

## BOARD OF ELECTIONS

Darryl Hicks, Chairman  
Addison Lester  
Aaron Wright

## FAYETTE COUNTY, GEORGIA

Floyd L Jones, Director  
Leigh Combs, Registrar  
April Crosby, Elections Supervisor



140 Stonewall Avenue West  
Public Meeting Room  
Fayetteville, GA 30214

## MINUTES

November 13, 2017  
6:00 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 4<sup>th</sup> Tuesday of each month at 5:00 p.m.

### **Chairman to Call the Meeting to Order**

Mr. Lester called the November 13, 2017 Board of Elections Meeting to order at 6:05 p.m. He asked for the record to reflect that Chairman Hicks was not present for the meeting.

### **Approval of the Agenda**

Mr. Wright moved to accept the Agenda as presented. Mr. Lester seconded the motion. The motion passed 2-0-1 with Chairman Hicks not present for the vote.

### **PUBLIC COMMENTS:**

No one spoke under Public Comments.

### **APPROVAL OF MINUTES:**

#### **1. Consideration of staff's request to approve the October 24, 2017 Board of Elections' Meeting Minutes.**

Mr. Wright moved to approve the October 24, 2017 Board of Elections' Meeting Minutes. Mr. Lester seconded the motion. The motion passed 2-0-1 with Chairman Hicks not present for the vote.

### **PUBLIC HEARING:**

#### **2. Public Hearing of staff's recommendation to remove registered Fayette County voters from the Electors List who are registered in the State of Georgia's Secretary of State Voter Registration System as deceased.**

Director Jones stated that the information provided for public hearings was standard as done many times before.

No one spoke in favor of or in opposition to this request.

Mr. Lester moved to accept staff's recommendation to remove registered Fayette County voters from the Electors List who are registered in the State of Georgia's Secretary of State Voter Registration System as deceased. Mr. Wright seconded the motion. The motion passed 2-0-1 with Chairman Hicks not present for the vote. A copy of the request, identified as "Attachment 1," follows these minutes and is made an official part hereof.

**3. Public Hearing of staff's recommendation to remove registered Fayette County voters from the Electors List who are registered in the State of Georgia's Secretary of State Voter Registration System as felons.**

No one spoke in favor of or in opposition to this request.

Mr. Wright asked if there was any update from the last meeting with regard to the felons list. Director Jones replied that there had been no other information provided. He explained that the letters did go to the felons as provided by the Secretary of State's Office, that the wording of the letter was cushioned to show that the effort was done based on information provided by the Secretary of State's Office, and that there had not been a reply from any felon or from any other source on the matter.

Mr. Wright moved to accept staff's recommendation to remove registered Fayette County voters from the Electors List who are registered in the State of Georgia's Secretary of State Voter Registration System as felons. Mr. Lester seconded the motion. The motion passed 2-0-1 with Chairman Hicks not present for the vote. A copy of the request, identified as "Attachment 2," follows these minutes and is made an official part hereof.

**CONSENT AGENDA:**

There were no Consent Agenda Items.

**OLD BUSINESS:**

There were no Old Business Items.

**NEW BUSINESS:**

Director Jones asked for New Business Items to be addressed prior to the Approval of Minutes so that staff could begin working on certifying the election results.

Mr. Wright moved to amend the Agenda to place New Business after Public Comment and before the Approval of the Minutes. Mr. Lester seconded the motion. The motion passed 2-0-1 with Chairman Hicks not present for the vote.

**4. Consideration of staff's recommendation for a Special Called Meeting of the Board of Elections to be held on Friday, December 8, 2017 at 5:00 p.m. The purpose of this Special Called Meeting is to certify the results of Peachtree City's runoff election.**

Director Jones stated there would need to be a Called Meeting on December 8, 2017 at 5:00 p.m. to certify the runoff election results, and he asked for a vote from the Board on the request.

Mr. Wright moved to have a meeting on Friday, December 8, 2017 at 5:00 p.m. to certify the runoff election. Mr. Lester seconded the motion. The motion passed 2-0-1 with Chairman Hicks not present for the vote.

**5. Certify the election results of the November 7, 2017 General (Municipal) Elections for the Cities of Fayetteville and Peachtree City, and the Town of Tyrone.**

Director Jones stated that New Business Items 5 and 6 could be treated concurrently and that County Registrar Leigh Combs would brief the Board on which provisional ballots should be counted or not-counted for the November 7, 2017 election. It was understood that since this is a public meeting, no specifics would be discussed in public and that general terms and language would be utilized.

Mrs. Combs then gave recommendations to the Board on which provisional ballots to accept or reject. The Board agreed to Mrs. Combs' recommendations. Mrs. Combs left the meeting in order to begin running reports in order to certify the election results.

Mr. Wright moved to certify election results of the November 7, 2017 General (Municipal) Elections for the Cities of Fayetteville and Peachtree City, and the Town of Tyrone. Mr. Lester seconded the motion. The motion passed 2-0-1 with Chairman Hicks not present for the vote.

**6. Certify the election results of the November 7, 2017 Special (Education Special Purpose Local Option Sales Tax) election.**

Mr. Wright moved to certify election results of the November 7, 2017 Special (Education Special Purpose Local Option Sales Tax) election. Mr. Lester seconded the motion. The motion passed 2-0-1 with Chairman Hicks not present for the vote.

**DIRECTOR'S REPORT:**

**November 7, 2017 Voter and Poll Worker Frustration:** Director Jones reported that the November 7, 2017 Election proved to be a difficult one for the poll managers and poll workers. He explained there were many people who questioned where they needed to vote. He said many of the poll workers came away frustrated and stated they did not want work on a poll ever again. Mr. Jones stated that the belief was this election was going to be a small election, and even though it was a small election there was significant voter confusion.

Mr. Wright pointed out that one frustrated voter is way worse than twenty voters having a smooth voting experience. Mr. Jones agreed.

Mr. Jones stated that there was an evaluation on how the situation could have been better, including should there have been greater staffing. He explained that information on the voting process was provided at the candidate forums, two articles in the newspapers, and information was provided on Channel 23. He explained that the word on the voting situation did get out as best as able, but he added that the voters need to pick up their side of the responsibility and make efforts to know where to vote.

Mr. Wright stated that his impression was the polls were staffed appropriately and that the voters were told where they needed to go to vote. He said he had not received any voter complaint but that it was the poll workers themselves who were complaining. Mr. Jones added there had been citizens writing on Facebook about their voting experience and who were going to call Peachtree City Clerk Betsy Tyler about it. Mr. Jones said he called Mrs. Tyler and Mrs. Tyler was aware of the reason why voters had to go to different locations to vote, and he said Mrs. Tyler reported she had not received any phone calls from the voters.

Mr. Wright asked if there were complaints about the poll workers. Mr. Jones replied there were no complaints about the poll workers but there were complaints from the poll workers. He concluded that the complaints needed to be seriously considered.

**Weapons:** Director Jones reported that at the last meeting there was a question on whether he had met with the County Administrator about weapons. He reported that he has had that meeting and the reply from the County Administration was that unless the job description allowed for weapons the answer was "no."

**Consolidation of Precincts:** Director Jones stated that during the last meeting there was a question about whether precincts could be consolidated between the close of the 2017 elections and the beginning of the 2018 elections. He reported that both he and County Registrar Leigh Combs met with Dr. Barrow and Mike Sanders of the Fayette County Board of Education on November 6, 2017 to discuss this matter. He said the message was conveyed that there needs to be a decision from the Board of Education since there was a mixed signal coming from the Board of Education on whether or not they would work with the Board of Elections in the consolidating effort. Mr. Jones stated that he learned earlier in the day that the Board of Education was going to discuss this matter during its meeting that would be held at 7:00 p.m. on November 13, 2017. He said it was his understanding that the Board of Education would vote on whether they would work with the county in the consolidation effort and, if so, would they allow the suggested schools to be used or would other schools be recommended.

Mr. Jones stated he further spoke to Kennesaw State University and the State of Georgia, since they are partners with Fayette County in the elections process, to determine when they would need any changes that were made. He reported that both Kennesaw State University and the State of Georgia unanimously agreed that they would have to have any changes provided to them by Friday, February 2, 2018 at the latest. Mr. Jones said he questioned the February 2, 2018 date and was told that the date was based on the

transitional work currently going on between Kennesaw State University and the State of Georgia. He was further told that if the consolidation results were provided after February 2, 2018 then the later the work was submitted the lesser there was a chance that Kennesaw State University's work would be accurate for the upcoming elections.

Mr. Jones reported that if the Board wanted to consolidate it would begin by running a two week advertisement- based on law- that would expire on December 5. He said the Board of Elections would then meet on Friday, December 8, 2017 to certify the runoff election results. He said if the Board voted to consolidate on December 8, then the next three days would be waiting for the State of Georgia to open Elections Net (E-Net) so that the consolidation work could begin. He said the work would begin the week before Christmas and eventually New Years at a time when staff is trying to take vacation over the holidays. He said that with holidays accounted for and without using weekends, staff was projected to complete the work by January 30, 2017. He said the State would then have up to three days to close E-Net, meaning the work would be completed by February 2, 2018.

Mr. Jones stated that the information provided was based on actual calendar days and met the legal requirements, however, there were still issues to be addressed. First, it was mentioned at the last meeting that the Board of Education had already set their calendar. He stated that was correct since the understanding that the Board of Education had, not to mention himself, staff, and those in the room had was that this issue would not come back so soon. He stated that everyone thought it would come back one day, but not four months later.

Mr. Jones stated another issue concerned Public Relations. He stated that an argument could be made that no one really shows up to the meetings, but he reminded the Board that when this matter was being considered in the summer people did show up to discuss the matter. He then recapped those who spoke about the consolidation effort at the June 13, 2017 Board of Elections Meeting as based on the official Minutes of that meeting. He stated there were issues in the summer that still exist at this time. Mr. Jones added that prior to the June 13, 2017 meeting there had been about four Board of Elections meetings about the topic of consolidating districts, not to mention a presentation had been made to the Fayette County Democratic Committee on the issue. He stated that if a vote to proceed was taken at this meeting or within the next month, those lead-up efforts would be lost without the community support.

Mr. Jones stated that he and staff were in agreement that there needs to be consolidation, but they were equally in agreement that the work needed to be done "rightly and properly." He did not think doing consolidation here and now is the proper way to do it.

Mr. Jones then stated that there could be voter confusion under the scenario provided since the work would be completed within thirty days. He said the work is not done since precinct cards then have to be ordered. He said one thing is for sure, it would take a minimum of two weeks to get the precinct cards; however, it can also take up to six weeks to get the precinct cards. He said there was absolutely no guarantee that the precinct cards would be received in two weeks. The reason that is an issue, he explained, is because if the precinct cards take six weeks to be delivered and then mailed, qualifying for office will have already begin with the real possibility of candidates not being clear what district they are in. He reminded the Board that this election will involve include the governor, county commissioners, school board members, and others. He concluded that having discussed this issue with the state, his staff, and legal all were in agreement that consolidation should be done but that this is not the time to do it.

Mr. Lester stated that the voter confusion that occurred on November 7 with voters having to go to two different locations was probably pretty slim. Mr. Jones agreed but stated that the opportunity still exists, meaning the chance for this happening again is still out there. Mr. Jones added that the recent voter confusion was one of the reasons to actually consolidate.

Mr. Jones added that the thirty-day scenario did not provide any ability to check for errors since it is thirty days of entering information. He said there would not be time to check for errors and this would be an election with no less than the current Secretary of State running for the Office of Governor.

Mr. Wright replied that the Board did not leave the issue as a "closed door" but rather as an active process where there is an administrative window in which the change can be enacted. He said the Board of Elections wanted to make sure that this effort was aggressively being pursued. He said he was concerned that the Board of Education was not communicating adequately with the Elections Office. He understood the reasons why this is not a good time, logistically, to consolidate the precincts, but was concerned that had this been a good opportunity there had been little communication that would have enabled the consolidation to proceed.

Mr. Jones replied that while he was not going to defend the Board of Education it was everyone's understanding, including his, that the consolidation effort had been pushed back for several years and not several months, meaning there was no need to actively communicate about the issues here and now. Mr. Wright replied that the Board's intent was to look for windows of opportunity in which consolidation could occur. Mr. Jones replied that that understanding changed how this matter could be addressed as an on-going issue. Mr. Jones added that this recent effort did bring notice to the school board that this is an ongoing issue and he thought that is what prompted the Board of Education to meet on the matter later tonight. He said that at the November 6 meeting it was acknowledged that the Board of Elections can go to the schools, but he added that this needed to be a collaborative effort between both Boards.

Mr. Lester stated he was disappointed to read in the paper that the Board of Education has set their calendar for next year with no conversation. Mr. Wright stated that his recollection was that the matter of consolidation was not tabled to a later date but just voted down due to a lack of time. He said the next window he had in mind was about a year from now since in 2019 there is only the municipal elections. Mr. Jones agreed that 2019 is slated for the municipal election, but he reminded the Board that 2017 was also just for a municipal election and instead two special elections were held- one in March and the other in November. He added that the concern with 2019 is that is one year away from the census and a possible redo in 2020. Mr. Wright replied that the census was not a real concern for him so long as everyone understands we are looking into ways to execute with on-going conversation involved.

Mr. Lester asked if there was a consensus that consolidating is not appropriate at this time. Mr. Wright agreed. The Board consented not to pursue consolidation at this time.

**Progress List:** Mr. Jones stated at the past couple of meetings there have been questions about the progress list and what has been done. He stated his intention was to have that list at this meeting, but given the dynamics of an election he wanted to discuss the department's progress at the close of the December 8 meeting. The Board was agreeable to that recommendation.

**Early Election and Election Day for the Peachtree City Runoff Election:** Mr. Jones stated that while the anything can go wrong meaning dates may have to be amended, it looked like early election would be on Monday, November 27 through Friday, December 1, 2017 from 8:00 a.m. to 5:00 p.m. at the Peachtree City Public Library.

Mr. Lester asked if there had been any findings from other locations, such as the City of Atlanta, on how much time they allowed for early voting. Mr. Jones replied that while it was important that matter became a secondary matter since there had to be effort to get the early election rolling for Peachtree City. Mr. Lester agreed but added there needed to be some consistency in case other locations had more time to vote early than what Fayette County was providing. Mr. Jones agreed there needed to be consistency but that there would be factors that could give one jurisdiction more time such as when notices publish in legal organs. It was understood that there were factors that could be reasonably explained if needed, and that, fundamentally, everyone had about three weeks to prepare for and execute a runoff election.

#### **ATTORNEY'S REPORTS:**

There was no Attorney's Report.

#### **BOARD MEMBERS REPORTS:**

**Weapons:** Mr. Wright stated he was willing to have the Director's job description changed in order to allow for firearms. Mr. Jones added there is state law prohibiting weapons within 150 feet of a polling location, with some exceptions allowed. He stated that law would effectively keep weapons out of the entire Administrative Complex while using the complex as a polling location.

Mr. Lester stated this issue arose while at a conference several months ago when other election offices had someone physically threaten them. He said there were some off-record conversation about the need to enhance security in the Elections Office. It was recalled that one incident involved a person drawing a gun on the elections employee when the elections employee told the person he was unable to vote. Mr. Wright added that there is additional exposure to felons since the Elections Office has to work with removing felons from the voter's role.

Mr. Lester asked if there were other safety measures under consideration. Mr. Jones stated he did not bring that up since he was unsure how setting up walls and glass windows would make the office safer. He explained that on a normal day there is very little traffic to the Elections Office. However, since the GEMS Server is to be accessible to observers, there would be periods of time when people would be required to be behind any security that is set up.

The Board asked for this matter to be discussed at the December 2018 meeting.

**EXECUTIVE SESSION:**

There was no Executive Session.

**ADJOURNMENT:**

Mr. Wright moved to adjourn the November 13, 2017 Board of Elections Meeting. Mr. Lester seconded the motion. The motion passed 2-0-1 with Chairman Hicks not present for the vote.

The November 13, 2017 Board of Elections Meeting adjourned at 6:51 p.m.

---

Floyd L. Jones, Director

---

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 8th day of December 2017. Referenced attachments are available upon request in the Board of Elections' Office.

---

Floyd L. Jones, Director