

SPALDING COUNTY BOARD OF ELECTIONS & REGISTRATION
Regular Meeting
After Agenda
April 11, 2023

The regular meeting of the Spalding County Board of Elections and Registration was held at the County Courthouse Annex, 109 East Solomon Street at 6:00 p.m. on April 11, 2023. Attending were Chair Ben Johnson, presiding; James Newland; Jim O'Brien; Dexter Wimbish; and Roy McClain. Also present were Elections Supervisor Kim Slaughter, Attorney Stephanie Windham, and Teresa Watson to record minutes.

Invocation/Moment of Silence - Invocation was given by Dexter Wimbish.

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

Citizen Comment

Chairman Johnson read the guidelines for Citizen Comment, as noted on the agenda.

Dr. Yoshunda Jones provided an update of recent legislation, prompted by the workshop the Board held with local legislators. She reported that SB221, introduced and sponsored by Senator Marty Harbin, did die, and will hopefully stay dead. Dr. Jones said SB129 passed, thanks to citizens reporting on different issues during the last election. Not allowing Sunday hours for early voting or Saturday hours in the runoff disregarded the judge's declaration. Citizens should be aware of pertinent issues, and she will continue to ensure that they do.

Adoption of the Agenda

Motion/second by Roy McClain /Dexter Wimbish to amend the agenda to add an Executive Session after Board Member Comments to discuss an employee issue was approved unanimously. The amended agenda was then approved unanimously on motion/second by James Newland/Jim O'Brien.

Minutes

The minutes of the March 14, 2023, regular monthly meeting were approved on motion/second by Jim O'Brien/James Newland. Chairman Johnson said he wanted to note for the record that on page 2, he was mistaken in his statement that the process around the Election Supervisor's evaluation could not be handled in Executive Session. He misunderstood what Attorney Stephanie Windham said. The minutes were correct in his statement, but he wanted to note this was an incorrect statement by him. Chairman Johnson explained the circumstance surrounding the comment for citizens in attendance.

Report of Elections Supervisor

Ms. Slaughter reported on GARVIS, noting that it continues to evolve on a daily basis. The next update will occur on April 20. We continue to participate in online Q&A sessions and report trouble tickets as needed. There is no target date for completion yet, and the Secretary of State's Office is not satisfied with the pace of implementation. We continue to monitor entries to ensure accuracy.

We are conducting an odd-year audit of Voter Registration records to ensure the integrity of voter registration records is present. We make sure all voters are accounted for, that the physical voter registration record is up to date, and that a physical record is on file for each voter. This audit, unlike the full audit last year, is for matching only with no other changes. The GARVIS system, which replaced the previous ENET, has not been battle-tested yet.

Ms. Slaughter included a copy of the FY 2024 proposed budget in Board members' packets, along with a comparison to the FY 2023 budget and accompanying rationales for requested increases. The cost of everything is up, and it appears there will be four, possibly five, elections in 2024.

Old Business

Amending of Bylaws – Mr. O’Brien provided each member with a handout to review, beginning with Article 8. Attorney Windham has reviewed, and sections are up for discussion tonight. Jim O’Brien said this is a new section to add.

8.1 Absentee Ballots - He recommended adding verbiage “The application for the electors absentee ballot, upon satisfactory proof of relationship, be made by such elector’s mother, father, grandparent, aunt, uncle, sister, brother, spouse, son, daughter, niece, nephew, grandchild, son-in-law, daughter-in-law, mother-in-law, father-in-law, brother-in-law, or sister-in-law of the age of eighteen or older. This verification process would eliminate the error-prone “signature match” previously used. The deadline to request absentee ballots is 11 days before election day and disqualifies provisional ballots cast in the wrong precinct.

It was noted that the law defines what you have to provide with no definite satisfaction requirement for familial relationships. Attorney Windham felt most of Article 8’s suggestions are not necessarily needed for bylaws because they do not detail how we do business. Laws change and we are required to follow the law. If requirements that change are in our bylaws, then we have to change the bylaws. Her opinion was to follow the law and not add the underlined text for more specificity. The objective is just to make sure they are related in some fashion. Ms. Slaughter was not sure they could eliminate the signature match process in current law. Attorney Windham cautioned that if left in the bylaws, we need to ensure proper citations.

Mr. McClain said this appears to him to be something that could be better handled in an SOP (Standard Operating Procedure). Bylaws have to be changed every time the law changes. SOPs can be changed for things such as this miscellaneous piece. There would be no question if a part of an SOP, but he felt the signature match is a required piece. The Committee looking at this can do so from an SOP position, too. Attorney Windham felt this doesn’t necessarily belong in bylaws since some issues are addressed adequately in the law. Chairman Johnson felt this might be an unnecessary section. Mr. McClain felt we need SOPs for specificity and Bylaws as an overarching authority. Laws, Bylaws, SOPs are all tools to achieve objectives, just in different modalities. Bylaws apply to the board and employees. A certain level of guidance and conciseness was his thought process, noted Mr. O’Brien, who noted he agreed with the SOP vs. Bylaws comments of Mr. McClain.

8.2 Drop Boxes – Ms. Slaughter stated a correction to the information provided that drop boxes by law coincide with the dates and hours of Early Voting not the normal business hours of the Office which are 8:00 a.m. to 5:00 p.m. . It was decided that we should specify only that drop boxes are allowed as provided by law.

8.3 Voter Assistance – Mr. Wimbish stated we need to acknowledge that we have a significant population who feels disenfranchised, and he questioned what does water hurt. He’ll write a check if cost is the issue. If we want to eliminate division, how do we realize that we are united regardless of political affiliation when we are bickering over water. People came together after recent tornadoes regardless of race, creed, sex, political affiliation, etc., and he wondered why we cannot continue in that vein. This could be a small step toward doing the right thing. This was written based on political position and came out of a lawsuit where names were on labels for the water that was handed out. Just use water with no labels. We can take this out and go about having water provided in a legal way. Ms. Slaughter said over 12,000 voters participated in the May primary during Early Voting and that is a lot of water. She cares about people but doesn’t want to appear to be enticing people to vote with this practice. It is hard enough now to ensure all tasks are covered with current personnel without taxing them even more. She presented the question to the Board as to if they were willing to ensure adequate water is stocked and willing to serve the voters in line to ensure everyone has the opportunity for water. Mr. Wimbish appreciated everyone’s honesty, but this attitude is indicative of the problem. That we are arguing and having lawsuits about water is utterly ridiculous. We are not concerned with time, polls, ballot machines, personnel, protocols but rather about water. We need to be talking about America more than this Board. He was not sure how we got here and are so divided that we are looking at any little thing.

Mr. O'Brien said a key phrase was "members of the public" were prohibited from distributing food and water. Attorney Windham said she was confused since this is talking about members of the public when they don't read or follow the Board's bylaws. They are required to follow law. We would love to figure out how to do this but 12,000+ is costly. It was determined that for Section 8.3 we follow the law and properly cite.

8.4 Certification – Ms. Slaughter cautioned about referencing a specific number of days because holidays change timelines. Again, we can note that certification is as provided by law rather than a number of days.

8.5 Weekend Voting – Attorney Windham urged not referring to the legislation as SB202 but rather by its official name now.

8.6 Records Retention – Ms. Windham felt this should be part of the Bylaws. We should specify that we can hold specific records for longer periods of time than customary and add verbiage concerning relief of a grand jury, but we can just say as provided by law. We also do need a climate-controlled, secure facility.

Chairman Johnson said Jim O'Brien and the Committee could revise and incorporate discussions tonight and then send out as a major revision. Roy McClain suggested they run it by Attorney Windham first and maybe Ms. Slaughter, as well, before the Board gets it for consideration. This could save time and be more efficient.

The next item, Evaluation of Election Supervisor, is to be addressed in Executive Session later.

New Business

None.

Board Member Comments

Roy McClain said he was encouraged as we find duplicates in the number of processes that puts extra people into roles, and he realized cleanup is difficult. He urged every citizen in Spalding County to get folks not legally in process for Voter Registration to contact the Elections Office. The process will always be partisan or political, but our staff puts forth a lot of effort. If someone knows of voter(s) who may have moved, he urged them to contact the Elections Office.

Dexter Wimbish – No comment.

Jim O'Brien – No comment.

James Newland – He thanked Dexter Wimbish for simplifying much of what we cannot agree on reasonably.

Ben Johnson – He noted that Ms. Slaughter has already met with Jinna Garrison and County Manager Steve Ledbetter on the proposed budget. She will defend it since it is very different from previous budgets.

Executive Session

The Chair requests an Executive Session to discuss or deliberate upon the periodic evaluation or rating of an employee, pursuant to O.C.G.A. § 50-14-3(b)(2).

Motion/second by Dexter Wimbish/Jim O'Brien to enter Executive Session at 7:05 p.m. carried unanimously.

Motion/second to close Executive Session and reconvene to Open Meeting by Jim O'Brien/James Newland at 8:04 p.m. carried unanimously.

Adjournment

Motion/second to adjourn at 8:05 p.m. by James Newland/Jim O'Brien carried unanimously.

Teresa A. Watson, Recording Secretary