

SPALDING COUNTY BOARD OF ELECTIONS & REGISTRATION
Regular Meeting
December 16, 2022

The regular meeting of the Spalding County Board of Elections and Registration was held at the County Courthouse Annex, 109 East Solomon Street at 4:00 p.m. on December 16, 2022. Attending were Chair Ben Johnson, presiding; James Newland; Roy McClain; and Jim O'Brien. Dexter Wimbish was absent. Also present were Elections Supervisor Kim Slaughter, Attorney Stephanie Windham, and Teresa Watson to record minutes.

Invocation/Moment of Silence - Invocation was given by James Newland.

Pledge to the Flag - Pledge was led by Roy McClain.

Citizen Comment

Chairman Ben Johnson read guidelines for citizens' comments.

Dr. Yoshunda Jones

Dr. Jones spoke on behalf of Spalding County citizens' concerns about changes to voter registration, such as moving voters from active to inactive even though that voter may have voted in the 2022 primary. Open Records Act (ORA) requests asking for info on voters affected yielded no response since they were told no info existed. There was a number of voters who did not receive absentee ballots per their requests. The number mailed could not be located in the office. Also, the Republican box was checked on some but caused confusion with voters. A number of ORAs submitted to the Elections Offices that have not been responded to in a timely manner. Email reminders have been sent. In some instances, information received do not match the final election reports, i.e., provisional ballot requests. Additionally, she pointed out the office's refusal to hold Saturday voting after Thanksgiving. Finally, she looks forward to hearing about the early October investigation of fraudulent ballots.

Adoption of the Agenda

Motion/second to amend to add consideration of minutes by Mr. Newland/Mr. McClain was unanimous.

Motion/second to amend to add discussion about bylaws and a brief discussion on upcoming training sessions in January for clarity on workshop by Mr. O'Brien/Mr. Newland carried unanimously.

Motion/second to adopt the agenda as amended by Mr. McClain/Mr. O'Brien carried unanimously.

Minutes

The minutes of the October 11, 2022, meeting will be available for consideration in January and will be so posted.

Bylaws

Mr. O'Brien acknowledged this has been a busy and difficult time in the office. The committee has made edits on the Bylaws in light of new HBs and SBs. He suggested early January as a timeline for a draft of bylaws and will handle by email. This will dovetail into state legislative sessions starting up after January 6. They will review and then decide how to move forward with a special meeting or possibly an email process for adoption. Ms. Windham recommended that Mr. O'Brien send the draft to her, and she will review and send out. Adoption would be at a regular meeting unless desired otherwise by Board, probably in February with no need for a second reading.

Chairman Johnson noted this does dovetail into a workshop in January, noting there is some confusion as to purpose – is it for team building or a legislative workshop. He believes we have clarity for a proposed meeting on 1-3-23 as a workshop with state legislators if all are able to attend. He will confirm with representatives. We may have to reschedule to sometime around 1-9-23. We need to hear intent about HB769 and SB202 and their effects on how we all do our jobs. There appears to be a huge gap between our function

and anticipated changes that might complicate matters. Some try to solve people problems with technologies. and perhaps there is some of that here. Office staff will have to make the legislative decrees come to life. One thing left to address was the security of ballot paper without immense overhead.

Mr. O'Brien noted this would not be a regular meeting but would be public. He would like for the public to have the opportunity to interface with legislators. While this is not a standard format for a workshop meeting, it would allow for interaction with legislators. It was noted this is not a town hall type meeting. Representative Mathiak likened it to a listening meeting for the Board. Hopefully, this will make things better and not worse. Mr. O'Brien felt that it would be a shame not to allow interaction, and he was not sure why citizens could not address their lawmakers. If the intent is to listen, then why not allow for citizens' input too regarding elections integrity?

Chairman Johnson said a town hall could be held for the other purpose later, but rather this is a workshop format. Mr. O'Brien did not understand why this could not be the case. Chairman Johnson did not understand framing this as mutual exclusivity for a town hall meeting to interact with their constituents. This type meeting for the Board is not unusual or out of the norm and could perhaps afford a different perspective from the general population. Maybe legislators' responsibilities include hearing from voters at town hall type meetings, but not for this purpose.

Mr. McClain recommended everyone get ideas together and share around to help facilitate the meeting. He noted there is nothing to preclude constituents giving ideas and questions.

Mr. O'Brien felt the community should be involved and to not do so is a mistake. Mr. McClain understood and felt we can gather questions to bring to the workshop but an interactive methodology is not how it is run.

Mr. Newland said it may be problematic to have citizens' lengthy comments distract from the purpose of Board trying to figure what to do with new legislation. Nothing gets done in these situations. Legislators can have all the town hall meetings they want. We are interested, though, in ensuring the integrity of elections.

Mr. Windham relayed she had conversations with Representative Mathiak regarding HS769 with the primary concern being a Board cannot call an emergency meeting without 24 hours' notice. Emergencies won't wait 24 hours. There are a few other concerns, as well.

Chairman Johnson said with regard to bylaws, we can circulate correspondence for questions/comments/efforts, and that would be appropriate. He would like to have public comment at the meeting to serve this purpose but not allow back and forth conversations that might deter our purpose. Board members could provide for opportunities to present issues for addressing by legislators.

Mr. O'Brien noted it was interesting to not respond with dialogue. The intent of involvement is not clear to him. He will take whatever can be afforded, but he still advocates for interaction with citizens. Chairman Johnson said representatives can do a town hall later if they so desire. Legislators' contact information is published, and citizens can choose to interact with them in that fashion. This is not an action item. Board members can attempt to get concerns collected to relay to representatives.

Report of Elections Supervisor

Kim Slaughter presented her report for the November 8, 2022, general election.

She highlighted logic and accuracy (L&A) testing of all voting equipment, noting this is always open to the public and the Board. L&A was conducted on 183 ballot marking devices, 183 printers, 19 scanners and 45 poll pads. L&A was completed in a timely manner.

Early voting operated smoothly with wait times that were not unreasonable. There were 12,418 voters to cast votes. A fake ballot was discovered on October 19, and an email was sent to the Board detailing this

discovery. Through diligent efforts, we determined how the fake ballot came to be. The printing of more than one ballot was also experienced twice in Early Voting; printers were removed from the precinct and the State requested to take possession of the printers. We have yet to receive follow-up from the State regarding this matter, but the printers were replaced.

Election Day saw two main issues: poll pad connectivity and printer and ballot marking devices, both of which were resolved.

Early processing of absentee ballots exposed an issue with electronic delivered ballots, which our office does not process. EBD ballots are electronically emailed to UOCAVA voters who requested that service. During the process, it was discovered that the EBD ballot had the incorrect County Commission race on it. Therefore, this voter had not been able to vote in the appropriate County Commission race. This information was forward to the State with no response as yet.

With regard to the December 6, 2022, General Run-off Election, L&A was conducted on 80 BMDs, 80 printers, 20 scanners and 45 poll pads. It was completed in a timely manner. We added a fourth processing station for this Election and moved voters along in a timely fashion. Turnout for this race as higher than the November election. Wait times were longer but manageable. There were few complaints. We continued to experience poll pad issues with loose connections, but we managed to resolve this issue 99% of the time. There also continued to be issues with BMDs and printers communicating with one another. We dealt with the matter, but it sometimes proved frustrating.

There were two incidents during early voting where 911 was called to assist voters, one for probable low blood sugar and the other for dizziness resulting from fluid on the ears. She remained with voters and completed incident reports. Overall, both elections went very well but she will continue to keep the Board abreast of issues and resolutions.

She, Billie Preston and Sandra Hardy will attend a GARVIS conference in Athens January 4-6, 2023. The GAVREO Conference will be on Jekyll Island February 13-16, 2023. She and Billie Preston will attend. Deadline for registration is January 13, 2023. She reminded the Board of the legislative workshop on January 3, 2023. The Secretary of State's office will be reimbursing the redistricting postage in the amount of just over \$16,000.

One realization during the early voting process is our space, particularly with the longer waits. We will be considering options for 2024. We are always looking for ways to improve our processes. The turnaround time for election and runoff election was short, but staff managed nicely. She is very proud of the team. She concluded by saying her door is always open. It is her desire to address matters in a professional manner and not have it done on Facebook or online. She and her staff work hard for fairness, transparency, and integrity. With power, she noted, comes responsibility. She experienced a good working relationship board members previously, but found they were not as involved in the last two elections. She thanked the board members and wished all a Merry Christmas. She sent out a thank you to all involved departments, as well, because the collective efforts of everyone contributed to the election cycle's success. It takes all 95+ people to put on elections and to do them correctly and with integrity.

Board Member Comments

Mr. Newland The level of commitment to be a poll worker is not something everyone has. They are vital and precious and work hard for basically minimum wage. We need to work on relationships with poll workers/managers. There is a huge issue sometime with trying to decide what the voters mean in some instances, but we appreciate them all. He is very proud of staff and is pleased to have seen the growth from Mary, Kim, Billie, and others in the Elections Office.

Chairman Johnson He echoed Mr. Newland's comments. He is happy with and proud of the growth, as well. He mentioned the recent recommendations of Secretary of State Raffensberger, noting that only two states do runoffs as we do. This is not ideal and is often problematic. The vast majority of other agencies work with plurality, and he was shocked that this was not one of the options our Secretary of State is proposing to legislators. This is one reason to meet with them. He wished everyone a Merry Christmas and Happy New Year.

Mr. McClain We will start scanning documents in storage in mid-January. We hired Kim Slaughter last August and did not really establish an annual review process. It is not fair to have expectations of which she may not be aware. We need to establish a process for the near future to accommodate performance evaluations. Another thing involves securing lunches for poll managers and workers and for office staff. We need to look at ways to better take care of these 95+ folks during these 14-hour days. Most do not realize the level of dedication these workers exhibit. This Board needs to support Kim Slaughter. He was not sure of the cost to retrain poll managers, etc., but we need to consider that for future elections. It would cost much to replace those who might leave, so we need to take steps to ensure we retain these workers. Finally, he mentioned that some Board members talk to the media and give interviews that are hurtful and not helpful at all.

Mr. O'Brien No comment.

Mr. O'Brien No comment.

Mr. Wimbish Not present

Executive Session

None

Adjournment

Motion/second by Mr. O'Brien/Mr. Newland to adjourn at 4:59 p.m. carried unanimously.

Ben Johnson, Chair, Presiding

Watson, Recording Secretary

Teresa A.