

SPALDING COUNTY BOARD OF ELECTIONS & VOTER REGISTRATION
After Agenda
August 8, 2023

This Regular Meeting of the Spalding County Board of Elections and Registration was held at the County Courthouse Annex, 119 East Solomon Street at 6:00 p.m. on August 8, 2023. Attending were Vice Chair, James Newland, presiding; Roy McClain; Dexter Wimbish; and Jim O'Brien. Absent was Chairman Ben Johnson. Also present were Elections Supervisor Kim Slaughter; Attorney Stephanie Windham; and Teresa Watson to record minutes.

Invocation/Moment of Silence - Invocation was given by Roy McClain.

Pledge to the Flag - Pledge was led by Dexter Wimbish.

Citizens Comments

Vice Chair Newland read the guidelines for citizen comments.

Dr. Yoshunda Jones

Dr. Jones spoke to the inconsistency of voter challenges and responses by the Board. She reminded them of NVRA (National Voter Rights Act) criteria for challenges. Due process for individualized hearings is required and has not been adhered to in past actions. One should have the opportunity to be heard before being deprived of being able to vote. To avoid that requirement is to violate due process. The law is clear that the challenger has the burden of proof. Last year in August the Board acted on the removal of 100 voters in a regular meeting with no hearing and thereby violated due process. Trying to remove voters without due process is again being considered, and she urged the Board to be more diligent.

Adoption of the Agenda

Motion/second by Dexter Wimbish/Roy McClain to amend the agenda to add the following three items carried by a vote of 3-1 with Jim O'Brien abstaining: 1) Accept the Board of Education Notice of Election regarding E-SPLIST, pending the Inter-Governmental Agreement, 2) Consider the Board of Elections IGA and City of Griffin IGA, 3) Move the consideration of Bylaws to the regular September meeting.

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

Some discussion followed regarding the need to form a committee to oversee the process of hand counting of the machine printed ballots prior to certifying the election as directed at the July 24 meeting. No action was taken, and the agenda was not amended with this addition.

Ms. Slaughter noted, as well, that the Board needs to add to the agenda consideration of the July 24 Special Called Meeting minutes for approval. ***Motion/second to do so by Mr. McClain/Mr. Wimbish carried unanimously. Motion/second to approve the again-amended agenda by Mr. Wimbish/Mr. McClain carried unanimously.***

Report of Elections Supervisor

Ms. Slaughter announced that the Notice, Referendum proposal and timeline of the planned E-Splist has been placed in each Board members binder as well as emailed for review and that County Attorney Stephanie Windham and Board of Education is in the process of drafting an Intergovernmental Agreement. Ms. Slaughter stated that County Attorney Stephanie Windham will provide an update on the Intergovernmental Agreements for the City of Griffin and the Board of Education.

Ms. Windham said they have completed the Inter-Governmental Agreement (IGA) with the City's revision. The County Manager will review and get back with us. She noted the IGA was actually between Spalding

County (not Elections) and the City and the Board of Education. The IGA with the City needs revising every 5 years. It will have the same expiration date. We were informed just last week about an E-SPLOST on the November ballot for referendum for the school system. Our only IGA with the Board of Education expired on 12/30/19, and we need to do a new one with them.

Pertinent to the City election, some precincts will have a city ballot as well as the E-SPLOST question. The cost will be borne by the City of Griffin and the Board of Education. This action item under New Business will call for this, and the Board of Education has approved the call necessary to place on the ballot.

Kim Slaughter reported that a Budget Amendment Proposal was included in each of the Board members' binders and had been previously emailed as well. The Budget amendment covers the difference between what a previously budgeted (but cut by the Board of Commissioners) cost and what a budgeted and passed General Municipal Election cost along with additional costs and a hand count of all ballots cast in an Election. The total amount of the Budget Amendment presented was \$46,530.42. Ms. Slaughter reminded the Board that the Board of Commissioners had voted to cut \$85,000.00 from the Board's budget which would have covered the cost of a special election. She stated that this is why she always believes in budgeting for a Special Election because there is always a possibility. A budget amendment in the amount of \$46,530.42 is provided under general information, including a breakdown in cost difference for this special election. The budget amendment differentiates regular election and special election costs but does not reflect any equipment that may be necessary for the handcount. We have allocated manpower and time.

An overview of the E-SPLOST timeline was presented, and the call must be published no later than August 11, 2023. The E-SPLOST, anticipated to run through 2029, is estimated to produce \$13,370,000 in collections.

Kim Slaughter noted that precincts 1-7 were the only ones scheduled to be open originally, but now with the advent of an E-SPLOST question, all precincts will be open which changes things. In members' binders there is a financial report that details expenditures germane to this election.

Ms. Slaughter continued with her report, noting the GARVIS update, particularly with regard to duplication of voters and the registration of pending voters under the age of 18. The struggle continues with the implementation of this mandated system, which has been tedious and slow. Discussion followed.

The printing of precinct cards upon registering to vote and voter changes were also discussed with timelines for same in preparation for the November elections. Ms. Slaughter reminded the Board that precinct cards for voters have registered to vote beginning in January of this year or making changes to their voter registration record have not been printed and mailed by the State as of today. The State has provided a goal date for this action for the end of August.

Voter registration updates were provided, and work continues to ensure the street records are current. Confirmation notices (both NGE and No Contact) were the subject of discussion, as well. The State desires that all counties mail out the No Contact confirmations at the same time so that the 40-day clock will start for all voters receiving these confirmations at the same time.

Ms. Slaughter shared that at the request of Attorney Windham, the Chairman of the State Election Board reconsidered his first decision to not continue Case #2022-236 and move it to October 3, 2023 in Carrollton so that Ms. Slaughter could attend.

Precinct health checks continue and should complete by the end of August. She detailed qualifying for the November 7 General Municipal Election. The qualifying period runs from August 21 through August 25 from 8:30 am to 4:30 pm each day. Districts 2 and 4, as well as the Mayoral position, are up for reelection in the City of Griffin. Qualifying is held at the Board of Elections Office on Memorial Drive.

Attorney Windham reported on the document scanning process. She asked her staff for available times, even though it would be preferable for board member(s) to be present. They can begin August 16 and should move quickly to get this process underway. Having no idea as to how long the process will take, we will start early on August 16 and be able to better predict after that day as to the time needed. Kim Slaughter mentioned that if records are not scanned by end of August, they must go back to storage to enable room for L&A testing.

New Business

1) Approval of Bylaws.

HB 769 indicates functions of the Board but not for delegated tasks to the Elections Supervisor, noted Ms. Windham. We prefer to have a resolution each year in January that so delegates. Mr. O'Brien commented that on June 6, he met with Elections Supervisor Slaughter and Attorney Windham for a give-and-take discussion. The agreement was unanimous and the process good. Kim Slaughter will write about concerns and look at them together with Mr. O'Brien and get counsel from Attorney Windham. It would help Mr. O'Brien to see something in writing by Kim Slaughter. Kim said the first meeting should be with counsel and then new issues with her later. Ms. Windham said she would be happy to go through and list the items that really should be delegated and have the Board consider them at their September meeting. ***Motion/second to table approval of Bylaws until September by Mr. McClain/Mr. O'Brien carried by a unanimous vote.***

2) E-SPLOST call – Discussed previously in this meeting. ***Motion/second by Mr. McClain/Mr. O'Brien to approve the call for and E-SPLOST question on the November election carried unanimously.*** We will work with the Board of Education attorney on the details.

3) The IGA with the City of Griffin has already been discussed. No action is necessary.

Board Member Comments

No comments by any Board Member were forthcoming.

Adjournment

Motion to adjourn at 6:39 p.m. by Roy McClain/Jim O'Brien carried unanimously.

James Newland, Vice Chair, Presiding

Teresa A. Watson, Recording Secretary