



APPROVED MINUTES

BOARD OF REGISTRATION AND ELECTIONS REGULAR MEETING – FEBRUARY 11, 2021

The Fulton County Board of Registration and Elections met in Regular Session on Thursday, February 11, 2021 at 10:00 a.m.

VIRTUAL MEETING

**Please join the meeting from your computer, tablet or smartphone.
FGTV YouTube Channel**

<https://www.youtube.com/channel/UCYH7E0jH6HxE-3KTRluH8SQ>

Presiding: Ms. Mary Carole Cooney, Chairperson

Other Board Members Present:

Ms. Vernetta Keith Nuriddin, Vice Chairperson
Mr. Mark Wingate
Mr. Aaron V. Johnson
Dr. Kathleen Ruth

Staff Attending: Mr. Richard Barron, Director; Mr. Ralph Jones, Registration Chief; Ms. Nadine E. Williams, Elections Chief; Ms. Sharon Benjamin, Deputy Elections Chief; Mrs. Pamela Coman, Registration Manager; Ms. Brenda McCloud, Administrative Manager; Ms. Breauana Jenkins, Administrative Coordinator I; Mrs. Cheryl Ringer, County Attorney; Mr. David Lowman, County Attorney; Mr. James Reese, Production Manager; Mr. Rico Dollar, Senior Graphics Designer, Jessica Corbitt, PIO; Regina Waller, Senior Public Affairs Officer

Commissioners: Commissioner L. Hausmann (D1)

County Personnel: Fred Hoffman (Ellis), Michael O'Connor (Hausmann)

Guest Attending: David Ross (Democratic Party of GA), Aileen Nakamura (Coalition of Good Governance), Bridget Thorne, Susan Shapiro

Chairperson Cooney announced that this teleconferenced meeting is authorized pursuant to §50-14-1(g) of the Official Code of Georgia because of the Public Health State of Emergency declared by Governor Kemp on March 14, 2020, and renewed through March 7, 2021, pursuant to which public meeting spaces in state and local Government have been closed due to COVID-19, and because means have been afforded for the public to have simultaneous access to this teleconference.

#1– APPROVAL OF AGENDA

Vice Chair Nuriddin requested to amend the agenda to move the executive session after public comments.

Chairperson Cooney responded that time was needed to inform individuals that will attend the executive session, and that there were four items for discussion:

- SEB Hearings
- Pending Litigation
- Annual Evaluation of the Director
- Carter Jones' Presentation

Vice Chair Nuriddin explained the need to go into executive session before the presentation at 11am to discuss the other items listed.

Chairperson Cooney entertained a motion to amend the agenda to move the executive session following item # 2. The motion was made by Vice Chair Nuriddin, seconded by Dr. Ruth and carried by a vote of 4-1; Nay vote by Chairperson Cooney.

#2– COMMUNICATIONS AND PUBLIC RESPONSE

Bridget Thorne expressed concerns of the integrity of the elections and being ignored by the Board. **Ms. Thorne** continued to convey strong opinions on her treatment and how elections were ran in 2020.

EXECUTIVE SESSION

Chairperson Cooney entertained a motion to close the regular session and convene into executive session to discuss personnel matters. The motion was made by Mr. Johnson, seconded by Vice Chair Nuriddin and carried by a unanimous vote of 5-0.

After executive session, **Chairperson Cooney entertained a motion to resume into regular session. The motion was made by Mr. Wingate, seconded by Mr. Johnson and carried by a unanimous vote of 5-0.**

OLD BUSINESS

#3- APPROVAL OF MINUTES

- Special Meeting- January 5, 2021
- Special Meeting- January 15, 2021
- Executive Session Meeting- January 15, 2021
- Special Meeting- January 19, 2021

Chairperson Cooney entertained a motion to approve the meeting minutes from the Regular, Special and Executive Session Meetings on January 5th, 15th, and 19th, 2020. The motion was made by Mr. Wingate, seconded by Vice Chair Nuriddin and carried by a unanimous vote of 5-0.

Vice Chair Nuriddin asked **Chairperson Cooney** about whether or not the Board need to ratify what was voted on in Executive Session.

Chairperson Cooney deferred to the legal counsel.

#4- MONTHLY OPERATIONS REPORT FOR JANUARY 2021:

- Runoff Election January 5th
 - US Senate Seats and Public Service Commissioner
 - **384** Precincts
 - **254** Polling Locations
- Early Voting (**EV**) began December 14th – December 30th

- 34 Permanent EV locations
- A legal hold remains on the **DRE** voting units from the April 18, 2017 and June 20, 2017 6th Congressional Special Election and Runoff Special Election (**Relocated to offsite facility**)
- D.R.E.A.M. located an Auxiliary Warehouse in Hapeville
- Developing an Inventory Tracking System
- Implementation of Procedural Changes
- Total voter registration applications received in 2021: **12,243**
- **12,243** voter registration applications received in January
- As of February 1st, **856,462** (818,722 active and 37,740 inactive) registered voters reside in Fulton County
- Total New Applications: **1,547**
- Felon Hearings: **0**
- Felon Letters Mailed: **637**
- Administration maintaining expenditures from Grant Funds and County Budgets
 - Finalizing 2020 Invoices
 - 2021 Processing Invoices
 - Budgeting Grant Funds
- Campaign Contributions and Late Filers Reports were filed
- Personnel Vacancy
 - Election Officer- Filled
 - Deputy Director- Pending

#5– REVIEW OF BRE BYLAWS

Chairperson Cooney presented the amendments to be discussed.

Addition 1: **Article V**

Prohibit Conflict of Interest

The Board and its members have the responsibility to administer all elections in which Fulton County voters cast ballots in an impartial and fair manner, and to avoid any appearance of conflict and/or impropriety. All Board members shall comply with the limitations of political activities set forth in O.C.G.A. Section 21-2-214(c), which prohibits their engagement in any political activity on behalf of a candidate, political party or body, or question while conducting the duties of such person's office. As interpreted by the Board, this prohibits any Board member from being a declared or qualified candidate, or forming an exploratory committee for, any elected public office, or from serving while such member's parent, spouse, child, brother, sister, father-in-law, mother-in-law, son-in-law, brother-in-law, or sister-in-law is a declared or qualified candidate for any office for which Fulton County voters will cast ballots. **No Board member may be employed by a political campaign or by the office of an elected official.** No Board member may serve in a visible leadership capacity or position in any campaign for any declared or qualified political candidate seeking election in a contested primary, general or special election to any public office for which Fulton County voters will cast ballots. Visible leadership positions include, but are not limited to, campaign officer positions, honorary campaign officer positions, campaign planning or steering committee positions, campaign finance committee positions, campaign fundraiser host or campaign representative soliciting financial support. No Board member shall publicly endorse any candidate for any elective office for which Fulton County voters will cast ballots. In addition, no Board member shall distribute campaign literature, wear badges, buttons or clothing with partisan messages, or engage in any communication that advocates or criticizes a particular candidate, officeholder, or political party or body while conducting the duties of such person's office. The chairperson of the Board shall not hold any office in a political party at any level of such political party, as prohibited by O.C.G.A. Section 21-2-75. The Board does not interpret O.C.G.A. Section 21-2-214(c) to prohibit any Board member from voting in any primary or election or making financial contributions to candidates or political parties or attending, in an individual capacity, any political or campaign event, meeting, forum or function.

Mr. Johnson expressed that the information regarding the pending amendment was already outlined in Article V. He inquired about the reasoning of the amendment and felt that it referred to his current role outside of the

BRE. **Mr. Johnson** explained that he is an employee of the House of Representatives, and is prohibited from working on political campaigns.

Vice Chair Nuriddin questioned **Mr. Johnson** about being impartial to candidates running against Senator Williams in 2022 since he would be managing her campaign

Mr. Johnson repeated that he is prohibited from working on any campaign

Vice Chair Nuriddin expressed that the Board has to appear impartial when administering elections

Mr. Johnson expressed that the amendment appeared to be personal relating to him. Additionally, he added that the policies governed by the House of Representatives are more stringent than the Bylaws of the Board.

Mr. Johnson provided examples of persons that would be deemed ineligible if the Bylaws were amended as suggested

Dr. Ruth asked **Mr. Johnson** to provide the Board with the language of the House of Representatives' policies and noted that she sympathized with the concerns raised by **Mr. Johnson**.

Chairperson Cooney entertained a motion to table Proposed Amendment #1 under Article V. The motion was made by Dr. Ruth, seconded by Chairperson Cooney and carried by a unanimous vote of 5-0.

Addition 2: **Article III**

Restoring some verbiage from 2014 Bylaws to require the board to respond to public comments

Each meeting shall provide time for public comment, during which citizens may voice voter registration and election-related requests, concerns, questions and opinions to the Board, provided that each speaker must fill out a speaker card, prior to the commencement of the meeting, and shall not be allowed to speak for more than two minutes (or such longer period as the Board may approve). **The Board shall respond to any question or request by a citizen made during the public comment section of a meeting either during that meeting or no later than the following regularly scheduled Board meeting.**

Mr. Johnson requested the verbiage "as needed" be added to the language.

Mr. Wingate asked for clarity on responding to inquiries to be completed by the Board Chair, not the members

Madam Chair Cooney mentioned no longer being able to view **Vice Chair Nuriddin** to inquire about the verbiage of this proposed amendment.

Chairperson Cooney entertained a motion to table Proposed Amendment 2 under Article III. The motion was made by Mr. Johnson, seconded by Chairperson Cooney and carried by a unanimous vote of 4-0.*

Addition 3: **Article III**

Using profane or derogatory language

Each meeting shall provide time for public comment, during which citizens may voice voter registration and election-related requests, concerns, questions and opinions to the Board, provided that each speaker must fill out a speaker card,

prior to the commencement of the meeting, and shall not be allowed to speak for more than two minutes (or such longer period as the Board may approve), **and further provided that speakers are required to refrain from abusive, profane or derogatory language.**

Chairperson Cooney provided a reasoning for adding the verbiage.

Chairperson Cooney entertained a motion to approve Proposed Amendment 3 under Article III. The motion was made by Mr. Johnson, seconded by Mr. Wingate and carried by a unanimous vote of 4-0. *

*Vice Chair Nuriddin signal lost.

Addition 4: **Article III**

Amending Public comment to one hour

Each meeting shall provide time for public comment, during which citizens may voice voter registration and election-related requests, concerns, questions and opinions to the Board, **provided that the total time for public comments shall not exceed one hour, provided further** that each speaker must fill out a speaker card, prior to the commencement of the meeting, and shall not be allowed to speak for more than two minutes (or such longer period as the Board may approve).

Chairperson Cooney explained the amendment would allow the Board to conduct their statutory duties in a timely manner and to not delay business due to deadlines. **Chairperson Cooney** explained under this amendment, time restraints exist during the certification of elections.

Mr. Johnson mentioned agreeing with the amendment, but requested to footnote the ability to adjust the time in special circumstances.

Mr. Wingate mentioned that the State Election Board (**SEB**) hearing did not allow any speakers during the hearing.

Mr. Barron explained that all public comments were submitted in writing only during the **SEB** Hearing.

Chairperson Cooney entertained a motion to approve Proposed Amendment 4 under Article III. The motion was made by Mr. Wingate, seconded by Dr. Ruth and carried by a unanimous vote of 5-0.

NEW BUSINESS

#6- ISSUES OFFERED BY REPUBLICAN BRE MEMBERS FOR DISCUSSION

Chairperson Cooney entertained a motion to table item # 6. The motion was made by Dr. Ruth, seconded by Mr. Johnson and carried by a unanimous vote of 5-0.

ADJOURNMENT

With no other items requiring the Board's action, **Chairperson Cooney entertained a motion to adjourn. Mr. Wingate moved to adjourn the meeting. Dr. Ruth seconded the motion.** Collectively, the Board agreed to adjourn at 1:47 p.m.

The meeting adjourned.

Prepared by,

Mariska Bodison, Board Secretary