



# BOARD OF REGISTRATION AND ELECTIONS SCHEDULED MEETING

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April 13, 2023

4:30 PM

AB AREA

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DCTV's BRE meeting channel: <https://video.ibm.com/channel/xUJgKs6n2VW>

Comment in person or to [electionspubliccmnt@dekalbcountyga.gov](mailto:electionspubliccmnt@dekalbcountyga.gov) between 4:30 and 5:00 PM on the day of the meeting.

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# DeKalb County Board of Registration and Elections

## Special Called Meeting Minutes

March 1, 2023  
Start Time: 1:00 p.m.  
End Time: 3:23 p.m.

Board Attendees: Chair Dele Lowman Smith  
Vice Chair Nancy Jester  
Anthony Lewis  
Susan Motter  
Karli Swift

Other Attendees: Keisha Smith, Executive Director  
Terry Philips, Deputy County Attorney  
Irene Vander Els, Assistant County Attorney

### **APPROVAL OF AGENDA**

Chair Lowman Smith called the meeting to order at 4:30 p.m. Ms. Austin read the roll by calling each board member by name. All members were present.

Motion by Mr. Lewis, seconded by Ms. Swift, to approve the agenda subject to one addition. The motion carried unanimously.

### **PUBLIC COMMENTS**

Ms. Austin read the rules for public comment:

Public comments may be made in person or submitted by sending an email of one page or less to [electionspubliccmnt@dekalbcountyga.gov](mailto:electionspubliccmnt@dekalbcountyga.gov) which must be received between 1:00 p.m. and 1:30 p.m. on the day of the meeting. The body of your email must include your first and last name, followed by your address. Abusive, profane, or derogatory language will not be permitted. By submitting an email for public comment, you agree to have your name, address and the email broadcast on the UStream and entered into the record and minutes. The DeKalb Board of Registration and Elections reserves the right, at the DeKalb Board of Registration and Elections' sole discretion, to (1) add your email to the record/minutes without reading any of it into the broadcast or (2) read all or a portion of your email into the record/minutes.

The following citizens provided public comments:

- Jim Duffie
- Bonnie Chappell
- Julie Adams
- Gail Lee
- Deborah Baker
- Mary Benefield
- Liz Throop

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- Elizabeth Burns

There were no comments received via email.

## **ITEMS FOR DISCUSSION**

### A) Director's Report

Director Smith reported on information collected internally regarding election integrity, operational efficiency, and staff training throughout the 2022 election cycle.

Ms. Motter asked about the status of the budget process. The Director responded that her 2023 request had been to keep the same level of funding from 2022. The county's recommendation was to reduce the budget by three million dollars. She stated that she would request the additional funding in the midyear budget.

Mr. Lewis recommended publishing a uniform set of instructions regarding poll watchers. He asked if the advance voting wait times could be posted to the website like election day wait times are. Director Smith responded that this had been done in a limited way during 2022 and would be expanded in the future. Mr. Lewis noted that there had been virtually no lines during election day and suggested that people waiting in line during advance voting could be told that election day is an option. He asked if there would be any change to the number of election day polling places. Director Smith responded that no additions were currently scheduled but that the sites were being assessed.

Ms. Swift asked about the cost of risk-limiting audits. Director Smith responded that staffing costs were the primary expense. Ms. Swift asked if additional audit requirements would require hiring additional staff. The Director responded that they would. Ms. Swift asked about drop box usage. The Director responded that she could provide usage statistics.

Vice Chair Jester asked for additional information about the drop off times of each precinct. She offered several pieces of feedback she had received about the drop off process and the process for poll watchers. She requested for the department to schedule a meeting with the stakeholders themselves.

Ms. Motter asked if the staffing levels Director Smith had reported were adequate. The Director responded that they were. Ms. Motter also asked about plans for training, confusion between poll watchers and poll observers, the budget request for voting hubs, ADA compliance of polling places, and the stakeholder list.

Mr. Lewis suggested redirecting voters from busy advance voting locations to locations with short lines.

Ms. Swift asked if there would be more staff for advance voting. Director Smith responded that there would. Ms. Swift asked how many voter challenges had been received in 2022. The Director responded that she would look up that figure.

Vice Chair Jester asked what the county had removed from the department's budget request. Director Smith responded that the three million dollars would have paid for equipment such as the voting hubs.

Chair Lowman Smith commented on the level of innovation and efficiency that it takes to manage elections at a large scale. She was pleased to see positive comments made about DeKalb County's operations at the GAVREO conference. She asked Director Smith about the planned cellular poll pad upgrade. The Director described the poll pad and scanner updates and their potential costs. The Chair commented on PR, ADA issues, training, and documentation.

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## B) Legislative Discussion

Ms. Vander Els outlined the provisions of Senate Bill 221. Chair Lowman Smith asked about the status of SB 222, which would regulate grant funding. Ms. Vander Els responded that it had not yet been considered by the House.

Vice Chair Jester stated that it was likely too late in the process to formulate proposed changes to legislation. Ms. Swift disagreed, suggesting that the board address drop boxes and voter challenges.

Ms. Motter stated that the additional requirements being proposed would carry costs and requested that the legislature include a fiscal note funding the proposed provisions. She also noted that the State Election Board needed funding to fulfill its responsibilities.

Mr. Lewis recommended caution in advocating to the legislature since the board members were not elected officials.

Chair Lowman Smith commented on SB 222, stating that in her experience working with various local governments, grant applications were commonplace. She echoed Ms. Motter's comments about the lack of funding from the state and regretted that local officials had not been consulted regarding this year's proposed legislation. She commented on the difficulty faced by elections officials and board members given the lack of funding and the climate surrounding elections.

## **BOARD COMMENTS**

Vice Chair Jester acknowledged the difficulty of elections work currently but stressed its importance. She welcomed the prospect of clearer rules surrounding voter challenges. She was pleased with the board's engagement with each other and with stakeholders.

Ms. Swift thanked the public, staff, and the Law Department. She stated that SB 221 would not make elections safer. She criticized the audit, voter challenge, and drop box provisions specifically. She called for elected officials to fund elections and focus on meaningful election safety issues.

Mr. Lewis thanked the meeting attendees and thanked the staff for their work. He thanked citizens for bringing voter challenges.

Ms. Motter thanked Ms. Swift for proposing this meeting and the Director and staff for working on it. She requested a discussion of remote meeting attendance at the next meeting.

Chair Lowman Smith asked the public to call for transparency in the legislative process.

## **ADJOURNMENT**

Motion by Vice Chair Jester, seconded by Ms. Swift, to adjourn. The motion carried unanimously. The meeting was adjourned at 3:23 p.m.

# DeKalb County Board of Registration and Elections

## Scheduled Meeting Minutes

March 9, 2023

Start Time: 4:30 p.m.

End Time: 5:53 p.m.

Board Attendees: Chair Dele Lowman Smith  
Vice Chair Nancy Jester  
Anthony Lewis  
Susan Motter  
Karli Swift

Other Attendees: Keisha Smith, Executive Director  
Terry Phillips, Deputy County Attorney  
Irene Vander Els, Assistant County Attorney  
Shelley Momo, Assistant County Attorney

### **APPROVAL OF AGENDA**

Chair Lowman Smith called the meeting to order at 4:30 p.m. Ms. Austin read the roll by calling each board member by name. All members were present.

Motion by Vice Chair Jester, seconded by Ms. Motter, to approve the agenda subject to the deferment of item 5A to the next meeting. The motion carried unanimously.

### **APPROVAL OF MINUTES**

Motion by Vice Chair Jester, seconded by Ms. Swift, to approve the minutes of the February 9, 2023 scheduled meeting. The motion carried unanimously.

### **PUBLIC COMMENTS**

Ms. Austin read the rules for public comment:

Public comments may be made in person or submitted by sending an email of one page or less to [electionspubliccmnt@dekalbcountyga.gov](mailto:electionspubliccmnt@dekalbcountyga.gov) which must be received between 4:30 p.m. and 5:00 p.m. on the day of the meeting. The body of your email must include your first and last name, followed by your address. Abusive, profane, or derogatory language will not be permitted. By submitting an email for public comment, you agree to have your name, address and the email broadcast on the UStream and entered into the record and minutes. The DeKalb Board of Registration and Elections reserves the right, at the DeKalb Board of Registration and Elections' sole discretion, to (1) add your email to the record/minutes without reading any of it into the broadcast or (2) read all or a portion of your email into the record/minutes.

No comments were received in person. One comment was received by email between 4:30 and 5:00. Its contents are included at the end of the minutes.

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## **ITEMS FOR DISCUSSION**

### **A) Director's Report**

Director Smith reported on registration activity, polling place inspections, recordkeeping, warehouse, and outreach activities. She provided an update on the budget.

Vice Chair Jester asked about the actual expenditures from 2022. The Director responded that the Budget Department was still working on those numbers. The Vice Chair commented that the values provided by the county for 2020 and 2021 expenditures were likely understated considering the resources drawn from other departments. The Director agreed.

Ms. Swift asked about the leasing cost in the budget. The Director responded that this referred to the Stonecrest facility and not a relocation of the main office.

Ms. Motter asked how soon the voting hubs could be received if they were not funded in the midyear budget request. The Director responded that in that case they would not be available for the 2024 primaries.

Chair Lowman Smith agreed with the Vice Chair and the Director regarding the scale of the in-kind support received from other departments. She stated that while the Board appreciated and relied on this support, it needed its own funding to be able to deliver consistent services. She noted that a county of DeKalb's size had significant costs.

### **B) Remote Meeting Attendance**

Ms. Motter made several comments relating to the Board's policy on meeting attendance. She suggested incorporating the Open Meetings Act into the Board bylaws to clarify the existing rules. She noted that the law anticipates allowing Board members to attend meetings remotely due to health issues or being out of the jurisdiction. She also asked if the Board should modify its rules regarding the time and length of emailed public comments.

Ms. Swift supported allowing Board members to attend remotely. She suggested reading emailed comments after the conclusion of in-person comments and subject to the same limits: two minutes per comment and thirty minutes for the whole comment period. She also suggested allowing emailed comments before the start of the meeting.

Vice Chair Jester asked if the Open Meetings Act forbade Zoom meetings under regular circumstances. Ms. Vander Els responded that the act permits members to attend remotely up to twice per calendar year for reasons of health and geography if there is an in-person quorum.

Vice Chair Jester and Ms. Motter stated that the limitations of the act were not well suited to the times and the nature of the Board.

Mr. Lewis supported a remote attendance option.

Chair Lowman Smith made several suggestions regarding the mechanics of electronic comments.

Ms. Vander Els offered that the Law Department would draft updates to the Board bylaws for the next meeting.

### C) Legislative Update

Ms. Vander Els reported that only a few bills had made it through crossover day in the legislature: SB 222, SB 37, SB 138, and HB 166. Other bills could no longer be adopted in this session with the exception of bills changing Board of Education districts, of which there was at least one expected.

Mr. Lewis asked if any of those bills had been assigned to committee. Ms. Vander Els responded that all four were in committee.

Vice Chair Jester asked if the Board of Education districts mentioned were municipal or countywide. Ms. Vander Els responded that the City of Decatur districts specifically were being redrawn.

### **ITEMS FOR DECISION**

#### A) Profile PR Contract

Director Smith asked for authorization to reengage Profile PR for communications services.

Vice Chair Jester asked if the fee structure was similar to past agreements with Profile PR. The Director elaborated on the funding for the contract. The Vice Chair asked if there was an obligation to bid out the contract. Mr. Phillips responded that the contract was not large enough to require bids.

Ms. Motter asked if the monthly rate had increased compared to prior contracts. The Director responded that several items had been removed from the scope of work and therefore the monthly rate had been reduced.

Mr. Lewis asked for more information. The Director responded that the contract had been negotiated according to the funds available. Mr. Lewis asked if the previous availability of outside funding had contributed to the higher cost of earlier contracts. Chair Lowman Smith responded that another major difference between earlier contracts and this one was that the earlier contracts had included media buys. Mr. Lewis asked if the Board could receive an accounting of how the money had been spent. Mr. Phillips, Ms. Swift, and Vice Chair Jester discussed the scope of the request. The Vice Chair suggested that the Director should contact the Office of Independent Internal Audit to request a review of the 2020 marketing expenditures. Ms. Motter agreed.

Ms. Motter asked if another factor in the 2020 costs had been the need to create materials from scratch. The Director responded that it could have been. Ms. Swift listed several other services that had been required in 2020.

Mr. Phillips offered to assist the Director in identifying sources of information for the review request.

Motion by Vice Chair Jester, seconded by Ms. Motter, to authorize the Director to enter the agreement with Profile PR as articulated and execute the necessary documents in a form approved by the County Attorney. The motion carried unanimously.

### **BOARD COMMENTS**

There were no comments.

### **ADJOURNMENT**

Motion by Vice Chair Jester, seconded by Mr. Lewis, to adjourn. The motion carried unanimously. The meeting was adjourned at 5:53 p.m.

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**EMAILED COMMENTS**

A) Thomas LaFreniere

Can you please discuss the status of state legislation impacting DeKalb County regarding private funding (e.g., the Zuckerberg organization) of County Elections work?

In the past four years, how much private funding of County Elections work has the county received? How is the money used? How is the money accounted for?

Regardless of any question of legality, is receipt of such private funding considered by the Board to be ethical?

DRAFT