

BOARD OF ELECTIONS

Darryl Hicks, Chairman
Addison Lester
Aaron Wright

FAYETTE COUNTY, GEORGIA

Floyd L. Jones, Elections Supervisor
Leigh Combs, Elections Officer
Patrick Stough, Assistant County Attorney



140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

MINUTES **Special Called Meeting**

June 13, 2017
6:30 p.m.

Welcome to the meeting of your Fayette County Board of Elections. Your participation is appreciated. All regularly scheduled Board meetings are open to the public and are generally held on the 4th Tuesday of each month at 5:00 p.m.

Chairman to Call the Meeting to Order

Chairman Hicks called the June 13, 2017 Special Called Meeting of the Board of Elections to order at 6:30 p.m.

Approval of the Agenda

Chairman Hicks asked for Public Comment to be provided before and after the discussion of consolidation was held, and he asked for a motion to approve the change to the Agenda. Mr. Lester moved to approve the Agenda with this requested change. Mr. Wright seconded the motion. The motion passed 3-0.

PUBLIC COMMENTS:

No one spoke during Public Comments.

APPROVAL OF MINUTES:

1. Consideration of staff's request to approve the May 23, 2017 Board of Elections Meeting Minutes.

Mr. Wright moved to approve the May 23, 2017 Board of Elections Meeting Minutes. Mr. Lester seconded the motion. The motion passed 3-0.

PUBLIC HEARING:

There were no Public Hearing items on the Agenda.

CONSENT AGENDA:

There were no Consent Agenda items on the Agenda.

OLD BUSINESS:

2. Continued discussion concerning the potential consolidation of precincts in Fayette County.

Elections Supervisor Floyd Jones provided an overview of the previous two meetings with regard to the question of consolidating precincts. He explained that the current 36 precincts had been established in 1998 during a time when the county was growing in population and at a time when there was not early voting available. He explained that with the growing availability and popularity of early voting, the question had risen whether 36 precincts was needed. He explained that the trend is that the greater profile an election has, such as a presidential election, the greater number of people actually vote and the greater number of voters vote early. Mr. Jones reported that when he came to the Elections Office he learned of a request from the Board of Elections not to utilize any of the three schools due to logistical purposes and safety concerns. He reported that if consolidation was to occur without using schools then there were at least three precincts that would not have identified polling locations; meaning schools would have to be considered in order to properly consolidate the precincts. Mr. Jones stated that if schools could not be used then some voters would have to be reassigned to other polling locations; substantially increasing the number of registered voters for some polling locations with estimates at a minimum being 8,000 voters. He reported that per information provided by Kennesaw State University, the national average of voters per polling location is 1,800 and that within the metro-Atlanta area the number of registered voters ranged from 2,000 to about 3,000 people. He mentioned there was a polling location in Macon, Georgia with over 6,000 registered voters. Mr. Jones then read the names of each of the schools under potential consideration for use.

Mr. Jones added that schools are considered a good place to use since they are larger facilities and since there is some question about how consolidation would affect some smaller polling places such as churches. Mr. Jones added that he had also spoken to Major Brian Eubanks of the Fayette County Sheriff's Office about law enforcement at the polling locations. He reported that that the Sheriff's Office replied it would provide security but that it is tougher to patrol nine schools as opposed to three schools, and that the Sheriff's Office would prefer that the schools close for elections if possible. He reported that there are several school systems in the area that do close for major elections including Coweta County, Clayton County, Fulton County, and Henry County.

Mr. Jones added that if the Board chose to consolidate precincts and to use schools then it would have to decide which polling locations to use. He stated that a legal advertisement would have to be run for two consecutive weeks prior to the Board holding another meeting, likely around July 5, in order to make the decision.

Mr. Jones stated at the last meeting the question was raised on if staff had the capability of consolidating precincts. He replied that staff is capable of the work but that staff had consistently stated it would need six weeks to complete the work. He mentioned that the six-week timeframe was also recommended from the State Liaison. He stated that there had been consideration about perhaps starting the consolidation work based on the vote to consolidate and then amend or revise the work once polling locations are determined. Mr. Jones stated that after consulting with staff and the State's Liaison that he was advised that approach could be taken but that it was "highly, highly, highly unadvisable." He said if staff had to wait on a decision on polling places then it would require staff to complete the work in three weeks as opposed to the recommended six weeks. Mr. Jones stated that staff could work longer hours, weekends, and the holiday if needed, but he cautioned that if the work could not be completed in three weeks there could be a problem. He further added that if the data was entered within three weeks there still may be no time to check the accuracy of the work. Mr. Jones concluded that everyone he has talked to has spoken about the "squirrels" in the E-Net program that could negatively impact the work's accuracy. He stated accuracy was a concern of his and asked for the Board to consider that issue in its deliberation.

Discussion followed about the impact of adding an average of 45% more voters to each precinct.

Chairman Hicks opened the floor for public comment and he asked for comments from the school board.

Terry Williamson: Mr. Williamson represented the Fayette County Branch of the NAACP as well as the state's NAACP. He commended the Board of Elections and the Elections Office for its transparent effort in regards to what is being looked at, its rational, and the effort to dot all the "I"s and cross all the "T"s. He stated that he was advised that all of the questions had not been adequately answered and that the NAACP wanted to make sure, just like the Board of Elections wants, that the effort was done

right. He asked whether or not the public notice of the potential changes was done adequately. He said there was not clarity about the demographic breakout between the existing precincts compared to the proposed precincts. Mr. Williamson added that the financial savings, as expressed as one reason for consolidating precincts, were nebulous. He added that clarity was needed with regard to the distance voters would have to travel to the polls and he asked if the distance was based on how the crow flies or was it based on the streets. He said this matter was critical especially since there is no public transportation in the county. He suggested that based on the information Mr. Jones provided and based on his concerns that this matter be tabled to another day.

Leonard Presberg: Mr. Presberg, a member of the Fayette County Board of Education, stated that Mr. Jones accurately described the history and the school board's position as related to the use of schools as polling locations. He explained that it is the school board's long-standing position that schools not be used as polling locations and that this matter has not been revisited by the Board of Education. He added that changing the school calendar was not really an option for the School Board at least for the next school year, but that there could be a way to address it in the future and that there could be a way to resolve some of the issues in the coming years. Mr. Presberg stated that school personnel has not provided information on which schools are best for use due to the school board's position.

Chairman Hicks asked, given what was heard, if there was the ability for staff to work together to consider which schools can best be used. Mr. Presberg replied that the Board of Education recognizes that the Board of Elections has the authority to use schools and that it would be good to work collaboratively.

Sam Sweat: Mr. Sweat of the Fayette County School system stated that the reason some school districts close on Election Day is because there are parking lots without cars, schools without kids, and that it is easier to monitor who is coming and going. He said that the school board has held the position that it is not a good idea for voters to go to the school while school is in session based on safety and the general public coming in and out of the schools. He reported that Sheriff Babb has provided security, but if going from three schools to nine schools is the solution then he recommended closing the school or to vote on the weekends. Mr. Sweat stated it was his belief that the 2018 – 2019 school board calendar had not yet been set.

Leonard Presberg: Mr. Presberg stated that as Chair of the Democratic Committee of Fayette County that any consolidation would have to be offset by some expansion of early voting whether that is more hours or days. He suggested it should be the priority of any plan. He added that his personal opinion was that public school buildings are a great place to support voting and that as a citizen, not on behalf of the Board of Education, he supports any effort to increase the civic use of the school buildings.

Helen Butler: Ms. Butler, the Executive Director of the Georgia Coalition for the People's Agenda Committee by Dr. Joseph Lowery, stated one of the big tenants of the organization is protecting the right to vote. She agreed with the NAACP that this effort should be deferred. She said Bibb County was able to find budget savings by not consolidating with the sole exception of consolidating for schools that were remodeling. She said her organization was at Bibb County advocating against precinct consolidation in Bibb County. She stated that early voting is popular, but opportunities need to be enhanced so that voting opportunities for low-income minorities have full access to vote without an undue burden.

Derrick Jackson: State Representative Derrick Jackson stated he was speaking solely as a citizen. He asked for clarity about the "squirrels in the system" comment made by Mr. Jones. He said the only question he had concerned the confusion and frustration people may experience since most people just want to know the date and time of when to vote. He also asked about standardization to see how the enthusiasm affects the voting. Mr. Jackson stated that everyone needs to have the ability to vote. He stated that as long as there is standardization then the people will be okay.

Ted Toles: Mr. Toles stated that the county is growing. He suggested that it may not be beneficial to make a change now only to make changes again after the 2020 census.

Vivian Moore: Ms. Moore, representing the NAACP, stated there needed to be consideration of people trying to get to fewer precincts before the vote to consolidate is made. She said the change does not need to be drastic and consideration needs to be given about how people can get to the polling locations.

Judy Wilson: Ms. Wilson said she was not sure about the proposal but saving tax payers dollars will save everyone's dollars. She stated that there is absentee voting by mail available. She said she did missions around the world and saw the people walk thirty and forty miles to vote. She did not think it serviced the people of Fayette County to make voting necessarily easy since it does not emphasize the importance and sacredness of the vote. She said the county needs to have a different mindset and make the sacrifice for what it wants.

Chairman Hicks stated the question of cost came up about four years ago when it was asked if it makes sense to staff polling locations for only a few voters coming to vote. Mr. Hicks added that he is in favor of efficiencies but he is not in favor of reducing costs only to reduce costs, but with a mindset of enhancing other opportunities.

Mr. Jones added that the savings from election to election will not be the same based on the size and scope of an election, so it would be difficult to project future elections' savings. He explained that if consolidation had been in effect in 2016, the county would have saved about \$80,000 to \$85,000 given there were three county wide elections plus a runoff election.

Mr. Lester stated that the effort was never primarily about saving money but was driven more by the question of whether the county was being efficient and being good stewards of county taxpayers' dollars. He said the system was put in place in 1998 so it may be time to look at the system. He said he was concerned about the compressed time frame, he was concerned about the system matters that were brought up, and he said he had some concerns about working with the school system. He recognized that the law allowed for the Board of Elections to go into the schools, but he wanted there to be some agreement. He said he could see the pros and cons for consolidation and that he was struggling with the decision. He said the effort had been a good effort and that all of the information to many of the questions were on the website.

Mr. Jones agreed that all of the information that had been discussed was on the website for the public to access, and then he answered many of the questions that had been raised. Assistant County Attorney Patrick Stough added that the public notice had been adequately and legally advertised as well. Chairman Hicks added that staff and the Board went above the letter of the law and made several public meetings, went to the community, and placed all information on the website.

Aaron Wright stated that every public servant should concern itself with being a good steward of the county. He stated that the Elections Board is tasked with being a good steward of the elections process. He said the Board noticed that the current system has excess capacity at the polling locations and poll workers not doing much from an operations standpoint. He said the map was designed in 1998 meaning the old map is based on old demographics. He said the current system provides its own problems. He said in an ideal world the system would be efficient with fewer workers and adequate locations. He said the two options available are to go with the new plan or to maintain the current plan. He explained there were some hurdles with the new plan including the relationship with the Board of Education. He said the Board of Elections wants to work as a partner in going into the schools. He said another hurdle is the technical hurdle. He added there is a potential to fall back to the current system if there is a technical issue that prevents the consolidation effort.

Mr. Lester asked if he understood correctly that the 36 precincts could be used as a fallback option should there be a vote to consolidate and technical issues arise.

Mr. Stough replied that once the Board of Elections votes to consolidate then staff would need to consolidate. Mr. Wright stated he was talking more from a technical standpoint.

Chairman Hicks asked Mr. Stough if, should there be a favorable vote to consolidate and after the vote adequate polling locations could not be found or utilized, that the Board would have to stay the course and continue with the consolidation. Mr. Stough replied that was correct since the Board had voted to consolidate.

Chairman Hicks said in his opinion was there was a responsibility to reduce the number of precincts and there are real reasons why precincts should be reduced. He said the reasons are logistical and staffing, not to mention precinct locations are less than a mile from each other. He said he was not a believer in telling the schools what to do but rather that the Board of Elections needs to work in concert with the Board of Education. He said if the schools cannot be used then it cannot reduce the precincts. He

personally believed the schools should be used but he understood the need to protect the kids. He said he was concerned about the compressed timeframe expressed by staff and he did not want to push the staff into making errors that would be more problematic in the future. Chairman Hicks stated there were groups represented at the meeting who asked for the consideration to be tabled, effectively tabling this matter for the next five years. He thought there would be a problem from a technical perspective about starting the work and backing up if need be, but now he understood that backing up would not be advised from a legal perspective either. He said the issue would create voter confusion and these hurdles were tough to get over.

Mr. Wright stated that the system was made of two parts and he explained how the changes could be made. He said the mapping work could be done before the work is done in the state's system, but he said that the problem would begin by entering state data. Mr. Hicks replied that was his understanding as well, but from a legal perspective none of that mattered.

Mr. Lester added there would be greater voter confusion if the vote was to consolidate only to revert back to the original 36 precincts if the work could not be completed.

Chairman Hicks stated he had other concerns based on the Sheriff's response to provide security and also on the compressed timeframe provided by staff.

Mr. Lester stated that Fayette County prides itself by running accurate elections for years, and it prides itself by not having items on the State Election Board's Agenda. He said he did not want this to be the first one by doing something inaccurately.

Mr. Lester moved to not proceed to consolidate the based on the compressed time, concern with accuracy in the system, and to seek a collaborative effort with the school board on the use of facilities in the future. Chairman Hicks seconded the motion. The motion passed 2-1 with Mr. Wright voting in opposition to the motion. A copy of the request, identified as "Attachment 1," follows these minutes and is made an official part hereof.

Brief discussion followed about the need to have a collaborative effort with the school and to consider the possibility of enhancing early elections. Chairman Hicks asked Mr. Sweat to pass a message to the school board that the day will come when there needs to be a discussion about using schools as polling locations.

NEW BUSINESS:

There were no New Business items on the Agenda.

SUPERVISOR'S REPORT:

There were no Supervisor's Reports given.

ATTORNEY'S REPORTS:

There was no Attorney's Reports given.

BOARD MEMBERS REPORTS:

There were no Board Member Reports given.

EXECUTIVE SESSION:

There was no Executive Session.

ADJOURNMENT:

Mr. Lester moved to adjourn the June 13, 2017 Special Called Meeting. Mr. Wright seconded the motion. The motion passed 3-0.

The June 13, 2017 Special Called Meeting was adjourned at 7:52 p.m.

Floyd L. Jones, Elections Supervisor

Darryl Hicks, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Elections of Fayette County, Georgia, held on the 25th day of July 2017. Referenced attachments are available upon request in the Board of Elections' Office.

Floyd L. Jones, Elections Supervisor