



APPROVED MINUTES

BOARD OF REGISTRATION AND ELECTIONS REGULAR MEETING – NOVEMBER 13, 2020

The Fulton County Board of Registration and Elections met in Regular Session on Friday, November 13, 2020 at 10:00 a.m.

VIRTUAL MEETING

**Please join the meeting from your computer, tablet or smartphone.
FGTV YouTube Channel**

<https://www.youtube.com/channel/UCYH7E0jH6HxE-3KTRluH8SQ>

Presiding: Ms. Mary Carole Cooney, Chairperson

Other Board Members Present:

Ms. Vernetta Keith Nuriddin, Vice Chairperson
Mr. Mark Wingate
Mr. Aaron V. Johnson
Dr. Kathleen Ruth

Staff Attending: Mr. Richard Barron, Director; Mr. Ralph Jones, Registration Chief; Mr. Dwight Brower, Interim Elections Chief; Ms. Sharon Benjamin, Deputy Elections Chief; Ms. Nadine Williams, Elections Equipment Manager; Mrs. Pamela Coman, Registration Manager; Ms. Brenda McCloud, Administrative Manager; Mrs. Cheryl Ringer, County Attorney; Mr. David Lowman, County Attorney; Mr. James Reese, Production Manager; Mr. Rico Dollar, Senior Graphics Designer, Jessica Corbitt, PIO; Regina Waller, Senior Public Affairs Officer

Guests Attending: Commissioner Hausmann (District 2), Senator Vincent Fort, David Ross (Democratic Party of GA), Aileen Nakamura (Coalition of Good Governance), Rhonda Martin (Coalition of Good Governance), Natalie Goldberger, Milia Akkouris, Marilyn Marks (Coalition of Good Governance), Hillary Li, Susan Shapiro, Stephen Fowler, Ben Howard, Garland Favorito

Chairperson Cooney announced that this teleconferenced meeting is authorized pursuant to §50-14-1(g) of the Official Code of Georgia because of the Public Health State of Emergency declared by Governor Kemp on March 14, 2020, and renewed most recently on October 30, 2020, pursuant to which public meeting spaces in state and local Government have been closed due to COVID-19, and because means have been afforded for the public to have simultaneous access to this teleconference.

#1– APPROVAL OF AGENDA

Chairperson Cooney entertained a motion to approve the agenda. The motion was made by Mr. Wingate, seconded by Dr. Ruth and carried by a unanimous vote of 5-0.

#2– COMMUNICATIONS AND PUBLIC RESPONSE

Garland Favorito (Co-founder of VoterGA) mentioned discrepancies and irregularities that he claims he witnessed on election night during downloading of results. **Mr. Favorito** mentioned he informed the **BRE** in writing but to no avail.

Aileen Nakamura expressed concerns over the costly voting system the Secretary of State has imposed on counties. **Ms. Nakamura** implored the **BRE** and **DRE** to ditch the voting system and utilize hand marked paper ballots

Rhonda Martin implored the **BRE** and **DRE** to ditch the voting system and utilize hand marked paper ballots. **Ms. Martin** reviewed her wish list of improvements; ballot request portal, drop boxes, scanners configurations, vote review panels, and ballots that can be traced back.

Senator Vincent Fort expressed concerns of how the Senate District 39 race (the Special Democratic Primary) was conducted during the General Elections. **Senator Fort** expressed concerns of the training of poll workers, the lack of notice provided to the candidates and expressed that the State Senate, District 39 Race is tainted. **Senator Fort** requested the **BRE** conduct an independent investigation and not certify the election results.

Milia Akkouris mentioned her experience as an election day poll worker and early voting supplemental employee. **Ms. Akkouris** recommended a complete overhaul and restructuring of all the training and she offered to assist. **Ms. Akkouris** agreed with other public comments regarding utilizing hand mark paper ballots. **Ms. Akkouris** mentioned being available to discuss further.

Marilyn Marks complimented the **DRE** on their efforts and improvements despite the system's on-going issues. **Ms. Marks** mentioned the voting system being far too complex and costly. **Ms. Mark** urged the **DRE & BRE** to discuss this Recount with their legal team on the legality of this directive by the Secretary of State's office.

Hillary Li (Asian Americans Advancing Justice) expressed gratitude on the recent election. **Ms. Li** expressed concern for the poll monitors assisting voters outside of the polls. There seem to be an overwhelming amount of hostility and confusion. **Ms. Li** expressed major concern was the disparaging comments made by the poll manager, Cindy Lipsey at Findley Oaks Elementary about **LEP** (Limited English Proficient) voters. **Ms. Li** demanded the removal of Cindy Lipsey. **Ms. Li** implored the **DRE** to properly train personnel on cancelling absentee ballots and provisional procedures.

Ben Howard (Senior Advocate Public Policy Analyst) inquired about who is responsible for such an expensive effort of completing a hand recount, that's not mandated by law. **Mr. Howard** requested a complete (step by step) explanation of Absentee ballots, provisional, and curing processes. **Mr. Howard** requested that the sign for 75+ years of age voters moving to the front of the line be visible inside and on the outside.

OLD BUSINESS

#3- APPROVAL OF MINUTES

- Special Meeting- October 6, 2020
- Executive Session Meeting- October 6, 2020
- Regular Meeting- October 8, 2020
- Special Meeting- October 23, 2020

Chairperson Cooney entertained a motion to approve the meeting minutes from the Regular, Special and Executive Session Meetings on October 6th, 8th, and 23rd, 2020. The motion was made by Mr. Wingate, seconded by Mr. Johnson and carried by a unanimous vote of 5-0.

#4- MONTHLY OPERATIONS REPORT FOR SEPTEMBER 2020:

- Preparation for November 3rd, General/Special Election

- Early Voting (EV) began October 12th – October 30th
 - 30 Permanent EV locations**
 - 2 Mobile Voting RVs
 - 7 Outreach location
 - 316,000 voters approximately
- All Training was in-person
- Bandwidth resolution- Ongoing
- November 9th Early Voting will begin for the December 1st Runoff
 - US House, D5/ Congressional District 5 (**CD5**)
- November 23rd Early Voting will begin for the December 1st Runoff
 - Senate District 39 (**SD39**)
- Voters that live in both Districts SD39 and CD5:
 - Required to check-in twice
 - Cast a ballot on two separate sets of voting machines
 - 44 Polling locations are affected by overlapping
- A legal hold remains on the **DRE** voting units from the April 18, 2017 and June 20, 2017 6th Congressional Special Election and Runoff Special Election (**Relocated to offsite facility**)
- D.R.E.A.M. located a larger facility to house staff and Voting equipment
- Bandwidth challenges resolved
- Four Vacancy Positions:
 - Deputy Director
 - Elections Officer
 - Elections System Assistant Supervisor
 - VEO Coordinator
- Requested an Audit of process and procedures
- Total voter registration applications received in 2020: **270,025**
- Absentee Ballot Applications processed: 260,000+
 - Needs to be a separate Division
- **31,798** voter registration applications received in October
- As of November 1st, **847,994** (808,680 active and 39,314 inactive) registered voters reside in Fulton County
- Total New Applications: **97,191**
- Felon Hearings: **0**
- Felon Letters Mailed-**790**
- 2- Active Call Centers with more than 50 additional staff
- Runbeck will mail Absentee By Mail, initial mail out beginning November 20th
- Four Funded Positions:
 - Deputy Director
 - Elections Officer
 - Elections System Assistant Supervisor
 - VEO Coordinator

Mr. Barron completed his update on the October's Monthly report to discuss the Risk Limited Audit (**RLA**). The Secretary of State's office directed and instructed all counties to complete a Hand Tally of votes in the Presidential race only. Personnel will work in teams to complete the task in 5 days. This hand tally will include two person teams and approximately 125 teams (250-300 people).

Mr. Wingate inquired about what he considered a discrepancy in the metrics on the precinct locator. **Mr. Wingate** also questioned the percentage of registered voters in Fulton. The percentage was categorized as too high for the population.

Mr. Johnson referenced **DDS** (Department of Driver Services) as a mechanism used by registered voters which automatically could account for the high number of registered voters, as well as large number of groups registering voters

Mr. Wingate expressed disbelief in 80%, by his calculation, of Fulton's population are registered voters. **Mr. Wingate** continued to share metrics that he deemed questionable and expressed they should be reviewed more closely.

Mr. Barron responded that a few years ago the voting age population of registered voters in Fulton was over 90%

Dr. Ruth mentioned the monthly report from October statistics and compared those metrics with Election Summary of Total voters included in this election.

Mr. Barron answered yes, those metrics include only active voters as of October 5th that registered timely.

Mr. Wingate asked for clarity on the statistics from the report

Mr. Barron informed the Board that the date was incorrect the report is accurate

Chairperson Cooney mentioned utilizing the same template for certain reports but directed the **DRE** to ensure the information is corrected in the future.

Dr. Ruth inquired about the absentee spreadsheet and how the **DRE** reconcile duplicates

Mr. Barron informed the **BRE** that voters received multiple 3rd party application or they apply on the portal, those numbers are capture on the report. **Mr. Barron** mentioned this was just a tracking mechanism.

Dr. Ruth asked about the drop box spreadsheet and the last two columns related to the spreadsheet? **Dr. Ruth** informed the viewers that voters are permitted to utilize the drop box for their ballot and absentee application request.

Mr. Barron mentioned the drop boxes are used to cast ballots, absentee application requests, and voter registration applications, as well.

Dr. Ruth asked about the duplicate numbers.

Mr. Barron answered that those are added to use for another spreadsheet, if you attempt to copy the row next to it the formulas will copy as well.

Dr. Ruth mentioned that the **BRE** inquired about the number of ballots cured but did not receive.

Mr. Jones answered that at his last count **86** ballots were cured; by rectifying the signature or signing the oath on the envelope.

Dr. Ruth agreed with the Coalition of Good Governance on the substantial improvements in the department; however, there are some deficiencies or gaps in the Absentee By Mail process. **Dr. Ruth** agreed with **Mr. Barron** on bringing in a group or person to look at procedures. **Dr. Ruth** was specific

Mr. Johnson expressed gratitude on the work that was done..... Staff, Other County Employees, Volunteers, and County Executive Team. **Mr. Johnson** mentioned that he does not want this hand tally to overshadow the hard work that went into this election and the dedication of the team. **Mr. Johnson** expressed that despite what continues to be said that if you voted your vote counted. **Mr. Johnson** mentioned that it's unfortunate that certain candidates are attempting to taint the election with all the effort that was put into the election:

- Robust Early Voting Locations
- Robust Drop boxes
- Added Resources

Mr. Johnson referenced a comment made by **SOS** and reversed it by saying “**SOS** will be **SOS**”. **Mr. Johnson** echoed **Dr. Ruth’s** sentiment about resolving the gaps and deficiencies regarding Absentee by Mail to ensure voters that the elections are fair and efficient.

Mr. Johnson said Thank you to **Fulton County Registration and Elections’** Staff, County Employees, Volunteer, and the voters.

Mr. Johnson inquired about the SD39 race rollover list and Public Service Commission Race moving to the January 5th Election. **Mr. Johnson** inquired about the rollover list for SD39 and absentee ballots.

Mr. Barron responded that US House, D5 does not have a rollover list mail out because it is a Special election. However, SD39 will have a rollover mailing.

Mr. Jones disagreed and said that there’s no rollover for either race.

Mr. Barron refuted Mr. Jones’ response and informed the Board that SD39 will have a mailing for the rollover listing.

Mr. Johnson asked when can voters begin requesting ballots and expect a ballot for the SD39.

Mr. Brower informed the Board the database was received today and he projects he will give a thumbs up today; however, the SOS has to certify their election first. The date for certification was November 20th. **Mr. Brower** also said the information will be waiting at a local vendor waiting for the thumbs up.

Mr. Johnson asked for clarification due to the circumstances surrounding the two separate elections. **Mr. Johnson** asked would he need to ask the poll worker.

Mr. Barron mentioned that poll workers will be trained to mention both elections but there will be (2) check-ins and (2) sets of voting units due to (2) separate elections and there will be signs in and out of the facilities.

Mr. Johnson implored the **DRE** to make sure they’re being transparent with voters and candidates because he believes there may be voter fatigue with all the variables added.

Vice Chair Nuriddin noted an error in judgement with regards to the Special Democratic Primary during the General Election and the manner counties involved were instructed by SOS to manage this race. **Vice Chair Nuriddin** inquired about any questions being asked prior to voting, such as “Do you want to vote in this election”

Mr. Barron said no, it’s a standalone election,

Vice Chair Nuriddin inquired about the **RLA**, was it a countywide hand tally before the recount.

Mr. Barron informed the **BRE** the **RLA** begins on Thursday and the audit will conclude this election. **RLA** will be a full hand tally of all precincts.

Vice Chair Nuriddin inquired about contact information for felons who have satisfied their obligations. **Vice Chair Nuriddin** expounded on the request for felons to the **DRE**.

Mr. Jones answered that he will get the information; shortly thereafter, the information was provided in chat.

Vice Chair Nuriddin asked about the number of staff currently.

Mr. Barron answered (34) and (4) pending advertisement by Human Resources.

Vice Chair Nuriddin inquired about SD39 rollover list.

Mr. Jones mentioned that he will pull a report.

Mr. Barron mentioned a tight timeframe due to ballots for SD39 with State's (SOS) certification, the holiday delays and closures.

Vice Chair Nuriddin asked who made the decisions to ask the questions with regards to Senate D39 because that decision did not come from this Body; was it the Democratic Party of GA or SOS.

Mr. Barron mentioned he did not know who was responsible for the question.

NEW BUSINESS

#5- OVERVIEW OF SEPTEMBER 29, 2020, SPECIAL ELECTION

Chairperson Cooney noted that the discussion was wide ranging with all inquiries discussing items # 4, 5, and 7. **Madam Chair** asked if the **BRE** was satisfied with the conclusion of items through # 7, and with no comments made the **BRE** moved forward.

#6- CERTIFICATION OF ELECTION RESULTS: NOVEMBER 3, 2020, GENERAL AND SPECIAL ELECTION

Registered Voters: 806,451
Votes Cast: 528,777

Chairperson Cooney asked **Mr. Barron** was it his certification and testimony that the election results presented are a true and accurate count of all the votes cast in the General and Special Election held on November 3, 2020.

- **Countywide, Statewide, Presidential, Federal, and Statewide (General Election)**

Mr. Barron answered yes

Dr. Ruth interjected by mentioning that there is a lawsuit pending that has over 3,600 from 14,000 challenged voters that voted during Early voting. **Dr. Ruth** stated "No".

Mr. Wingate expressed that before he votes, he wanted to provide justification.

“ First of all, we do have as we recognize we do have a hand count going on of this election that will be by Wednesday of next week of this election. I was sent in conjunction with a pending lawsuit of over 14,000 voters that are being challenged on the voter registration list, this information I have received, again I am only reporting what was given to me but there was at that time around 9am this morning. Whoever it is that was looking at this has already found 4,000 voters that cast a vote in this election on that list. And I don't know where it will end up or where this is going but I do just fine as a voter myself in Fulton County but I find this concerning. The other thing is that through this process and through all the hard work that Rick, Dwight, Ralph, and everybody has done it is a confoundingly hard process but it's indisputable from Election Night that there was an observer issue of around an hour and half of processes that was still going on and having observers, from Election Night we were still finding flash cards, still finding missing provisional ballots, and unscanned ballots that happened to be in a couple precincts (one in East Point and one in Alpharetta). My point to that is we did our final reporting/ final upload of this last night at 8:17pm just FOR THE RECORD. Final thing: Back in the minutes of our meeting on October 8th reporting, that day we had a technician from BlueCrest onsite assisting our staff so they could enable and get the electronic signature verification component of the BlueCrest platform enabled..... Talking only for myself I left there and I was never given any other updates and my question to the department subsequent to that is how that was going. Well it was never used, we couldn't get it to work, as I was stated... From Runbeck and because of that they gave up on the process and of the 147,000 absentee paper ballots that were processed in I just think that for the record it just needs to be known that all of those were derived by a manual process. They was not electronically verified signatures. With those reasons and there are others, I have to cast a “NO” vote to certify this election.”

Chairperson Cooney entertained a motion to certify the election results. The motion was made by Mr. Johnson, seconded by Vice Chair Nuriddin and carried by a vote of 3-0; 2 Nays, Dr. Ruth and Mr. Wingate.

Chairperson Cooney asked **Mr. Barron** was it his certification and testimony that the election results presented are a true and accurate count of all the votes cast in the General and Special Election held on November 3, 2020.

- **Write-in Candidates:** President, US Senate, and US House Representative, District 13

Mr. Barron answered yes

Chairperson Cooney entertained a motion to certify the election results. The motion was made by Mr. Johnson, seconded by Vice-Chair Nuriddin and carried by a vote of 3-0; 2 Nays, Dr. Ruth and Mr. Wingate.

Chairperson Cooney asked **Mr. Barron** was it his certification and testimony that the election results presented are a true and accurate count of all the votes cast in the Special Election held on November 3, 2020.

- **Unexpired Term of Johnny Isakson, US Senate**

Mr. Barron answered yes

Chairperson Cooney entertained a motion to certify the election results. The motion was made by Mr. Wingate, seconded by Mr. Johnson and carried by a unanimous vote of 5-0.

Chairperson Cooney asked **Mr. Barron** was it his certification and testimony that the election results presented are a true and accurate count of all the votes cast in the Special Election held on November 3, 2020.

- **Special Democratic Primary Election**

Mr. Barron answered yes

Chairperson Cooney entertained a motion to certify the election results. The motion was made by Mr. Wingate, seconded by Vice-Chair Nuriddin and carried by a unanimous vote of 5-0.

Chairperson Cooney asked Mr. Barron was it his certification and testimony that the election results presented are a true and accurate count of all the votes cast in the General and Special Election held on November 3, 2020.

- **1-Proposed Constitutional Amendments:** House Resolution 164 Act No. 597

Mr. Barron answered yes

Chairperson Cooney entertained a motion to certify the election results. The motion was made by Mr. Wingate, seconded by Vice-Chair Nuriddin and carried by a unanimous vote of 5-0.

Chairperson Cooney asked Mr. Barron was it his certification and testimony that the election results presented are a true and accurate count of all the votes cast in the General and Special Election held on November 3, 2020.

- **2-Proposed Constitutional Amendments:** House Resolution 1023 Act No. 596

Mr. Barron answered yes

Chairperson Cooney entertained a motion to certify the election results. The motion was made by Mr. Wingate, seconded by Vice-Chair Nuriddin and carried by a unanimous vote of 5-0.

Chairperson Cooney asked Mr. Barron was it his certification and testimony that the election results presented are a true and accurate count of all the votes cast in the General and Special Election held on November 3, 2020.

- **Statewide Referendum:** House Bill 344 Act No. 149

Mr. Barron answered yes

Chairperson Cooney entertained a motion to certify the election results. The motion was made by Mr. Wingate, seconded by Dr. Ruth and carried by a unanimous vote of 5-0.

Chairperson Cooney asked Mr. Barron was it his certification and testimony that the election results presented are a true and accurate count of all the votes cast in the General and Special Election held on November 3, 2020.

- **Special Election for the City of Union City:** Referendum for Homestead Exemption

Mr. Barron answered yes

Chairperson Cooney entertained a motion to certify the election results. The motion was made by Mr. Johnson, seconded by Vice-Chair Nuriddin and carried by a unanimous vote of 5-0.

Chairperson Cooney asked **Mr. Barron** was it his certification and testimony that the election results presented are a true and accurate count of all the votes cast in the General and Special Election held on November 3, 2020.

- **Special Election for the City of East Point:** Referendum on Whether to Allow Sunday Alcohol Sales

Mr. Barron answered yes

Chairperson Cooney entertained a motion to certify the election results. The motion was made by Mr. Johnson, seconded by Vice-Chair Nuriddin and carried by a unanimous vote of 5-0.

Chairperson Cooney asked **Mr. Barron** was it his certification and testimony that the election results presented are a true and accurate count of all the votes cast in the General and Special Election held on November 3, 2020.

- **Special Election for the City of Atlanta:** Referendum for Homestead Exemption

Mr. Barron answered yes

Chairperson Cooney entertained a motion to certify the election results. The motion was made by Mr. Johnson, seconded by Dr. Ruth and carried by a unanimous vote of 5-0.

#7-UPDATE OF PREPARATIONS FOR THE RUNOFF ELECTION, DECEMBER 1ST

- US HOUSE DISTRICT 5, 5th Congressional District

Chairperson Cooney asked if there was anything further to go over due to previous item being covered in item #4.

Mr. Barron mentioned overlooking that SD39 was a Special Election and asked Attorney Ringer about the rollover list.

Mr. Johnson asked so everything we discussed previously regarding SD39 is correct except there will not be a mail-out for the rollover list.

Mr. Barron mentioned that you can apply for absentee by mail on the Fulton's portal but there will be a small window for mailing ballots.

Vice Chair Nuriddin noted as it pertained to mailing rollovers "that just because it's not required does not mean we shouldn't do it". "I like the fact that we apply the law in our decision making but we don't have to use it to limit the service we provide the voters in Fulton County"

Mr. Barron expressed concern for mailing ballots for SD39 because most of them won't be returned in time or maybe delivered late. The first available date to begin mailing is November 20th after State's Certification is completed and a Holiday following the mail-outs.

Vice Chair Nuriddin implored the **DRE** to be better prepared for meetings. **Vice Chair** spoke specifically on providing statistics on Election Night with regards to Absentee by Mail.

Mr. Barron agreed with **Vice Chair Nuriddin** assessment.

Attorney Ringer requested that the Body consider delaying their meetings on Election Night until after 7pm, due to potential conflict of schedule.

Dr. Ruth recommend that External Affairs provide the voters with some information to limit the confusion

Attorney Ringer mentioned that in a previous discussions with **Ms. Corbitt**, she mentioned Mailers, Press Releases, and contacting HOAs.

#8-APPROVAL OF EMERGENCY POLLING LOCATION CHANGE:

➤ 143/20 Precinct 08H

Mr. Brower explained the precinct proposals. All polling locations are American with Disabilities Act (**ADA**) compliant. All impacted voters will be notified as soon as possible of this emergency polling place change.

Proposal #	Precinct(s)	Facility Name	Reason	Proposed Change	# Voters Assigned to New Location	Mile(s) to New Location
143/20	08H	Covenant Presbyterian Church 2461 Peachtree Rd.	Reopening their Daycare Facility	Sutton Middle 2875 Northside Dr NW	2532	1.3

Mr. Brower informed the Board that both CD5 and SD39 race are assigned to this precinct.

Mr. Johnson implored the **DRE** to properly and quickly notify the voters that are impacted.

Dr. Ruth inquired about using text messaging to inform voters of change as well as all other required mechanism.

Mr. Wingate asked about generating a dotted map of the 255 polling locations in the county.

Mr. Brower stated that he can discuss further with GIS to generate something for public consumption. **Mr. Brower** mentioned he will discuss further with External Affairs on the text messaging idea from **Dr. Ruth**.

Chairperson Cooney entertained a motion to approve the emergency polling location change. The motion was made by Mr. Johnson, seconded by Dr. Ruth and carried by a unanimous vote of 5-0.

Chairperson Cooney expressed gratitude to the staff on all their hard work.

EXECUTIVE SESSION

The Board did not convene into executive session.

ADJOURNMENT

With no other items requiring the Board's action, **Chairperson Cooney entertained a motion to adjourn. Mr. Wingate moved to adjourn the meeting. Mr. Johnson seconded the motion.** Collectively, the Board agreed to adjourn at 12:17 p.m.

The meeting adjourned.

Prepared by,

Mariska Bodison, Board Secretary