissioners, that's what would need legislative fix by either use of the powers of the Board of Commissioners or the General Assembly taking action. I hope that clarifies.

Mr. Wingate stated:

"I believe that under these circumstances, that having the opinion of the office of the Attorney General will clarify this for everyone is certainly within the bounds of where and what we should be doing. I appreciate **Ms. Ringer's** comments and that's the opinion of herself or perhaps to the department, you know, in Fulton County. But the question remains that the board in majority voted to terminate **Director Barron**. That was overruled by the Board of Commissioners, so there is an impact there. I just believe that it is the correct thing to do is to forward this letter on to the Attorney General and let appropriate actions from that office, that state office look at this. And if in fact that is the law, then I don't believe any of the board members have any problem in following that. It's just that right now that still, at least to me, is one board member is an unanswered question that I would like to have answered. And I don't know that we took a vote or need to take a vote on the forwarding of that letter that has been constructed onto the AG. I think the vote should be on the record and that the actions taken from there were for that purpose and then we will wait on whatever transpires coming out of the AG's office."

Chairman Wan inquired about language of the letter or assistance with crafting the letter

Dr. Ruth confirmed the letter was drafted and informed Chairman that the letter will be emailed shortly.

Chairman Wan entertained a motion to approve sending a letter to the Attorney General (AG) to evaluate who has the authority on the Election Director's employment. The motion was made by Dr. Ruth, seconded by Vice Chair Nuriddin and carried by a unanimous vote of 4-0; Mr. Johnson absent.

ADJOURNMENT

With no other items requiring the Board's action, **Chairperson Cooney entertained a motion to adjourn. Mr. Wingate moved to adjourn the meeting. Dr. Ruth seconded the motion.** Collectively, the Board agreed to adjourn at 11:38 a.m.

The meeting adjourned.

Prepared by,

Mariska Bodison, Board Secretary