BOARD OF ELECTIONS
Addison Lester, Chairman
Darryl Hicks
Aaron Wright

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

140 Stonewall Avenue West
Elections Office, Suite 208
Fayetteville, GA 30214

AGENDA

April 23, 2019
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

Approval of the Agenda

PUBLIC COMMENTS:

APPROVAL OF MINUTES:

1. Consideration of staff's request to approve the February 26, 2019 Board of Elections' Meeting Minutes. ***(Pages 1-7)***

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. ***(Pages 8-24)***

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. ***(Pages 25-27)***

CONSENT AGENDA:

OLD BUSINESS:

4. Continued discussion concerning Precincts #20 (Windgate) and #33 (Camp Creek) and the possibility of using Southside Church as a polling location for Precinct #33. ***(Pages 28-34)***

NEW BUSINESS:

5. Discussion of House Bill 316. ***(Pages 35-54)***

DIRECTOR'S REPORT:

ATTORNEY'S REPORTS:

BOARD MEMBERS REPORTS:

EXECUTIVE SESSION:

A. Review Executive Session Minutes- February 26, 2019

B. Approval of Executive Session Affidavit (Conducted in Open Session.)

ADJOURNMENT:

BOARD OF ELECTIONS AGENDA REQUEST FORM

MEETING DATE 04/23/2019 **AGENDA ITEM #** Minutes One (1)

PRESENTER(S) Floyd L. Jones, Director

TYPE OF REQUEST Minutes

WORDING FOR THE AGENDA

Consideration of staff's request to approve the February 26, 2019 Board of Elections' Meeting Minutes.

BACKGROUND / HISTORY / DETAILS

O.C.G.A. 50-14-1(3)(B) reads: The regular minutes of a meeting subject to this chapter shall be promptly recorded and such records shall be open to public inspection once approved as official by the agency or its committee, but in no case later than immediately following its next regular meeting; provided, however, that nothing contained in this chapter shall prohibit the earlier release of minutes, whether approved by the agency or not. Such minutes shall, at a minimum, include the names of the members present at the meeting, a description of each motion or other proposal made, the identity of the person making and seconding the motion or other proposal, and a record of all votes. The name of each person voting for or against a proposal shall be recorded. It shall be presumed that the action taken was approved by each person in attendance unless the minutes reflect the name of the persons voting against the proposal or abstaining.

SPECIFIC ACTION / DIRECTION SOUGHT

Approve the February 26, 2019 Board of Elections' Meeting Minutes.

BOARD OF ELECTIONS
Addison Lester, Chairman
Darryl Hicks
Aaron Wright

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

140 Stonewall Avenue West
Elections Office, Suite 208
Fayetteville, GA 30214

MINUTES

February 26, 2019
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 Board of Elections meeting to order at 5:00 p.m. It was noted there was some technical difficulty with the audio equipment.

Approval of the Agenda

Chairman Lester moved to approve the Agenda as published with one amendment, namely, to hold an Executive Session meeting to discuss personnel matters upon concluding the Approval of the Agenda. The motion was seconded both by Mr. Hicks and Mr. Wright. The motion passed 3-0.

EXECUTIVE SESSION:

Personnel: Mr. Wright moved to recess into Executive Session to discuss personnel matters. Chairman Lester and Mr. Hicks seconded the motion. The motion passed 3-0.

The Board recessed into Executive Session at 5:01 p.m.

Return to Official Session: Chairman Lester moved to exit Executive Session and to resume meeting in Official Session. Mr. Wright seconded the motion. The motion passed 3-0.

Official Session resumed at 5:20 p.m.

It was noted that audio capability had been restored while the Board was in Executive Session.

PUBLIC COMMENTS:

No one spoke during Public Comments.

APPROVAL OF MINUTES:

1. **Consideration of staff's request to approve the January 22, 2019 Board of Elections' Meeting Minutes.**

Mr. Wright moved to approve the January 22, 2019 Board of Elections Minutes. Mr. Hicks seconded the motion. The motion passed 3-0.

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.

Mr. Wright 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. Mr. Hicks seconded the motion. The motion passed 3-0. 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.

Mr. Wright 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. Mr. Hicks seconded the motion. The motion passed 3-0. 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 for consideration on the Consent Agenda.

OLD BUSINESS:

There were no items for consideration for Old Business.

NEW BUSINESS:

4. Review of the current Fayette County Board of Elections' By-Laws.

Director Jones stated that he has standing Board orders to place the Board of Elections By-Laws on each February Agenda for review. He stated that he has received no communication in any form regarding the need to amend the by-laws and there were no recommendations for any changes.

Mr. Wright reminded the Board that the by-laws reference the county's Ethics Ordinance, and he asked if there had been any changes in the Ethics Ordinance over the past year. Mr. Jones replied there had been no change.

The Board decided to keep the Board of Elections' By-Laws as is with no changes. The Board did not vote on this matter or provide any direction. A copy of this request, identified as "Attachment 3," follows these minutes and is made an official part hereof.

5. Discussion of the various bills introduced in the Georgia General Assembly regarding elections in the State of Georgia.

Director Jones reminded the Board that he was asked to keep the Board abreast of any legislation that may be coming from the Georgia General Assembly with regard to elections. All of the various bills were provided to the Board in the Agenda Packet and printed for the Board's use at the dais. Director Jones stated that given the number of bills he had not had a chance to look into each of them.

Mr. Hicks stated the bill he was most interested in was House Bill 316 (HB316). Mr. Jones updated the Board on House Bill 316 stating it had passed the House of Representatives at approximately 3:50 p.m. earlier in the day with a vote of 101-72 and was officially being forwarded to the Senate.

Mr. Wright stated a concern he had with HB316 is that it potentially could open the door to on-line or internet voting; something he opposes. Mr. Hicks stated that "we cannot stop progress." Mr. Jones stated that he thought the public would eventually demand some form of internet or on-line voting.

Director Jones stated he had provided House Bill 433 (HB433) which was just introduced to the General Assembly from those who opposed HB316. He said the bill was still hot off the press before he brought them to the meeting and that he had not had a chance to even read the bill. He gave a copy of the bill to each Board member for their use.

General discussion followed with direction given to Mr. Jones to continue briefing the Board on these matters. A copy of the request, identified as "Attachment 4", follow these minutes and is made an official part hereof.

6. Discussion concerning Precincts #20 and #33 and the possibility of using Southside Church as a polling location for Precinct #33.

Director Jones stated that in 2016, there was a Methodist Church used as a polling place for Precinct #33. The church underwent renovations and, upon concluding them, decided it no longer wanted Fayette to use them for elections. This caused the Evergreen Church to hold two polling precincts with an understanding that elections would move out as soon as able.

In 2017, efforts were made to find a place to house Precinct #33, but there were no real places to vote. Staff had reached out to Southside Church and was informed that the church would be favorable to housing elections in the future. The church was unwilling to help in 2017 since it housed Landmark Christian School's Peachtree City branch. Calendar Year 2018 was essentially back-to-back elections and did not provide a good opportunity to address this matter.

Mr. Jones stated that this is a good year to address the matter, but that it is probably best to let the laws in the General Assembly get resolved. He stated that, if able, he would like to reconnect with the church to see if they are still willing to house Elections for Precinct #33. Mr. Jones added that this effort would again take place a little later in the year in order to determine how the potentially new laws would apply.

Mr. Wright stated that he visits Evergreen Church during each election and found the church to be very gracious. He asked if there had been any communication with the church about problems. Mr. Jones stated that he had not had any direct communications with the church, but he is reminded by Election Supervisor April Crosby about the arrangement with the church and for the need to keep to the arrangement. Mr. Jones further added that he went to Evergreen Church during the Governor's election and found there was little parking; something he assumed could be improved upon by splitting up the polling locations.

The Board agreed a move is warranted based on the legislative outcome. Mr. Wright suggested a letter be sent to the church on behalf of the Board thanking them for their graciousness during these times. Chairman Lester asked if this move would affect municipal elections. Mr. Jones replied it could affect the Peachtree City election since the move is internal to Peachtree City.

The Board did not provide additional direction and did not vote on the matter. A copy of the request, identified as "Attachment 5," follows these minutes and is made an official part hereof.

7. Follow-up concerning the Election Director's meeting with the Brooks' Town Council.

Director Jones stated he met with the Brooks Town Council and that it was a very cordial meeting. He stated that he found some interesting information regarding the Governor's election in November 2018. He reminded the Board that all of the elections he has been a part of were smaller elections like SPLOST, municipals, primaries, and runoffs. This was the first real election with great turnout, and it was because of greater voter participation the findings made greater sense. Specifically, Mr. Jones stated that

the numbers showed that early voting was clearly the people's choice with nearly all precincts having more early voters than on Election Day itself. However, the numbers also showed that the further east and south a voter lives the less likely that voter is to take advantage of early voting. He stated that feedback from the public supported his numbers since the greatest outcry on Election Day came from the Brooks Precinct; thus causing his visit with the Town Council.

Mr. Jones suggested that the easy answer is to open a fourth early voting location in the area, but he mentioned easy is not always correct. He pointed out that smaller elections do not have the turnout or problems that were experienced during the November 2018 election. That would open the door to whether a fourth early voting site is justified for each election with minimal turnout. If the fourth site is not kept open for all elections then it could create voter confusion. Mr. Jones further reported that GIS Mapping had located no sites in the Brooks, Woolsey, and Antioch necessarily suitable for three weeks of early voting. The only places available in those locations were schools and churches. He pointed out that it is a difficult sell to try to have a church or school open their doors for three weeks at a time sometimes up to four or more times a year.. Mr. Jones concluded that he did not have a good solution in front on him and, therefore, was unsure how to proceed on this matter.

Mr. Wright stated it was good that the upcoming elections are municipal elections, allowing time for the General Assembly to finish its work of reforming elections. He added that when staff or the Board makes a decision on how to proceed that the decision could be communicated to the Brooks Town Hall keeping them aware of the situation. There was also discussion about enhancing the Town of Brooks' Facebook site to provide voting information to the local residents. Discussion followed about how to stoke up the usage of social media including the possibility of utilizing Facebook Live for Board of Elections meetings.

The Board took no action and gave no direction. A copy of the request, identified as "Attachment 6," follows these minutes and is made an official part hereof.

DIRECTOR'S REPORT:

Fayette County Participates in a Pilot Program with the Secretary of State's Office: Director Jones reminded the Board that Fayette County, as well as many other counties, are working in a pilot program with the Secretary of State's Office to reduce the workload demands placed on County Registrars. He explained that a person may be a registered voter who goes to the Department of Drivers' Services to renew their license. While in renewal, the voter is asked if they would like to register to vote. Once they agree, the Department of Drivers Services sends notification to the necessary County Registrar. This creates double work with no tangible results. The pilot program is intended to reduce the workload in those instances. Mr. Jones said the last information he received about this program came about a week earlier with initial assessments showing this would be a success.

Evaluations: Director Jones stated he had given performance evaluations to April Crosby, Brian Hill, and Karen Hunter. He informed the Board that the evaluations were positive- especially given the last election and how the staff had come together to address the challenges. He mentioned that County Registrar Brian Hill attended a NAACP meeting in January to hear the association's concerns about the 2018 election. During the meeting, Mr. Hill specifically asked what issues had been raised regarding Fayette County's election, and he was told there were no problems with Fayette County. He concluded that staff had been tested and had met the test.

Fire Station #4: Director Jones reported to the Board that progress on Fire Station #4 had stalled. He reminded the Board that he had met with the Building and Ground Department and had provided very early drawing of what might be possible at the fire station. The intention was for Buildings and Grounds Director Carlos Christian to replicate the drawing in a Computer-Aided Design (CAD) system. Mr. Jones stated Mr. Christian was contacted about two weeks later and was told this matter was still being worked on. Shortly after, an announcement was made that Mr. Christian would be out for a while due to unspecified health matters. Mr. Jones reported that he contacted Building and Grounds' second-in-command and was informed that the work was essentially at a standstill since Mr. Christian is the only person in the county who knows how to work the CAD system. It was pointed out that County Administrator Steve Rapson is aware of the stalling since he gets weekly updates during Department Head meetings. Brief discussion followed about how the delay could cause future elections to occur in the Public Meeting Room or another location. Mr. Jones stated that the Fayette County Public

Library has been suggested as an early voting location, however, the Library Director is unhappy with that type of usage. The Board agreed that this matter may require the Board itself to meet with County leadership- including the Commissioners- to work out legitimate places to vote early. It was furthered agreed that the County Administrator and the Elections Director did not need to be put at each other since these matters are actual Board matters.

Jekyll Island Itinerary: Director Jones provided each Board member with his itinerary for Jekyll Island and he added that he would email the same itinerary to each of them closer to the date.

Cancel March 26, 2019 Board of Elections Meeting: Director Jones suggested that the March 26, 2019 Board of Elections meeting be cancelled since the Board and staff will be at the GEOA / VRAG Conference in Jekyll Island. He stated that given the legislative actions and other potential matters, the Board should be open to the possibility of a Special Called Meeting, if need be, in lieu of a regularly scheduled meeting in March. The Board agreed with Mr. Jones' recommendation.

ATTORNEY'S REPORTS:

No Attorney's Report was given.

BOARD MEMBERS REPORTS:

VRAG Day at the Georgia Capitol: Mr. Wright stated he went to the VRAG Day at the Georgia Capitol and was warmly received by the Lt. Governor, Governor, and the Secretary of State. He said all three shared his concerns about the forthcoming legislation and he was able to meet with other elected legislators. He said it was an overall good morning.

Aborted Babies Unable to Vote: Mr. Wright stated it was sad to see that the United States Senate just voted to murder thousands of citizens who otherwise would have the right to vote. He said the citizens were born with a right to vote but who were born in spite of the fact that they were intended to be aborted. He said those people will not have a chance to vote and it is unfortunate. Mr. Hicks chuckled at which Mr. Wright stated he did not think the matter was funny. Mr. Hicks stated he did not think aborting children was funny either, but he thought Mr. Wright's posturing was funny.

Precinct Consolidation: Chairman Lester reminded Mr. Jones of a phone call that took place a couple of weeks earlier. Specifically, during the Department Head meetings, the Elections Director is asked about when the county's 36 precincts will be consolidated. Director Jones informed the Board that when he was last asked about the matter, he replied that the matter was a mute issue and is seen as a "third rail" given the political nature in Georgia. He said after he made that reply, he called Chairman Lester to ensure that he had not spoken out of line. Chairman Lester agreed that Mr. Jones had accurately reported Board, and he asked the board their thoughts. All three Board members indicated they did not want to address the subject of consolidating precincts at this time and agreed this matter was currently a "third rail."

ADJOURNMENT:

Chairman Lester moved to adjourn the February 26, 2019 Board of Elections Meeting. Mr. Hicks seconded the motion. The motion passed 3-0.

The February 26, 2019 Board of Elections Meeting adjourned at 5:52 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 23rd day of April 2019. Referenced attachments are available upon request in the Board of Elections' Office.

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Floyd L. Jones, Director

BOARD OF ELECTIONS AGENDA REQUEST FORM

MEETING DATE 04/23/2019 **AGENDA ITEM #** Public Hearing Two (2)

PRESENTER(S) Floyd L. Jones, Director

TYPE OF REQUEST Public Hearing

WORDING FOR THE AGENDA

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.

BACKGROUND / HISTORY / DETAILS

O.C.G.A. 21-2-228(d) and 21-2-231 provide instructions pertaining to the removal of registered voters from an Elector's List.

The Secretary of State's Office provides monthly reports to county offices detailing deceased voters. This request is based on the information provided from the Secretary of State's Office. Families are notified by an official letter informing them of the removal of these electors.

Each person in question has been notified of this meeting via first-class mail as required by law.

SPECIFIC ACTION / DIRECTION SOUGHT

Conduct Public Hearing on 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.

DECEASED VOTERS

WEEK OF

FEBRUARY 25, 2019

GEORGIA SECRETARY OF STATE VOTER REGISTRATION SYSTEM

CANCELLED VOTERS

Cancelled Date	Status with Reason	Last Name	First Name	Suffix	Race	Gender	Residence Address	Voter Registration #
02/25/2019	Cancelled Deceased	BALDREE	JOHNNY		Unknown	MALE	146 PLANTATION DR FAYETTEVILLE GA 30215	11854616
02/25/2019	Cancelled Deceased	BOUNDS	ROBERT		Black not of Hispanic Origin	MALE	115 KENT DR FAYETTEVILLE GA 30214-6920	07643452
02/25/2019	Cancelled Deceased	COOK	TAMMY		White not of Hispanic Origin	FEMALE	100 ALFORD DR FAYETTEVILLE GA 30215-3071	01757819
02/25/2019	Cancelled Deceased	DENSON	SHADELLE		Unknown	FEMALE	125 BRIARLAKE CT FAYETTEVILLE GA 30214-2637	02656635
02/25/2019	Cancelled Deceased	MASTIN	LARRY		White not of Hispanic Origin	MALE	210 HEDGEWOOD CT PEACHTREE CITY GA 30269	06184607
02/25/2019	Cancelled Deceased	METZGER	CAMILLE		White not of Hispanic Origin	FEMALE	1967 HIGHWAY 54 W UNIT 111 PEACHTREE CITY GA 30269	08776164

DECEASED VOTERS

WEEK OF

MARCH 4, 2019

GEORGIA SECRETARY OF STATE VOTER REGISTRATION SYSTEM

CANCELLED VOTERS

Cancelled Date	Status with Reason	Last Name	First Name	Suffix	Race	Gender	Residence Address	Voter Registration #
03/04/2019	Cancelled Deceased	BIRD	SHIRLEY		White not of Hispanic Origin	FEMALE	22 PRESTWICK CT PEACHTREE CITY GA 30269	08647454
03/04/2019	Cancelled Deceased	BROWN	NATHALEE		White not of Hispanic Origin	FEMALE	406 ADAMS RD FAYETTEVILLE GA 30214	01509072
03/04/2019	Cancelled Deceased	CHILDRESS	SANDRA		White not of Hispanic Origin	FEMALE	409 VILLA PT PEACHTREE CITY GA 30269-3108	01741307
03/04/2019	Cancelled Deceased	CRETE	ANN		White not of Hispanic Origin	FEMALE	704 S FAIRFIELD DR PEACHTREE CITY GA 30269-3922	07296155
03/04/2019	Cancelled Deceased	HART	JERRY		White not of Hispanic Origin	MALE	487 CRABAPPLE LN PEACHTREE CITY GA 30269-1076	08307952
03/04/2019	Cancelled Deceased	SEVITSKI	VILMA		White not of Hispanic Origin	FEMALE	1294 HIGHWAY 54 W 401 FAYETTEVILLE GA 30214	10851889
03/04/2019	Cancelled Deceased	STANFORD	CINDY		White not of Hispanic Origin	FEMALE	24 AMERICAN WALK PEACHTREE CITY GA 30269	11306610

DECEASED VOTERS

WEEK OF

MARCH 11, 2019

GEORGIA SECRETARY OF STATE VOTER REGISTRATION SYSTEM

CANCELLED VOTERS

Cancelled Date	Status with Reason	Last Name	First Name	Suffix	Race	Gender	Residence Address	Voter Registration #
03/11/2019	Cancelled Deceased	DUNCAN	DEBORAH		White not of Hispanic Origin	FEMALE	1026 S JEFF DAVIS DR FAYETTEVILLE GA 30215-2296	08787209
03/11/2019	Cancelled Deceased	SINKFIELD	CHERYL		Black not of Hispanic Origin	FEMALE	105 MOTIER PL FAYETTEVILLE GA 30214	07435293

DECEASED VOTERS

WEEK OF

MARCH 18, 2019

GEORGIA SECRETARY OF STATE VOTER REGISTRATION SYSTEM

CANCELLED VOTERS

Cancelled Date	Status with Reason	Last Name	First Name	Suffix	Race	Gender	Residence Address	Voter Registration #
03/19/2019	Cancelled Deceased	MURPHY	JOSEPH		Black not of Hispanic Origin	MALE	599 INMAN RD FAYETTEVILLE GA 30215	07850001
03/19/2019	Cancelled Deceased	PATEL	KANTI		Asian or Pacific Islander	MALE	465 SWAINS DR PEACHTREE CITY GA 30269	11253353
03/19/2019	Cancelled Deceased	PFEIFER	PATRICIA		White not of Hispanic Origin	FEMALE	2481 HIGHWAY 92 S FAYETTEVILLE GA 30215	10472836
03/19/2019	Cancelled Deceased	SPAULDING	JESSE	SR	Black not of Hispanic Origin	MALE	120 IMPERIAL WAY FAYETTEVILLE GA 30214-5204	03925502
03/19/2019	Cancelled Deceased	STREHLE	JOAN		White not of Hispanic Origin	FEMALE	149 CHEROKEE PL FAYETTEVILLE GA 30215	10510635
03/19/2019	Cancelled Deceased	TARGONSKI	GRACE		White not of Hispanic Origin	FEMALE	315 LEGACY LN PEACHTREE CITY GA 30269	10424396
03/19/2019	Cancelled Deceased	WALKER	SHARON		White not of Hispanic Origin	FEMALE	105 ASHLAND TRL TYRONE GA 30290-2204	08884440

DECEASED VOTERS

WEEK OF

MARCH 25, 2019

GEORGIA SECRETARY OF STATE VOTER REGISTRATION SYSTEM

CANCELLED VOTERS

Cancelled Date	Status with Reason	Last Name	First Name	Suffix	Race	Gender	Residence Address	Voter Registration #
03/29/2019	Cancelled Deceased	FISHER	DONALD		Unknown	MALE	201 CROSSTOWN DR APT 1007 PEACHTREE CITY GA 30269	11668697
03/29/2019	Cancelled Deceased	HARWELL	ROBERT		White not of Hispanic Origin	MALE	200 SOUTHWORTH CT PEACHTREE CITY GA 30269	10531733
03/29/2019	Cancelled Deceased	JOHNSON	ALVIN		White not of Hispanic Origin	MALE	300 TRIPLE CREEK TRL FAYETTEVILLE GA 30214	02355228
03/29/2019	Cancelled Deceased	SUMPTER	SHUKUKO		Asian or Pacific Islander	FEMALE	105 STRATFORD WAY FAYETTEVILLE GA 30214-7311	07675660

DECEASED VOTERS

WEEK OF

APRIL 1, 2019

GEORGIA SECRETARY OF STATE VOTER REGISTRATION SYSTEM

CANCELLED VOTERS

Cancelled Date	Status with Reason	Last Name	First Name	Suffix	Race	Gender	Residence Address	Voter Registration #
04/01/2019	Cancelled Deceased	MORTON	CHARLES		Black not of Hispanic Origin	MALE	215 KEATON DR FAYETTEVILLE GA 30215	10569121

DECEASED VOTERS

WEEK OF

APRIL 8, 2019

GEORGIA SECRETARY OF STATE VOTER REGISTRATION SYSTEM

CANCELLED VOTERS

Cancelled Date	Status with Reason	Last Name	First Name	Suffix	Date of Birth	Race	Gender	Residence Address	Voter Registration #
04/08/2019	Cancelled Deceased	KHAN	HELENA		04/21/1929	Asian or Pacific Islander	FEMALE	125 VICTORIA CT FAYETTEVILLE GA 30214-6703	08457008
04/08/2019	Cancelled Deceased	MURDOCK	PEGGY		11/16/1955	White not of Hispanic Origin	FEMALE	1504 SWANBROOK DR FAYETTEVILLE GA 30215	11510364
04/08/2019	Cancelled Deceased	TAYLOR	HARVEY		05/23/1930	Black not of Hispanic Origin	MALE	214 SHELBY LN FAYETTEVILLE GA 30215	10938188

DECEASED VOTERS

WEEK OF

APRIL 15, 2019

GEORGIA SECRETARY OF STATE VOTER REGISTRATION SYSTEM

CANCELLED VOTERS

Cancelled Date	Status with Reason	Last Name	First Name	Suffix	Race	Gender	Residence Address	Voter Registration #
04/15/2019	Cancelled Deceased	SKONBERG	SOPHIA		Unknown	FEMALE	1209 MONTAVILLA WAY PEACHTREE CITY GA 30269	10968126

BOARD OF ELECTIONS AGENDA REQUEST FORM

MEETING DATE 04/23/2019 **AGENDA ITEM #** Public Hearing Three (3)

PRESENTER(S) Floyd L. Jones, Director

TYPE OF REQUEST Public Hearing

WORDING FOR THE AGENDA

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.

BACKGROUND / HISTORY / DETAILS

O.C.G.A. 21-2-228(d) and 21-2-231 provide instructions pertaining to the removal of registered voters from an Elector's List.

The Secretary of State's Office provides monthly reports to county offices detailing registered felons. This request is based on the information provided from the Secretary of State's Office. Families are notified by an official letter informing them of the removal of these electors.

Each person in question has been notified of this meeting via first-class mail as required by law.

SPECIFIC ACTION / DIRECTION SOUGHT

Conduct Public Hearing on 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.

FELONS

FEBRUARY 2019

GEORGIA SECRETARY OF STATE VOTER REGISTRATION SYSTEM

CANCELLED VOTERS

Cancelled Date	Status with Reason	Last Name	First Name	Suffix	Race	Gender	Residence Address	Voter Registration #
02/27/2019	Cancelled Felon	BROOK	JASON		White not of Hispanic Origin	MALE	1000 STEVENS ENTRY APT L116 PEACHTREE CITY GA 30269	11840811
02/27/2019	Cancelled Felon	JOHNSON	ANTWUN		Black not of Hispanic Origin	MALE	177 OAK RIDGE TRL FAYETTEVILLE GA 30214	08624641
02/27/2019	Cancelled Felon	TOWLE	BRANDON		White not of Hispanic Origin	MALE	225 REHOBETH WAY FAYETTEVILLE GA 30214	10597772
02/27/2019	Cancelled Felon	ASHLEY	CONSTANCE		White not of Hispanic Origin	FEMALE	2504 CRANBERRY LN PEACHTREE CITY GA 30269-2986	02940971
02/27/2019	Cancelled Felon	OWENS	JAMES	JR	White not of Hispanic Origin	MALE	105 IRISH LN TYRONE GA 30290-2438	05410972

BOARD OF ELECTIONS AGENDA REQUEST FORM

MEETING DATE 04/23/2019 **AGENDA ITEM #** Old Business Four (4)

PRESENTER(S) Floyd L. Jones, Director

TYPE OF REQUEST New Business

WORDING FOR THE AGENDA

Continued discussion concerning Precincts #20 and #33 and the possibility of using Southside Church as a polling location for Precinct #33.

BACKGROUND / HISTORY / DETAILS

Fayette County currently utilizes Evergreen Church as the polling place for both Precinct #20 and Precinct #33.

This discussion will provide information why this arrangement is in place, potential problems, and possible resolutions.

SPECIFIC ACTION / DIRECTION SOUGHT

Staff seeks Board direction on this matter.

FAYETTE County
Create Your Story!

Elections
140 Stonewall Avenue West, Ste 208
Fayetteville, GA 30214
Phone: 770-305-5408
www.fayettecountyga.gov

Precincts 20 and 33:

In 2016, Fayette County lost the ability to use a church in Precinct #33- Camp Creek.

This was an unexpected loss since the church was going through renovations and, after the renovations were completed, the church informed the Elections Office it could no longer use its facilities for election purposes.

Staff negotiated with the Evergreen Church located in Precinct #20 in order to allow the voters from both precincts to vote at the one location. This effort was also approved by the Secretary of State's Office.

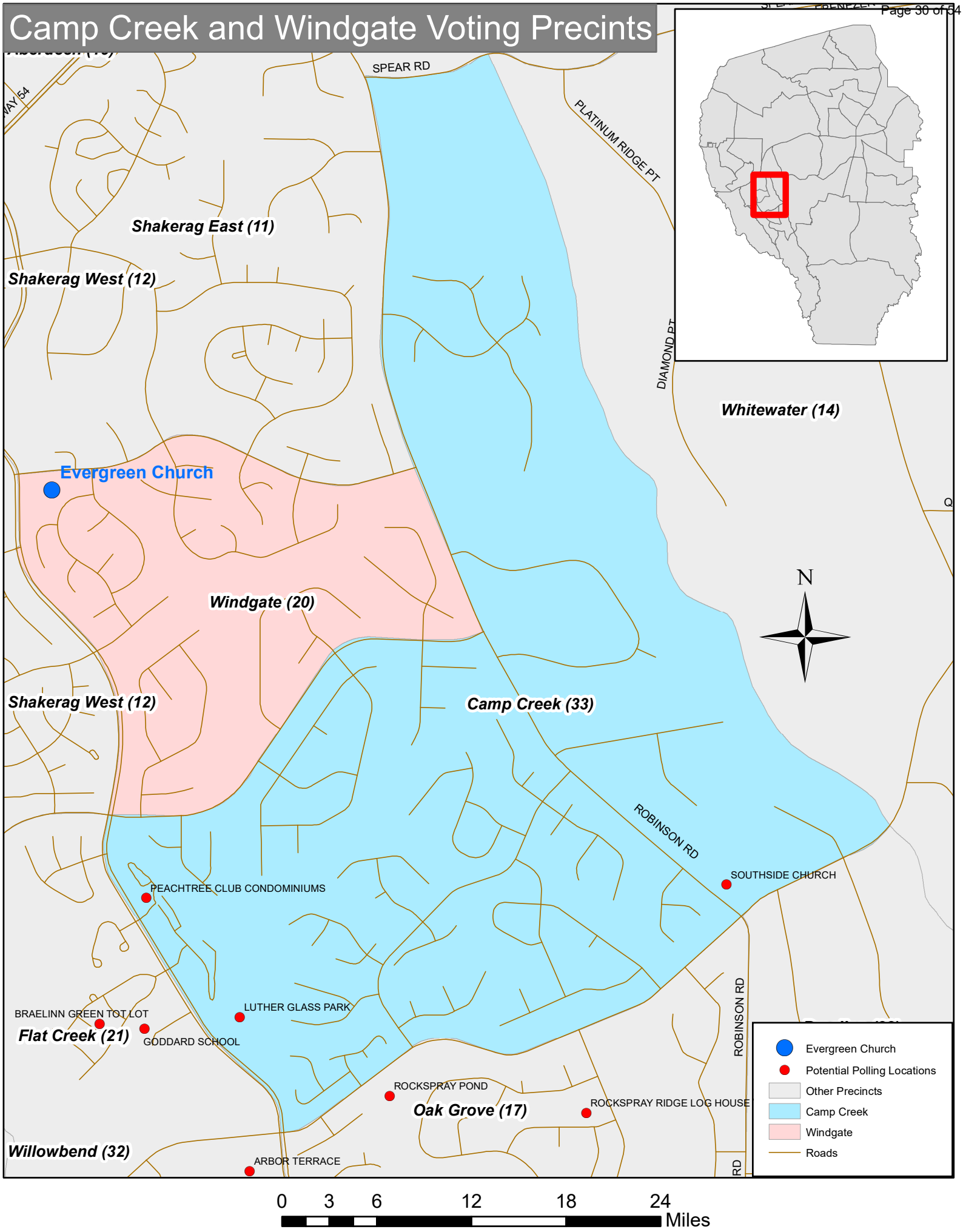
At the time, it was understood that the joint precinct was temporary in nature until a new location could be identified for the voters at Precinct #33.

In 2017, efforts were made to move the Precinct #33 voters out of the Evergreen Church, however, no suitable location was discovered accommodate the voters in Precinct #33. There was a possibility of working with Southside Church located in the southeastern part of the precinct. In 2017, the church was home to Landmark Christian School's Peachtree City campus and- therefore- could not accommodate Elections. The church did inform Mrs. Leigh Combs that the school would move out soon and that, upon that occurrence, the church would be open to be used as an Elections site.

The Elections Office has also been working with the I/T- GIS Department to determine if there are any other locations for potential use. GIS has made some discoveries, however, none seem as promising as the church.

Upon the approval of the Board of Elections and, based on any given changes of laws at the Georgia General Assembly, staff requests the authority to approach Southside Church to determine if they are still willing to provide their facility for voting. Staff also seeks direction on how much money can be authorized for rent.

Camp Creek and Windgate Voting Precints



CURRENT PRECINCTS #20 and #33

WINDGATE and CAMP CREEK

EVERGREEN CHURCH

Windgate Rd
Windgate Rd
Windgate Rd
Windgate Rd
achtree Pkwy
Evergreen Church,
Peachtree City, GA
Martingale Dr
Martingale Dr

POTENTIAL PRECINCT #33

CAMP CREEK

SOUTHSIDE CHURCH

Southside Church
Robinson Rd
Robinson Rd
Robinson Rd
Jennings Yard
Ebenezer Rd
Ebenezer Rd
Ebenezer Rd
Meadowlark Trce
Google

BOARD OF ELECTIONS AGENDA REQUEST FORM

MEETING DATE 04/23/2019 **AGENDA ITEM #** New Business Five (5)

PRESENTER(S) Floyd L. Jones, Director

TYPE OF REQUEST New Business

WORDING FOR THE AGENDA

Discussion of House Bill 316.

BACKGROUND / HISTORY / DETAILS

House Bill 316 was signed into law by Governor Brian Kemp on April 2, 2019.

This discussion will highlight some of the major changes to Georgia's Election Law and will provide the Board with the latest information regarding its implementation.

SPECIFIC ACTION / DIRECTION SOUGHT

This is discussion only. No action or direction is expected from the Board.

HOUSE BILL 316

Mandated Electronic Ballot Marking Device

BOARD OF COMMISSIONERS RETREAT

APRIL 5, 2019

House Bill 316

Significant Changes

- **House Bill 316 is based, in part, on the recommendations of the SAFE Commission and introduces significant new changes to Georgia's election laws**
- **Significant Changes include:**
  - Georgia will utilize "Ballot Marking Devices" in an uniform election system.
  - Voter Registration requirements provide an applicant greater opportunities to verify their identity.
  - Voters will stay on the inactive list longer before being removed from voter rolls.
  - Georgia will enroll in a 25-state collaboration to track and cancel voters who move out of state.

House Bill 316

Significant Changes (cont'd)

- Requirements for removing felons have been revised.
- Consolidating precincts is more restrictive.
- Absentee voting opportunities are loosened for individuals in certain situations.
- Additional steps are required before a provisional ballot can be rejected.
- There are more days to certify an election due to audits being required.

Ballot Marking Devices

Benefits	Concerns
Supported almost unanimously by elections officials across the state	Will the County be provided with enough machines and equipment?
Similar to machines used by Georgia voters for two decades	Unknown budgetary impact to the County including maintenance agreements, paper, additional staffing, storage, etc.
Voter's intention is clear	How often will the system be overhauled in the future? Every five years? Every twenty yeas?
No distinction required for handicapped voters	

Conclusion

- More information is yet to come that could impact the benefits and concerns to date.
- Currently difficult to draw reliable conclusions on the potential changes may impact counties, like Fayette; including impacts to budgets, resources, storage needs, staffing, and other considerations.

Ballot Marking Devices seek to utilize the strengths provided by electronic voting and paper voting while minimizing the weaknesses of both methods

HOUSE BILL 316

Mandated Electronic Ballot Marking Device

QUESTIONS

A Brief History

During and after the 2016 Presidential Election, many citizens began questioning election security throughout the United States and specifically in the State of Georgia. Election officials at all levels of government whether federal, state, or local have been questioned over whether the Direct Recording Electronic (DRE) machines and other components used in Georgia and other states could be compromised either internally or externally by foreign powers.

While no evidence has been presented to show that Georgia's voting machines have been compromised under normal election circumstances, and while no evidence has been provided that shows the votes are improperly counted, elections officials are in nearly universal agreement that Georgia needs to look hard at its elections machinery and determine what improvements and investments the state should make.

In 2017, the Center for Election Services- based at the University of Kennesaw and contracted with the Secretary of State's Office- plugged elections information onto the internet. This resulted in widespread reporting by the media about the failure of elections security, the cancellation of Kennesaw State University's contract to house the Center for Election Services, and further erosion of the public's confidence in Georgia's election system.

In 2018, House Bill 680 and Senate Bill 403 were introduced with the intention of updating Georgia's voting system and the election code. Neither bill passed legislation, but they did work to push the discussion along.

In April 2018, former Secretary of State Brian Kemp established the Secure, Accessible, and Fair Elections (SAFE) Commission in order to study different options for Georgia's next voting system. The SAFE Commission was made up of two state representatives, two state senators, four elections officials; an accessibility expert, a cybersecurity expert, two voters-at-large; and three other members representing the Republican, Democratic, and Libertarian Parties.

Toward the end of 2018, both before and after the November election, the State of Georgia and several county elections offices were sued. One such lawsuit (Donna Curling, et al., Plaintiffs, v. Brian Kemp, et al., Defendants) requested Georgia to no longer use DRE machines and instead to convert its processes immediately into paper balloting. On September 17, 2018, Judge Totenberg sympathized with the Plaintiff's as she ordered:

While Plaintiff's motions for preliminary injunction are DENIED, the court advises the Defendants [Secretary of State] that further delay is not tolerable in their confronting and tackling the challenges before the State's election balloting system. The State's posture in this litigation- and some of the testimony and evidence presented- indicated that the Defendants and State election officials had buried their heads in the sand. This is particularly so in their dealing with the ramifications of the major data breach and vulnerability at the Center for Election Services, which contracted with the Secretary of State's Office, as well as the erasure of the Center's server database and a host of serious security vulnerabilities permitted by their outdated software and system operations.

A wound or reasonably threatened wound to the integrity of a state's election system carries grave consequences beyond the results in any specific election, as it pierces citizen's confidence in the electoral system and the value of voting.

Advanced persistent threats in this data-driven world and ordinary hacking are unfortunately here to stay. Defendants will fail to address that reality if they demean as paranoia the research-based findings of national cybersecurity engineers and experts in the field of elections. Nor will surface-level audit procedures address this reality when viruses and malware alter data results and evade or suppress detection. The parties have strongly intimated that this case is headed for immediate appeal. But if the case stays or comes back to this Court, the Court will insist on further proceedings moving on an expedited schedule. The 2020 elections are around the corner. If a new balloting system is to be launched in Georgia in an effective manner, it should address democracy's critical need for transparent, fair, accurate, and verifiable election processes that guarantee each citizen's fundamental right to cast an accountable vote.

Whether from the perspective of the public, the perspective of Georgia's legislative body, or by concerns and threated future rulings expressed by the U.S. District Judge the time to revamp Georgia's elections has come.

SAFE Commission Recommendations

Based on discussions, consideration of public testimony, and other submitted documents, and after hearing from election officials (who will be tasked with using the new system and who have firsthand insight into voter experience in Georgia), experts in voting rights, cybersecurity, security, accessibility, and review multiple voting systems, the SAFE Commission- which was constituted in April 2018- made the following recommendations to the Governor, the Secretary of State, and the General Assembly in January 2019.

1) **Georgia should adopt a voting system with a verifiable paper vote record. Every effort should be made to implement this system statewide in time for the 2020 election. The system should create an auditable paper record for every vote that the voter has an opportunity to review before casting. Rules should be put in place ensuring a rigorous chain of custody for these paper records, as are in place now for security of paper ballots and memory cards.**

2) **Georgia should remain a uniform system state, with each county using the same equipment that is initially provided by the state.**

3) **The implementation of a new system should include a training plan and budget to educate both voters and county election officials.**

4) **Any new system should ensure that disabled voters have the same opportunity for access and participation as other voters in accordance with HAVA (Help America Vote Act of 2002) and the ADA (Americans with Disabilities Act.) Any new system should be certified by the EAC (United States Election Assistance Commission.)**

5) **Georgia's new voting system should include new vote casting devices, new scanners, and new poll books. There should be paper backups for each of these systems to the extent possible, including paper registered voter lists and ballots. For each new type of hardware, steps should be taken to ensure both security and functionality. Any new hardware or software needs to be compatible with Georgia's existing voter registration system.**

6) **Given Georgia's history as a state that uses DRE's (Direct Record Equipment) and the familiarity of voters and election officials with that method of vote casting, Georgia should move to a primarily ballot-marking device with verifiable paper ballots solution for a new voting system.**

7) **Georgia should require post-election, pre-certification audits. These audits will certainly be time consuming and add work to county election officials, but they are necessary to show transparency and maintain trust in the elections process.**

8) **In order to successfully implement this new system, other areas of Georgia election law should be updated to ensure compatibility with the new system and improve election administration. Some of these updates may require updates to Georgia statutes, while some may be better suited to regulations promulgated by the State Election Board.**

   Fayette County's Election Board and staff agree with all eight requirements.

House Bill 316 Introduced

In 2019, House Bill 316 was introduced into the Georgia General Assembly in response to the SAFE Commission's recommendations and in an effort to address other concerns that arose during the 2018 election. Key aspects of the bill are:

1) **New Voting Machines**
   The omnibus elections legislation provides that the state will provide new, uniform voting machines for every county in Georgia.

   The voting equipment will consist of "ballot marking devices"—electronic devices, similar to the DRE interface currently used by voters, to mark their ballots. The difference is that these devices provide a paper "scanning ballot" which can be read and reviewed by the voter prior to the voter placing the ballot in a "ballot scanner." The ballot scanner is an electronic recording device which then tabulates the votes of all ballots (also known as a tabulating machine) and stores/ retains the scanning ballots, maintaining a paper trail for auditing, if necessary.

The Governor's proposed FY2020 budget, a separate bill, contains $150 million in recommended bond funding to pay for this equipment, which, according to HB 316, the state will furnish for use in each Georgia county "as soon as possible." Should this legislation and the $150 million appropriation pass, the procurement of this equipment, as well as its distribution to counties, will ultimately be made by the Georgia Secretary of State- once that office has certified the equipment safe and practical for use.

It is anticipated that the equipment will be piloted during the 2019 municipal elections, then ready for use in the 2020 primaries and general elections. The uniform equipment will be used for all federal, state, and county general primaries and general elections, as well as special primaries and special election in the state.

Counties and cities may purchase, lease or otherwise acquire additional equipment at their own expense.

2) Voter Registration

a. Prior to notifying an applicant that their identity cannot be verified, the local board of registrars must review the application to ensure there are no data entry errors and ensure that the applicant did not provide sufficient evidence of his or her identity.
b. Not less than 30 days nor more than 60 days prior to an application being rejected, the board must mail a final notice to the applicant that her or his identification cannot be verified and that he or she must provide additional evidence of their identity.

3) Removing Inactive Voters from the Rolls

a. An elector now has five years (instead of three years) of non-activity / participation with Georgia's elections process before being placed on the inactive list.
b. An elector placed on the inactive list of electors shall remain on the list until the day after the second November general election held after the elector is placed on the inactive list of electors. If the elector makes no contact during that period, the elector shall be removed from the inactive list of electors. Not less than 30 nor more than 60 days prior to the date on which is the elector is to be removed from the inactive list of electors, the board of registrars shall mail a notice to the address on the elector's registration record.

4) Accuracy of Elections- Moving Out of State

a. Authorizes the Secretary of State to enroll Georgia in a 25-state collaboration (the Electronic Registration Council) to share voting information in order to track and cancel voters who move out of state. The Center is made up of elections officials of states and U.S. territories that are members.

b. When a person moves from Georgia and registers to vote in another state, and Georgia receives notice but not documented proof of the voter registering in the other state, the Secretary of State or board of registrars will send the elector a confirmation that his or her Georgia registration is about to be cancelled.

5) Felony Verification

a. The Secretary of State, upon receiving a list of persons convicted of felons, will contact local registrars, who must then mail a notice to the person's last known mailing address stating that the voter will be removed from the rolls 30 days after the notification, unless the person requests a hearing to contest said removal.

6) Precincts and Polling Places

a. Counties cannot divide, alter, format, or consolidate a voting precinct until at least 30 days' notice is given in the local legal organ and a copy of the notice is mailed to the Secretary of State. Current law only calls for 10 days' notice.
b. Polling places cannot be changed on Election Day, nor during the 60-day period leading up to general elections nor 30 days for special elections and runoffs, unless there is an emergency or the polling place has become unusable.
c. Electors(who are entitled to receiving voting assistance at a polling place) may receive assistance from any person so long as the helper is not their employer, an agent of the employer, or an agent of the employer, or an agent of the elector's union. Those who assist are no longer limited to 10 electors to whom they offer assistance.
d. Voter identification cards remain valid if the voter changes his or her address so long as the address remains the same county in which it was issued.
e. Counties must provide one ballot marking device per every 250 voters during elections.

7) Absentee Voting

a. Persons in a county jail or in custody, but not convicted of a felony, can now be mailed an absentee ballot to vote. An employee of the jail may mail the ballot back.
b. Absentee ballot applications cannot be rejected due to an apparent mismatch between the voter's signature on the application and their voter registration signature. In these cases, the elector will be mailed a provisional absentee ballot and instructions that he or she can cure the mismatch by submitting an affidavit to the board of registrars along with a copy of appropriate identification.
c. Electors no longer have to provide their address or year of birth on the oath provided with a returned absentee ballot.
d. Currently, a person cannot assist more than 10 disabled or non-English speaking individuals' complete absentee ballots. That limit has been removed.
e. Caregivers of a disabled person may now mail back an absentee ballot (current law allows only family members or someone else living in the household.)

f. Disabled or illiterate persons can now be assisted in voting by anyone of their choice, so long as the person assisting is not an employer, a fellow union member, a candidate, or a family member of a candidate.
g. If a voter's absentee ballot is rejected, a notice is given, and they have until the end of the period by which to verify provisional ballots to cure their absentee ballot error(s).

8) Advance and Provisional Voting

a. Election superintendents must now notify the Secretary of State (each time an elector casts a provisional ballot) whether the ballot was counted and, if not counted, the reason why.
b. Board of registrars must now go through additional steps and check additional information before rejecting a provisional ballot. Boards must also notify a voter "at the earliest time possible" that their ballot has been rejected.

9) Election Certifications and Recounts

a. Elections superintendents have four additional days to certify election returns.
b. An election's certification date can be extended by the Secretary of State if it is determined necessary to complete a precertification audit.
c. The threshold by which a candidate may request a recount has been reduced from a difference of 1 percent of the votes cast to ½ of 1 percent.
d. Rules pertaining to mandated precertification audits are revised and spelled out.
e. The Secretary of State is required to conduct a risk-limiting audit of not greater than 10 percent in one or more counties by December 31, 2021. Results must be provided to the General Assembly.

[Please note that the summary of House Bill 316 was provided by the Association County Commissioners Georgia (ACCG). ACCG is in support of House Bill 316.]

Where is HB 316 As of March 12, 2019?

On February 14, 2019, House Bill 316 was introduced in the Georgia House or Representatives. It was referred to the Governmental Affairs Committee for review.

On February 22, 2019, The Governmental Affairs Committee returned the bill to the House of Representatives as favorably reported with substitutions.

On February 26, 2019, the House of Representatives passed / adopted the substitution and immediately transmitted it to the Georgia Senate. The vote was 101 to 72 in favor.

On February 27, the Georgia Senate referred the bill to the Senate Ethics Committee.

On March 7, the Senate Ethics Committee favorably reported the bill with substitutions.

The bill is currently awaiting a vote from the Georgia Senate. If approved, the bill will be returned to the Georgia House of Representatives in order to find common ground between the changes recommended by both the House of Representatives and the Senate. No date has been set, as yet, for the Senate vote.

Ballot Marking Devices vs. Hand Marked Paper Ballots

There are two primary methods that are being considered in revamping Georgia's elections.

One method is to adopt Ballot Marking Devices (BMDs) that are similar to Georgia's current electronic voting system but that allows for printable, verifiable paper ballots. This method is supported by House Bill 316.

The second method is Hand Marked Paper Ballots (HMPB) that revert back to the older practice of printing ballots for each voter for each election. This method is not recommended in House Bill 316 but is supported by a significant number of opponents of House Bill 316. - including the Coalition of Good Governance.

The following section will provide a brief analysis of the benefits and concerns with each method.

Ballot Marking Devices

What are Ballot Marking Devices: Although there are several versions of Ballot Marking Devise systems provided by several vendors, the basic understanding is that the Ballot Marking Device is very similar to what the Georgia voter has been using for the past two decades. The chief difference is that instead of the voter being handed a yellow card that opens up an electronic ballot, the voter is handed a paper ballot- likely with a barcode- that will open the electronic ballot and allow the citizen to vote. The voter will then print the ballot and be able to visually see how the machine printed their vote. If the voter agrees with the printout, then the voter will run the ballot through a tabulating machine. The ballot is counted immediately and kept by the machine for future audits. If the voter does not like how their vote is recorded, they can spoil the ballot and print a new ballot until they are satisfied with the results. It is important to understand that the Ballot Marking Devise <u>does not record the vote it only prints the vote onto a ballot. Only when the voter runs the printed ballot through a tabulator is the ballot recorded.</u>

A pilot program for Ballot Marking Devices has already been tested during Rockdale County's 2017 Municipal Elections. Supervisor of Elections Cynthia Willingham testified to the Governmental Affairs Committee and Ethics Committee that Rockdale County had wonderful results with its pilot program and that the citizens' only complaints were why Rockdale went back to the "old" or current system for the 2018 election.

BENEFITS WITH BALLOT MARKING DEVICES

There are many benefits and some concerns with the Ballot Marking Devices (BMDs). The benefits are:

Similar to Current Machines: Ballot Marking Devices, are similar to the election machines that have been in use in Georgia for the past 20 years. This should be a benefit for the general public who are accustomed to electronic voting. This will also benefit elections personnel across the state who will likely need minimal training to operate the equipment- especially given the compressed timeframe of receiving, training, and implementing the machines.

Voters' Intent is Clear: One overriding problem with paper ballots used in Georgia and, most notoriously in Florida, was the question of discerning voter intent. Since the utilization of electronic voting equipment, the question of voter intent has been greatly mitigated. BMDs bring the best of both worlds- allowing the voter to review his or her ballot before casting it and allowing the county to maintain the paper ballot of what was cast for future audits. This is a step up from the current machines that only provide electronic votes without paper backup.

No Distinction Required for Handicapped Voters: BMDs are designed to help voters who are handicapped and, as a result, may not be able to vote on a standard paper ballot. BMDs can be set up to provide audio support for those who are sight impaired. It also helps voters who may have problems holding pens or other devices. The font and print on the machines are adjustable for easier reading. These are aspects that are simply not possible on a standard printed paper ballot.

Less Paper Ballots Printed: Paper ballots have to be printed in certain circumstances such as creating a provisional ballot or for Absentee by Mail ballots, however, in the big picture, the number of those printings are minimal and therefore manageable. The majority of the ballots are available to voters electronically. This allows for the need for lesser staff and lesser wait times for some votes as situations arise.

CONCERNS OVER BALLOT MARKING DEVICES

Many of the concerns about Ballot Marking Devices are generated from a lack of details and information. Despite the Governor's FY2020 budget allotting $150 million for the purchase of updated machines and equipment for elections, this effort is still in its early stages. So far as can be known, the Secretary of State's Office has yet to decide on what vendor- much less what version of machine- will ultimately be utilized. This creates the following concerns and open-ended questions:

Will the counties, including Fayette, be allotted enough machines? In ongoing years, how much will it cost Fayette County to add more machines?

What machines will be used and how much will they cost? As the number of voters grows in Fayette County, it may require the county- not the state- to purchase more equipment.

Repairing the equipment will be at the county's expense as it currently is. Without knowing what machines will be used, it is impossible to project how much repairs could cost.

Counties are responsible for purchasing the paper for the Ballot Printing Machines- a cost not incurred by the counties in over two decades. It is unknown, at this time, what financial impact this will have on the counties- including Fayette.

How often will Ballot Marking Device machines be updated or replaced in the future? Given that it took Georgia nearly twenty years to update its voting equipment- will the machines be replaced more often or will it be another 20 years.

Ballots that rely on barcodes may be hacked or breached, may not count a vote properly, and could compromise voter secrecy. Significant public comment had been received by the Georgia General Assembly on this matter and there is some reason to believe that barcode only ballots will not be as well received.

How much additional storage will be needed for keeping paper ballots?

Will the Ballot Marking Devices be available prior to the beginning of Calendar Year 2020? The year 2020 will be an extremely important year throughout the county, not to mention Georgia. It is hoped that the legislature and Secretary of State will not enact major elections changes in a major election year. Timing is essential.

Hand Marked Paper Ballots

Hand Marked Paper Ballots (HMPB) are the leading alternative to Ballot Marking Devices that have been considered.

HMPB are literal, paper ballots- generally printed on standard-sized paper that is given to the voter to vote upon. The voter is handed an ink pen and is permitted to complete their ballot. Upon completion, the voter is able to look over their vote and, if the ballot is marked appropriately, then the ballot is taken to a scanner that immediately tabulates the votes and keeps the ballot for auditing purposes.

The chief benefit of this approach is that it removes cyber-technology as much as possible from between the voter and his or her vote.

Why Should Hand Marked Paper Ballots Be Considered?

One member of the SAFE Commission, Dr. Wenke Lee, a professor of cybersecurity to 2,500 students per year at Georgia Tech voted against the SAFE Commission's recommendation to use Ballot Marker Devices. In a nineteen page report, Dr. Lee points to the growing threat of cyber-security and states ***"we can never know that we have completely secured any system."*** He emphasizes that "attacks have become easier and hence more prevalent." On page 14 for his report, Dr. Lee wrote:

The best approach is to use paper ballots as the durable, independent evidence to verify or determine the correct election outcome, assuming that the paper ballots have accurately captured the voters' intended votes.

Dr. Lee concluded his report giving several reasons why Hand Marked Paper Ballots (HMPB) should be considered- <u>with the nearly universal driver being cyber-security.</u>

Dr. Lee's concerns were heard at the Governmental Affairs Committee and Senate Ethics committee, and even prior to the vote of the House of Representatives. Each committee gave a significant amount of time to hear public comments about the future of elections in Georgia. Nearly every public speaker spoke in favor of Hand Marked Paper Ballots citing cybersecurity concerns.

One cybersecurity expert testified to the Governmental Affairs Committee that the overwhelming support given by elections officials for Ballot Marking Devices was comparable to car drivers voting for vehicles they are able to drive despite being able to understand and fix the engines of those vehicles. He suggested cybersecurity experts who support Hand Marked Paper Ballots are like mechanics who know how the engines of elections systems work and he suggested those who know how the engines

run during elections should be given greater consideration than those who actually drive elections. Of course, the counter-argument is that cyber-security experts who want Hand Marked Paper Ballots have never actually "driven" an election.

It should also be noted that the general response from cyber-security experts when county information systems are breached do not revert all the way back to having county staff work only with pens, paper, and typewriters. Cyber-security is best met with up-to-date machines and technology, evolving procedures, and most importantly well-trained and knowledgeable staff who are able to avoid the dangers.

Coalition for Good Governance Recommends Hand Marked Paper Ballots

The Coalition for Good Governance (CGG) has been part of the lawsuits against Georgia over the past year, and are notable for writing county commissioners and local election officials during the elections in 2018- asking them at times to defy Georgia Law by utilizing paper ballots despite the state's clear uniformity standard. According to the CGG, these are other reasons- apart from cybersecurity reasons-- for using Hand Marked Paper Ballots:

Elections are Less Expensive: The CGG points out that paper is much less expensive to purchase than machinery, therefore the elections will be less expensive. The CGG suggests that saved money could be utilized for other county projects and not devoted to elections.

Lines are not as Long: The CGG reports that voting lines will not be as long, meaning the voters experience is less hectic and more accommodating. Instead of elections being hampered by a certain number of voting machines, the voters will be limited only by space and the number of pens and ballots that can be distributed.

Election Results are Quicker: The CGG advocates that election results will come back to the counties, and therefore, the state faster than the current method since there are less machines to close out and secure at the end of an election day.

Concerns with Hand Marked Paper Ballots:

Numbers and Types Hand Marked Paper Ballots to Print: Fayette County generally runs between three and five elections each year. To conduct an election using Hand Marked Paper Ballots, Fayette County would have to run enough ballots for each election for every voter. For a county-wide election, there will be 35 types of ballots printed based on the number of ballot styles utilized in the county. Thirty-five different ballot styles can lead to significant poll worker and voter confusion and opens the door to multiple mistakes.

Cost of the Election: CGG is correct that that a Hand Marked Paper Ballot election is less expensive than Ballot Marking Devices- but that's true only to a certain point. Machines are, theoretically, a one-time purchase done by the state. Maintenance repairs and replacements will be funded by the counties- as is currently the situation. Hand Marked Paper Ballots require printing ballots for each voter

with a certain, unknown percentage of extra ballots for each ballot style in anticipation of some ballots being spoiled. These costs are repeated, in total, for each election. The costs will vary based on the type of election. The cost will vary based on the size of the ballot. The cost will grow as voter roles

grow. This will necessarily result in a waste of taxpayer's funds for purchasing unused ballots- and this waste is repeated for each election. The waste then accumulates election after election until any cost savings is reduced to unused, discarded paper ballots.

Hand Marked Paper Ballot Printing Machines: The CGG has suggested concerns with ballot printing can be resolved by purchasing more ballot printing machines. Not only is there a cost for ballot printing machines- some machines are $10,000 to $20,000 each, but they will almost certainly require additional staffing to properly print, collate, and distribute to the poll workers. This mitigates cost savings and has the potential of costing each county more money in the long-run for conducting elections.

Hand Marked Paper Ballots Are Not Useful to All Voters: Paper ballots have fixed font, sizes, readability, etc. Those who are sight impaired will be compelled to vote on an electronic machine where abilities to meet certain handicaps are built in (meaning electronic machines are not totally gone under this scheme). A paper ballot system that requires handicapped voters to vote on machines may cause the handicapped voters to feel singled out and disaffected.

Hand Marked Paper Ballots Do Not Fix Historical Problems: It is important to remember that the reason Georgia and other states went to electronic voting in the 2000s was due to problems with hand marked paper ballots. Whether the choices were marked with a stylus in Florida's infamous butterfly ballot, or whether one looks at former Secretary of State Cathy Cox's testimony in which she recommended Ballot Marking Devices over Hand Marked Paper Ballots, Hand Marked Paper Ballots do not account for the voters who go their own way. Some voters choose more than one candidate for office. Some do not fill the bubble in completely for their candidate. Some scratch out candidates- which can cause the ballot not to cast a vote. Others place tick marks with their pens on the ballot, causing the machine to misread votes.

Former Secretary of State Cathy Cox testified to the Senate's Ethics Committee on March 6, 2019. She stated that hand-marked ballots can cause a litany of problems. She reviewed the problems associated with the 2000 presidential election and said that in 60 Georgia counties that used hand ballots and optical scanners (as recommended by the CGG), the error rate was much higher than in other areas because voters failed to properly fill in the bubbles for candidates of their choice. "When you hand-mark a ballot you really don't have an opportunity to know whether your mark is going to get the job done," said Cox. (source: http://www.fox5atlanta.com/news/georgia-senate-committee-approves-voting-machine-bill)

Advocates for Hand Marked Paper Ballots reply that the problems occurred almost two decades ago and that technology has increased by leaps and bounds- reducing the risk of similar errors in future elections. (Ibid)

Conclusion

This report has attempted to provide information on how the State of Georgia found itself in the current situation of reconsidering voting machines and processes, to update the reader on the changes provided in House Bill 316, and to provide the benefits and concerns with the two leading methods on how to accurately count votes and restore the public's trust in the system.

Much more information has yet to come to light that could strengthen or sway findings and conclusions. Since there is still such a lack of information that would fine-tune the details, it is difficult to draw reliable conclusions on how the changes will impact counties- particularly with regard to budgets, resources, storage needs, staffing, and other considerations.

However, with the information that is currently available, it appears the best approach for Georgia and Fayette County is to support House Bill 316 and its recommendation to use Ballot Marking Devices. Ballot Marking Devices seek to utilize the strengths provided by electronic voting and paper voting while minimalizing the weaknesses both those methods have.

HOUSE BILL 316
NUMBER OF MACHINES

Polling Locations	COUNTY POLLING PRECINCTS				MUNICIPAL POLLING PRECINCTS				NUMBER OF MACHINES WITH DUAL ELECTION
	Population Assigned	Machines per 250	Number of Machines	Rounded Up	Population Assigned	Machines per 250	Number of Machines	Rounded Up	Number of Machines- Dual Election
Blackrock	2,667	250	11	11	-	250	-	-	11
Brooks	2,446	250	10	10	471	250	2	2	12
Europe	3,195	250	13	13	-	250	-	-	13
Fayetteville East	2,060	250	8	9	-	250	-	-	9
Fayetteville West	2,100	250	8	9	5,451	250	22	22	31
Flint	1,645	250	7	7	-	250	-	-	7
Hopeful	2,101	250	8	9	-	250	-	-	9
Morning Creek	3,017	250	12	13	-	250	-	-	13
Rareover	2,995	250	12	12	5,954	250	24	24	36
Sandy Creek	4,592	250	18	19	-	250	-	-	19
Shakerag East	1,645	250	7	7	1,338	250	5	6	13
Shakerag West	1,275	250	5	6	1,276	250	5	6	12
Starrs Mill	3,592	250	14	15	-	250	-	-	15
Whitewater	3,580	250	14	15	-	250	-	-	15
Woolsey	2,484	250	10	10	150	250	1	1	11
McIntosh	3,451	250	14	14	3,452	250	14	14	28
Oak Grove	1,389	250	6	6	1,390	250	6	6	12
Kedron	4,204	250	17	17	4,205	250	17	17	34
Aberdeen	1,848	250	7	8	1,849	250	7	8	16
Windgate	1,004	250	4	5	1,005	250	4	5	10
Flat Creek	2,161	250	9	9	2,162	250	9	9	18
Braelinn	1,933	250	8	8	4,149	250	17	17	25
Kenwood	1,008	250	4	5	-	250	-	-	5
Banks	1,690	250	7	7	-	250	-	-	7
Harps Crossing	1,628	250	7	7	-	250	-	-	7
Willow Pond	2,996	250	12	12	-	250	-	-	12
Dogwood	2,858	250	11	12	-	250	-	-	12
Oak Ridge	2,201	250	9	9	-	250	-	-	9
Jeff Davis	2,876	250	12	12	-	250	-	-	12
Murphy	3,204	250	13	13	-	250	-	-	13
Fielding Ridge	3,632	250	15	15	3,633	250	15	15	30
Willowbend	1,987	250	8	8	1,988	250	8	8	16
Camp Creek	1,943	250	8	8	1,944	250	8	8	16
Rising Star	3,795	250	15	16	-	250	-	-	16
Spring Hill	1,388	250	6	6	8,238	250	33	33	39
Antioch	1,969	250	8	8	-	250	-	-	8
	88,559			370	48,655			201	571

HOUSE BILL 316 — NOVEMBER 2018

Total Number of Registered County Voters	**88,559**	**Estimated County Voter Turnout**	**26,902**
Total Number of Machines Issued	**370**	**Total Number of Machines Issued**	**174**
Total Number of Registered Municipal Voters	**48,655**	**Estimated Municipal Voter Turnout**	**26,902**
Total Number of Machines Issued	**201**	**Total Number of Machines Issued**	**42**
Dual Election	**571**	**Dual Election**	**216**

Signed into law by Governor Kemp on April 2, 2019.

O.C.G.A. 21-2-367(b): In each precinct in which optical scanning voting systems are used, the county or municipal governing authority, as appropriate, shall provide at least one voting booth or enclosure for each 240 electors therein, or fraction thereof.