

CLAYTON COUNTY BOARD OF ELECTIONS AND REGISTRATIONS

Virtual Regular Business Meeting

October 7, 2020

Immediately following the Special Called Board Meeting

APPROVED POST SUMMARY MINUTES

PRESENT: Chair Wesley, Vice-Chair Dorothy Foster Hall, Secretary Johnson, Treasurer Givens, Board Member Pullar, Director Shauna Dozier, Supervisor Trivis Houston, Attorney Charles Reed, and Elections & Registration Assistant Brianna Garrett.

REGULAR BUSINESS BOARD MEETING

1. Chair called the meeting to order.

2. Moment of silence observed.

3. Adoption of Agenda:

Motion made by Treasurer Givens, seconded by Secretary Johnson. Vote Unanimous. Motion carried.

4. Approval of the September 8, 2020 Virtual Regular Board Meeting minutes.

Motion made by Board Member Pullar seconded by Treasurer Givens to approve the September 8, 2020 Regular Called Board Meeting Minutes. Vote Unanimous. Motion carried.

5. PUBLIC COMMENT:

Citizens will be given a three minute maximum time limit to speak before the Board of Elections and Registration about various topics, issues, and concerns. Public comments will be limited to thirty (30) minutes. Following thirty minutes of hearing from the public, the Board of Elections and Registration will allow the remainder of citizens who have signed up to be heard at the next regular business meeting.

In an effort to maintain the spirit of openness and transparency during this time and in response to the COVID-19 pandemic, citizens are invited to submit their public comments via this submission form:

There were no Public Comment.

6. Old Business:

A. Board Directives as necessary

Board Member Pullar inquired about drop boxes and the listing of new polling locations being stated within the Director's report.

Director Dozier informed the Board that the drop box locations are in the director's report and the listing for all polling locations, including the new locations, is posted on the website. Director Dozier informed the Board that she will provide the Board with the flyer to share.

There were no Board Directives.

B. By-Laws Review

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Treasurer Givens asked for clarity on the term “disqualification” within article 7.2.

Attorney Reed informed the Board that there may be certain general qualifications that must be satisfied as prerequisites before being appointed to the board ie: *residing within the county, be over a certain age, being of a certain mental capacity...etc.* If for any reason one does not meet these qualifications (*example: move out of county*) this may lead to disqualification.

Attorney Reed reiterated to the Board of a previous meeting discussion on term limitations; one can serve up to four (4) years and wait another four (4) years to serve in that same capacity. Attorney Reed informed the Board that rotating Board Members, having term limitations, as well as, limitations for how long a member can serve on a Board is not unheard of from a by-law standard in a general sense.

Board Member Pullar commented that Board Members are not forced to serve in any position and that these previously discussed term limitations coincide with the County Commissioner who appoints members to the Board. For example County Commissioners get reelected every four years.

Secretary Johnson commented that in her experience of serving on a Board, she had not seen it where an Officer nor Board Member could serve an unlimited number of terms with no limitations nor time frames established.

Board Member Pullar commented that upon reviewing the previous by-laws and the new by-laws set forth to be changed there is no significant change in her opinion.

Motion made by Treasurer Givens, seconded by Board Member Pullar, to accept the new By-Laws with changes as printed on pages 1-10. One Vote No. All Others Vote Yes. Motion carried with majority vote.

7. New Business

A. Director's Report & 2020 Election Update

Director Dozier informed the Board of the commendable work and dedication shown by the Clayton County Office of Elections & Registration Staff. The staff has been managing multiple elections, handling high call volumes, processing voter registration applications, and has processed over 35,000 absentee ballot applications in the last two months while working sixteen (16) hour days “eight” (8) days a week to stay on top of the work load.

Director Dozier informed the Board that Elections & Registration Official Monique Taylor created the sample ballot for the November General & Special Election.

Director Dozier informed the Board that the East Point/College Park Alumnae Chapter of Delta Sigma Theta, Inc. Sorority donated 400 face shields to Clayton County Board of Elections and Registration Poll Officials to use for the November General as presented on September 15, 2020.

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Director Dozier informed the Board that as of today, the office is currently operating in two separate elections at the same time: November General & Special Election and the December Special Runoff Election for Congressional District 5 to fill the unexpired term of the late Congressman John Lewis.

Director Dozier informed the Board that the Secretary of State not only has provided voters with an Absentee Ballot Request Portal but also a way to track their ballot if they choose to vote absentee by mail through a new website application named "Ballottrax".

Board Member Pullar inquired about the process for having received an absentee ballot for a deceased family member who had been previously removed from the Elector's List.

Director Dozier informed Board Member Pullar that this is a circumstantial situation and asked Board Member Pullar to bring the received absentee ballot to the Office of Elections & Registration for further investigation.

Board Member Pullar informed the Board that her late brother received absentee ballot.

Secretary Johnson inquired about checks and balances for deceased voters.

Director Dozier informed the Board of the process for removing deceased voters after the Board's approval. This removal process is caught by Vital Records and the voter comes up as "DECEASED" in the Voter Registration System, as well as, a report that is generated removing these voters from polling sites and district information.

Director Dozier requested that Board member Pullar bring the ballot to the office so that the State can be informed as well as conduct research on the ballot Board member Pullar stated she received.

Director Dozier informed the Board that ballot boxes have been received as of today. Preparation for the drop boxes has already begun. Flyers with the locations of the drop boxes will be provided as updated.

Director Dozier informed the Board that Clayton County Elections & Registration was awarded at least two (2) additional official absentee drop boxes from the Secretary of State Office at no cost to the county. These absentee drop boxes will begin being installed Saturday, October 10, 2020.

Director Dozier informed the Board of the projected locations of the drop boxes to include Charley Griswell Senior Center and Frank Bailey Center.

Director Dozier reminded the Board of the newly added (7) seven polling locations: (EW2) East Clayton Elementary School, (LJ6) Eddie White Academy, (LJ7) Lovejoy Community Center, (JB19) Mundy's Mill High School, (Oak 5) Martin L King Elementary School, (MO11) Antioch East Baptist Church, and (MO10) Now Faith Ministries.

Director Dozier informed the Board that the majority of the polling locations were associated with the September Special Election in Congressional District 5 that was newly added by the writ issued on July 27, 2020. Therefore, adjustments to split polling locations had to wait until after the

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September Special so that Voters were not confused about where to vote for the September Special Election. All Voters impacted received notification at the precinct during the September Special, a letter via first class mail, a new precinct card indicating their polling place has changed and there will be new signage at these polling locations for Voters. Further, Voters received handbills regarding the changes on Election Day, September 29, 2020 at their polling site informing them of the forthcoming changes.

Board Member Pullar inquired about the Clayton County Communications Department's efforts to inform voters of the new polling locations and expected mailers.

Director Dozier informed the Board that various forms of communication are being utilized to ensure the impacted voters are informed of the new polling changes and locations.

Board Member Pullar inquired about making elected officials aware of the new polling changes.

Director Dozier informed Board Member Pullar, that in a previous meeting, she gave a directive that conflicted this request, stating that Director Dozier should not inform elected officials because of them being on the ballot.

Director Dozier informed the Board that she will provide the information to the Chief Operating Officer Stanford and he can provide the context in his reports to all of the County Commissioners.

Director Dozier informed the Board that as of October 1, 2020, there are 201,013 (189,895 Active; 11,118 Inactive) voters in Clayton County.

Director Dozier informed the Board that the Voter Registration Deadline for the November General Election was Monday, October 5, 2020. The Office is currently processing all voter registration applications received for the upcoming November General. There are approximately 12,000 voter registration applications that are being processed with a goal to be completed by Friday October 9, 2020 to prepare for any applications from the Secretary of State Office.

Treasurer Givens inquired about applications coming from the Secretary of States Office still being post stamped by October 5, 2020.

Director Dozier informed the Board of the procedures for processing applications that come from the Secretary of States Office.

Director Dozier informed the Board that in addition to the online portal, the office has opted in to allow the State's Vendor to mail absentee ballots on our behalf in order to keep up with the volume of absentee ballot requests. This includes ballot print, data management, QC insertion, handling, project management and postage at the cost of \$1.40 per ballot starting after the initial mail out for UOCAVA and Absentee bulk for any request we processed by September 8, 2020. The office was informed on Monday, October 5, 2020 that as a result of the increase of reissuing ballots the counties that opted in the will now have to reissue any secondary request to avoid delays in processing.

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Director Dozier informed the Board that the Secretary of State has put the responsibility of re-issuing ballot on the office to get the second ballot out to the voters who have had to spoil their ballots and have ballots re-issued

Director Dozier informed the Board that, as of today, she applied for the Center for Tech and Civic Life Program COVID-19 Response Grant and was accepted into the program. More updates will be provided in a future meeting.

Director Dozier informed the Board that National Voter Registration Day NVRD is a national holiday held on the fourth Tuesday of September each year. The purpose of NVRD is to create broad awareness of voter registration opportunities. The office collaborated with the Clayton County Office of Youth Services, and the College Park/East Point Alumnae Chapter of Delta Sigma Theta that were in collaboration with When We All Vote to assist in NVRD efforts.

Director Dozier informed the Board that she did an interview with WSBTV to talk about 2020 Election preparations and overall the election for the November General.

Director Dozier informed the Board that she participated in a speaking engagement about *Debunking Myths About Absentee Voting* with East Point/College Park Alumnae Chapter of Delta Sigma Theta Sorority, Inc. Sorority as well as served on a panel with *Life with Shenita Talk Show* to discuss voter preparedness for the upcoming election.

Director Dozier informed the Board that law enforcement will serve at the precincts on Election Day. Poll Watchers by law are required to have a badge issued by the Elections and Registration Office, and all Poll Managers will be provided with a list of all Poll Watchers and the locations each Poll Watcher is assigned. According to the Georgia Election Code Poll Managers have the authority to remove someone from their polling site. Chief Merkinson is completing a training class to prepare for any type of Civil Unrest on Election Day.

Director Dozier informed the Board that Friday, October 9, 2020 is the deadline for Poll Watchers to be submit letters to serve on Election Day. Direct communication with the Political Parties has been on going in preparation for the November Election.

Vice-Chair Dorothy Foster Hall inquired about the kind of information that is displayed on the Poll Watcher badges.

Director Dozier informed the Board that the Poll Watcher badges have the Poll Watcher's name, the precinct locations they will visit, and is unique to the Elections Office. Poll Watchers know exactly what to look for, as well as, a list of names is provided to the Poll Managers.

Board Member Pullar and Chair Wesley commended Director Dozier and the Staff for their hard work and dedication.

Board Member Pullar inquired about the public being able to distribute water & snacks to voters while waiting in line.

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Director Dozier informed the Board that she is remaining neutral to allowing or not allowing people to distribute water and snacks as long as they are 150ft away from the building and are not advertising nor campaigning for a candidate.

Attorney Charles Reed recommends remaining neutral on allowing people to distribute water and he would not recommend the selling of water without a business license.

B. Advanced Voting Locations-November 3, 2020 General & Special Election.

Director Dozier informed Board that in addition to the regular six (6) Advanced Voting locations, the name and location of the previously discussed Advanced Polling location in District 4 has been identified as *Lake Spivey Recreation Center* and requested to utilize this location for Advanced Voting during the last week of advanced voting.

Motion made by Secretary Johnson, seconded by Treasurer Givens, to accept the recommendation made by Director Dozier to approve the six (6) Advanced Voting Locations effective October 12, 2020 and the addition of one (1) location during the last week of early voting for District 4. Vote Unanimous. Motion carried.

C. Board Member Appointment to the Vote Review Panel-General & Special Called Election to be held November 3, 2020

Director Dozier informed the Board that additional panelist will be serving for November General & Special Election to be held on November 3, 2020.

Board Member Pullar inquired on how those additional panelist will be selected.

Director Dozier informed the Board of the request for additional Board Members to serve as Vote Review Panelists to prepare for the November General Election and notified Political Parties of the number of panelists as well.

Treasurer Givens suggested implementing multiple sets of panels for the November General Election.

Director Dozier recommended that the Board be committed to serve for the remainder of the week in addition to Election Day for planning purposes.

All Board Members committed to being available to serve as needed during the week of the November General & Special Election.

Motion made by Board Member Pullar seconded by Vice-Chair Dorothy Foster Hall to appoint four (4) Board Members to the Vote Review Panel for the General & Special Called Election to be held November 3, 2020. Vote Unanimous. Motion carried.

D. Combined Regular and Special Called Meeting-Certification of November 3, 2020 General & Special Called Election

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Attorney Reed suggested setting an permissible target date to prevent having to have a Special Called meeting to change the date.

Motion made by Board Member Pullar seconded by Vice-Chair Dorothy Foster Hall to approve Director Dozier's recommendation for the date of November 12, 2020 at 12:00 P.M. for the Regular & Special Called Certification Meeting of the November 3, 2020 Election. Vote Unanimous. Motion carried.

E. Approval of Poll Managers for the General & Special Called Election to be held November 3, 2020

Motion made by Treasurer Givens seconded by Vice-Chair Dorothy Foster Hall to approve the Managers and Assistant Managers Appointment list for the November 3, 2020 Election as printed. Vote Unanimous. Motion carried.

F. Hearing to remove felons from elector's list

There are no Felons to remove.

G. Removal of deceased from elector's list

Motion made by Board Member Pullar, seconded by Secretary Johnson, to remove the 82 names listed from the Clayton County Elections and Registration elector's list. Vote Unanimous. Motion carried.

8. Executive session: To consider personnel and/or litigation, as necessary.

Motion made by Board Secretary Johnson, seconded by Vice-Chair Dorothy Foster Hall to move into executive session for litigation purposes pm October 7, 2020 at 5:59 P.M. Vote Unanimous. Motion carried.

Motion made by Vice-Chair Foster-Hall seconded by Secretary Johnson to end executive session for litigation purposes on October 7, 2020 at 6:28 P.M. Vote Unanimous. Motion carried.

Secretary Johnson stated that she sent out an email for a response regarding excluding Staff Members from being present in Board meetings and that she saw an email response back from Chair Wesley. There may not be a need for this to be written in the by-laws but it may need to be a policy.

Secretary Johnson stated that this is Board and County business and unless they are the scribe, receptionist, or recording the meeting, then there is no reason for Staff to be in Board meetings. She does not see an issue with not having Staff in Board meetings.

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Treasurer Givens stated that she does not see what the issue is with having Staff present in Board meetings given that, as Director Dozier addressed this in the past, someone serves as backup and has information in the event that Director Dozier is absent so that the meeting can continue.

Secretary Johnson stated that she does not think that is a legitimate reason to have Staff present in Board meetings. The Board accommodates the Director for whatever she needs. If she can't be here or need to set another date that's an option she has as a director. No one from the Staff will ever run the Board meetings or take her place in a Board meeting.

Treasurer Givens stated that the Staff may not run the Board meeting but they can provide information that the Board needs in her stead.

Treasurer Givens reiterated that she does not see an issue with Staff being present during Board meetings because they are a part of the community as well as the day to day activities.

Secretary Johnson stated that the Staff is not a part of the Board and that Staff can be at the Board meeting as a part of the open public. Staff has every right to be at the Board meeting because this is about the Sunshine Laws; however she does not feel that Staff should be in the meeting as Board Members because they are not Board Members. Staff is not visible in any Board meetings in the County nor anywhere else. Therefore; the only Staff that should be in the meeting accommodating the Board should be the scribe, Brianna. The technician, the one who is running the meeting is not even showing up in the meeting. It's nothing personal its business. It is a Board meeting doing county business.

Treasurer Givens inquired with Secretary Johnson on if she is saying that Staff members should not be on the display like Board Members.

Secretary Johnson agreed with Treasurer Givens that she is saying Staff members should not be on the display like Board Members and that when public viewers see the meeting they see ten people.

Secretary Johnson stated that she wants Staff to be present during the Board meetings because they are learning and they may want to be on the Board and this may be beneficial for them to see how the Board operates.

Treasurer Givens stated that she understood Secretary Johnson's statement to mean something different.

Secretary Johnson apologized and stated that sometimes things do not come out the way she means it and this is why she depends on other Board members to correct her or understand her. She still thinks Staff should not be on the camera while participating in Board meetings and that she is glad that the Staff have started to come to Board meetings.

Chair Wesley asked Secretary Johnson to restate her statement for clarity.

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Secretary Johnson restated that only Board Members should be present and shown on the virtual screen during Board Meetings since it is virtual.

Attorney Reed informed the Board that from the Zoom standpoint, Staff would not be considered participants but they would be considered attendees like other members of the public.

Chair Wesley asked Secretary Johnson what is her request about in person Board meetings.

Secretary Johnson stated that at one time Staff members were sitting at the table but then something was said and they moved. Staff can come to the meetings when we are meeting in person because that is just like the public, they have the right to be there. Therefore, it is the same thing the meeting is just virtual. When the meeting is in person, the Staff is present however; they are not seated at the table. The Sunshine Laws are very specific.

Board Member Pullar commented that if a Staff member is on an agenda item for the Board meeting than they should be there. But if not, than they are Staff. There is a differentiation between Public and Staff.

Board Member Pullar stated that she is trying to understand why are Staff being called the Public when they are Staff. If they are Staff and have a role on an agenda item then they should be at the meeting to be called on for reference or any kind of clarification needed on an agenda item.

Chair Wesley gave an example stating if the Board have a question about technology that arises, we should be able to ask Scott, the Technician, to address that question.

Board Member Pullar commented that the Board should be able to summon the Technician to give clarification or be somewhere close enough to come into the Board meeting to ask for clarification on an issue instead of staying in the entire Board meeting when they do not have a role.

Chair Wesley stated that Board Member Pullar's statement sounds different from what Secretary Johnson stated.

Board Member Pullar commented that Secretary Johnson is designating Staff as the Public. Staff gets paid by tax dollars and are not getting paid tax dollars to sit in Board meetings. Staff gets paid to the work in the Elections Office.

Chair Wesley stated that there are two issues up for discussion. One is that it is ok for Staff to be in the room, so to speak, because it is okay for the public to be in the room. The other issue is that Staff do not need to be in the room unless there is a concern and at that point the designated Staff would need to be summons.

Board Member Pullar commented that she does not have a bone of contention and could go along with Secretary Johnson's rational in terms of rather Staff is there or not. Board Member Pullar commented that she just wanted to be heard in terms of her idea of what Staff and Board are because the Board does not operate with Staff nor get involved in Staff meetings; therefore, the same thing should go the opposite way.

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Secretary Johnson stated that even when Staff is off and a Board meeting is going on. Staff can come to the Board meeting as the general public. They do not have to come in as Staff and can come in just like anyone else and sit there and listen. Secretary Johnson stated that her reasoning behind her statement is that Staff has no voting rights and their voices are not heard in the Board meetings. Board meetings are just for Board Members.

Secretary Johnson stated that she has gotten questions about the number of people on the screen during Board meetings which is where the concern came from. She was asked how big is the Board and responded that the Board is no bigger than any other Board.

Director Dozier reiterated to the Board the reason for having Staff in Board meetings is that should a question come up that she is not able to answer in the area of their expertise that they can immediately respond back as a Staff Person. During the Board meetings, the staff is in the office still working therefore they would not be coming into Board meetings as the public but as a Staff Person that is still being paid for the Board meetings. This also gives Staff members an opportunity to learn because it is very possible that at any given moment there may be a need to implement the office's back up plan should Staff and/or Managers get sick.

Director Dozier informed the Board that should there be an emergency situation where she gets sick there are designated Staff members and managers to step in on her behalf. Should something arise with elections and the voting equipment in Scott's area of expertise, he can immediately step in and discuss the L&A Testing or anything associated with the equipment. Scott is located at a different building outside of Elections Office. Trivis is the Registrar for the Office and is responsible for voter registration along with absentee ballots and provisional ballots. If there is something that comes up that she cannot provide information on Trivis can provide context on that subject. Trivis is located in the Elections office therefore she can be pulled at any given moment. Scott would have to come from another location which is 2 miles away or be called via telephone.

Treasurer Givens commented that what she understands from Secretary Johnson's statement is that her request is that the public facing the virtual meetings is literally the Board members and not the supporting staff. Therefore, it's a public facing issue for her.

Chair Wesley inquired from Attorney Reed about what type of action is appropriate for Secretary Johnson's request.

Attorney Reed informed the Board that they can vote on this since they are the Director's supervisors. Attorney Reed stated that Director Dozier is clear on the Board's consensus on this topic. Therefore, if the Board wants to solidify this with a vote to say that this is an official action of the Board, than do so, but it is not necessary because the Director is clear of what the Board wants to do unless the Boards wants to go on record.

The Board directed Director Dozier to have Staff participate in Board meetings as attendees and not as participants.

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9. Adjourn.

Motion made by Board Member Pullar to adjourn the Regular Board Meeting on October 7, 2020 at 6:50 P.M. Motion seconded by Board Secretary Johnson. Vote Unanimous. Motion passed.

{SIGNATURES ON NEXT PAGE}

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CAROL WESLEY, CHAIR


DOROTHY FOSTER HALL, VICE-CHAIR


DIANE GIVENS, TREASURER


PATRICIA PULLAR, BOARD MEMBER


DARLENE JOHNSON, SECRETARY

ATTEST:


BRIANNA GARRETT, ADMINISTRATIVE ASSISTANT