

State of Georgia

County of Henry

The Henry County Board of Elections and Registration held a Special Public Meeting at 1:00 p.m. on Tuesday, December 22, 2020, held on Zoom. Notice of this meeting was posted in the entrance foyer of the Elections and Registration Building and on the County website. The Daily Herald was notified of this meeting. Those present were:

Donna McBride, Chair and Democratic Party Appointee

Andy Callaway, Vice Chair and Republican Party Appointee

Arch Brown, Board of Commissioners Appointee

Donna Crumbley, Republican Party Appointee

Mildred Schmelz, Democratic Party Appointee

Also in attendance: Director Ameika Pitts, Brook Schreiner, and Patrick Jaugstetter.

I. Call to Order

Chair McBride called the meeting to order.

II. Acceptance of the Agenda

Board Member Crumbley made the motion to accept the agenda with the following revisions: add 'Executive Session' after 'Public Comments'; Board Member Brown seconded. The motioned carried 5-0-0. Coming out of the 'Executive Session', another amendment was made. Board Member Schmelz made a motion to amend the agenda to show discussion of the

'Policy for Hiring and Firing of Poll Workers and Employees' for the 2020 Election, Vice Chair Callaway seconded. The motion carried 5-0-0.

III. Early Voting Schedule

Chair McBride spoke of opening early voting on New Year's Eve, and open the Main Office from 9:00 AM to 4:00 PM. Board Member Schmelz asked if there would be enough poll workers to work that day. Director Pitts said yes. The Board discussed further. Chair McBride made the motion to open the Main Office from 9:00 AM to 4:00 PM on New Year's Eve; Board Member Brown seconded. The motion carried 3-2-0, with Vice Chair Callaway and Board Member Crumbley apposed.

IV. February Election

Director Pitts stated that in February, it will be a Special House District 90, due to the resignation of Pam Stephenson. She continued stating that early voting will begin, tentatively, January 18, 2021. She said that House District 90 only covers the Northern region of Henry County and plan to open the Main Office, Merle Manders Conference Center, Fairview Recreation Center, and possibly J.P. Mosley Recreation Center for early voting. She also stated that on Election Day the polling locations that would be open are as follows: Austin Road, Swan Lake, Pleasant Grove, Cotton Indian, and Stockbridge East/West. Chair McBride asked if she could add this information to the January meeting and put it in writing so the Board may look over it.

V. Challenge Elector's

- A. Mr. Jaugstetter spoke of the challenge made by Vikki Townsend Consiglio on December 20, 2020, which challenged the rights of 3,778 +/- electors to vote in the January 5, 2021 runoff election under O.C.G.A. § 21-2-230. He stated that once the Board of Elections receives the challenge, they must immediately consider the challenge and determine whether there is probable cause to sustain the challenge. The Board discussed further. Chair McBride made the motion to dismiss the challenge because the Board does

not have enough information for probable cause, Board Member Brown seconded. The motion carried 3-2-0, with Vice Chair Callaway and Board Member Crumbley apposed.

- B. Mr. Jaugstetter spoke of the challenge made by Noelle Kahaian on December 20, 2020, which challenged the rights of 9,271 +/- electors to vote in the January 5, 2021 runoff election O.C.G.A. § 21-2-230. The Board discussed further. Chair McBride made the motion to dismiss the challenge because the Board does not have enough information for probable cause, Board Member Brown seconded. The motion carried 3-2-0, with Vice Chair Callaway and Board Member Crumbley apposed.

VI. CTCL Grant Update

Chair McBride stated that Vice Chair Callaway and Board Member Crumbley had some concerns on the grant and the use of the funds. Mr. Jaugstetter spoke of the grant from CTCL, and the concerns that have been raised with Mark Zuckerberg's involvement. He continued stating that he finds no law that prohibits the Board of Elections from receiving and using the funds for legitimate, lawful purposes. The Board discussed further, and Chair McBride stated that an itemized list will be sent out when time permits.

VII. Public Comments

There were no public comments.

VIII. Executive Session

Vice Chair Callaway made the motion to go into Executive Session for personnel matters, Board Member Schmelz seconded. The motion carried 5-0-0.

Board Member Schmelz made the motion to come out of Executive Session, Board Member Crumbley seconded. The motion carried 5-0-0. Mr. Jaugstetter went on record to state acknowledge that upon convening into executive session and immediately upon determining the matter to be discussed wasn't proper for executive session, we reconvened into public session to discuss that matter in public session, and that no substance of the discussion of that matter were undertaken in executive session.

IX. Policy of Hiring and Firing Employees

Board Member Crumbley asked that moving forward all hiring of poll workers be allocated on a non Bi-Partisanship, and to provide equal opportunity for the parties. The Board discussed further. Director Pitts stated that the office does not hire according to party. Mr. Jaugstetter stated that if you are hiring or not hiring based on political beliefs, then you are engaging in unconstitutional conduct. He continued stating that the First Amendment prohibits you from denying someone's employment because of his or her political beliefs. The Board discussed further. Board Member Brown asked if Director Pitts could send the poll worker packet to him. Director Pitts stated that she would send it out to all of the Board Members.

X. Board Member Comments

The Board Members made their comments.

XI. Adjournment

Board Member Schmelz made the motion to adjourn the meeting, Vice Chair Callaway. The motion carried 5-0-0.