

BOARD OF ELECTIONS

Aaron Wright, Chairman
Gary Rower, Vice Chairman
Darryl Hicks

FAYETTE COUNTY, GEORGIA

Brian Hill, Director
April Crosby, Elections Supervisor
Maria Chevere, County Registrar



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

ACTION AGENDA

April 1, 2022
10:30 a.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 calls the Election Board meeting to order at 10:30 a.m. Chairman Hicks asked Director Hill to speak.

Director Hill introduced County Registrar Maria Chevere and Chief Deputy Registrar Gaynell Ramessar.

The Election Board welcomed them to the Elections & Registrations Office.

ELECTION BOARD OFFICERS

Mr. Hicks stated "next we have the elections of the Board Chair & Vice Board Chair. Mr. Hicks asked, "Is there a nomination for the Board Chair?"

Mr. Rower nominated Aaron Wright as the Board Chairman

Mr. Hicks second the motion.

Chairman Hicks asked, "All in favor say I" Mr. Rower Sayed "I" The motion passed 2-0

Chairman Wright stated "That he like open up the floor for nomination of Vice Board Chair"

Mr. Hicks nominated Gary Rower for Vice Chairman.

Chairman Wright seconded the nomination.

Chairman Wright stated that "It has properly motioned & seconded.

Chairman Wright asked "All in favor; say I"

Mr. Hicks Sayed "I". The motion passed 2-0

APPROVAL OF THE AGENDA

Chairman Hicks moved to amend the agenda for the Election Board Officers to be moved to the beginning of the agenda. Mr Wright moved to amend the suggestion from Mr. Hicks. Mr. Rower seconded the motion. The motion passed 3-0

PUBLIC COMMENTS:

Speakers will be given a five (5) minute maximum time limit to speak before the Board of Elections about various topics, issues, and concerns. Speakers must direct comments to the Board. Responses are reserved at the direction of the Board

Chairman Wright opened the floor for "Public Comments"

Brad Sanders made a public comment: I am here to comment on the wonderful job that the Board of Elections has done under the chairmanship of Darryl Hicks & Mr. Wright. Mr. Sanders asked, "And what is your name Sir?"

Mr. Rower answered "My name is Gary Rower"

Mr. Sanders stated that "Basically I'm here as a concerned citizen, to just make the statement that the elections board, we really need the elections board to be on our side. To make sure that everybody has the right to vote. Weather they be senior citizens or 18 years old. Physically impaired in some way, living in rural areas. We need the polls to be open from 7 am to 7 pm, we need Sunday voting 7 am to 7 pm. Because this allows people who have jobs to have the opportunity to vote. We need to have the appropriate number of drop boxes. Also, we need fair warning of any polling changes before the election. We need to know where it was changed from and what it is now. So that everyone will have the chance to vote. This is not a partisan issue; it is just an issue of making it available for every voter to vote. However, they choose. So, it will be less cumbersome to vote. If there is a challenge to their vote, that they will have ample time to cure that vote. Thanks, you and as I said before; we need the election board to work with us and we need to work with the committee so that we can ensure that we have a fair count. So, it can be a good election. Thank you.

Chairman Wright answered, "Thank you very much Sir" "Does anyone else have any comments?"

Suanne Brown stated that has some packets that she wanted to pass out to the board and the elections Director.

Suzanne Brown stated her name and that she resided in Peachtree City.

Ms. Brown stated that "Could she have little lee way on time, I wanted to go over the time a little because the election board canceled the previous election board and I had things to say. So, I added more to say for this board meeting"

Chairman Wright answered Ms. Brown saying "We can only allow you 5 minutes"

Suzanne Brown stated

"I'm giving you a packet so you can follow along now and review the full packet later.

Document "A" is taken directly from the Georgia Constitution, Article II Voting and Elections.

In bold print, Section Paragraph pertaining to Run-off elections. It says:

"A run-off election shaft be a continuation of the general election and only persons who were entitled to vote in the general election shall be entitled to vote therein; and only those votes cast for the persons designated for the runoff shall be counted in the tabulation and canvass of the votes cast.

The Georgia Constitution established that if an election results in a run-off, you can only vote in the run-off election if you were registered to vote in the first election.

The Georgia Legislature Codified this into law, see Document "B" OCGA21-2-501 Elections.

You can read the bold print on Document B, page 1 later.

In summary, it says what the Constitution said but in greater detail.

To comply with Georgia Law, you cannot vote in a run-off unless you were registered to vote in the first race. The same voter roll must be used for the run-off election no matter how many weeks later the run-off is held.

The exception is for federal races, because Federal law permits registration and changes up to 30 days prior to the run-off election date.

Please turn to Document C, the "2022 State Elections & Voter Registration Calendar" taken from your website.

The Voter Registration Deadline is April 25th for the May 24th Primary

The Voter Registration Deadline is April 25th for the June 21st Run-off

The Voter Registration Deadline is May 23rd for the June 21st Run-off - BUT only for Federal run-off elections on that date.

The two different deadlines are there to comply with federal law and Georgia law.

Voters who register between April 25th and May cannot simply be added to the voter rolls.

Whether they request to vote by mail, present in person for early voting or on June 21st at their respective poll, you must legally only permit them to vote for the federal run-off races.

Otherwise, you violate the Georgia Constitution and OCGA 21-2-501.

Look at Document D. In January 2021, a citizen, Peter Pfeifer, filed a challenge to block electors' right to vote in the January 5th, 2021, Senatorial Run-Off election. Mr. Pfeifer cited OCGA 21-2-230, which outlines his right to challenge another elector (it's right to vote)

But the burden of proof is on the challenger.

He failed to properly state a legal basis for the challenge.

But, in reading the January 4, 2021, meeting minutes, was distressed that even the County Attorney, Mr. Stough, didn't properly cite that federal run-off races have different registration deadlines than state, county, municipal and local run-offs.

This board failed to do their due diligence to make a properly justified decision on Mr. Pfeifer's challenge.

Why not? Other than Mr. Rower, many of you have years of experience here.

Take the time to read your comments in that meeting.

"Mr. Stough says, so I don't know if that was an accurate reading of the law. As far as the other list of voters, the 51 who apparently registered to vote since November, it appears that their allegations are that these people may have moved here just for the purpose of voting in this election. But other than a fist of quotes from Twitter of people suggesting that people do that there is really no allegations to support that."

Really???

Think back in November 2020% after hearing people claim they would register to vote in Georgia simply to vote in the Senate Run-off election, Brad Raffensperger issued stern warnings to people. He cited OCGAS 21-2-21 (a)(4) which requires registrants be "a resident of this state and of the county or municipality in which he or she seeks to vote." SOS Raffensperger threatened to arrest and charge anyone who violated the law.

It wasn't about Twitter posts.

(It was about a widespread discussion on many media outlets that people were saying they would move here. just to vote.)

Our Primary elections are in May. I'm concerned. We have races with many candidates.

That will trigger many run-off elections, some county, some state and possibly the U.S. Senate or U.S. Congress.

The Director of Elections must guarantee compliance with federal and state election laws. As the Board you must oversee it of it.

The November 2020 election in Fayette County had a lot of legal problems.

A memory card was left in a scanner.

Our Director of Elections was removed from office after the investigation.

Have you corrected all the issues?

Do you have all the rules and procedures in place to be followed so we don't have a repeat of 2020?

What is your procedure to compile a list of electors Who register between April 25th and May 23rd to ensure they only vote in federal run-off races no matter which method they use to vote?

Have you fixed the problems with memory cards, chain of custody and following security procedures regarding who can transport ballots and election materials, such as memory cards?

During early voting, the Dominion Technician removed a memory card from a scanner, and "he" transported it to the Election Office. That's a violation of the rule that requires ballots and election materials are transported by two persons, of different political parties, who have sworn an oath, and must create a chain of custody form, and transport ballots and election documents in a sealed locked bag or box.

Will you make sure all the memory cards are properly removed, turned in, and accounted for on election night?

Chairman Wright stated "Ma'am you exceeded your 5 minutes"

Suzanne Brown replied "I hope this election board makes sure that these things get done because we are watching"

Chairman Wright asked, "Do we have any more public comments?" Seeing none, we will move on.

APPROVAL OF THE MINUTES

Consideration of staff's request to approve the January 25th, 2022, Board of Elections' Meeting Minutes

Mr. Hicks made a motion to approve the January 25th, 2022, Board of Elections Minutes.

Chairman Wright seconded the motion

Mr. Rower abstained from the motion (Mr. Rower was not in attendance to the meeting)

The motion passed 2-0

CONSENT AGENDA:

There was no Consent Agenda

PUBLIC HEARING:

1. 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 1-8**)

Chairman Wright made a motion to approve the Canceled Deceased. The Motion passed 3-0

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 felons (**Pages 9**)

Chairman Wright made a motion to approve the Canceled Felons. The Motion passed 3-0

OLD BUSINESS:

There was no Old Business

NEW BUSINESS:

3. Review of Election Board By-Laws (**Pages 10-12**)

Chairman Wright asked the other Board members "Have they had a chance to review the Election By-Laws?"

Mr. Hicks answered "Yes"

Mr. Rower answered "Yes"

Chairman Wright entertained a motion accept the current Election Board Laws as written.

Mr. Rower seconded the motion

The Motion passed 3-0

DIRECTOR'S REPORT:

Fire Station (Election Office Renovation) Update

Mr. Hill stated that "The re-bids came back on this pass Wednesday and the bids came back higher. I am awaiting Mr. Rapson on his decision on what he wants to decide. Then it will go to the Board of Commissioners for approval.

New Voter Registration System Update (GARVIS)

The new Voters Registration System has officially been launched on March 30th, 2022, and the Secretary of State's office is working on the kinks that the GARVIS system is producing. SOS office has asked the counties to give feedback on possible modifications.

Redistricting Update

Mr. Hill stated that Redistricting is complete for Fayette County. Mr. Hill stated that the biggest change was for the State House district numbers. Mr. Hill also stated that any time there is any change to electors; that the county elections office is obligated by law to notify the electors. Mr. Hill's stated our office has already begun sending out changed precinct cards to electors and that we are currently waiting on the rest of the precinct cards to be delivered from the SOS office.

ATTORNEY'S REPORTS:

There were no Attorney Reports

BOARD MEMBERS REPORTS:

Chairman Wright welcomed Mr. Gary Rower to his first official Elections Board meeting.

Mr. Hicks welcomed Mr. Rower as well.

Mr. Rower thanked the Board and Mr. Hill and elections staff for making the process of learning the elections process easy. Also, for taking the time out of there busy schedules to show me all of the election's facilities.

EXECUTIVE SESSION:

There was no Executive Session

ADJOURNMENT:

Chairman Wright made a motion to adjourn the April 1, 2022, Election Board meeting

Mr. Hicks seconded the motion

The motion passed 3-0. The election board meeting adjourned at 11:00 am

Brian W. Hill, Director

Aaron Wright, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Elections of Fayette County, Georgia, held on the 25th day of January 2022. Referenced attachments are available upon request in the Board of Elections' Office.