

SPALDING COUNTY BOARD OF ELECTIONS & REGISTRATION
Regular Meeting
August 10, 2021

Attending were Chairman Ben Johnson, presiding and Board Members Roy McClain, Jim O'Brien, Alfred Jester, and Jim Newland. Also present were Attorney Stephanie Windham, Spalding County Human Resources Director Miles Neville, and Teresa Watson to record minutes.

Call to Order

Chairman Ben Johnson called the meeting to order at 10:00 a.m. and welcomed everyone. He read a brief statement regarding meeting protocol.

Invocation and Pledge

Roy McClain provided the invocation and led the pledge.

Citizen Comment

Chairman McClain read the guidelines for public comment.

Signed to speak were the following:

Cathy Laws, 529 S. 6th Street, Griffin, GA 30224

Ms. Laws said there had been interference in the past, and she personally saw cheating. One disturbing thing to her was professional activists engaging with all City committees and boards and using them as a political agenda. There are unhealthy mandates, and some attack good public servants with baseless and outrageous claims of crimes. Some death threats have been received. Many have been awarded proclamations and positions, while others have been stripped of liberties. Attacks on our City and this Board, along with threats need to be acknowledged.

Zachary Fuller, 1708 W. Poplar Street, Griffin

He has an epic concern as some board members have ties to the company that maintains all servers and IT services for Spalding County. He called for an investigation for ethic concerns.

Yoshunda Jones, 104 St. Luke Drive, Griffin

Dr. Jones requested that the time and date of Elections Board meetings be changed to times that are appropriate for citizens to attend and not during the workday when most citizens are occupied with their jobs. She also requested that the Board ask themselves how they can function with someone on Board with such strong technology ties to Spalding County. Finally, she wondered how they could hire an Elections Supervisor who has made racist remarks about blacks in the past.

Adoption of the Agenda

A number of amendments to the agenda were proposed as follows:

- to include approval of the notice of elections for the City of Griffin and Orchard Hill under new business by Messrs. McClain/Newland.*
- to include under Executive Session a request to discuss personnel by Messrs. Newland/McClain.*
- to add under Old Business approval of additional members to attend GAVREO Conference by Messrs. O'Brien/McClain.*

Vote to approve the agenda as amended by Messrs. Newland/McClain carried 5-0.

Minutes:

Motion/second to table all minutes by Messrs. Newland/O'Brien to allow for further study carried 5-0.

Consent Agenda

Recognitions

The Board welcomed Kim Slaughter as the new Elections Supervisor.
Mr. McClain referenced the Griffin Daily News' lead story about qualifying.
Mr. Newland noted he was impressed with Ms. Slaughter's knowledge and expertise.
Ms. Slaughter and the Board issued a heartfelt thank you to employees who worked through the transition.

Old Business

- a. Update from Ad Hoc Committee regarding relocation of meetings of the Board of Elections.
Mr. McClain said he has the outline, but it is not complete. He will have a draft to present very soon.
Some discussion was held regarding time and place for future meetings of the Board of Elections. It was determined that the Courthouse Annex would accommodate the physical needs, and the time would be in the evening at 6 p.m.
- b. Update on plans for Board Retreat.
The Retreat will be held August 21, Saturday, at the Spalding County Senior Center, from 10-4 with Trudy Gill as facilitator. There will be team building, training, ORA Requests/Open Meetings, security, conflict resolution, and systems for which the Elections office is responsible. Stephanie Windham will try to get someone from CES or Secretary of State/Elections for training.
- c. Set meeting time for Ad Hoc Committee regarding By-Laws.
Mr. Johnson, Mr. O'Brien, and Ms. Windham will continue to work on this issue and will notify all of meeting date and time.
- d. Update on training opportunities and the State of the Board of Elections and Registration.

Some discussion followed on the training already held and other training planned.

New Business

- a. Call for City of Griffin municipal election and establish dates for Qualifying.
Chairman Johnson read the resolution for the City of Griffin for the November 2, 2021; election as provided for by O.C.G.A.

Motion/second to approve Resolution by Mr. Newland/Mr. Jester carried 5-0.

- b. Call for City of Orchard Hill municipal elections and establish dates for Qualifying.
Chairman Johnson read the resolution for the City of Orchard Hill for the November 2, 2021, election as provided for by O.C.G.A.

Motion/second to approve Resolution by Mr. Jester/Mr. Newland carried 5-0.

- c. Discuss changing time and location for future meetings.
This has already been resolved, and Chairman Johnson said he was glad to have provided a better time for those desiring to attend.
- d. Discuss standardization of storage of election records and ballot images to streamline responses to Open Records Requests.

Chairman Johnson thought this would be a simple thing, but evidently it is not. There are some Open Records Act (ORA) requests from as far back as March that have not been responded to, which is problematic considering there is a three-day window for responses or estimations of response time. Mr. McClain and Mr. Jester have gone out to storage and looked for records. The gathering of data is

awaiting inspection and response. There have been additional requests, as well. They need to find the key to the filing system, so there is much work still to be done. Mr. O'Brien asked if Board members could be apprised of ORA requests, and the fee structure for same. Ms. Windham stated that O.C.G.A. does specify fee structure, although most requests do ask that fees be waived. We have asked that these ORA requests be channeled through the Spalding County Open Records Act Clerk, which is Kathy Gibson. She has worked to get ORA requests resubmitted once an Elections Supervisor was appointed, so that is underway. Mr. Windham will go back and respond to the ones they can without having them resubmitted. She discussed the possibility of accessing off-site storage of elections records with Clerk of Court Debbie Brooks. We would have to request permission from her to obtain, but she indicated that would not be a problem.

Out of Dominion training, Chairman Johnson learned that on the results/tallying software, because all the ballots are scanned, ballot images do exist for all the ballots cast. Election night reporting should actually result in a package by CES which provides most of the items requested in such ORA requests. Michael Barnes, director of CES, has remarked that the State Board of Elections meeting on August 18 would consider recommendations for all counties to work on transparency and expectations. This would help us provide a head start on many of these requests with a standard response package. The actual ICP scanner documents are the only things he thinks would need to be scanned. Right now, we have retrieved some records with some yet to be retrieved. There will be elections in November, and we need to establish good systems and get personnel in place. We have a great deal of ground to cover before that election, and any recommendations would be welcomed.

Motion by Mr. McClain to create an ad hoc committee to explore the feasibility, legality and cost to either publish or make available for public interest upon request at no cost sufficient elections records as to answer as many of the outstanding ORA requests we currently have, as well as to provide this information for all elections moving forward, 1) tabulator tapes, 2) official election report sent to SOS for elections, 3) official report sent to SOS after any recounts, 4) participating voter rolls, including but not limited to (these are items that we have existing ORA on except all images): 1) tabulator tapes, 2) official election report sent to SOS for elections, 3) official report sent to SOS after any recounts, 4) participating voter rolls, 5) batch sheet records, and 6) all original ballot images and TIF files (in person and absentee).

Mr. Newland seconded the motion for purposes of discussion. Mr. O'Brien would like to have more time to understand the detail of the motion and the concept. He made a motion to table this matter for further study, seconded by Mr. Jester. Motion to table carried 5-0.

Mr. McClain said his understanding of the Ad Hoc Committee was to study, research, and report back to the Board with their recommendations but not to initiate any action. Chairman Johnson agreed. He felt the concepts were in line, with some clarification needed on the actions. ***He called for a vote on the first motion as stated by Mr. McClain and seconded by Mr. Newland. Motion carried 3-2 with Mr. Jester and Mr. O'Brien voting in opposition.***

The feasibility of utilizing citizens as well as Board members for the Ad Hoc Committee arose. To have citizens on the committee depends on what the Board intends for the committee to do, stated Ms. Windham, i.e., not touching records or breaking seals without signed oaths and knowledge of chain of custody with the requirement that no one goes alone to look at records as far as cost, feasibility, legality, etc. The first item we need to do is to get with respective parties to see if they can recommend citizens to the Ad Hoc Committee so we can move forward. He, as a Republican, already knows where everything is and we could get a Democrat appointee, then have two citizens. Or we could have the two parties submit their representatives to the Committee, then have two citizens. The Elections Supervisor should serve in an Ex-Officio capacity, as is the case with the County Attorney. Mr. Jester felt the Board was going to make things as smoothly as possible during this time of transition for Ms. Slaughter. Chairman Johnson agreed, we would have that certainly as a goal. We need to streamline for efficiency, doing what works better and doing away with what

does not work well. They can also keep Ms. Kathy Gibson of Spalding County apprised of all actions. More details will be developed in the coming days.

- e. County attorney to update Board regarding relationship between the County Manager and Board of Commissioners and the Board of Elections and Registration.

Ms. Windham stated the Elections Supervisor is employed at the pleasure of the Board of Elections. The County Manager and Board of Elections do not hire, nor fire, the Elections Supervisor. However, they do hold the purse strings for the office, including salaries, benefits, office space, supplies and all incidentals. The budgeting process is very important. There are many things outside this Board's control that might cause you to be over budget, but those can be accommodated through the budgetary process. HB 769 says that other employees can be hired by this Board, but you have elected to have that accomplished via the Elections Supervisor and the Spalding County HR Director, Miles Neville. The Board runs the Elections Office, and the County pays for it.

- f. Update on adding additional members to attend GAVREO Conference by Messrs. O'Brien/McClain.

At a prior meeting, we voted to get two people to GAVREO physically, but others have indicated they would like to attend. Additionally, they had a full day of training with Robin Carr, our liaison with Secretary of State. They are still more than half a dozen other areas of required training. There are spaces available if additional members want to attend. Mr. O'Brien said he and his wife have been concerned about safety protocols in place, so they elected not to attend. He felt it important for all Board members to be trained as much as possible, and he asked for funding for virtual participation. He was eager to get training. Cancellations have been received, so there perhaps is a movement to choose the virtual option for \$460. Banquet and other incidental costs are being refunded. More specific training will almost certainly be needed on the relevant subject of redistricting. Jim O'Brien, Alfred Jester, James Newland (who will check his availability) would like to attend either in person or virtually from 8-29-21 to 9-1-21. ***Motion/second by Mr. O'Brien/Mr. Jester to allow any and all members who would like to attend will be accommodated carried 5-0.*** Mr. O'Brien will coordinate this education effort. Continuing education is part of the responsibility of Board members, and information can definitely be shared if need be.

Report of Elections Supervisor –

Ms. Kim Slaughter thanked Board members for her selection as Elections Supervisor. She looked forward to serving with transparency, efficiency, and professionalism. She has already completed some training and will continue, both with equipment, software, systems, etc. She is becoming acquainted with all systems and with personnel, which includes currently one part-time and one full-time employee on leave, in addition to herself. They will begin scheduling interviews for additional personnel. There were 974 confirmation notices mailed last week, a process mandated by law in an attempt to clean up the voter registration list. This allows for ample notice. The City has qualifying for Districts 1, 3, 5 and 6 with qualifying for these non-partisan seats on August 16 through August 20. Deadline for registering to vote will be October 4 for the November 2, 2021 election.

Board Member Comments

Ben Johnson	He mentioned having thick skins but maintaining restraint and consideration for others. He stated he was happy with the progress made by everyone to date.
Jim O'Brien	No comments.
Alfred Jester	No comments.
Jim Newland	No comments.
Roy McClain	No comments.

Executive Session

County Attorney requests an Executive Session to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the Spalding County Board of Elections and Registration or any officer or employee or in which the Board of Elections or any officer or employee ay be directly involved as provided in O.C.G.A. § 50-14-2(1).

Board Members request an Executive Session to discuss personnel as provided in O.C.G.A. § 50-14-3(b)(2).

Motion/second to adjourn to Executive Session by Mr. Newland/Mr. Jester at 11:02 a.m. carried 5-0.

Motion/second to adjourn Executive Session and reconvene to Open Meeting by Mr. Jester/Mr. O'Brien at 12:16 p.m. carried 5-0.

Adjournment

Motion/second to adjourn at 12:17 p.m. by Mr. Jester/Mr. Newland carried 5-0.

Ben Johnson, Chairman

Teresa A. Watson, Recording Secretary