

**MINUTES OF THE MEETING OF THE BOARD
OF REGISTRATION AND ELECTIONS
DEKALB COUNTY
February 11, 2016**

The DeKalb Board of Registration and Elections convened to conduct its monthly meeting on February 11, in the Training Room at 4380 Memorial Drive with Board Chair Samuel Tillman presiding.

Present: Michael Coveny, Board Member
William Mercier, Board Member
Leona Perry, Board Member
Baoky Vu, Board Member
Maxine Daniels, Director
Mary Frances Weeks, Administrative Assistant
Bennett Bryan, Assistant County Attorney
Viviane Ernstes, Deputy County Attorney

Mr. Tillman called the meeting to order at approximately 4:40 PM, once a quorum was attained. He then asked for approval of the agenda. Mr. Mercier requested that his letter of resignation be added. A motion was made by Mr. Vu to adopt the revised agenda. Mr. Mercier seconded the motion. Mr. Tillman stated the motion was made and seconded. The question was called and the motion was approved.

Minutes

A motion was made by Ms. Perry to approve the minutes as written from the January 14, 2016 meeting. Mr. Coveny seconded the motion. Mr. Tillman stated the motion was made and seconded. The question was called and the minutes were approved.

Comments from the Public - None

Challenges – None

Approval of Poll Officials for Presidential Preference Primary and Special Elections

The Board was provided with a list of Managers and Assistant Managers for the Presidential Preference Primary and Special Elections. A motion was made by Mr. Coveny to approve the poll officials. Ms. Perry seconded the motion. Mr. Tillman stated the motion was made and seconded. The question was called and the motion was approved.

Unfinished Business

- A) Tax Commissioner Status – Ms. Daniels stated that in the Board's packets is a copy of County Attorney O.V. Brantley's opinion in response to our request as to whether or not a Special Election would be required to fill the unexpired term of Tax Commissioner. Ms. Daniels deferred to Deputy County Attorney Viviane Ernstes to walk through the analysis of how the conclusion was drawn in light of conflicting laws. After much discussion, a motion was made by Mr. Vu to follow the advice of the County Attorney to hold a Special Election to fill the Tax Commissioner's unexpired term at the same time the General Primary Election is being held. Ms. Perry seconded the motion. Mr. Tillman stated the motion was made and seconded. The question was called and the motion was approved.

New Business

- A) ESPLOST Referendum – The Board was provided with a copy of the Resolution by the joint Boards of Education requesting a Special Election to be held on May 24 to consider continuation of their ESPLOST which is set to expire in 2017. Mr. Vu made the motion to adopt the Resolution. Mr. Mercier seconded the motion. Mr. Tillman stated the motion was made and seconded. The question was called and the motion was approved.
- B) Challenge of Tucker City Council Candidate Katherine Atteberry – The Board was provided with a copy of an e-mail from Ms. Cheryl Miller stating that she wished to challenge the candidacy of Tucker District 2 City Council candidate Katherine Atteberry, and alleged that Ms. Atteberry did not live at her registered address. Upon checking Code Section 21-2-6, it was determined that another elector can only challenge a candidate within the two weeks immediately following the qualifying period and that time has expired. However, the Board has the authority to challenge a candidate up and until an election. Ms. Daniels and Mary Frances went to the candidate’s address and saw no indication that the home was abandoned or vacant, as alleged. Further, Ms. Daniels checked the Tax Commissioner’s records and Ms. Atteberry has Homestead Exemption at that address, plus Ms. Atteberry’s father forwarded power bills, mortgage notices, etc. since Ms. Atteberry is currently out of the country. In light of all of the aforesaid documentation, the staff recommendation is to not challenge Ms. Atteberry. After some discussion, Mr. Coveny made the motion to follow staff recommendation to not challenge the candidate. Ms. Perry seconded the motion. Mr. Tillman stated the motion was made and seconded. The question was called and the motion was approved.

Information Items Included in Packet: (Reviewed by Board members with comments)

- A) Work Performed in Office
- B) Staff Meeting Minutes

Mr. Tillman asked for a motion for the Board to go into Executive Session to discuss a personnel matter. Mr. Mercier made a motion for the Board to go into Executive Session, seconded by Ms. Perry. The question was called and the motion was approved. Non-Board members were excused. Upon return to regular session, Mr. Tillman made the following statement: “No decisions were made and no votes were taken while in Executive Session.” A signed affidavit to this effect will be placed with the minutes.

Mr. Mercier regretfully offered his letter of resignation from the Board effective February 29, due to a job change that requires his relocation to Chicago. Board members thanked Mr. Mercier for his hard work and dedication and wished him well.

Comments from the Board – None

Deputy County Attorney Viviane Ernstes assured the Board that the Law Department stands ready and able to assist the Board and Department in any way needed during this crucial Election Year. Chairman Tillman expressed the Board’s sincere appreciation.

There being no further business, the meeting was adjourned.

**MINUTES OF THE EXECUTIVE SESSION OF THE BOARD
OF REGISTRATION AND ELECTIONS
DEKALB COUNTY
February 11, 2016**

CONFIDENTIAL

Chair Samuel Tillman announced that the Board would adjourn into Executive Session to discuss a personnel matter.

An "Open Meeting Affidavit" document was signed and notarized and will be included with the minutes.

There being no further business, the Executive Session was adjourned and the Board returned to open session.

Mary Frances Weeks
Administrative Assistant