

## 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 Thursday, February 25, 2021, 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, Terrika Davis, Patrick Jaugstetter, and Brook Schreiner.

#### **I. Call to Order**

Chair McBride called the meeting to order.

#### **II. Acceptance of the Agenda**

Board Member Schmelz requested the following amendment: add 'State Election Board Investigations Report' to 'New Business'. Vice Chair Callaway made the motion to approve the agenda with the amendment, Board Member Schmelz seconded. The motion carried 4-0-0.

### **III. Director Report**

- A. Director Pitts updated the Board on the early voting numbers: House 90 has had 19, E-SPLOST has had 186, and Locust Grove City has had 16. She continued stating that for Absentee Ballots, House 90 has received six request and six ballots were sent out, for March 16, 2021 election 53 request have been received and 56 ballots were sent out, and one ballot has been returned. Director Pitts stated that on the Locust Grove City ballot, there was an error in one of the candidates' names; John Williams is really Vincent Williams.
- B. Director Pitts asked Board Member Crumbley if she had received her email for the budget and bylaws. Board Member Crumbley said no. Director Pitts suggested calling after meeting. Director Pitts suggest to Vice Chair Callaway to put in a request with State on the Presidential Election of the itemized list. Vice Chair stated that he will call Director Pitts about this situation.

### **IV. Old Business**

- A. Attorney Jaugstetter updated the board and stated that he is in the process of drafting the complaint, and that he needs authority from the Board of Commissioners to move forward.

### **V. New Business**

- A. Chair McBride stated that she sent out a resolution to the Board Members to change the wording. Attorney Jaugstetter stated the proposed legislation: 1) changes the term of the Director, and 2) eliminates the provision of your legislation that prohibits the Board from taking any action unless the member at large is appointed in office. He continued suggested that all related entities adopt a resolution making the request, then ask the Board of Commissioners to request that to be made. He continued stating that by getting those resolutions to the General Assembly, it eliminates any risk that they are doing something to alienate or create controversy between them and the local governments. Attorney Jaugstetter said that if one of you approve the resolution whether it be the Board the Elections or the Board of Commissioners, then the General Assembly may or may not actively pursue it, if either Boards do not approve, then the General Assembly will not pursue. The Board discussed further. Board Member Schmelz stressed her concerns that the Board of Elections has no say in the

hiring, disciplinary, or firing of the Director, and proposed to amend the resolution and add this in the resolution. Attorney Jaugstetter recommended doing this separately from the original resolution. Board Member Schmelz stated for the record that Georgia has 159 counties, and Wilkes County has the same laws regarding the placement of the Director, however the other counties that she has spoken with, the Board of Elections has a say in the process. Vice Chair Callaway made the motion to proceed with the first resolution and bring it before the Board of Commissioners and legislators to be approved, Board Member Brown seconded. The motion carried 4-1-0, with Board Member Crumbley apposed. Attorney Jaugstetter stated that he would forward the Board of Elections action to the county to be placed on the Board of Commissioners agenda. Board Member Schmelz would like for the Board of Elections work with Attorney Jaugstetter in formulating the language to be used in the second resolution she previously proposed. Chair McBride made the motion to work with Attorney Jaugstetter in formulating the language for the second resolution that Board Member Schmelz proposed, Vice Chair Callaway seconded. The motion carried 5-0-0.

- B. Board Member Schmelz stated that Henry County had three cases on the agenda, specifically case number 218-050 on the Henry County Ballot format, and wanted clarification of how the case was disposed of. Attorney Jaugstetter stated that he was generally familiar with the case, and stated that he had reached out to the Attorney General's office to cooperate as much as possible. He continued stating the there was a problem where a voter was given the wrong voter access card, and that a voter was authorized to vote a second time, and that the evidence is not clear to either case, so there will be further investigation in the matter.

## **VI. Board Member Comments**

The Board Members made their comments.

## **VII. Adjournment**

Vice Chair Callaway made the motion to adjourn the meeting. The motion carried 5-0-0.