

**SPALDING COUNTY  
BOARD OF ELECTIONS AND REGISTRATION**

September 17, 2019  
10:00 a.m. – 825 Memorial Drive

**Minutes**

The called meeting of the Spalding County Board of Elections and Voter Registration (BOER) convened at the Election and Voter Registration Office, 825 Memorial Drive, Griffin, GA at 10:00 a.m. on Tuesday, September 17, 2019.

*Members Present: Chairman Margaret Bentley, Vice-Chairman Betty Bryant, Secretary Glenda Henley, and Board Member Randall Gooden. Also, in attendance was County Attorney Stephanie Windham.*

The Spalding County Board of Elections and Voter Registration Special Called meeting was called to order at 10:00 am by Chairman, Margaret Bentley.

**New Business:**

**Discussion and review the Board of Education Contract for the November 5, 2019 Special Election.**

Chairman Bentley stated that we are here to discuss the Board of Education contract with Attorney Stephanie Windham.

Board of Elections member Randall Gooden noted that the Board of Elections was not even named in the contract, but there's a signature line for the chairman to sign. Attorney Windham stated that the contract is between the county and the school board. Windham also said, the county is responsible for paying for the elections, the salaries, support staff, if there is an election. And the county can refuse to pay if the bill is submitted in an exorbitant amount. All fees are paid to this board (the Board of Elections), but you are required to turn them over to the county to pay for the election. Windham added that by its enabling legislation, the Board of Elections cannot enter into contracts. Board Member Gooden questioned the county entering into a contract, if the county doesn't have the ability to perform the task. Windham said the county did, through the Board of Elections.

Chairman Margaret Bentley said we did call for the election, but we still get to decide if we will. Gooden said it was not if we would, but the terms, the wording of the contract. We have to be careful. We have to make sure we're exercising our responsibility, if there's a challenge to the authority. Windham said the Spalding County Board of Commissioners entered into the contract on behalf of the county to conduct the election. She noted that the county could refuse to pay for the election, if you go rogue, run an election you shouldn't have. The county could say the costs are exorbitant and not pay for it.

Gooden said, for the record, we are in the business of incurring exorbitant costs. Supervisor Marcia Ridley stated the Board of Elections does not have to conduct elections for the cities, which each have their own elections supervisors. Windham said the law is clear, the municipalities can contract with the county governing body to conduct elections. None of the municipalities have conducted their own elections in recent memory. Vice-Chairman Betty Bryant reemphasized that it is the Board of Elections who can decide if they want to do the election or not, but it is an honor to do the city elections. Bentley said we are the right entity to do it, we are just questioning the language of the contract.

Gooden said we are not a political subdivision of the county and questioned if it could cause problems if there was a three-way contract between the Board of Elections, the county and the school board, since we're not able to enter into contracts. Windham said that the contract is between the county and school board, with the Board of Elections recommending approval of the contract, since it would be conducting the election. Bentley said the question is who is executing the contract. Windham said she adjusted the contract for the board to acknowledge and approve. It is your recommendation to enter into the contract. There is very little wiggle room.

Bentley asked about the funding and Windham said the election code specifically directs the supervisor to turn over funds to the county and the county to pay for it. Windham stated, according to the contract, Supervisor Ridley estimated the costs at \$19,985. The contract will have to be approved by the Spalding County Board of Commissioners at its next meeting.

Vice-Chairman Bryant made the Motion to accept the contract as written.

Second: Board Member Gooden

Motion passed: 4-0

## **Meeting adjourned**

Motion to adjourn: Board Member Randall Gooden

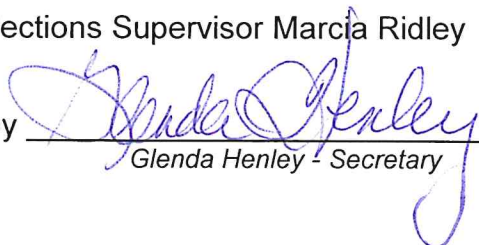
Second: Vice-Chairman Betty Bryant

Motion passed: 4 - 0

The called meeting was adjourned at 10:50 am.

Minutes taken by Elections Supervisor Marcia Ridley

Minutes approved by

  
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Glenda Henley - Secretary