

**DEKALB COUNTY, GEORGIA  
BOARD OF REGISTRATION AND ELECTIONS**

**AMENDED AND RESTATED BOARD BYLAWS**

**I. NAME AND AUTHORITY**

The DeKalb County Board of Registration and Elections (the “Board”) has been created by the Georgia General Assembly, pursuant to Georgia Laws 2003, p. 4200, § 1 and O.C.G.A § 21-2-40.

**II. PURPOSE AND DUTIES**

- a. Purview.** The Board’s purpose and duties include but are not limited to:
- i.** Carrying out registration and elections-related responsibilities as specified by state and local law
  - ii.** Ensuring that all elections and related activities in DeKalb County are conducted in accordance with the spirit and the letter of applicable federal, state, and local laws such that they are free, impartial, fair, accurate, convenient, accessible, credible and trustworthy in the eyes of the public
  - iii.** Educating the public and increasing public awareness of upcoming elections, where and how to cast votes, and voter registration; ensuring voters, candidates, and the media receive excellent customer service from the Department of Voter Registration & Elections (the “Department”)
  - iv.** Appointing, overseeing, evaluating, and/or removing the Executive Director of the Department as necessary or appropriate
  - v.** Determining and adopting procedural rules and regulations for the Department; adopting bylaws; specifying policies for the functions and duties of Department employees, custodians, independent contractors, and poll workers; and taking such actions as is necessary and appropriate to the management of the affairs committed to the Department’s supervision as well as the affairs of the Board
  - vi.** Providing budget and resource oversight and advocacy for the Department to ensure such that the Department has sufficient operating capacity
  - vii.** In partnership with the Executive Director, establishing high-level priorities and/or goals for areas and activities under the Board’s purview.
- b. Training.** In order to effectively carry out its purpose and duties, Board members shall obtain relevant annual training provided by the Secretary of State or such other training as determined relevant by the Board for the purpose of carrying out its duties (including, but not limited to, the annual conference held by the Georgia Association of Voter Registration and Election Officials (GAVREO)). At minimum, the Executive Director and one member of the Board shall participate

in such training at the GAVREO conference to ensure compliance with state law. Fees and travel costs for such training shall be paid by the Department in accordance with DeKalb County policies.

### III. MEMBERSHIP

- a. The Board shall be composed as set forth in Georgia Laws 2003, p. 4200, § 2, as the same may be amended from time to time. Any conflict between Georgia Laws 2003, p. 4200, § 2 and these bylaws shall be resolved in favor of § 2. At the time of the adoption of these bylaws, Georgia Laws, 2003, p. 4200, § 2 provides as follows:
  - i. Such board shall be composed of five members. Each member of the board shall be an elector and a resident of the county and shall be appointed by the chief judge of the superior court of DeKalb County.
  - ii. Four of the five members of the board shall be appointed by said chief judge from nominees selected in the following manner:
    1. Two members of the board shall be nominated by the county executive committee of the political party whose candidate for the office of Governor at the last election for such office received the highest number of votes cast for such office within DeKalb County; and
    2. Two members of the board shall be nominated by the county executive committee of the political party whose candidate for the office of Governor at the last election for such office received the second highest number of votes cast for such office within DeKalb County.
  - iii. The fifth member of the board, to be known as the member at large, shall be appointed by said chief judge, but shall not have been a person nominated pursuant to subsection (ii) of this section.
  - iv. The county executive committee of a political party making a nomination pursuant to subsection (ii) of this section shall nominate potential board members at least 30 days prior to the beginning of the term of office to be filled, or within 30 days of the creation of a vacancy in the office to be filled. In the event that a political party entitled to make a nomination pursuant to subsection (ii) of this section does not have an active and functioning county executive committee, the state executive committee of such political party shall make the nomination.
  - v. The chief judge of the superior court of DeKalb County may reject any nominee for appointment to the board and the political party that nominated such nominee shall nominate another qualified person.
- b. Eligibility of members shall be determined as set forth in Georgia Laws 2003, p.4200, § 3, as the same may be amended from time to time. Any conflict between Georgia Laws 2003, p. 4200, § 3 and these bylaws shall be resolved in favor of § 3. At the time of the adoption of these bylaws, Georgia Laws 2003, p. 4200, § 3 provides as follows: No person who holds public office, whether

elective or appointive, shall be eligible to serve as a member of the board during the term of such office, and the position of membership of any member shall be deemed vacant upon such member qualifying as a candidate for any elective public office. Neither the acting elections supervisor nor the elections supervisor shall be eligible to serve as a member of the board, nor shall either of them be appointed or elected to serve as a member of the board.

#### IV. TERMS OF BOARD MEMBERS

- a. Terms of board members shall be as set forth in Georgia Laws 2003, p. 4200, § 6, as the same may be amended from time to time. Any conflict between Georgia Laws 2003, p.4200, § 6, and these bylaws shall be resolved in favor of § 6. At the time of the adoption of these bylaws, Georgia Laws 2003, p.4200, § 6 provides as follows: Each appointed or elected member of the board shall
  - (i) serve for a term of two (2) years and until his or her successor is appointed or elected and qualified, except in the event of resignation or removal as hereinafter provided;
  - (ii) be eligible to succeed himself or herself and have the right to resign at any time by giving written notice of his or her resignation to the respective appointing or electing authority and to the clerk of the superior court.
- b. Each Board member shall be subject to removal from the Board at any time for cause, after notice and hearing, in the same manner and by the same authority as is provided for the removal of registrars under Georgia law.

#### V. OFFICERS OF THE BOARD

- a. Names. The officers of the Board shall be the Chairperson (the “Chair”) and the Vice-Chairperson (the “Vice-Chair”).
- b. Selection of Officers. Every two years, the five member board shall select from its membership a chair and a vice-chair. The process for this selection of officers commences every two years on July 1. Selection of officers is solely within the discretion of a majority of the Board.
- c. Duties of the Chair. It shall be the duty of the Chair to:
  - i. Preside over monthly meetings of the Board and all other Special Called meetings. The Chair shall have the authority to call meetings of the Board as deemed necessary to accomplish and fulfill the powers vested in the Board.
  - ii. Approve the agenda for Board meetings, subject to amendment by the Board at the meeting to which the agenda applies.
  - iii. Convey the Board’s directives and policies to the Executive Director and ensure they are carried out.
  - iv. Serve as spokesperson for the Board in accordance with Board directives.
  - v. Coordinate the Executive Director’s annual performance evaluation.
- d. Duties of the Vice-Chair. It shall be the duty of the Vice-Chair to preside over meetings of the Board in the absence of the Chair and fulfill any other duty of the Chair as warranted by the absence of the Chair.

**VI. COMMITTEES OF THE BOARD**

In order to fulfill the Board's purpose and duties, the Chair may establish one or more committees with the concurrence of a majority of the Board. The Board may also elect to designate one or more Board members to serve on outside committees as representatives of the Board.

**VII. MEETINGS OF THE BOARD**

- a. Monthly. The Board shall hold regular monthly meetings at a date and time agreed upon by a majority of the Board.
- b. Special Called. The Board may hold other such meetings as may be necessary at the request of the Chair, or any two members of the Board, in accordance with notice requirements in Georgia law.
- c. Public. All meetings shall be open to the public. Public comment shall immediately follow Approval of Minutes on the Board agenda, or prior to the commencement of any old business or new business; provided however, that the public comment period may be moved to a different part of the agenda with the concurrence of a majority of the Board during the meeting. Public comments may be made in such manner as directed in the meeting notice and may generally be made in person or by correspondence via electronic means including, but not limited to, email. Any other available means or method by which the public can submit comments shall be set forth in the meeting notice.
  - i. In-person public comments. Each in-person speaker must sign up for public comment in the manner directed at the meeting prior to the start of the public comment period. In-person speakers who are residents of DeKalb County shall be allowed to speak before non-residents and before emailed public comments are read. In-person speakers shall be allowed to speak before emailed comments are read into the record (where time permits) and may speak for up to two minutes.
  - ii. Electronically provided public comments. Each electronically provided public comment must be received by the Board between 35 and 5 minutes before the meeting start time set forth in the meeting notice. Electronically provided public comments must be one printed page or less at a minimum font of 12. If time remains in the prescribed public comment portion of said meeting, electronically provided public comments or portions of them will be read into the record by the Executive Director's designee. Any remaining public comments received during the designated period not read into the record will be incorporated into the minutes by staff and will be forwarded to each Board member by email after the meeting.
  - iii. Time limit on public comment. Individual speaking time for both in-person speakers and electronically provided public comment shall be two minutes per comment and the total time allotted for public comment shall not exceed 30 minutes; provided, however, that the time for public

comment may be extended with the concurrence of a majority of the Board, provided that it is extended uniformly for all speakers. Speakers shall not be required to read their addresses into the public record in order to participate.

- d. Quorum. A simple majority of the members of the Board shall constitute a quorum. No official action shall be taken except upon the affirmative vote of a majority of the members of the Board.
- e. Parliamentary Authority. Robert’s Rules of Order shall provide the parliamentary framework of the Board.
- f. Agenda of Board Meetings. The Executive Director shall solicit items for discussion from Board members, including matters the Executive Director deems necessary for consideration by the Board. The agenda shall be approved by the Chair and provided to Board members no less than 48 hours prior to the meeting.
  - i. Form of Agenda. Each agenda item shall describe the nature of the action required by the Board or shall be designated as informational only. Any such material as is necessary to understanding an agenda item shall be provided to Board members with the agenda.
  - ii. Posting. Agendas for monthly meetings shall be made publicly available in accordance with applicable Georgia law but not less than 48 hours prior to the meeting. Such posting shall include all supplemental materials not deemed privileged by the County Attorney.
  - iii. Minutes. Minutes of all meetings shall be taken and made available for inspection in accordance with Georgia law. At minimum, the minutes shall include the substance of any motion, the names of those who made and seconded the motion, and a breakdown of the vote. The minutes shall additionally include the names of Public Comment speakers, a summary of key points discussed in each agenda item, and any follow-up or action items requested by Board members. A verbatim recording of the meeting shall be made publicly available alongside the written minutes.
- g. Compliance with O.C.G.A. § 50-14-1. The requirements in this § VII are intended to comply with the provisions of O.C.G.A. § 50-14-1 as amended from time to time and, to the extent not included herein, are incorporated herein by reference. Notwithstanding the foregoing, the Board may adopt such rules and regulations for the conduct of its meeting as it deems appropriate, provided such rules and regulations are consistent with O.C.G.A. § 50-14-1 and otherwise permitted by law.

## VIII. EMPLOYEES

- a. Executive Director. The Executive Director, identified in Georgia Laws 2003, p. 4200, § 15 as the “election supervisor,” is appointed by and accountable to the Board.

- i. Purview. The Executive Director is authorized and has the duty to manage the employees and operations of the Department. These responsibilities include, but are not limited to, the management of all elections-related processes; support of and collaboration with the Board; oversight of employees and related human resources duties; management of Department budget and related duties; and engagement with stakeholders, partners, media, and members of the public.
  - ii. Employment. The Executive Director may be appointed or removed by a majority vote of the Board in accordance with applicable laws.
  - iii. Performance Evaluation. On an annual basis, the Board shall evaluate the Executive Director's performance in the areas under their purview. The Chair shall coordinate the evaluation process, soliciting feedback from Board members and from other key stakeholders as appropriate. Evaluations shall be in writing and shall be administered and communicated to the Executive Director in a private forum to the extent provided under Georgia law.
- b. Limitations. No individual member of the Board shall direct or discipline any employees under the purview of the Executive Director. In the event of an absence of the Executive Director, the senior tenured employee in the next level of position, selected by tenure and rank of position descending until one is identified that is present to fill any vacancy of the Executive Director, shall serve as interim director until the Executive Director's return. In the alternative to an interim director selected by tenure and rank of position, the Chair shall as soon as practicable convene a meeting at which the Board shall appoint an interim director to serve until the Executive Director's return; provided however, that an interim director shall serve according to tenure and rank of position as set forth above until the Board makes such appointment.