

## State of Georgia

### County of Henry

The Henry County Board of Elections and Registration held a Regular Public Meeting via Zoom at 1:00 p.m. on Wednesday, May 5, 2021. 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, Staff Terrika Davis, County Attorney Patrick Jaugstetter, and Staff Brook Schreiner.

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

Chair McBride called the meeting to order.

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

Board Member Crumbley asked to amend the agenda and add the following: under 'Old Business' add 2020 qualifying procedure. Chair asked to amend the agenda and add the following: after 'Public Comments' add 'Executive Session'. Vice Chair Callaway made the motion to accept the agenda. Board Member Schmelz seconded. The motion carried 5-0-0.

#### **III. Acceptance of the February and March Minutes**

- A. Board Member Crumbley made the motion to properly first and second the following motions from April 7, 2021 meeting; “make Community Bible Church the new Pates Creek polling location” and “make Mt. Olive Baptist Church the new Dutchtown polling location.” Board Member Schmelz seconded. The motion carried 5-0-0. Board Member Schmelz made the motion to accept April 7, 2021 minutes with the amendments. Vice Chair Callaway seconded. The motion carried 5-0-0.
- B. Board Member Schmelz made the motion to accept April 20, 2021 minutes. Vice Chair Callaway seconded. The motion carried 5-0-0.

#### **IV. Director Report**

- A. Director Pitts stated that training for the June 15, 2021 had begun. Training started Monday May 3, 2021 and will go to Friday, May 7, 2021. Chair McBride asked what kind of training is it. Director Pitts said that it is poll worker training. Board Member Schmelz asked if there has been any request for poll watcher training. Director Pitts said that she has not received any request for poll watcher. Chair McBride requested for following elections that there should be poll watcher training. Director Pitts stated that the different parties are responsible for poll watcher training, but will get with the parties to see if they are willing to collaborate with the office.

Director Pitts stated that Logistics and Accuracy testing for the June 15, 2021 election will began Monday, May 17, 2021. She continued stating that a notice will be posted in the Henry Herald.

Director Pitts followed up with the Board Members on giving the paralegal, Mary Schlack, from Smith and Welch Law Firm the meeting minutes where the Board Members approved the approval of the certification of the ESPLOST Election and a copy of the Certificate of Authenticity regarding the ESPLOST Election.

Director Pitts stated that a few weeks back, the Secretary of State Investigative Department contacted the office on possible double voters. She continued stating the numbers for each election. For the June 2020 Primary- 55, two were administrative error during early voting, 45 having absentee envelopes, remainder voted in person; for the August 202 Runoff- 13, one administrative error during early voting, and two having absentee envelopes; for the January 2021 General Runoff- 12, all were absentee by

mail. Director Pitts stated this was due back to the Secretary of State by April 30, 2021 and the office got this information in on time. Vice Chair Callaway asked if Director Pitts could send him a copy of this report of double voters. Director Pitts said yes. Chair McBride asked if the Secretary of State indicated what they would do with this information and why. Director Pitts stated that the Secretary of State did not say what they needed this information for, only that they ran a report showing possible double voters. Chair McBride commended Director Pitts and staff.

B. Director Pitts stated there were no Board Member requests at this time.

#### **V. Old Business**

A. Chair McBride asked Director Pitts that the total amount that the Elections Office incurred from conducting the ESPLOST Election. Director Pitts states that the amount was \$62,279.28. Chair McBride asked Attorney Jaugstetter where does the office stand as far as having that amount be paid by the Board of Education. Attorney Jaugstetter stated that Board of Education would have the invoice on the agenda at the May 10, 2021 meeting.

B. Brook updated the Board Members on the new facility. She stated that she was part of the committee that met with other County Departments that looked at different contracting companies, and said that they did select a company and that the next step is to present this to the Board of Commissioners. Chair McBride asked if she knew which Board of Commissioners meeting this would be brought up. Brook said she did not know, but once she found out then she would let the Board Members know.

C. Director Pitts stated for 2020 qualifying, the office hosted qualifying at the office, and stated that potential candidates qualified with the respective parties. Board Member Crumbley spoke of the qualifying for March 2020. Board Member Crumbley stated that the Republican Chair, the secretary, as well as, herself as the Vice Chair, held qualifying at the elections office. She stated that after qualifying, the Chair, the secretary, and herself went over to the Superior Court to post their qualifiers, and stated that it was posted up in the glass case at the Superior Court, and the deadline for posting this information was Friday, March 6, 2020. She continued stating that the Democratic Party did not post their qualifiers by the deadline. She said that she went back and asked Director Pitts why Michael Burns, the Democratic

Chair, did not post their candidates at Superior Court, and said they never got an answer from Director Pitts to satisfy the Republican Party. Board Member Crumbley asked why the Democratic Party never post their candidates. Director Pitts stated that she remembers this incident and that the office staff as well as herself are nonpartisan. She continued stating that the office is responsible for those that qualify for nonpartisan candidates, but the parties are responsible for following proper procedures for qualifying, and turn in the qualifying fee to the office. Director Pitts stressed that she has no control over the parties and the candidates being posted at the Superior Court. The Board discussed further.

## **VI. New Business**

- A. Director Pitts spoke on qualifying for June 15, 2021 Special Election. She stated that qualifying will begin Monday, May 10, 2021. Director Pitts stated that the hours will be as follows: Monday, May 10, 2021- 9am to 5pm, Tuesday, May 11, 2021- 9am to 5 pm, and Wednesday, May 12, 2021- 9am to 1pm. She continued stating that the qualifying fee is \$1,050. Board Member Schmelz made the motion to accept the qualifying schedule. Vice Chair Callaway seconded. The motion carried 5-0-0. Director Pitts stated that the qualifying information is posted in the Henry Herald, the Elections Facebook page and the Henry County Elections website.
- i. Director Pitts stated that she got some questions and concerns about the person who is currently filling the District 3 Commissioner seat and whether their status is incumbent. Attorney Jaugstetter stated that it is his opinion that the person holding the seat is in fact incumbent for purposes of an election based upon a couple decisions of the Georgia Supreme Court, one in which was decided in 2013, Pike County vs. Callaway-Ingram, that an incumbent is an individual who is in possession of office at issue. Attorney Jaugstetter stated other court cases that backs this opinion as well: Pittman vs. Ingram (1937) and Garcia vs. Miller (1991).
  - b. Director Pitts stated that early voting for the June 15, 2021 Special Election will be held at the Elections Office starting May 24, 2021. Director Pitts stated the early voting schedule (see page 7). Vice Chair

- Callaway made the motion to accept the early voting schedule. Board Member Crumbley seconded. The motion carried 5-0-0.
- c. Director Pitts stated that the East Lake polling location Salem Baptist Church will not be able to hold the June 15, 2021 election and the office reached out to Superintendent Davis to use East Lake Elementary School for the June 15, 2021 election only. Board Member Crumbley made the motion to use East Lake Elementary School for the June 15, 2021 election only. Vice Chair Callaway seconded. The motion carried 5-0-0. Director Pitts stated that the polling location changes will be posted in the Henry Herald and signs will be posted outside of the locations.
  - d. Director Pitts stated that there are 11 polling locations in District three: East Lake, Hickory Flat, Lake Dow, Lake Haven, McDonough, McDonough Central, McMullen, Mt. Bethel, Timberridge, Wesley Lakes, and Westside. Director Pitts said that each location will have six poll workers, five Ballot Marking Devices, two Poll Pads, and one scanner.
- B. Director Pitts stated that there are three Board Members whose terms will be ending June 30, 2021: Chair McBride, Board Member Crumbley, and Board Member Brown. Director Pitts said that Board Member Brown has decided to not serve another term, but will stay on the Board until the next Member has been appointed. Board Member Crumbley asked if Board Member Brown could elaborate on what he meant in his resignation since the resolution did not pass. Board Member Brown stated if his position is vacant then the Board cannot operate, and stated that in the bylaws, he may continue to serve until the next person is sworn in. The Board discussed further and Board Member Schmelz asked if the Board of Commissioners have been informed of Board Member Brown resigning. Chair McBride stated that they would be informed after meeting. The Board Members commended Board Member Brown on his service on the Board.

## **VII. Public Comments**

There were no public comments.

## **VIII. Executive Session**

Vice Chair Callaway made the motion to go into Executive Session due to possible legal matters. Board Member Crumbley seconded. The motion

carried 5-0-0. Vice Chair Callaway made the motion to come out of Executive Session. Board Member Crumbley seconded. The motion carried 5-0-0.

**IX. Board Comments**

The Board Members made their comments.

**X. Announcement of Next Meeting- June 2, 2021**

Chair McBride announced that the next meeting will be June 2, 2021.

**XI. Adjournment**

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

## PUBLIC NOTICE

Notice of advanced voting for the June 15, 2021 Vacancy of District 3 Henry County Board of Commissioner Special Election. Voting will be conducted at the following locations and times listed below. Last day to register to be eligible to vote in the June 15<sup>th</sup> Vacancy of District 3 Henry County Board of Commissioner Special Election is May 17<sup>th</sup>, 2021. Voters may check their voter registration at [mvp.sos.ga.gov](http://mvp.sos.ga.gov). For further information or to request an absentee ballot call 770-288-6448.

### Elections & Voter Registration Main Office: 40 Atlanta St., McDonough

May 24<sup>th</sup> – May 28<sup>th</sup>                      8:00 am – 5:00 pm

\*May 31<sup>st</sup> Closed due to Holiday

June 1<sup>st</sup> – June 4<sup>th</sup>                      8:00 am – 5:00 pm

June 5<sup>th</sup>                                      9:00 am – 4:00 pm

June 7<sup>th</sup> – June 11<sup>th</sup>                      7:00 am – 7:00 pm

The following polling locations are eligible to vote in the June 15<sup>th</sup>, 2021 Election: East Lake, Hickory Flat, Lake Dow, Lake Haven, McDonough, McDonough Central, McMullen, Mt Bethel, Timberridge, Wesley Lakes, and Westside.