

DeKalb County Board of Registration and Elections

Special Called Meeting Minutes

August 18, 2021
*via zoom platform
Start Time: 4:30 p.m.
End Time: 6:00 p.m.

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

Other Attendees: Erica Hamilton, Director
Terry Phillips, Deputy County Attorney
Irene Vander Els, Senior Assistant County Attorney
Shelley Momo, Senior Assistant County Attorney

APPROVAL OF AGENDA

Ms. Smith called the meeting to order at 4:30 p.m. Motion by Ms. Swift and seconded by Ms. Motter to approve the agenda. Motion carries by unanimous vote.

The Chair announced the primary purpose of this special called meeting is to hear challenges that were brought by a DeKalb voter. J. Max Davis, the challenger, received notice of today's hearing via certified mail; however, there is a discrepancy about whether Mr. Davis received notice via email from the department, in accordance with the newly adopted challenge procedures established by this Board. Therefore, Mr. Davis has requested that this hearing be continued. The Board decided to grant the continuance and will make a formal decision about the continuance during the designated agenda item.

PUBLIC COMMENTS

Ms. Baker read the rules for public comment.

Public comments of two minutes or less may be made live via the teleconference. For those joining the meeting by telephone, please be aware that your phone number may be displayed to the public viewing or participating in the online meeting. Citizens who attend the meeting via the Zoom link above may join the public comment queue by raising their hand in the Zoom application, while citizens who attend the meeting via telephone may join the comment queue by pressing # followed by 2. There will be no comment cards, so when you are called upon, please state your name and address for the record. Also, please be conscious of speaking time so that everyone has an opportunity to provide input in the allotted time. Abusive, profane, or derogatory language will not be permitted.

The following citizens provided comment:

- Karen Davenport
- Steven Binney
- Anthony Wallen
- Shawn McCullers

- Gary Spencer

CHALLENGES BROUGHT BY J. MAX DAVIS

Ms. Vander Els explained how the Board received the 141 challenges that Mr. Davis brought against DeKalb voters and the circumstances that led up to today's special called meeting. Mr. Davis requested a continuance of today's hearing for personal circumstances, in addition to his claim that he did not receive notice via email.

- A) Vani Chandrashekhar Nimbale
- B) Mirisa Hast
- C) Anna J. Citron
- D) Jessica Z. Blumberg
- E) William Chason Bruce
- F) Cecilia Yu
- G) Nmachi Anumba
- H) Alexis Dos Santos
- I) Alice Garrick Lichtenstein
- J) Anthony Wallen
- K) Robert P. Barclift
- L) Shirley Stafford Thagard

The Board discussed procedural issues and considered hearing evidence from the challenged voters that are present today. Although the law requires there to be a hearing in which both the challenger and the challenged voters are present, the burden is on Mr. Davis to prove that the challenged voters are not eligible to vote in DeKalb and therefore, should be removed. Even though some of the challenged voters are present today and/or have submitted evidence to be considered by the Board, there may be a need to hear from challenged voters again so that they may rebut any evidence presented by Mr. Davis in accordance with the procedure adopted by this Board. Furthermore, the Board will determine whether a direct communication from Mr. Davis was sent to challenged voters as indicated by a challenged voter during the public comment portion of today's meeting.

Motion by Ms. Jester and seconded by Mr. Lewis to defer this item. Motion carries 4 to 1. Ms. Swift votes nay.

ITEMS FOR DECISION BY THE BOARD

- A) Approval of Advanced In Person Times and Locations

Ms. Hamilton reported that the cities of Dunwoody, Tucker, and Stonecrest have been added to the list of proposed locations. The proposed voting time is 9:00 a.m. to 6:00 p.m.

Ms. Swift is pleased that additional locations have been added and asked for Ms. Hamilton to confirm whether each city that did not have a site was contacted again about having an advanced voting location in their city. Ms. Hamilton responded that all the cities without an advanced site were contacted several times, but only Dunwoody, Tucker, and Stonecrest have since requested a location. Ms. Swift suggested having an advanced voting location in each city that has not requested one.

Ms. Jester echoed Ms. Swift's comment and suggested copying city officials and Board members on all communications with city officials regarding this matter moving forward.

Mr. Lewis commented that the decision to have an advanced voting site is ultimately on the city and that these cities would still incur some costs.

Ms. Motter echoed comments from both Ms. Swift and Ms. Jester, and shared concerns on the issue of cost-sharing. Also, Ms. Motter renewed Ms. Swift's recommendation to extend voting time to 7:00 a.m. to 7:00 p.m.

The Board discussed locations for absentee ballot drop boxes, extending voting time on weekdays, and weekend voting.

Motion by Ms. Swift and seconded by Ms. Motter to approve the advanced voting sites and change the voting time to 7:00 a.m. to 7:00 p.m. Monday – Friday; and 9:00 a.m. to 6:00 p.m. Saturday(s) and Sunday. Motion carries by unanimous vote.

B) Working with the Independent Internal Auditor

Ms. Jester presented this item for the Board's consideration to engage the Office of the Independent Internal Auditor for an informal review of the department's mid-year budget proposal.

Ms. Swift asked Ms. Jester to clarify whether this would be a review of the submitted budget or the approved budget. Ms. Jester explained her understanding of the auditor's review process.

Mr. Lewis suggested inviting Ms. Lockett to a future meeting for further discussion with Board members.

Ms. Motter is interested in this proposal and echoed Mr. Lewis's comment.

Ms. Smith wants Ms. Lockett to address questions regarding the nature of the review and timing because Commissioner Terry will raise the issue of the department's supplemental budget request for mid-year at the next OPS Committee meeting. Ms. Smith requested that Ms. Hamilton follow-up with Ms. Lockett based on today's conversation so that the Board's questions can be answered.

BOARD COMMENTS

Ms. Swift requested a follow-up from Ms. Hamilton on plans to communicate the approved advanced voting locations and times to voters and organizations.

ADJOURNMENT

Motion by Ms. Jester and seconded by Ms. Swift to adjourn. This meeting is adjourned.