

*FAYETTE COUNTY BOARD OF ELECTIONS AND VOTER REGISTRATION  
Regularly Scheduled APRIL Monthly Meeting*

*April 24, 2012*

The regularly scheduled April meeting of the Fayette County Board of Elections was called to order by Supervisor Sawyer at 5:15pm. . Also present were Members Addison Lester, Darryl Hicks and Marilyn Watts. .

A. ELECTION OF CHAIRMAN OF FAYETTE COUNTY BOARD OF ELECTIONS

Member Watts stated that she was prepared to make a motion.. She made the motion that Addison Lester be the chairman of the Fayette County Elections and Voter Registration Board. Member Hicks said he would second that motion. Supervisor Sawyer asked if there was any discussion. Member Lester asked what was being discussed out amongst the public about him. Member Watts said that the same stuff was being talked about - she was just waiting for the tide to come around to Member Lester. Member Watts said that we had a job to do and we had to the best that we could. She also said that because Member Lester did not have a full time job that he might have more time to devote to the duties of this board. The vote was called and he was elected 2 – 0 with Mr. Lester abstaining. Member Watts said that what troubled her was that she felt that unfair dispersions were being cast upon our Elections office. It gives the perception out in the public that all kinds of things are going on within the elections office. Member Hicks said that for that purpose we need to back up for a second. We need to rescind what the board just did and we need to take the old motion off the floor. Member Hicks did not want someone coming in later and doing research and saying that we didn't do it correctly. Member Watts made a motion to rescind her previous motion. Member Hicks seconded that motion. The vote was taken on this motion and it carried 3 – 0. Member Lester wishes to withdraw his nomination of Darryl Hicks for chairman from the February meeting. Member Hicks seconded the motion. No vote is required – the nomination is just withdrawn. Member Watts made a new motion for Addison Lester to be the chairman of the Fayette County Elections & Voter Registration Board. Member Hicks second the motion. The vote was called and it carried 2 – 0 and Addison Lester abstaining. .

**B. HEARING**

**1. DECEASED ELECTORS**

Officer Crosby stated that the deceased voters being removed by the Secretary of State's office is beginning to catch up with the Vital Records,. This list as presented are the ones that were not exact matches. The Secretary of State has already deleted the deceased voters that were exact matches with vital records. . Family was notified by our office that these voters had been deleted. MemberWatts made a motion to approve deleting the list as presented by staff. Member Hicks seconded this motion. The vote carried 3 – 0 .

**2. FELON ELECTORS**

This is a list prepared by staff of felons which match the electors list from the Secretary of State's office. Officer Crosby has notified all of these voters of their

deletion from the voter rolls. The letter is a challenge letter and they can come to this hearing if they wish to challenge their deletion. Member Darryl Hicks made a motion to accept the list as prepared by staff to delete felons from the Fayette County Voter rolls. Member Watts seconded the motion. The vote carried 3 – 0.

#### C. OLD BUSINESS

#### 3. MINUTES OF PREVIOUS MEETINGS - MARCH 15, 2012 – BUDGET MEETING

Supervisor Sawyer stated that this was the meeting attended by Member Watts and Chairman Lester – Member Hicks joined by phone. Supervisor Sawyer reported that he had met with the County Administrator and the County Finance Director. The EASY VOTE software is not being recommended to the Board of Commissioners and the amount recommended for batteries is at half the amount requested. Member Watts ask if we could possible appeal his decision. The budget calendar shows that the budget is being presented to the Board of Commissioners on May 10 and workshops will be on Saturday May, 12, 2012. This would be the next step that we could take to try and get approval for funding of this software package. The request for the batteries was approximately \$26,000 and they took out \$13,000. ES&S has reported that the batteries for the Express Polls are at the end of their useful life and need to be replaced. Supervisor Sawyer reported that he went ahead and ordered these batteries and would hopefully be able to move some money around to purchase the batteries for the DRE voting machines. The County Administrator has asked that funds be put into projects for specific elections and not by a total amount per budget line item. Chairman Lester asked show we plan to go about appealing to get this money placed back into our budget request. Supervisor Sawyer said that he would start by talking directly with County Administrator Krakeel. Supervisor Sawyer said that he had already sent Administrator Krakeel an e-mail and was requesting his permission to discuss this project with the board of commissioners. The Board of Commissioners have the ultimate decision; however, they do look at the recommendation of the County Administrator. The Election Board asked if we had gotten testimonials from other counties that are using this system. The budget request did include information that had been obtained from other counties. Supervisor Sawyer said that he talked with a number of counties such as Athens-Clarke County and Columbus – Muscogee County. He learned that this software is being installed in DeKalb County. This software package works with the imaging system that we have recently installed here in Fayette County. The board was of the opinion that this was the year that implementing such a software package would be most instrumental. Supervisor Sawyer said that he was presenting minutes from the meeting that day with the board members.. Chairman Lester presented these minutes to the board for their approval. Discussion was held about these minutes. Supervisor Sawyer said that the board could consider these minutes as other minutes were completed and forwarded to the board. The board was in agreement with this action. Chairman Lester said that they could be tabled and approved later.

#### 4. BY –LAW CHANGES

Member Watts said that this is something that we would want to do carefully and she suggested putting it off for a while. The bylaws as presented were never fully

adopted and were not signed. She further stated that many of the boards don't even have by-laws and that this was something that she was trying to create to get implemented with the current board. It is not mandatory. Member Watts said that we must be so careful what they says in this current climate. Member Hicks asked that we take this item off the agenda until the board ask for it. Chairman Lester asked if they were approved with all but one section. Member Hicks said that it appears that it was approved but never ratified which means that it is not a document. Member Watts stated again that this was something that was not required of this board. Chairman Lester stated that he was okay with removing this from future agendas.

##### 5. BOARD OF EDUCATION CONSENT DECREE VACATED BY FEDERAL JUDGE.

Supervisor Sawyer was notified Friday that the decree which the Board of Education has signed implementing District Voting and was also signed by the Federal Judge was vacated by the judge last week and a hearing had been set for May 3, 2012. Supervisor Sawyer said that he got a call today at lunch from Bryan Tyson of the County's law firm in this law suit that the School Board was requesting to have the hearing moved to May 10, 2012 and if Supervisor Sawyer would be prepared to go to this hearing is needed. If this were to be approved by the Federal court, we would have to redraw all voting lines for the Board of Education races which would affect all 80,000 voters here in Fayette County and each would have to be sent a new precinct card costing the county about \$23,000. There is a big question if the new maps are a part of the law suit and if the judge vacates the previous action this would require that we would have to use the old maps for qualifying. Lots of candidates are calling the election office and at this point we don't know which maps must be used. Member Watts said that lots of talk around the county is that the Board of Commissioners and the Board of Education should have gotten together to draw and use the same maps. Supervisor Sawyer said that time was of the essence as it pertains to qualifying by candidates and the location within which they must qualify. Supervisor Sawyer had called the school board's attorney Phil Hartley in an effort to get details how he thought we should proceed with qualifying. He did not call the elections office back. Supervisor Sawyer stated that the elections office was working to complete the redistricting for Fayette County and that we had to have this complete so that we could order ballots to have UOCAVA ballots mailed out no later than June 15, 2012. Supervisor Sawyer said that all the regular redistricting and the possible redistricting required by the school board's action must be complete for us to commence qualifying on May 23, 2012.

##### 6. COUNTY DISTRICT MAPS – SENT TO DOJ March 28, 2012

The new county commission district maps were sent to the Department of Justice on March 28, 2012, according to Bryan Tyson which will be used strictly for candidate residence for qualifying. Supervisor Sawyer was told that the old three district militia district had been ruled unconstitutional and could not be used further. Supervisor Sawyer said that he did not know who had ruled the old militia district map unconstitutional but that basically, we don't have maps that we can count on for sure t this time for candidates wishing to run for county commissioner. The maps as drawn and sent to DOJ were drawn to have a District 4 and District 5 which will be where Steve Brown and Allan McCarty currently reside.

#### 7. 2012 CONFERENCES

The two trade organization conferences have been set and reservations have been made for Members Watts and Hicks and Supervisor Sawyer and Election Clerk Karen Hunter to attend the GEOA Conference in May in Savannah at the Marriott Riverfront. Other staff will not be able to attend due to graduation and medical procedures that have been scheduled that conflict with the GEOAC dates.

#### 8. KNIGHTS OF COLUMBUS VOTER REGISTRATION DRIVE RESULTS

The Knight of Columbus have registered 203 high school students to date. Board and staff was of the opinion that this number was more than in the past. The Knights have been to all schools with the exception of the catholic high school – Our Lady of Mercy.

#### D. NEW BUSINESS

#### 9. CALL FOR SPECIAL ELECTION – T-SPLOST

Supervisor Sawyer is requesting approval from the Board of Elections for two special elections. The first one is for the T-SPLOST which is for the 10 counties that are in the ARC. Each of the 10 counties must issue their own call for this election which will list all projects for all 10 counties. Supervisor Sawyer asked if we should show all project for all 10 counties. Member Watts asked if the people wouldn't be better informed if they were able to see what projects involved Fayette County versus all the other counties of the ARC - who was getting how much money. By showing all projects, it would give each county an indication of how much or how little they would be receiving. If the majority of counties were to vote to approve this T-SPLOST, then it would pass even though some counties did not vote to approve it. Member Hicks stated that the amount received by each county was based upon your revenue raising potential. The last page of the handout is the actual wording that will appear on the ballot. The listing of projects will be what we will run in the legal notices of the Fayette County News. The Call has to be run next week. The list of projects will be run the four week preceding the July 31, 2012 election. The board was of the opinion that we should include all projects in our advertising and not just those for Fayette County. Citizens of Fayette county might not be fully informed if we did not show all the projects. There may be criticism if we were to try and amend the projects and not show all of them. Member Watts moved that all projects be included in the newspaper advertising. Chairman Lester said that he thought that we had a consensus on this.

#### 10. CALL FOR SPECIAL ELECTION – SUNDAY PACKAGE SALES BY RETAILERS

Supervisor Sawyer stated that he saw on the next commissioners meeting agenda for next Thursday that there was a consent item to place a resolution on the July 31<sup>st</sup> ballot to have citizens vote on Sunday packages sale of alcohol in unincorporated Fayette County. This will be put on all ballots. Supervisor Sawyer showed the board wording that showed the wording of distilled spirits at the top of the paperwork and that he questioned the licensing department about this since there are no liquor sales in unincorporated Fayette County. Sawyer said that he learned that they were trying

to get both package sales of beer and wine and mixed drinks in the county. Supervisor Sawyer said that he would forward the board the consent item as amended as soon as got it. We would still need to issue the call. Sawyer said that the licensing department was working with County Attorney Bennett to change the wording. Member Hicks moved that we issue the call subject to amendments that may come from the county. Member Watts seconded the motion. The motion carried 3 – 0 with none opposed.

E. OTHER BUSINESS

NONE

F. PUBLIC COMMENTS

NONE

G. OTHER ITEMS FOR CONSIDERATION

Chairman Lester said that he wished to thank Member Watts for her vote of confidence. He said that we are all in this together and we are going to make sure that this boat floats and that it is not going down.

H. ADJOURNMENT

Member Darryl Hicks moved that the meeting adjourn at 6:00pm. Member Marilyn Watts seconded the motion. The motion carried 3 – 0.