

***FAYETTE COUNTY BOARD OF ELECTIONS
AND VOTER REGISTRATION***

SPECIAL CALLED MEETING

ACTION OF AGENDA

July 14, 2015

Board Members Present: Marilyn Watts, Chairman
Darryl Hicks
Addison Lester

Staff Present: Tom Sawyer, Elections Supervisor
Leigh Combs, Elections Officer
April Crosby, Elections Officer
Karen Hunter, Elections Clerk
Beverly Westmoreland, Part-time Elections Clerk

Others in Attendance: Dennis Davenport, County Attorney

A. CALL TO ORDER

Chairman Watts called the Special Called Meeting for the Fayette County Board of Elections and Voter Registration to order at approximately 5:00 p.m. on July 14, 2015. This meeting was held in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, GA. Chairman Watts greeted the many visitors who attended. She then introduced herself as well as the other members of the Fayette County Board of Elections and staff members who were present.

Chairman Watts explained to the large audience briefly about the functions and duties of the Elections Board.

B. APPROVAL OF AGENDA

After perusal of the agenda, Member Lester made the motion to approve the agenda. Member Hicks seconded the motion. **Motion carried.**

C. HEARING – DECEASED FAYETTE COUNTY VOTERS

Chairman Watts introduced Elections Officer Combs who then presented the list of deceased Fayette County voters. Member Lester made motion to approve the list of cancelled deceased Fayette County voters; Member Hicks seconded the motion. **Motion carried.**

D. HEARING – FELON FAYETTE COUNTY VOTERS

Elections Officer Combs presented the list of felon Fayette County voters. Member Lester made motion to approve the list of cancelled felon Fayette County voters; Member Hicks seconded the motion. **Motion carried.**

E. OLD BUSINESS

1. APPROVAL OF THE FOLLOWING BOARD MINUTES – REGULARLY SCHEDULED MEETING – JUNE 23, 2015 (JUNE)

Member Hicks made motion to approve the June 23, 2015 Board Meeting Minutes. Member Lester seconded. **Motion carried.**

F. NEW BUSINESS

2. CALL FOR SPECIAL ELECTION TO REPLACE COUNTY COMMISSIONER – HONORABLE POTA COSTON – IN HER UNTIMELY DEATH

Chairman Watts made motion to approve the Call for a Special Election to replace County Commissioner Honorable Pota Coston. At that point, Member Hicks asked that the agenda be amended so that Public Comments could be moved ahead of this item.

There was some discussion about changing the agenda and where public comments should be on the agenda. County Attorney, Dennis Davenport, advised the Board on this matter.

Chairman Watts then withdrew the motion for the Call for the Special Election to replace County Commissioner Pota Coston.

At this point, Member Hicks made the motion to move Item G, Public Comments forward to be Item F. 2. Member Lester seconded the motion. **Motion carried.**

2. PUBLIC COMMENTS – (REPLACED #2 FOR CALL FOR SPECIAL ELECTION)

Chairman Watts opened the floor for public comment.

1. Normer Adams: Mr. Adams said he is a longtime resident of Fayette County and believes the County should continue district voting for District 5 for this Special Election.
2. Joe Beasley: Mr. Beasley said there has only been one fair election ever held in Fayette County and it was the one held in District 5 and that district voting should be continued.
3. Irene Cheyne: Ms. Cheyne made positive comments about working with Commissioner Pota Coston and believes that district voting should be continued.
4. Wayne Kendall: Mr. Kendall said he lives in District 5 and advised the Board that the County would save money by keeping district voting for this election.
5. Sharon Pierce: Ms. Pierce said she is a 28 year resident of Fayette County. She asked the Board to approve district voting.
6. Terrance Williamson: He stated that out of 159 counties in Georgia, there are 154 counties that have district voting. He then urged the Board to do the right thing and continue with district voting.
7. Dawn Oparah: Ms. Oparah stated that a return to “At Large” voting would be a disservice and asked that district voting be continued.
8. Larris Marks and Randy Weaver: They were representing the Fayette Visioning Initiative organization and were advocating for community unity. They implored the Board members to keep district voting.
9. Carlotta Ungaro: Ms. Ungaro was representing the Fayette County Chamber of Commerce. She asked that the election to replace Commissioner Pota Coston be held as district voting.
10. Mike Coley: Mr. Coley stated that district voting has been divisive and the county is now more separated because of it. However, he concluded that he does believe this particular election should be held as district voting.
11. Member Darryl Hicks asked to make a comment. He said one of the things he is most proud of is that we can “agree to disagree”. He asked that people listen to the speakers who come up. He said you don’t have to agree with them but you don’t have to “shout them down”. He said in any environment where we are civil, we can get to the end game.
12. Constance Allen: Ms. Allen worked on Pota Coston’s campaign and was proud to do so. She agreed with a former speaker that we do have a dominant Republican Party in Fayette County. She said “At Large” voting gives Republicans a say in what goes in

their district and they do not have the right to do so. She asked the Board to not make the mistake of dividing this county and people. She advocated to keep district voting.

13. Leonard Presberg: Mr. Presberg said he lives in District 5 and represents that district on the School Board. He said moral and legal arguments had been heard. He wanted to speak about image and leadership. He made positive comments about the election of Pota Coston. He spoke briefly about the public image of Fayette County. He then addressed his comments to the Board of Elections and their responsibility of leadership in making this decision. He said he is a member of the Bar and if a lawyer says you can “only do this”, you need to ask more questions. He asked that the election be held in the same manner that Commissioner Pota Coston was elected with district voting.
14. Michael Cheyne: Mr. Cheyne lives in District 5. He spoke about rumors that he had heard about how the Board had come to their decision to hold this election as “At Large” voting.
15. Bonnie Willis: Ms. Willis said she does not feel Fayette County is racist and made positive comments about living in Fayette County. She agrees that the rules of law should be followed and that we should just get past this issue and move forward.
16. Ken Bryant: Mr. Bryant said this is not about race and he was not sure why this meeting was being held. He said that whatever the judge has ruled should be honored.
17. Eric Woods: Mr. Woods stated that this issue is not about race but about 2 different parties. He cited that our state senators and congressmen serve from districts. He said we all want what is the best decision for the county and asked that the Board do what is right.
18. Dr. Regina Daigre: Dr. Daigre stated that the late Commissioner Pota Coston would not have been elected if it were not for district voting. She advocated to continue with district voting.
19. Tyrone Jones: Mr. Jones said he moved to Fayette County in 1997. He has served as principle of Flat Rock Middle School and as assistant principle of McIntosh High School. He was very complimentary of Fayette County and believes in “unity in the community”. He currently serves as Chairman of the Republican Party of Fayette County. He asked that faith in God be put before politics and that we move forward. He believes that things will work out and good will come out of this.
20. Cheryl Burnside: Ms. Burnside said she had moved to Fayette County in 1984. She was very complimentary of the schools in Fayette County and said that Commissioner Pota Coston had set a great example. She advocated to keep district voting and that good will would come out of it.

21. Rick Halbert: Mr. Halbert said he does not live in District 5 but is in support of district voting. He said the last time he spoke was at the last Commissioner's meeting and it was about tunnels. He said now it is about "bridges".
22. Bob Ross: He was complimentary of the Board for holding this discussion and of the people attending the meeting. He said we are a country of laws. He spoke about government from the Executive Branch of our national government on down to the state level and then to the local level. He said Presidents are voted on "At Large" as well as Governors and this is necessary.

He further spoke about the legal process and said the NAACP exercised their right to file a lawsuit and now the County has exercised their right to appeal.

His conclusion is that it's not about race but about politics. He referred to elections held in 2004 and 2006 where minority candidates had the opportunity to be elected. Partisan politics played a part in the outcome of these elections.

He further said he has never heard of any impediment to registering to vote or casting a vote because of race, creed, or religion in this county. Mr. Ross said that he will respect whatever legal decision is made in this matter.

23. Dennis Benson: Mr. Benson said he is a retired Navy Captain. He stated that it took gerrymandering of the districts to get a political agenda pushed through. He further said this district voting has made the districts competitive and he is opposed to district voting.
24. Lurma Rackley: Ms. Rackley said she campaigned with Commissioner Pota Coston and advocated to keep district voting as District 5 deserves the right to keep district voting.
25. Kim Leonard: Ms. Leonard spoke about the ruling by Judge Timothy Batten. She advocated for district voting.
26. Lysa (Ridley) Jones: Ms. Jones worked with Commissioner Pota Coston on many campaigns and realizes there are biases and hoped that district voting would be continued.
27. Greg Dunn: Mr. Dunn made the point that the Board of Elections are facilitators of the elections and it's not the Elections Board that will make this decision. He also said he does not see where there is even a choice to be made by them or the County Commission as this is a legal issue.
28. Tonya Miller: Ms. Miller stated that she has lived in Fayette County for 10 years. She campaigned for Commissioner Pota Coston. She appealed to the Board to keep district voting. She believes it is important to move forward and talked about the letter of the law versus the spirit of the law. She said district voting is about representation and believes District 5 wants to keep district voting.

29. Peter Pfeifer: Mr. Pfeifer has previously served as a Commissioner of Fayette County and spoke about what it takes for a candidate to be elected and that you go “door knocking” in areas that best represent the party by which you hope to be elected.
30. Lawrence Wooten, Sr.: Mr. Wooten said some of his neighbors may not vote because they don’t believe their vote will count. Mr. Wooten spoke in favor of district voting.

Chairman Watts asked if there were any more people who wanted to have a comment. Since there were no others who came forward, Chairman Watts closed the time for Public Comments.

Chairman Watts then asked that the meeting move back to Item F 2 on the agenda which is now Item G.

G. CALL FOR SPECIAL ELECTION TO REPLACE COUNTY COMMISSIONER - HONORABLE POTA COSTON – IN HER UNTIMELY DEATH

Chairman Watts moved to call for the Special Election to Replace County Commissioner, Honorable Pota Coston. Member Addison Lester seconded the motion.

At this point, County Attorney, Dennis Davenport, made statements relating to this election. He said it is the Board of Election’s duty to call for this special election. He said the County is under litigation and because of the ruling, the law says the 2012 district map will be used for “At Large” voting for this special election.

Member Hicks then asked Mr. Davenport about going back to Judge Timothy Batten asking for a new ruling for district voting and that this be done expeditiously. Mr. Davenport replied that there is no litigation on that question. Member Lester then asked Mr. Davenport what methods would need to be taken to change this legislation. Mr. Davenport replied that it’s not an action that can be done locally by an agency, it must be done at the state level.

There was much discussion with Mr. Davenport about the two different district maps and how the residency of the candidates would matter.

Member Hicks then commented that he is honored to be at this place in time in making decisions that will matter 50 years from now. He further said we have a defining moment and he advocates challenging the law to make this change. He stated he is opposed to “At Large” voting and believes district voting will move this county forward. He believes this is the right thing to do.

Chairman Watts made comments regarding this special election issue and said she is pledged to follow the law. She further stated that even though there have been rumors as to actions of the Board of Elections, the Board has not been told by the Board of

Commissioners how to proceed on this matter. She thanked the guests who had attended the meeting and for their comments.

At this point, Member Lester made the motion to call for the special election to replace County Commissioner, Honorable Pota Coston. Chairman Watts seconded. Member Hicks said “nay”. **Motion carried.**

3. CANCELLATION OF THE JULY 28, 2015 BOARD OF ELECTIONS/VOTER REGISTRATION MEETING.

Member Hicks made motion to cancel the July 28, 2015 Board of Elections/Voter Registraton meeting since the meeting being held had replaced that meeting. Member Lester seconded. **Motion carried.**

H. OTHER BUSINESS

4. VRAG CONFERENCE – AUGUST 2-5, 2015 – SAVANNAH, GA

There was brief discussion regarding the upcoming VRAG conference and plans for attendance of that conference.

5. COMBINED GEOA/VRAG CONFERENCE – DECEMBER 13-16, 2015 – ATHENS, GA

There was brief discussion regarding this combined GEOA/VRAG conference to be held in December 13-16, 2015 in Athens, GA.

I. OTHER BUSINESS

There was no other business to discuss.

J. ADJOURNMENT

Chairman Watts adjourned the meeting at approximately 7:15 p.m.

The next Board meeting (August) is scheduled for August 25, 2015 at 5:00 p.m.