

BOARD OF ELECTIONS

Darryl Hicks, Chairman
Addison Lester
Aaron Wright

FAYETTE COUNTY, GEORGIA

Floyd L Jones, Director
April Crosby, Elections Supervisor
Brian Hill, County Registrar



140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

MINUTES

March 29, 2018
5:00 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 4th Tuesday of each month at 5:00 p.m.

Chairman to Call the Meeting to Order

Chairman Lester called the March 29, 2018 Board of Elections meeting to order at 5:00 p.m. It was noted that Mr. Wright was running approximately five minutes late.

Approval of the Agenda

Mr. Hicks moved to approve the Agenda as presented. Chairman Lester seconded the motion. The motion passed 2-0-1 with Mr. Wright being absent.

PUBLIC COMMENTS:

No one spoke during Public Comments.

APPROVAL OF MINUTES:

1. Consideration of staff's request to approve the February 27, 2018 Board of Elections' Meeting Minutes.

Mr. Hicks moved to approve the February 27, 2018 Board of Elections' Meeting Minutes. Chairman Lester seconded the motion. The motion passed 2-0-1 with Mr. Wright being absent.

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 provided recommendation had brought the county back to current status since neither deceased nor felons were removed during the February meeting.

No one spoke in favor of or in opposition to staff's recommendation. Chairman Lester informed Mr. Hicks that a man came to the meeting room prior stating he was attending to speak on behalf of his son who had deceased. He said the man was informed that the public hearing was for those challenging staff's recommendation so the man left since his son was truly deceased.

Mr. Hicks moved to approve 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. Chairman Lester seconded the motion. The motion passed 2-0-1 with Mr. Wright being absent. 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.

Director Jones stated that the same information provided for Public Hearing #2 was applicable for this public hearing.

No one spoke in favor of or in opposition to staff's recommendation.

Mr. Hicks moved to approve 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. Chairman Lester seconded the motion. The motion passed 2-0-1 with Mr. Wright being absent. A copy of the request, identified as "Attachment 2," follows these minutes and is made an official part hereof.

CONSENT AGENDA:

There were no items on the Consent Agenda.

OLD BUSINESS:

There were no Old Business Items on the Agenda.

NEW BUSINESS:

4. Discussion concerning extending advanced in-person (early voting) voting hours for primaries, runoffs, and general elections.

Director Jones reminded the Board this discussion was requested by the Board during the February 2018 Board of Elections meeting. He stated that he looked at information, provided by former Secretary of State's Liaison Axiver Harris, that showed where Fayette County ranks throughout the entire State of Georgia regarding voter turnout. He mentioned that this matter actually came up prior to his working in the Elections Office and that he wrote an email at that time providing reasoning for his belief that the hours should not be extended. He stated that his position, with respect, remained the same- that the hours should not be extended. Mr. Jones provided the following reasons why he held that position:

- 1) Citizens are already provided forty-nine (49) days to vote. He stated that the upcoming election included mandatory Saturday voting from 9:00 a.m. to 4:00 p.m. on the second Saturday of three weeks of early election.
- 2) During the November 2016 Presidential General Election, Fayette County had the 12th highest voter turnout (70.78%) of the 159 counties in Georgia. He said ten of the counties that had a higher percentage turnout have about 12,000 voters each. He suggested that county that Fayette would most likely be in competition against, among the 12 highest counties, was Forsyth County who had 71.37% turnout (0.59% more turnout than Fayette County).
- 3) Henry County had approximately 65% turnout and Gwinnett County had a 62% voter turnout despite having extended hours.
- 4) In order to match the voter turnout of the number one county in the State for voter turnout (Morgan County), Fayette County would have to capture 701 additional voters each day for an additional hour for a week. If the hours were extended by two hours a day for a week then Fayette County would have to capture 351 voters each hour. Mr. Jones stated that he did not think Fayette would attain to those numbers and that that the need would be unnecessary.

- 5) Mr. Jones stated that the cost is not the driving factor for him, but rather the impact on staff and the impact longer hours would have on other events. As an example, he stated that two of the three early voting sites were in public meeting rooms. He suggested that by extending the hours, elections would interfere with other public meetings.
- 6) Mr. Jones stated that there were unanswered questions that caused him from recommending extending voting hours. Those questions were:
 - a. Should all elections, irrespective of the type of scope of the election, be treated equally across the Board?
 - b. What are the expected results? Is success based on 72% percent turnout, or 75% turnout, or higher? How is success measured?
 - c. What is the impact on the poll workers who generally are older or elderly?
 - d. On the last day of early election, the State of Georgia is begging down information from the counties so that it can produce up-to-date Electors' Lists. He explained that the State usually places a deadline on the counties to have its information submitted by 8:00 p.m., and that any delay in providing the information after the deadline brings additional pressure on the State. He said the later the polls stay open the later the information to the Elections Office arrives to be processed with the ultimate result being the State of Georgia being placed on hold by the county. How does that affect the decision process?

Mr. Jones reported that he had spoken to each of his staff members and that all of them were opposed to extending voting hours. He stressed that the opposition was not with regard to working late since staff, including himself, works late hours routinely. He stated, as an example, that when he published the current Agenda Packet it happened at 9:45 p.m., so he does not have a problem working late hours. He said staff did not see the need to work late; however, for ambiguous results since there is no clear understanding of what is fundamentally expected.

Mr. Jones added that staff is not hearing a lot of outcry from the public. He stated that he has now worked four elections and to his recollection he has not received one email or phone call from anyone asking for longer hours. He said the only places he hears the requests coming from are the Board, Mr. Leonard Presberg, and County Commissioner Steve Brown. He said he was unsure where the drive to expand hours had originated. He added that there are only 37 states in the United States that allow some form of early voting and that 13 states do not allow early voting at all. He said that Georgia is one of the 37 states that allows early voting and that Fayette County is already in the top 8% of turnout in the state.

Chairman Lester stated that he had asked for this item to be placed on the Agenda since it had been discussed before and it would allow the matter to be put to bed.

Mr. Hicks stated that he was interested in extending hours not from the perspective of increasing voter turnout but, rather, for increasing convenience to the citizens. He said it was for those who get off work at 5:00 p.m. and want to vote, and he said his repeated desire is to make it convenient for citizens to vote. Mr. Hicks stated that there were valid points made about what is the return on the investment, but he thought there were times when return on investment is not necessarily the driving force. As an example, he said he was unsure whether Wal-Mart makes much more money by staying open through the night, but it makes it easy for customers to return to the store. He said raising the turnout rate of voters is not what necessarily drives him but rather making it convenient to vote, which is why he brought up Sunday voting before. He thought expanding hours should be done in a way that it does not cause hardship on staff. Mr. Hicks added there is a point where the negative return on investment makes the effort not worth it, but he was not sure if that point had been reached.

Mr. Jones stated that learning the negative return may not be knowable until the hours are expanded. Mr. Hicks replied that additional information could be provided such as costs. Mr. Jones replied that the provided information included costs, but it could not provide an

impact on staffing. He further mentioned that extending the hours by one hour a day would likely not meet the desire to provide convenience since there are several assumptions involved. He said the assumption is that a person leaves work at 5:00 p.m., is unimpacted by Atlanta traffic, and goes directly to a voting center. He mentioned that DeKalb County has mentioned that they are open for two extra hours a day, or from 7 a.m. until 7 p.m., and he could foresee that extending voting by one hour would open the door for an additional hour since the next concern was that a citizen cannot get to the center because they have to pick up the kids or a slew of other reasons why they cannot make it to early voting.

Mr. Hicks said he did not disagree with Mr. Jones and that was why he wanted to see the voting occur on either Saturday or Sunday so that citizens are not impacted by traffic or their jobs and that it would place reduced stress on staff by not having them work long hours throughout the week. He said opening up on Saturday would deal with the real concerns brought up by Mr. Jones.

Chairman Lester asked County Registrar Brian Hill how Gwinnett and Henry Counties handle expanded hours. Mr. Hill answered that Gwinnett County has one week from 7 a.m. to 7 p.m. and Henry County did the last two weeks of early voting from 7 a.m. to 7 p.m. Mr. Hicks agree that it was a tough thing to put on staff to keep longer hours while potentially delaying the state. He added that is why a Saturday should be considered.

Mr. Jones mentioned that Coweta County opens on Saturdays and he recalled their hours are from 9 a.m. to noon. He pondered if the additional Saturday should be a full Saturday from 9 a.m. to 4 p.m. or if it should take a similar route to Coweta County.

Mr. Wright entered the meeting and asked for a brief update. He said no one was sure what was going to go through the General Assembly so more would be known tomorrow. He said if something changed by the General Assembly then it may affect the decision. He said he was broadly in favor of having the discussion about extending hours although any solution has to be well thought out and permanent. He did not feel there was any problem with anyone not being able to vote and any change would need to be incremental and small in terms of convenience.

Mr. Jones stated that the issue of what was in the General Assembly had already been brought up once in the meeting and that everyone was waiting for Mr. Wright to make it to the meeting. He said that up until five minutes prior to coming to the meeting he had heard nothing from the state on what had passed, failed, or was still in consideration. Mr. Jones stated, to Mr. Wright's point, that one of the bills moved mandatory voting from the second Saturday to either the third Saturday or Sunday. He said his personal belief was that it was a terrible idea since it would have very negative impacts on the bulk update process and trying to get everything done in just enough time for the Tuesday elections. Chairman Lester added that was the result of a lawmaker not understanding the process of what is going on.

Chairman Lester reviewed Mr. Jones' questions in the Agenda packet and said that the decision to extend voting hours would have to be consistent for all elections since once it is started it cannot go back. He added that the desired results is convenience for the voters since there is no real way to measure success. He asked about the possibility of having split shifts so that the workers would not have to work extended hours, but it was understood that splitting shifts comes with its own issues. There was discussion about how extending hours would run into other public meetings, almost necessitating having early elections in other locations.

Mr. Hicks stated that the more he was hearing the issues the more he was favorable to opening an additional day for elections on Saturday or Sunday be it 9 a.m. to 4 p.m. or 9 a.m. to noon, giving the voters one more opportunity to vote. He suggested that only one polling place be opened on that Saturday as well.

County Registrar Hill added that if Saturday is preferred, it would have to be the first Saturday of early election since the third Saturday interferes with the bulk update process. Mr. Hicks agreed. Mr. Jones added that it would also mean that staff would be required to report to work three Saturdays in a row.

Chairman Lester asked when the latest time is available to make a decision on this matter. Mr. Jones replied that a decision would have to be made soon, likely this meeting. Mr. Jones added that he has requested additional funding to cover personnel costs beginning in July 2018 if this is a decision made by the Board for future elections.

Chairman Lester summarized that the issues in front of the Board are mixed information since there is no information from the General Assembly. He suggested that the Elections Office really publicize that elections by mail are available to them. He said this could utilize social media, the newspapers, and website. He suggested that the results could be evaluated and possibly used on whether to extend hours for the general election in November.

Mr. Wright agreed with Mr. Lester's recommendations and said the same money spent on staff on a Saturday could do a lot of Facebook and Twitter advertising. He suggested that this may even provide more bang for a buck. He said this could even be pushed out through the parties. Mr. Hicks agreed with the Board's general direction but wanted to keep the issue open for later discussion, possibly for the General Election in November.

The Board directed Mr. Jones to conduct a publicity push for the May Primary Election and July runoff election and for the discussion to resume after those elections with regard to extending hours and/or opening on an additional Saturday. The Board did not vote on this matter. A copy of the request, identified as "Attachment 3," follows these minutes and is made an official part hereof.

DIRECTOR'S REPORT:

GEOA / VRAG: Director Jones stated that he had been with the Board and staff for the past three days and there was nothing left unsaid or unreported during that time. Chairman Lester suggested that some of the ideas presented at GEOA / VRAG be discussed at the next Agenda meeting. Mr. Jones replied that much of what he heard at the conference was recommendations on what is already being done and that he did not come away with any real ideas. Chairman Lester stated he, Mr. Hicks, and Mr. Wright had written notes and those could be discussed. Mr. Jones asked for the notes so he could prepare for what was written and he asked the Board to let him know what they would like to discuss about the conference. Mr. Hicks added that he is wanting procedures.

Ballot Proofs: Director Jones reported that he and staff reviewed the ballot proofs earlier in the day and found two errors. He said the errors were made by the State of Georgia and had been returned for correction.

April Crosby Graduated: Director Jones reported that April Crosby had graduated earlier in the day from her Local Government Management program conducted by the University of Georgia and Carl Vinson Institute of Government. The Board congratulated Mrs. Crosby on her accomplishment.

ATTORNEY'S REPORTS:

State Election Board Hearing: Assistant County Attorney Patrick Stough stated he is available to attend the State Election Board Hearing to be held on Tuesday, April 3, 2018. He said he had spoken to Chairman Lester and Mr. Hicks about attending and that they had replied there was little need for him to attend. Mr. Stough asked Mr. Wright if he wanted him to attend. Mr. Stough added there is very little information he can provide. It was agreed that Mr. Lester would attend the hearing but that Mr. Stough would not be required to attend. Mr. Stough agreed to be available by phone if needed.

BOARD MEMBERS REPORTS:

Mr. Wright: Mr. Wright stated he thought the conference went well and he was proud of the team. He said he was proud of Mr. Jones who had to stand and speak in front of a bunch of folks and even got a three-person standing ovation. He thought there would be some time at a future meeting to discuss greater use of social media. He also thought the presentation from Homeland Security was very sobering. He said the Homeland Security presenters were not as concerned with someone hacking the system as much as the perception.

Mr. Hicks: Mr. Hicks mentioned that Mr. Jones ought to recognize the newest staff member. Director Jones gladly introduced Mr. Brian Hill as the new County Registrar. He said Mr. Hill had been with the county for just over one week and was a joy to work with. Chairman Lester added that last month the meeting included discussions about the interviews and one month later here he is. He welcomed Mr. Hill to Elections. Mr. Hill spoke about his appreciation of being on staff.

EXECUTIVE SESSION:

There was no Executive Session.

ADJOURNMENT:

Mr. Hicks moved to adjourn the March 29, 2018 Board of Elections meeting. Mr. Wright seconded the motion. The motion passed 3-0.

The March 29, 2018 Board of Elections meeting adjourned at 5:46 p.m.

Floyd L. Jones, Director

Addison Lester, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Elections of Fayette County, Georgia, held on the 24th day of April 2018. Referenced attachments are available upon request in the Board of Elections' Office.

Floyd L. Jones, Director