

## BOARD OF ELECTIONS

Addison Lester, Chairman  
Darryl Hicks  
Aaron Wright

## FAYETTE COUNTY, GEORGIA

Floyd L Jones, Director  
April Crosby, Elections Supervisor  
Brian Hill, County Registrar



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

## MINUTES

May 25, 2018  
5:00 p.m.

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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 4<sup>th</sup> Tuesday of each month at 5:00 p.m.

### Chairman to Call the Meeting to Order

Chairman Lester called the May 25, 2018 Board of Elections Meeting to order at 5:00 p.m. It was noted that Mr. Hicks would not be in attendance at the meeting since he would be at his son's graduation ceremony.

### Approval of the Agenda

Mr. Wright moved to approve the Agenda as published. Chairman Lester seconded the motion. The motion passed 2-0-1 with Mr. Hicks not present for the vote.

### PUBLIC COMMENTS:

No one spoke during Public Comments.

### CERTIFICATION:

#### 1. Certification of the May 22, 2018 General Primary Election Results.

County Registrar Brian Hill presented seven provisional ballots for recommended rejection. Two of the rejected ballots were for failure to provide identification. Three of the rejected ballots were based on the voter not registered to vote in Fayette County and / or the State of Georgia. One voter with a rejected provisional ballot was registered to vote in Fulton County. The remaining voter with a rejected provisional ballot was registered to vote in Lamar County.

Mr. Wright moved to approve staff's recommendation to reject the seven provisional ballots. Chairman Lester seconded the motion. The motion passed 2-0-1 with Mr. Hicks not present for the vote.

Mr. Hill presented sixteen provisional ballots with recommendation for approval. He noted that ten of the provisional ballots were partially counted since the voters voted out of their assigned precincts and the remaining six ballots were fully counted since they voted within their assigned precincts.

Mr. Hill stated that due to a poll worker error at Precinct #28, a voter's son was allowed to vote under his mom's voter registration number. The son, whose name is Jalen Ridges, is not registered to vote. The mother, Jarvis Ridges, is a registered voter but her son was allowed to vote under her name. Mr. Hill reported that he contacted the state once this error was discovered after the vote was cast electronically. Mr. Mark Ridges and Jarvis Ridges came to vote after their son had cast an electronic ballot, and

they desired to vote. It was then that the error was discovered as the record showed Mrs. Ridges had already voted. Mr. Hill explained that the state's liaison recommended to staff that since this was a polling error, to cast a provisional ballot, and upon approval by the Board then the ballot would be run but not entered into E-Net as a provisional or counted ballot. Mr. Hill explained that if the provisional ballot is entered into E-Net then it would count as two votes coming from Mrs. Ridges. Discussion followed concerning poll worker training issues and this voter issue.

Mr. Hill stated that Mr. Mark Ridges called him and was upset about the situation. Mr. Ridges stated that his son registered to vote through the Department of Drivers Services (DDS) at age sixteen, but it is known that voter registration cannot occur until the voter will be 18 years old at the time of the election, so there was some voter error in getting registered. It was concluded that there was error both on the sides of the voter who had not actually registered to vote and on the poll worker. Mr. Wright stated that the provisional ballot should not be counted since a vote was already in the system; although in a perfect world the vote could be cancelled and redone. Discussion continued on what would occur if the provisional ballot was rejected.

Mr. Wright made a recommendation to decline the provisional ballot since the voter's profile showed she had already voted. He stated that it would be better to have one vote per profile. Chairman Lester leaned toward approving the provisional ballot as recommended by the state. Discussion continued about the conversation between Mr. Hill and Mr. Ridges and whether Mr. Ridges would involve the state on this matter. Mr. Hill advised that Mr. Ridges encouraged his son to register to vote. Chairman Lester asked how a response to the Ridges would be crafted. It was agreed that a reply would have to be sent to the Ridges giving them an opportunity for a hearing.

Mr. Wright stated there was fault both with the poll manager as well as with the person who did not register to vote. Chairman Lester agreed and recommended that the provisional ballot be rejected. Mr. Hill stated that there may be backlash from the Ridge's family when and if there is a response. It was further agreed that a brief synopsis be provided to Mr. Hicks so he could be made aware of the situation should there be a response from the Ridge's family.

Mr. Wright moved to accept staff's recommendation to approve the presented provisional ballots as approved and further to reject the Ridge's provisional ballot. Chairman Lester seconded the motion. The motion passed 2-0-1 with Mr. Hicks not being present for the vote.

Mr. Hill was dismissed from the meeting in order to process the provisional ballots for the certification of the May 22, 2018 General Primary Election. Mr. Hill remained out of the meeting for the remainder of its duration.

After the Board member report occurred toward the end of the meeting, the Board waited for approximately 50 minutes as the election results were tabulated and printed from the GEMS Server.

Chairman Lester moved to certify the election results as presented with the counted provisional ballots. Mr. Wright seconded the motion. The motion passed 2-0-1 with Mr. Hicks not present for the vote.

#### **APPROVAL OF MINUTES:**

#### **2. Consideration of staff's request to approve the April 24, 2018 Board of Elections' Meeting Minutes.**

Mr. Wright moved to approve the minutes as presented. Chairman Lester seconded the motion. The motion passed 2-0-1 with Mr. Hicks not present for the vote.

#### **PUBLIC HEARING:**

#### **3. 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.**

No one spoke in favor of or in opposition to staff's recommendation.

Chairman Lester moved to approve 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, as presented. Mr. Wright seconded the motion. The motion passed 2-0-1 with Mr. Hicks not being present for the vote. A copy of the request, identified as "Attachment 1," follows these minutes and is made an official part hereof.

Director Jones pointed out that there were no felons to consider for removal on this Agenda.

#### **CONSENT AGENDA:**

There was no Consent Agenda Item.

#### **OLD BUSINESS:**

##### **4. Continued discussion regarding the daily / hourly pay of Absentee staff. This topic was last discussed at the April 24, 2018 Board of Election Meeting.**

Director Jones stated that this item was discussed at the previous meeting. Since that time, County Administrator Steve Rapson emailed County Attorney Dennis Davenport asking if the seasonal, temporary workers could be made contractual employees. He added that the effort would help to address how those workers would be paid. Mr. Davenport provided four different memos mostly from the year 2002 stating that the seasonal, temporary workers could not be made contractual. Mr. Rapson then asked for feedback from Human Resources Director Lewis Patterson, Chief Financial Officer Mary Parrott, and from Elections. Mr. Jones reported that Human Resources and Finance agreed with Mr. Davenport, but that he wrote a lengthy reply.

Mr. Jones found it interesting that Coweta County could get their workers into a contractual status based on a lawsuit, but that Fayette County could not. He suspected the laws of Fayette County and Coweta County are the same on this matter.

Mr. Wright and Chairman Lester thought the workers could not be contractual. Mr. Jones replied that if the workers were considered actual employees then that would bring its own implications regarding raises, promotions, and benefits. He pointed out that this has apparently been considered for many years and that it was probably better to have a current answer rather than something that was reviewed in 2002. He stated that Mr. Rapson had, apparently, sent this matter back to Mr. Davenport for another review and that, apparently, Mr. Davenport was making that review.

Mr. Wright asked if Mr. Davenport had reviewed the legal contract from Coweta County. Mr. Jones replied that he was not sure what Mr. Davenport had reviewed, but that Mr. Davenport is aware of the contract and that it is the result of a Coweta County lawsuit.

The Board did not provide direction or take action on this item. A copy of the request, identified as "Attachment 2," follows these minutes and is made an official part hereof.

#### **NEW BUSINESS:**

##### **5. Discussion concerning Senate Bill 19, commonly referred to as the "Brunch Bill."**

Director Jones stated that Senate Bill 19 would expand the time for alcohol sales on Sundays, but in order to make that expansion counties and cities must have the matter approved by the voters in a referendum. He explained how the referendum would occur. He said the nightmare scenarios are that the cities and the county call for referendums at different times making the Elections Office run numerous elections. Another nightmare scenario is that this matter is another potential example of dual voting if the city ballots cannot be placed on the November ballot. He stated that he called the state about the potential of a dual voting in November and that the state has not provided explanation on how the concern could be handled. He concluded that this was a matter on the horizon and could be coming up in the future.

The Board did not provide direction or make an action on this matter. A copy of the request, identified as "Attachment 3," follows these minutes and is made an official part hereof.

### **DIRECTOR'S REPORT:**

**Early Voting Location:** Director Jones stated that he had talked to staff and the Tech Team and there was a question about how many sites to open during the Advanced In-Person Runoff Election for all three weeks. It was noted that Advanced In-Person for the Runoff Election would begin on July 2, would not occur on the July 4<sup>th</sup> holiday, and would not involve Saturday voting. It was further understood that the runoff election would occur over the 4<sup>th</sup> of July holiday week and that the State's liaison had reported that the state anticipated a 5% turnout across the state- which is approximately half of the statewide turnout for the May 22, 2018 General Primary. Director Jones recommended keeping the Fayette County location open for all three weeks, the Peachtree City location would be opened for weeks two and three, and the Tyrone location would be opened for only week three. Chairman Lester agreed to the recommendation as presented so long as signage is posted for all three weeks. He said if anyone questioned the decision then it could be explained that voter turnout is anticipated to be low and that the county is trying to be a good steward of the county funds. It was further decided to keep staffing to as minimal as possible.

**Signage:** Director Jones stated that Elections Supervisor April Crosby and he are looking at purchasing new signs. He said that it would require a bulk order of signs, but that the replacement of signs on a go-forward basis should be relatively inexpensive.

**Team Meeting:** Director Jones stated that a team meeting would occur on Wednesday, May 30, 2018 in order to prepare everyone for the runoff that is being held on July 24, 2018.

**ADA Compliance:** Director Jones stated that about three weeks ago he contacted the Fayette County Fire Marshal Jimmy Hall who is in charge of inspecting buildings for ADA Compliance in the county. He said he spoke to the Fire Marshal about making sure that the polling places are in ADA Compliance. Fire Marshal Hall asked for a listing of the polling places and they were provided to him. Mr. Jones stated that some places are within municipal boundaries, so Fire Marshal Hall communicated with his counterparts in the cities. The results are that all of the polling places have been found to be in compliance with ADA standards. The only questionable location was Berachah Bible Church since the sanctuary is not ADA compliant but the secondary building, where the voting is held, is compliant.

### **Issues on Election Day:**

- a) Director Jones stated that an elderly lady, who is a former poll manager, was wearing high heels walked into a church and tripped on the church's threshold. She obtained a bloody mouth. EMT was called to check on her and she was found to be okay. The lady sat at the church for a moment before proceeding to vote and leave. There has been no other report since.
- b) Director Jones reported there was a complaint about Holy Trinity Church stating that the church does not have a big enough sign so that people drive by and do not know they are at the church. He said anyone driving by the church would be able to tell it is a church despite there being a small sign stating its name. He added that the voter went to a back door to vote since she claimed not to see appropriate signage. Mr. Jones stated that additional signage would be placed at the location in the future to avoid this confusion.
- c) Director Jones stated there was a complaint from a voter who was upset about a split precinct. She votes at Braelinn Elementary for city matters and Rising Starr for other matters. She has been a voter since 2002. She has never voted in a city election but only in county, state, and federal matters. Director Jones stated that he wrote her in reply yesterday stating that the county is aware of the split precinct issues and is working to resolve them. He offered to talk to her, and she has not yet replied.

- d) Director Jones stated that another person made a complaint about a poll worker in the Fayette County Library. She claimed that she has an eighteen year old disabled daughter and she was trying to show her daughter about the vote. She claimed a poll worker yelled at her, snatched the yellow voter card out of her hand, and shoved a sticker in her hand. Director Jones reported that he spoke to the poll manager who had a different version of what occurred and who was surprised anyone made a complaint. He stated he replied to the lady who made the complaint and has not heard back from her.

**Opinions about the Department:** Director Jones stated that he is hearing numerous compliments about the department. For instance, the State Liaison is saying she deals with troublesome counties but Fayette County is not one of them, Commissioner Steve Brown is making compliments, and Commissioner Rousseau has written an email providing compliments.

**Comp Time Matter:** Director Jones stated that County Registrar Brian Hill and Elections Supervisor April Crosby both have comp time issues from different stand points. He explained that Mrs. Crosby has an abundance of comp time that needs to be reduced and that efforts have been underway for some while to reduce her comp time. The effort includes not allowing anyone in the department to accrue comp time by actually paying overtime. This matters to Mr. Hill who is actually looking to accrue comp time in order to go to a conference in Los Angeles later this year. Mr. Jones said he reached out to Human Resources Director Lewis Patterson to determine if he could allow Mr. Hill to accrue comp time while still paying Mrs. Crosby for her overtime and not allowing her to accrue comp time. He stated that Mr. Patterson said that the department could handle the matter as suggested so long as the Board was informed. The Board agreed to the recommendation to allow Mr. Hill to accrue comp time and to continue to draw down Mrs. Crosby's comp time. Mr. Jones stated that he had already had this discussion with Mr. Hill and Mrs. Crosby and all were good with this solution.

#### **ATTORNEY'S REPORTS:**

There was no Attorney's Report.

#### **BOARD MEMBERS REPORTS:**

**Chairman Lester:** Chairman Lester stated that he received a complaint from a citizen to get out of the schools due to school safety and for the protection of the children. He thanked the man for his opinion and that it would be addressed through the reduction of precincts. He said the man said he could buy the logic and was glad there was a plan to address it.

#### **EXECUTIVE SESSION:**

There was no Executive Session.

#### **ADJOURNMENT:**

Mr. Wright moved to adjourn the May 25, 2018 Board of Elections Meeting. Chairman Lester seconded the motion. The motion passed 2-0-1 with Mr. Hicks not present for the vote.

The May 25, 2018 Board of Elections Meeting adjourned at 7:00 p.m.

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Floyd L. Jones, Director

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Addison Lester, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Elections of Fayette County, Georgia, held on the 26th day of June 2018. Referenced attachments are available upon request in the Board of Elections' Office.

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Floyd L. Jones, Director