

**FAYETTE COUNTY BOARD OF ELECTIONS
AND VOTER REGISTRATION
MINUTES**

*April 2, 2013
5:00 p.m.*

Board Members Present: Addison Lester, Chairman
Marilyn Watts
Darryl Hicks

Staff Present: Tom Sawyer, Elections Supervisor
April Crosby, Election Officer
Beverly Westmoreland, Part-time Election Clerk

Others in Attendance: Dennis Davenport, Interim Attorney for Fayette Co.
Tony Parrott

A. 4:00 p.m. Training of the Knights of Columbus for the April Voter Registration Drives at the Fayette County High Schools.

Training was conducted by Supervisor Sawyer. Chairman Lester swore in 6 individuals as Deputy Registrars.

B. CALL TO ORDER

Chairman Lester called the meeting to order at 5:20 p.m. and all members were present. Chairman Lester noted the fact that this meeting was being held due to the rescheduling of the regularly scheduled meeting of March 26, 2013.

C. HEARINGS

Officer, April Crosby, passed out the lists of deceased electors, felons, and potential voters who have moved out of state. She also explained to the Board that beginning April 8, 2013, a new system will be in place and we will receive reports differently from the Secretary of State. Supervisor Sawyer also explained to the Board about the new system and about the training the staff has just gone through the last week of March, 2013.

1. DECEASED ELECTORS

Chairman Lester made a motion to approve the list of deceased electors and Member Hicks seconded. **Motion carried 3-0.**

2. FELONS

Officer Crosby explained that these also will be done differently the next time with the complete merger taking place on April 8, 2013. Member Watts made a motion and Member Hicks seconded to approve the list of deleted felon voters. **Motion carried 3-0.**

3. POTENTIAL VOTERS WHO HAVE MOVED OUT OF STATE

Officer Crosby passed out list of potential voters who have moved out of state that came from a report from the Secretary of State. This report originated in 2012 but because we had upcoming federal elections and redistricting in 2012, we determined in a previous hearing that we cannot remove anyone who has moved out of state according to the Georgia Election Code during an election cycle with Federal candidates on the ballot. She also explained that voters on the report were matched with our voters and that letters have been sent to all on the list. There was discussion as to how many responses to the letters have been received and how many letters were returned by the post office.

Supervisor Sawyer explained that these voters would eventually rotate off the records due to inactivity. Officer Crosby said the "National Change of Address" will happen in May as well as the "No Contact in 2 General Elections". Officer Crosby further explained that if we have removed someone in error, it can be remedied and they can be reactivated.

Chairman Lester asked for a motion to accept this list; Member Hicks made the motion to accept the potential voters who have moved out of state so they may be deleted from our records. Chairman Lester seconded. **Motion carried 3-0.**

D. OLD BUSINESS

4. APPROVAL OF THE FOLLOWING BOARD MINUTES:

June 26, 2012

February 26, 2013

Chairman Lester asked for motion to approve the June 26, 2012 minutes. Member Watts said she objected and had the same question that she did the meeting before. Member Watts said that her recollection about the discussion of the subpoenas in the June 26, 2012 meeting was that no motion was made and that there was no second. Member Watts reported that the minutes of this meeting as presented at the previous monthly meeting showed that Chairman Lester made the motion and Member Hicks seconded the motion. The original minutes which had been recorded were not clear and that the minutes were the recollection of Supervisor Sawyer. Chairman Lester and Member Hicks recalled that

Member Hicks had made the motion regarding the subpoenas and that Chairman Lester had seconded Member Hicks motion.

Member Watts said two weeks prior to that on June 12, Richard Hobbs had reported at a Fayette County Republican meeting that the Board had given him complete subpoena power. She said when he said that, she thought something was going on that had not been discussed at one of our meetings. So at the next meeting, she said she was listening to see what the discussion was and it was discussed but there was no motion and it was a pre-drawn conclusion that that was going to happen. Also, that the hearing was going to happen and that was not voted on either to move forward with the hearing and she said she remembered it very well. So, Member Watts said she objects to this section of the minutes.

Member Hicks made motion to accept the June 26, 2012 minutes as presented. Chairman Lester seconded. **Motion carried 2 – 1** with Member Watts opposing.

Chairman Lester made motion to approve February 26, 2013 minutes and Member Watts seconded. **Motion carried 3 – 0.**

5. GEOA CONFERENCE: May 5 - 8, 2013 at Marriott Riverfront, Savannah, GA

Supervisor Sawyer gave an over-view of information relating to the May 5 - 8, 2013 conference with some great and informative topics to be presented. Member Hicks stated he will be unable to attend since he would be out of town on business. Chairman Lester said he will let the Board know soon as to whether he will be able to attend. Supervisor Sawyer said that April 15, 2013 is the cut-off for registering for this conference. He has 4 rooms reserved at this time at the Savannah Marriott Riverfront.

VRAG CONFERENCE: August 11 - 14, 2013, Classic Center, Athens, GA

Supervisor Sawyer spoke to the Board about this August 11 - 14, 2013 conference and gave the information that he has at this time. There was discussion regarding the cost of the conference being \$350.00 and the hotel is about \$150.00. Supervisor Sawyer said there could be cost savings by staying at the Game Day Center because a 2 bedroom condo is about \$125.00. He asked the Board to let him know about their interest in that conference. He also said the cost would go into the 2014 budget.

E. NEW BUSINESS

6. NEW VOTER REGISTRATION SYSTEM

Supervisor Sawyer explained more regarding the new system to take effect on Monday, April 8, 2013. He updated the Board regarding the training the office just did the previous week in Athens, GA at Athens Tech. He said it was very informative and there will be lots of changes with this new system. We can make inquiries in the old "Legacy"

system but can make no changes and we are in the process of looking at the new system to make sure all information came over as it is supposed to. Next Monday, we will begin entering data we have been unable to process during this 2 week period.

7. HB 143 – Ethics

Supervisor Sawyer passed out information regarding House Bill 143 and told the Board that this passed in the House last week and it went to the Senate. They made a few changes and it came back to the Conference Committee. He said the Legislative persons at ACCG told him this may not be the final bill. It looks like it will pass through the Senate. If and when it does pass, the responsibility will fall back on the counties to handle campaign contribution reports and financial disclosures and assessing penalties. Supervisor Sawyer spoke with the ACCG and they reported to him that once this bill was signed by the Governor, it will take place the first of 2014.

8. STORMWATER UTILITY OPTION – COUNTY-WIDE SPLOST

Supervisor Sawyer told the Board that the County wants to do a SPLOST election in November. He further discussed how these types of elections are held when you have a city election as well as a county-wide election being conducted at the same time. The city residents will vote in their city precinct and then possibly go to their normal county precinct in the county to vote in the county election.

Supervisor Sawyer said we will have a meeting with the Reapportionment Office on April 16, 2013. The hope is that the changes/reduction of the number of precincts for the county, as well as the cities, may be able to take place before the November 5, 2013 election as this would be the most cost effective.

There was further discussion about how the billing back to the cities is handled if there is a combined county and city election going on simultaneously. Attorney Davenport advised the Board that there most likely will be a decision made this coming Friday, April 5, 2013 as to whether this SPLOST will be up for a vote. He further said the cities and the county have to come to an agreement; it just an option to consider. There has to be cooperation between the cities and the county as to how the funds are distributed.

9. 2013 BOARD OF COMMISSIONERS RETREAT

Supervisor Sawyer talked about the agenda for the upcoming Retreat on Friday, April 5, 2013 at New Hope Baptist Church on Highway 74 South. Everyone is encouraged to attend some or all of the retreat on Friday. Supervisor Sawyer will attend. Financial and personnel related matters will be discussed. It is open to the public.

F. OTHER BUSINESS

Member Watts made motion that the Board of Election Meeting Minutes be made available to the Board via e-mail within 10 calendar days after each meeting and that the proposed agenda be e-mailed to the Board within 24 hours before Election Board meetings. Supervisor Sawyer agreed to that. Chairman Lester seconded and **motion carried 3-0.**

G. PUBLIC COMMENTS

None.

H. OTHER ITEMS FOR CONSIDERATION

Attorney Davenport advised the Board that they needed to go into Executive Session to consider pending litigation. Member Watts recused herself and left the meeting.

Chairman Lester made a motion to go into Executive Session to consider an item pending litigation. Member Hicks seconded the motion. The motion carried 2 – 0 with Member Watts having recused herself.

EXECUTIVE SESSION BEGINS.

EXECUTIVE SESSION ENDS.

I. ADJOURNMENT

Chairman Lester asked if there were any other items for consideration and there were none. He then made motion to adjourn and Member Hicks seconded. **Motion was made to adjourn and carried 3-0.**

The next Board meeting is scheduled for April 23, 2013 at 5:00 p.m.