



APPROVED MINUTES

BOARD OF REGISTRATION AND ELECTIONS SPECIAL MEETING – DECEMBER 4, 2020

The Fulton County Board of Registration and Elections met in Special Session on Friday, December 4, 2020, 9:00 a.m.

VIRTUAL MEETING

Please join the meeting from your computer, tablet or smartphone.

FGTV YouTube Channel

<https://www.youtube.com/user/FultonCountyInfo>

Presiding: Ms. Mary Carole Cooney, Chairperson

Other Board Members Present:

Ms. Vernetta Keith Nuriddin, Vice Chairperson

Mr. Mark Wingate

Mr. Aaron V. Johnson

Dr. Kathleen Ruth

Staff Attending: Mr. Richard Barron, Director; Mr. Ralph Jones, Registration Chief; Mr. Dwight Brower, Interim Elections Chief; Ms. Nadine Williams, Elections Chief; Ms. Sharon Benjamin, Deputy Elections Chief; Mrs. Pamela Coman, Registration Manager; Ms. Brenda McCloud, Administrative Manager; Ms. Mariana McGinnis, Administrative Secretary; Mrs. Cheryl Ringer, County Attorney; Mr. David Lowman, County Attorney; Mr. James Reese, Production Manager; Mr. Rico Dollar, Senior Graphics Designer, Regina Waller, Senior Public Affairs Officer; Jessica Corbitt, PIO & Director of External Affairs

Commissioners: Commissioner Hausmann (District 1)

Fulton County: County Attorney Patrise Perkins-Hooker, Mr. Edward Leidelmaier, Mr. Michael O'Connor, Mr. Michael Rowicki,

Guests Attending: David Ross (Democratic Party of Georgia), Fox 5/ WAGA TV, Johnny Kauffman (WABE), Brendan Keefe, Stefano Gambo, Bill Caiaccio, Joe Folsom, Kate Brumback, Ernst James, Rhonda Martin, Eli Spencer Heyman, James Gagliardi, Michelle Sander, Rebecca Schramm, John Boswell, Sara Ghazal

Chairperson Cooney announced that this teleconferenced meeting is authorized pursuant to §50-14-1(g) of the Official Code of Georgia because of the Public Health State of Emergency declared by Governor Kemp on March 14, 2020, and renewed most recently on November 30, 2020, pursuant to which public meeting spaces in state and local Government have been closed due to COVID-19, and because means have been afforded for the public to have simultaneous access to this teleconference.

#1– APPROVAL OF AGENDA

Chairperson Cooney entertained a motion to amend the agenda to add Public Comment and Response as item # 2; all original items will follow in sequential order. The motion was made by Ms. Nuriddin, seconded by Mr. Johnson and carried by a unanimous vote of 5-0.

Chairperson Cooney entertained a motion to approve the agenda as amended. The motion was made by Mr. Johnson, seconded by Mr. Wingate and carried by a unanimous vote of 5-0.

#2– COMMUNICATIONS AND PUBLIC RESPONSE

Commissioner Liz Hausmann Statement:

“Good Morning to members of the Board of Elections and Registration both as a former member of this Board and a Fulton County Commissioner; I recognized the hard work you do, the importance of this work and I thank you for it. I know you take it very seriously and thank you for allowing me to speak today. This is the first time I have addressed this Body, saving my comments and inquiries for Director Barron during the updates he provides at the Board of Commissioners meeting. As you may be aware, I continually pressed Director Barron on the department’s process in conducting the vote, counting the votes, demanding a transparent and efficient process to provide results voters of Fulton County can have confidence in. I along with the Full Board of Commissioners have voted to approved every increase in spending, personnel and equipment that has been requested... In this cycle alone that is a staggering \$38 Million Dollars. Yesterday we heard testimony from the Georgia Senate that was troubling at best and very concerning. From Election workers and observers that the described the process sloppiness, security issues, chain of custody issues, questionable practices in the counting process, and in the hand recount or audit process. A video was provided of the vote counting conducted at State Farm Arena that included what “Appears” to be cases of votes that was “Stored or Hidden” under a table and brought out without the benefit of being observed. This alone has drawn outraged from the citizens we serve here in Fulton County but unfortunately, has also drawn the attention of the nation and the world. This must be explained and “WE” the public need answers to what was happening in this video? Also, of grave concern is the process used to verify the signatures off the absentee ballot application received in Fulton County. In addition, the recount that you are certifying today was not completed by the Wednesday midnight deadline, as it was still being reconciled as late as last night. We now have a cloud over the operation of the Elections Department, confidence has eroded in our ability to conduct fair and honest elections. I am asking for you to use the authority you are given as the FCBER to review and address the concerns I have outlined today, including conducting a full audit and verification of the absentee ballot signatures prior to certifying results of the presidential contest that is on your agenda today. If the results of the signature verification audit have the same results the voters of Fulton County can again have confidence that the vote count is accurate. I hope that you take this request seriously and act accordingly, thank you again for your service to the citizens of Fulton County and for your consideration of my request”.

Stefano Gambo Q&A: What is the revised count?

Chairperson Cooney acknowledged **County Attorney Patrise Perkins- Hooker** and thanked Attorney Perkins-Hooker on her staff’s service.

NEW BUSINESS

#3- RE-CERTIFICATION OF RETURNS: RECOUNT:

➤ Presidential Race: November 3, 2020

Mr. Barron addressed the video mentioned by **Commissioner Hausmann** during Public Comments and that this video has already been discussed with investigators and personnel from the Secretary of State’s Office.

- No announcements were made for anyone to leave
- Certain stations were leaving as work precluded.
 - Cutting and flattening stations was concluded
- Barron was informed work ceased at 10:30pm and informed staff to continue to work
- 11:15 staff began scanning again
- Media was in the room

- External Affairs was there until 11:15
- 11:42 or 52pm SOS Monitor Carter Jones arrived
- 12:15am SOS Personnel arrived
- Recording: The timeline and processing was reviewed thoroughly
 - No Wrongdoing was discovered
- 2 ways to verify Signature Match:
 - ElectioNet
 - Original VR Application
- Hand Scanned to give the voter credit
- Enveloped then sorted
- Recount:
 - 528,777 Election Day Results
 - 527,925 Recount/ Reconciled

Mr. Wingate inquired about who caught the batch and scanning errors

Mr. Barron mentioned staff and the technician reviewed the batch sheet, check the server, and check the scanners

Mr. Wingate was confused by the video and **Mr. Barron's** response

Vice Chair Nuriddin noted the recount being a major undertaking and she commended the **DRE** on the work done. **Vice Chair Nuriddin** inquired about Gabe Sterling's findings with regards to the video

Mr. Barron mentioned a Tweet and was unsure if a press conference was released.

Secretary of State's office press conference on certifying election results:
<https://www.fox5atlanta.com/news/ga-sec-of-state-recertifies-presidential-election-debunks-conspiracy-theories>

Vice Chair Nuriddin inquired about the server crashing at GWCC during the recount

Mr. Barron mentioned the crash incident was a windows sequel issue that caused the server to crash. The **DRE** made a decision to continue scanning and to not start over because we thought they would be able to recover the data, but to no avail.

Vice Chair Nuriddin mentioned not hearing any accountability from **Mr. Barron**

Mr. Barron mentioned that there was a technical step missed or delayed by a technician on duty that contributed to the crash. The technician was unable to back-up the system before the server crashed

Vice Chair Nuriddin inquired about ICCs borrowed and being used to assist with the recount.

Mr. Barron answered that you can only upload the first set of batches that have identical numbers and instead of appending the batches on the end..... The batches found were re-scanned on different scanners.

Vice Chair Nuriddin asked can some of this be attributed to poor planning

Mr. Barron explained the hours of operations, the hours extended, and some of the obstacles.

Mr. Johnson asked if we don't certify today what would happen

Mr. Barron answered that all 159 counties are required to certify by noon today and we would be penalized according to the rules of late certification

Mr. Johnson directed **Mr. Barron** to explained why the numbers differ as it pertains to provisional and absentee

Mr. Barron mentioned that all other races were segregated, this recount was for the Presidential race only

Dr. Ruth inquired about whether observers were present from the time staff attempted to leave

Mr. Barron mentioned 3 media outlets were there but there was no observer prior to staff packing up, no announcement was made but personnel was leaving. The personnel assigned to opening station, cutting station, and flattening station were leaving because their work was completed. **Mr. Barron** went over a timeline previously discussed.

Dr. Ruth asked about the crashed server and high speed scanners

Mr. Barron mentioned Fulton owns (13) high speed scanners and Borrowed (4) from Dominion Voting. These scanners were used by another county prior to Fulton using them and there appear to be no issue with loaner scanners

Mr. Wingate asked why put the bin under the table

Mr. Barron stated it's not designed to be hidden but to create a work flow

Dr. Ruth mentioned the Hand Count Tally appearing to be more transparent than the recount

Mr. Barron mentioned the pipes burst in their original location and the secondary location size of that space was not ideal for staff and the media

Mr. Johnson expressed that he agrees with the consensus of having a fair, free and honest election. **Mr. Johnson** suggested carving out time to discuss with staff their position and what occurred in the video at the next meeting. **Mr. Johnson** continued by saying the Committee Meeting yesterday was about one position and that was to not certify the election in Georgia. The meeting was not fair nor honest and it only fit one narrative. **Mr. Johnson** noted a comment made by the Lead Investigator Frances Watson from the SOS who mentioned nothing nefarious happened.

Vice Chair Nuriddin asked was any of the concerns expressed at the committee meeting mentioned to you or your staff

Mr. Barron said No

Vice Chair Nuriddin recalled speaking to one of the individuals that testified at the committee meeting and noted that she mentioned everything was fine and no complaint was expressed.

Mr. Barron mentioned that he spoke with one of the individuals that testified at the committee meeting because several people had accused her of recording she denied the accusation of taken video footage

Mr. Wingate asked to see the full video of the Committee Hearing

Vice Chair Nuriddin responded that the meetings are live streamed on the day of the meeting but if you go to www.legis.ga.gov, the meeting should be posted

Vice Chair Nuriddin inquired about the discrepancies between what the **DRE** has reported and what is viewed on Secretary of State's Website. Vice Chair asked Mr. Barron to explained

Mr. Barron mentioned that all buckets are completed manually and it's possible there were clerical errors that occurred by labeling the ballot type incorrectly.

Vice Chair Nuriddin asked was anyone concerned about the discrepancy

Mr. Barron mentioned preferring to come out perfect during the recount. But being approximately 2 ballots per precinct off in 255 polling locations is a very small percentage

Mr. Wingate discussed the various counts that occurred throughout the county and each count yielding a different result.

Chairperson Cooney noted that each count was slightly different; therefore, each count will yield a different result. **Chairperson Cooney** referenced litigating election claims previously and the gold standard being discrepancies large enough to change the race, which does not exist in this case.

Mr. Barron mentioned that if the **DRE** had to do a recount again, the **DRE** would consider moving the server because this would allow timely reconciling and the ability to catch errors as they occur instead of near the conclusion.

Vice Chair Nuriddin inquired if the procedures in place were a part of the discrepancy

Mr. Barron mentioned the process being new and the possibility procedures contributed to the discrepancies

Chairperson Cooney mentioned resources being a concern as well, not having everything in one central location

Vice Chair Nuriddin expressed concerns over the process and the discrepancies. **Vice Chair** expressed her reasoning for agreeing with the purchase of this system is that it has an auditable paper ballot; therefore, it's unclear why these discrepancies exist

Mr. Johnson interjected to mentioned that the very reason the Recount is being re-certified was because the results changed and that Fulton County was not the only county that is re-certifying their Election results today

Chairperson Cooney asked **Mr. Barron** was it his certification and testimony that the election results presented are a true and accurate count of all the votes cast in the General and Special Election held on November 3, 2020.

- **Presidential Race**

Mr. Barron answered yes

Chairperson Cooney entertained a motion to certify the election results. The motion was made by Mr. Johnson, seconded by Vice-Chair Nuriddin and carried by a vote of 3-2; 2 Nays, Dr. Ruth and Mr. Wingate.

EXECUTIVE SESSION

The Board did not convene into executive session.

Vice Chair Nuriddin expressed more concerns with regards to certifying this election.

ADJOURNMENT

With no other items requiring the Board's action, **Chairperson Cooney entertained a motion to adjourn. Mr. Wingate moved to adjourn the meeting. Mr. Johnson seconded the motion and carried by a vote of 4-0; Vice Chair Nuriddin absent.**

The meeting adjourned.

Prepared by,

Mariska Bodison, Board Secretary