

BOARD OF ELECTIONS

Darryl Hicks, Chairman
Addison Lester
Aaron Wright

FAYETTE COUNTY, GEORGIA

Floyd L Jones, Director
April Crosby, Elections Supervisor
Agnes Bridges, County Registrar



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

AGENDA

July 13, 2020

4:00 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 June 19, 2020 Board of Elections' Meeting Minutes.

CONSENT AGENDA:

OLD BUSINESS:

NEW BUSINESS:

2. Discussion concerning the need to conduct Municipal Elections during the November General Election.

DIRECTOR'S REPORT:

ATTORNEY'S REPORTS:

BOARD MEMBERS REPORTS:

EXECUTIVE SESSION:

ADJOURNMENT:

BOARD OF ELECTIONS AGENDA REQUEST FORM

MEETING DATE	<input type="text" value="07/13/2020"/>	AGENDA ITEM #	<input type="text" value="1"/>
PRESENTER(S)	<input type="text" value="Floyd L. Jones, Director"/>		
TYPE OF REQUEST	<input type="text" value="Minutes"/>		

WORDING FOR THE AGENDA

Consideration of staff's request to approve the June 19, 2020 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 June 19, 2020 Board of Elections' Meeting Minutes.

BOARD OF ELECTIONS

Darryl Hicks, Chairman
Addison Lester
Aaron Wright

FAYETTE COUNTY, GEORGIA

Floyd L Jones, Director
April Crosby, Elections Supervisor
Agnes Bridges, County Registrar



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

MINUTES

June 19, 2020
2:00 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 Hicks called the June 19, 2020 Board of Elections meeting to order at 2:01 p.m.

Approval of the Agenda

Mr. Lester moved to approve the Agenda. Mr. Wright seconded the motion. The motion passed 3-0.

PUBLIC COMMENTS:

Jimmy Praugh: Mr. Praugh, who serves as a poll worker, stated that there needs to be a greater public awareness of how to vote by absentee by mail. He said he was concerned about the complications of the machines. He also stated he had worked a double election in 2018 and if there is another double election then he will not work again as a poll worker. Mr. Praugh suggested allowing the poll workers to go to the AIP locations and get a better sense of how to run a precinct.

APPROVAL OF MINUTES:

1. Consideration of staff's request to approve the April 28, 2020 Board of Elections' Meeting Minutes.

Mr. Lester moved to approve the April 28, 2020 Board of Elections Meeting Minutes. Mr. Wright seconded the motion. The motion passed 3-0.

CERTIFICATION:

2. Certification of the March 23, 2020 Presidential Preference Primary Election and June 9, 2020 General Primary, Nonpartisan Election and Special Election results.

County Registrar Agnes Bridges presented the Board with staff's findings. Mrs. Bridges stated there were 144 rejected ballots due to missing or questionable signatures. She stated that three voters stated they changed their mind and completed an affidavit stating they did not want to vote by mail; subsequently, they were allowed to vote in person. However, it was later discovered that the three voters' ballots had already been received at the Elections Office and been accepted into ElectionsNet (ENET) prior to the voters voting in person. This was a situation that was discovered only recently and was still under investigation. Discussion followed.

Mrs. Bridges stated there was another ballot surrendered to a poll worker that had a letter attached to it stating that the voter had checked with the Democratic National Party and a voter assistance hotline and through those sources were told they could drop off their paper ballots could be dropped off at the polling location. She asked if the ballot should be accepted. Discussion followed. The Board decided to reject the ballot.

Mrs. Bridges stated there was a ballot where a son-in-law signed on behalf of the mother-in-law since the mother-in-law was physically unable to vote. Mrs. Bridges attested she witnessed the son-in-law assist the mother-in-law make a mark indicating that the ballot was the mother-in-law's ballot. Mrs. Bridges added that she checked all identification and confirmed the voter's identification. Assistant County Attorney Patrick Stough gave legal guidance on this matter. The Board agreed to accept the ballot.

Mrs. Bridges stated that thirteen mailed ballots were received at Fayette Elections after 7:00 p.m. on Election Day. She stated that the ballots were turned in to Precinct #3 but they never should have been accepted by the precinct. She stated that the mailed ballots were otherwise in order. Assistant County Attorney Patrick Stough stated that the voters may have thought they were appropriate in handing their ballots over to the polling location, however, the poll workers should not have taken the ballots. He suggested that the ballots should nonetheless be counted since the case could be made that the poll workers acted on behalf of the county in taking the ballots. The Board agreed to accept the thirteen mailed in ballots and to count the votes.

Mrs. Bridges presented 45 provisional ballots for the Board's consideration. Thirty were rejected by the Board since the voter was not registered in Fayette- many were registered voters in other counties. The Board accepted 15 ballots since the voter was a registered Fayette County voter who showed at the wrong precinct.

Mrs. Bridges and her staff left the meeting at 2:51 p.m. to scan in the accepted ballots as decided by the Board and to complete the complete the Election. Election results were returned to the Board at 5:21 p.m. for certifying.

Mr. Wright moved to certify the June 9, 2020 Presidential Preference Primary, General Primary, and Nonpartisan Election. Mr. Lester seconded the motion. The motion passed 3-0.

PUBLIC HEARING:

3. Public Hearing of staff's recommendation to remove registered voters from Elections Net (ENET) who are deceased.

No one spoke during Public Hearing.

Mr. Wright moved to accept staff's recommendation as presented. Mr. Lester 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.

4. Public Hearing of staff's recommendation to remove registered voters from Elections Net (ENET) who are felons.

No one spoke during Public Hearing.

Mr. Wright moved to accept staff's recommendation as presented. Mr. Lester 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 was no Consent Agenda.

OLD BUSINESS:

There was no Old Business.

NEW BUSINESS:

5. Discussion concerning municipal Elections to be held in conjunction with the November 3, 2020 General Election.

Director Jones spoke about a request from both the Town of Tyrone and the Town of Brooks who are seeking municipal Election on November 3, 2020. He explained that there were considerable factors involved with holding municipal Elections in conjunction with the General Election. Those factors were: 1) lack of voting equipment and associated costs for obtaining additional equipment, 2) staffing and logistics, 3) law that requires numbers of voting machines to be placed in a precinct- and how that law could effectively double the amounts of machines at the precincts, 4) limited space for Advanced in Person (Early Voting) polling locations. Potential solutions to the problems were: a) continue *status quo* as in previous years, b) consider using county precincts for the municipal elections instead of using city precincts, c) having the municipalities conduct their own elections independent of the county Elections Office. Each option and obstacle was discussed thoroughly. The Board directed staff to continue looking at the possibilities and to return its findings as soon as possible. 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.

6. Discussion concerning the June 9, 2020 Elections.

Director Jones said he had received questions about whether or not there were issues with the June 9, 2020 Election. He said there were some issues considering there was new equipment, new workers, new procedures, and new challenges that had not been faced before. However, he added that when the Election is considered in its totality- and especially when considered based on other counties- the Fayette Election was a very good success. He credited staff, the Board, many county departments, and the political parties and judicial system for working together to make this Election a great success. He dispelled rumors that some polling locations did not open until 8 a.m. and another rumor that a member of the Technical Team had resigned on Election Day. He credited the Dominion Technician stating that the Election could not have proceeded without that person in place. He also credited the new Tech Team who augmented the ranks and tirelessly worked to make the Election a success. He spoke about plans that are starting to be discussed among the staff and state levels about enhancing the poll worker training and to create a "boot camp" for poll workers.

Chairman Hicks praised staff saying they did a fantastic job under extreme circumstances. He pointed out that County Administrator Steve Rapson had also shown his appreciation by buying Elections lunches, that the County Commission commended staff, and that Commissioner-elect Lee Hearn had thanked staff for a job well done.

DIRECTOR'S REPORT:

There was no Director's Report.

ATTORNEY'S REPORTS:

Audrey Holliday: Assistant County Attorney Patrick Stough gave an update on the status of Audrey Holliday's appeal.

BOARD MEMBERS REPORTS:

Addison Lester: Mr. Lester asked if the state was going to provide additional training. Director Jones replied that additional training was in discussion both at the state and local levels. There were also discussions about reforming some of the requirements including the confusing forms to be filled out for the Election.

EXECUTIVE SESSION:

There was no Executive Session.

ADJOURNMENT:

The Board recessed at 4:10 p.m. and returned to Official Session at 5:21 p.m.

Mr. Lester moved to adjourn the June 19, 2020 Board of Elections Meeting. Mr. Wright seconded the motion. The motion passed 3-0.

The June 19, 2020 Board of Elections Meeting adjourned at 5:22 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 13th day of July 2020. Referenced attachments are available upon request in the Board of Elections' Office.

Floyd L. Jones, Director

BOARD OF ELECTIONS AGENDA REQUEST FORM

MEETING DATE	<input type="text" value="07/13/2020"/>	AGENDA ITEM #	<input type="text" value="2"/>
PRESENTER(S)	<input type="text" value="Floyd L. Jones, Director"/>		
TYPE OF REQUEST	<input type="text" value="New Business"/>		

WORDING FOR THE AGENDA

Discussion concerning the need to conduct Municipal Elections during the November General Election.

BACKGROUND / HISTORY / DETAILS

Fayette County has historically conducted municipal Elections when called upon. When county and municipal elections occur at the same time, it causes the county to run a double election.

This discussion is to determine how to best conduct county and municipal elections given the new factors introduced by House Bill 316.

The goal is to find the best way to service all Fayette County- including its municipal residents- with the highest quality and cost efficiency possible.

SPECIFIC ACTION / DIRECTION SOUGHT

Elections staff seeks direction on how to proceed with conducting the county and municipal elections in November.

Double Elections

Holding County and Municipal Elections Simultaneously

- House Bill 316, which became effective on January 1, 2020, requires counties have to provide a voting booth for every 250 active registered voters assigned to a precinct or fraction thereof on Election Day.
- This requires the county to provide 389 Ballot Marking Devices (BMDs) among its thirty-six (36) precincts.
- Fayette County has 387 BMDs- meaning it is already two BMDs short of meeting the legal requirement.
- During the June 9, 2020 Election, the county deployed 358 BMDs for two reasons:
 - At the time not enough BMDs had been provided to the county
 - Physical space limitations and potential lack of electrical capacity at some polling places
- Currently, the county intends to copy the June 9, 2020 deployment of equipment for the November 3, 2020 General Election based on the same physical space limitations and electrical capacity at some polling places.
- The county will have 29 remaining BMDs that can be utilized for Advanced In Person (AIP) voting. For clarity, AIP voting is the same as the three weeks of early voting at the Fayette Elections Office, Peachtree City, Library, and Tyrone Town Hall.
- Assuming eight (8) BMDs are used at each AIP location, Fayette County would have five (5) BMDs available as spares for the November Election.

- House Bill 316 does not provide discretion to how the county deploys BMDs- even if it is conducting an election on behalf of a municipality.
- The current discussion involves the potential of holding a double election on behalf of the City of Fayetteville, the Town of Tyrone, and the Town of Brooks.
- There is uncertainty on whether the 250 machine calculation is based from a county precinct perspective or a municipal polling place / precinct perspective.

Fayette County Elections (36 Precincts)	Fayetteville County Precinct Calculation	Fayetteville Municipal Precinct Calculation	Tyrone County Precinct Calculation	Tyrone Municipal Precinct Calculation	Brooks County Precinct Calculation	Brooks Municipal Precinct Calculation
359 BMDs	24 BMDs	58 BMDs	13 BMDs	24 BMDs	11 BMDs	2 BMDs

- Using County Precinct calculations, Fayette County would need 407 BMDs to conduct double elections in November. This is the best case scenario and the county is already 20 machines short (assuming all BMDs used during AIP are reconfigured for Election Day.)
- Using Municipal Precinct calculations, the county would need 443 BMDs to conduct the double election in November. That means the county is already 56 BMDs short (assuming all BMDs used during AIP are reconfigured for Election Day.)

- Costs for Additional BMDs to conduct double elections per Dominion quotes:

Municipality	Additional BMDs	Cost for Equipment	Annual Licenses and Warranties
Brooks	2	\$40,911.10	\$2,536.00
Brooks	11	\$77,310.35	\$5,281.00

Municipality	Additional BMDs	Cost for Equipment	Annual Licenses and Warranties
Tyrone	13	\$85,481.35	\$5,891.00
Tyrone	24	\$130,051.60	\$9,246.00

Municipality	Additional BMDs	Cost for Equipment	Annual Licenses and Warranties
Fayetteville	24	\$130,051.60	\$9,246.00
Fayetteville	58	\$268,553.60	\$19,616.00

- The costs do not include additional staffing, paper, logistical costs (Logic and Accuracy, truck rental, polling place rental, etc.)
- The costs for additional BMDs, associated equipment, and annual licenses are unbearable for any jurisdiction.

- Number of BMDs in Each Location

Brooks	County BMDs	Municipal BMDs	Total BMDs per Polling Place
Brooks United Methodist Church	11	11 (County calculation)	22
Brooks United Methodist Church	11	2 (Municipal calculation)	13

Tyrone	County BMDs	Municipal BMDs	Total BMDs per Polling Place
Tyrone Public Library	13	13 (County calculation)	26
Tyrone Public Library	13	24 (Municipal calculation)	37

Fayetteville	County BMDs	Municipal BMDs	Total BMDs per Polling Place
Lafayette Educational Center	10	10 (County calculation)	20
Lafayette Educational Center	10	24 (Municipal calculation)	34
Fayette County Public Library	14	14 (County calculation)	28
Fayette County Public Library	14	34 (Municipal calculation)	48

- Costs for additional equipment are not the only factors to consider during a double election. Other issues are:
 - All 47,189 municipal voters must wait in two separate lines to vote on all matters that apply to them regardless of whether they vote early or on Election Day.
 - 14,238 municipal voters must travel to two separate polling places on Election Day to vote on all matters that apply to them.
 - 9,324 (68%) are Fayetteville voters.
 - 2,159 (8%) are Peachtree City voters.
 - 2,755 (49%) are Tyrone voters.
 - AIP Voting is hobbled since the polling locations are limited by:
 - Physical space being shared for two elections
 - Fewer voting machines able to be provided for each Election.
 - Less physical space for check-in, voters, and poll workers
 - A minimum of 20 to 35 additional staff are required- at a time when many do not want to work polls.
 - An additional seven (7) scanners are needed and at least eight (8) additional Poll Pads are needed. Reapportioning BMDs has nothing to do with these additional needs which are required to conduct an election. Note that scanners and Poll Pads cannot be reconfigured from AIP to Election Day purposes.

AVAILABLE OPTIONS:

1. Reapportion Voting Equipment (Status Quo):

- Conduct the double elections as in years past
- Reapportion the voting machines based on projected voter turnout

Pros:

- No need to purchase additional equipment
- Familiarity since this is the way it has been done in the past
- May be viable for elections for smaller municipalities or low voter turnout.

Cons:

- Lack of voting booths at the polling locations
- Additional staff, check-in equipment, scanner and ballot box at the polling places
- Physical space limitations
- Hobbling AIP elections
- Municipal voters are still required to stand in two separate lines and/or travel to two separate polling places in order to vote on all matters pertaining to them.
- Continued voter confusion.
- Not a long-term solution given the law and limited voting equipment to conduct high profile elections or for larger / more municipalities (ex: November 2017 and November 2018 elections).

AVAILABLE OPTIONS:

2. Municipalities Conduct their Own Elections

Pros:

- Municipalities are not required to use county voting equipment- thus potential reduced cost.
- Some municipalities are already conducting their own Elections.
- Other municipalities are considering conducting their own Elections.
- Municipalities maintain control of their own elections.

Cons:

- Fayette municipalities are not prepared to conduct elections on their own.
- Does not relieve municipal voters from going to two locations or standing in two lines to vote
- Physical space limitations would persist. Currently, the county and municipalities share 17 polling places. All 17 polling places will have space limitations regardless of the type of double elections that are held and regardless of who holds them.

AVAILABLE OPTIONS:

3. Municipalities use County Precincts as Polling Places

Pros:

- Eliminates double Elections. All voters will go to their assigned county voting precinct and be able to vote on all matters (county and municipal) that apply to them. 45,533 voters not impacted at all. 32,951 voters do not have to stand in two lines to vote. 14,238 voters do not have to travel to two places to vote.
- No need to reapportion voting equipment.
- Physical space limitations no longer enhanced by two elections.
- Aggregate election costs are less expensive (less staff, less supplies, less logistics, rentals, etc.)
- Voter confusion is reduced.
- Utilized by other counties such as: Cobb, Fulton, DeKalb, Douglas, Carroll, Richmond, Muscogee, Bibb and others.
- Per the Center of Elections Systems: “Municipalities who have liked using the equipment maintained by their county election offices have tended in the last 15 years to move toward allowing counties to execute elections for the municipalities and to using county precincts.”

Cons:

- Stand-alone municipal Elections will cost more for the Cities of Peachtree City, Fayetteville, and Tyrone.
- Postage costs for notifying voters: \$5,000 to \$16,500 unbudgeted for postage to notify voters of polling place change. (One time cost.)

- Projected Municipal Increase for Elections

Tyrone Precincts in 2019	2019 Election Cost	Tyrone Precincts in 2021	2021 Projected Cost	Projected Cost Increase
1	\$11,308.78	3	\$13,909.18	23%

Fayetteville Precincts in 2019	2019 Election Cost	Fayetteville Precincts in 2021	2021 Projected Cost	Projected Cost Increase
2	\$11,628.88	10	\$21,614.16	86%

Peachtree City in 2019	2019 Election Cost	Peachtree City Precincts- 2021	2021 Project Cost	Projected Cost Increase
10	\$27,667.52	12	\$30,101.52	9%

- Note: Brooks and Woolsey have only one county/municipal polling location- thus these municipalities would experience no additional costs by agreeing to formally use county precincts instead of municipal precincts.