

Forsyth County Board of Voter Registrations and Elections
Regular Monthly Meeting
June 7, 2022 at 9 a.m.
Forsyth County Voter Registrations and Elections Office
1201 Sawnee Drive
Cumming, Georgia 30040

MINUTES

Present at the meeting:

Barbara Luth, Chairman
Joel Natt, Vice Chairman
Carla Radzikinas, Secretary
Dan Thalimer, Assistant Secretary
Anita Tucker, Member
Mandi Smith, Director
Jamain Whyce, Coordinator – Elections Equipment/Warehouse
Carol Balcome, Assistant to the Director
Karen Pachuta, Attorney, Jarrard & Davis

I. Call Meeting to Order

Chairman Luth called the meeting to order at 9 a.m.

II. Pledge of Allegiance

III. Adoption of Agenda

Secretary Radzikinas with a second from Assistant Secretary Thalimer made a motion to adopt the agenda as prepared by staff. Motion carried unanimously.

IV. Adoption of Minutes

A. Special Called Meeting of April 28, 2022 – William Quinn Challenge

Vice Chairman Natt with a second from Member Tucker made a motion to adopt the minutes as prepared by staff. Motion carried unanimously.

B. Monthly Meeting of May 3, 2022

Secretary Radzikinas with a second from Member Tucker made a motion to adopt the minutes as prepared by staff. Motion carried unanimously.

C. Special Called Meeting of May 3, 2022

Secretary Radzikinas with a second from Member Tucker made a motion to adopt the minutes as prepared by staff. Motion carried unanimously.

D. Special Called Meeting of May 5, 2022 – Frank Schneider Challenge

Vice Chairman Natt with a second from Assistant Secretary Thalimer made a motion to adopt the minutes as prepared by staff. Motion carried unanimously.

E. Special Called Meeting of May 12, 2022

Member Tucker with a second from Vice Chairman Natt made a motion to adopt the minutes as prepared by staff. Motion carried unanimously.

F. Special Called Meeting of May 19, 2022

Assistant Secretary Thalimer with a second from Member Tucker made a motion to adopt the minutes as prepared by staff. Motion carried unanimously.

G. Called Meeting of May 24, 2022

Vice Chairman Natt with a second from Member Tucker made a motion to adopt the minutes as prepared by staff and to include the Unofficial Election Summary Report with the minutes. Motion carried unanimously.

H. Called Meeting of May 31, 2022

Secretary Radzikinas with a second from Assistant Secretary Thalimer made a motion to adopt the minutes as prepared by staff. Motion carried unanimously.

V. Old Business

A. Disaster Recovery Discussion

Chairman Luth stated staff continues to work on the disaster recovery plan.

B. Parks and Recreation Architectural Design Liaison Update

Secretary Radzikinas said there were no updates to report.

C. Recap of May 24, 2022 General Primary and NonPartisan General Election

Director Smith provided to the Board a review of the May 24, 2022 General Primary and NonPartisan General Election including information on poll worker

information sessions, poll worker training, poll watchers, residency affirmations submitted and challenged voters.

Vice Chairman Natt with a second from Member Tucker made a motion that based on the past primary election, Director Smith should not be a poll manager for any elections operations and that a policy be set that would establish others beside the Director managing the opening of the absentee ballots. Motion carried unanimously.

VI. New Business

A. Discussion of June 21, 2022 General Primary Runoff Preparations

Director Smith provided the Board an update on the June 21, 2022 General Primary Runoff. Director Smith reported the first mailing of absentee ballots will go out today, the Voter Information Guide has been finalized, and Logic & Accuracy testing will begin June 9. Director Smith asked the Board to set a date for the certification meeting.

After a brief discussion by the Director and the Board, Vice Chairman Natt with a second from Member Tucker made a motion to schedule the certification meeting on Friday, June 24, 2022 at 5 p.m. The meeting will be held in the Forsyth County Voter Registrations & Elections office located at 1201 Sawnee Dr., Cumming, GA 30040. Motion carried unanimously.

Vice Chairman Natt asked Director Smith to send an email to County Manager Kevin Tanner inviting him to be a part of the election night results tabulation. Director Smith said at her recent Finance Committee meeting she invited the county manager and commissioners to attend a poll worker training class if they were interested in learning more about the process. Chairman Luth stated she would send the county manger an invitation and will copy Director Smith on the email.

VII. Director's Report

Director Smith presented the Director's Report.

Voter Registrations & Elections Department Director's Report June 7, 2022

Board Members

Staff

Current filled staff/positions: 8 full-time (3 unfilled) and 8 part-time (0 unfilled).

Legislation (pending/approved bills)/Change to Election Code/State Election Board (SEB)

A State Election Board (SEB) meeting was held on May 17, 2022. There are no new meeting dates posted on the SEB website.

Election Information

2022 Election Dates (from the SOS long calendar)

- May 24: General Primary & NonPartisan General Election*
- June 21: General Primary Runoff & NonPartisan General Runoff**
- November 8: General Election*
- December 6: General Election Runoff**

**Special Election, if needed*

***Runoff, if needed*

Polling Places and Precincts

Maps of the current precincts and polling places and the list of precinct and polling place addresses are posted on our website. Signs will be posted at those polling places no longer serving as Election Day polling places as is required by O.C.G.A.

Ethics Reporting / Candidate Qualifying

Open Records Request(s) (ORR)	
# received b/w 05/04/22-06/06/22	8
2022 Year to Date	30
2021 Cumulative	48

Budget / Finance

2023 Budget Calendar

05/18/2022: met with the Finance Budget Team to review submitted budget

June 2, 2022: met with Finance Committee to review submitted budget

Voter Registrations & Elections Activity Statistics

Voter registration totals	As of June 1, 2022
Active total	160937
Inactive total	12853
Cumulative total	173790

Pending voters	As of June 1, 2022
Pending age	127
Pending verification	4
Pending 40-day clock	12
Pending 26-month clock	142
Total	285

Cancelled voters	
Moved out of state	119
Voter requested cancellation	4
Felon – cancelled	0
Felon – challenged status	6
Deceased	144
Rejected	3
Moved out of county	47

Total	323
Notes:	

Voter Registration

We continue to use the Enet statewide voter registration database. No further details about GARVIs have been provided by the SOS.

There are two voter registration deadlines for the upcoming Primary Runoff.

- April 25 – state and local races
- May 23 -federal races

We will follow the instructions provided by the SOS on how to handle the differences in the registration deadlines.

Election Equipment / Supplies

Pre-packing and inventory of supplies is ongoing and underway.

Logic & Accuracy testing on the election equipment to be used in the upcoming election is scheduled to start on Thursday, June 9, 2022.

IS&T/Software/Hardware

Building Update

Training/Outreach

- New poll worker training sessions are scheduled for today and tomorrow. Additional sessions will be scheduled for next week. Those individuals who submitted an interest form during the Primary have been contacted to attend these training sessions.
- We need more poll workers for the upcoming Primary Runoff.

Calendar of Upcoming Events

June 13-17	Advance Voting for the General Primary Runoff
June 21	General Primary Runoff Election Day
TBD	Runoff Certification meeting
July 4	Independence Day; county holiday; offices closed
July 5	Board Meeting
August 2	Board Meeting
September 5	Labor Day; county holiday; offices closed
September 6	Board Meeting
October 10	Columbus Day; STATE holiday
October 11	Board Meeting (<i>second Tuesday of the month</i>)
October 17-Nov 4	Advance Voting for the General Election
November 1	Board Meeting (<i>held in Commissioner's Meeting Room</i>)
November 8	General Election Election Day
November 11	Veteran's Day; county holiday; offices closed
November 24 & 26	Thanksgiving; county holiday; offices closed
December 6	General Election Runoff Election Day
December 13	Board meeting (<i>second Tuesday of the month</i>)
December 23 & 26	Christmas; county holiday; offices closed

Respectfully Submitted,

Mandi Smith

Director, Voter Registrations and Elections

VIII. Hearings Pursuant to O.C.G.A. 21-2-229

Chairman Luth asked if anyone was present who received a letter regarding the challenge hearing. No one was present who received a letter.

The Board was provided a master list sorted by challenge of all the hearings pursuant to O.C.G.A. 21-2-229 postponed until the June 7, 2022 Board of Voter Registrations & Elections meeting.

A. Hearings Regarding the Frank Schneider Challenge Submitted March 16, 2022

The Board made the following motions and decisions on individual electors based on the evidence provided by challenger Frank Schneider.

Vice Chairman Natt with a second from Secretary Radzikinas made a motion to dismiss the challenge for voter #11 Mark Alden based on the voter being in cancelled status. Motion carried unanimously.

Vice Chairman Natt with a second from Secretary Radzikinas made a motion to dismiss the challenge for voter #9 Vanessa Alden and voter #10 Benedict Ajufor based on the voters having moved out of the county. Motion carried unanimously.

Chairman Luth with a second from Member Tucker made a motion to dismiss the challenge for voters #6 Willie Watkins and #7 Patricia Watkins because the voters returned their residency affirmations stating they contract with the Corp of Engineers and work at multiple parks in the county and have no permanent residence. Motion carried unanimously.

Vice Chairman Natt with a second from Assistant Secretary Thalimer made a motion to remove voters #2, #3, #5 from the voter rolls because the voters are registered at a commercial address.

Member Tucker asked attorney Pachuta if this falls within the 90-day rule according to the National Voting Rights Act (NVRA). Attorney Pachuta said the Board would have to discuss them one at a time.

Vice Chairman Natt withdrew his motion. Assistant Secretary Thalimer withdrew his second.

Vice Chairman Natt with a second from Assistant Secretary Thalimer made a motion to remove voter #2 Barbara Helm from the voter rolls because the voter is registered at a commercial address.

Member Tucker asked if this voter will be flagged as inactive and go through the 2 general election process before they are removed from the rolls. Director Smith said if the Board votes to remove the voter from the rolls they will be cancelled.

Member Tucker asked Attorney Pachuta if this violates the NVRA. Attorney Pachuta said the Board has to look at the evidence and see if it demonstrates the voter should not be on the rolls. She also stated there is no clear case law on this regarding NVRA and that this is an individual challenge and not a list maintenance procedure.

Motion carried 3-2 with Chairman Luth, Vice Chairman Natt, and Secretary Radzikinas in favor and Assistant Secretary Thalimer and Member Tucker opposed.

Vice Chairman Natt with a second from Chairman Luth made a motion to remove the voter #3 Margaret Land from the rolls because the voter is registered at a commercial address. Motion carried 3-2 with Chairman Luth, Vice Chairman Natt, and Secretary Radzikinas in favor and Assistant Secretary Thalimer and Member Tucker opposed.

Vice Chairman Natt with a second from Chairman Luth made a motion to remove the voter #5 Robert Riggs from the rolls because the voter is registered at a commercial address. Motion carried 3-2 with Chairman Luth, Vice Chairman Natt, and Secretary Radzikinas in favor and Assistant Secretary Thalimer and Member Tucker opposed.

Vice Chairman Natt with a second from Member Tucker made a motion to dismiss the challenge for voter #8 Lamar Williams based on the voter completing a provisional ballot and submitting a change of address form. Motion carried unanimously.

Vice Chairman Natt with a second from Secretary Radzikinas made a motion to remove voter #1 Alesia Godwin from the voter from the rolls because the voter is registered at a commercial address. Motion carried 3-2 with Chairman Luth, Vice Chairman Natt, and Secretary Radzikinas in favor and Assistant Secretary Thalimer and Member Tucker opposed.

Vice Chairman Natt with a second from Secretary Radzikinas made a motion to remove voter #4 Kristiina Lugus from the voter from the rolls because the voter is registered at a commercial address. Motion carried 3-2 with Chairman Luth, Vice Chairman Natt, and Secretary Radzikinas in favor and Assistant Secretary Thalimer and Member Tucker opposed.

B. Hearings Regarding the Lori Wexler Challenge Submitted April 4, 2022

The Board recognized Lori Wexler to discuss her research and how she says she determined the voters no longer live in Forsyth County at their registered address.

The Board made the following motions and decisions on individual electors based on the evidence provided by challenger Lori Wexler.

Vice Chairman Natt with a second from Member Tucker made a motion to dismiss the challenge for voter #120 Gregory McCord because the voter has moved out of state and is in cancelled status. Motion carried unanimously.

Vice Chairman Natt with a second from Assistant Secretary Thalimer made a motion to dismiss the challenge for voters #118 Sarah Sunderland and #119 David Szost because the voters have moved out of the county. Motion carried unanimously.

Vice Chairman Natt with a second from Secretary Radzikinas made a motion to remove voter #101 Kelly Smith from the rolls because the voter is registered in Alabama and voted in their May 24, 2022 primary election. Motion carried 3-2 with Chairman Luth, Vice Chairman Natt, and Secretary Radzikinas in favor and Assistant Secretary Thalimer and Member Tucker opposed.

Chairman Luth with a second from Vice Chairman Natt made a motion to postpone the challenged voter hearing for voters #1-30 from the April 4, 2022 Wexler Challenge to the July 5, 2022 Board of Voter Registrations & Elections meeting. These voters are currenting in Active status. Motion carried unanimously.

Chairman Luth with a second from Member Tucker made a motion to dismiss the challenge for inactive voters #31-117 with the exception of voter #101 from the April 4, 2022 Wexler Challenge.

Vice Chairman Natt stated he has reservations about the motion because these voters can show up to vote which could affect the local races. He also stated they had property sales.

Member Tucker said some of the evidence is just social media and these voters will go through the natural process of removal.

The motion carried 4-1 with Vice Chairman Natt opposed.

C. Hearings Regarding the Frank Schneider Challenge Submitted April 14, 2022

The Board made the following motions and decisions on individual electors based on the evidence provided by challenger Frank Schneider.

Vice Chairman Natt with a second from Secretary Radzikinas made a motion to dismiss the challenge for voters #182-197 because the voters moved out of state and are in cancelled status. Motion carried unanimously.

Vice Chairman Natt with a second from Secretary Radzikinas made a motion to dismiss the challenge for voters #17 Ann Hodges and #18 Joseph Hodges because the voters have moved out of state and are in cancelled status. Motion carried unanimously.

Chairman Luth with a second from Vice Chairman Natt then made a motion to postpone active voters #1-61 excluding voters #17 and #18 from the April 14, 2022 Schneider Challenge to the July 5, 2022 Board of Voter Registrations & Elections meeting. Motion carried unanimously.

Chairman Luth with a second from Member Tucker made a motion to dismiss the challenge for inactive voters #62-181 from the April 14, 2022 Schneider Challenge. Motion carried unanimously.

Member Tucker with a second from Secretary Radzikinas made a motion to recess at 10:24 a.m. Motion carried unanimously.

Chairman Luth called the meeting back to order at 10:34 a.m.

D. Hearing Regarding the William Quinn Challenge Submitted April 19, 2022

The Board made the following motions and decisions on individual electors based on the evidence provided by challenger William Quinn.

Director Smith stated voter #1 Laverne Ledbetter had recently passed away on May 17, 2022, after the challenge was submitted.

Vice Chairman Natt with a second from Member Tucker made a motion to dismiss the challenge for voter #1 Laverne Ledbetter because the voter is deceased. Motion carried unanimously.

The Board asked Mr. Quinn if he had received any more information about voter #2 Annie Bell Massey. Mr. Quinn stated he was waiting on information from a Parker Funeral Home in Rock Hill, SC.

Vice Chairman Natt with a second from Chairman Luth made a motion to postpone voter #2 Annie Bell Massey to the August 2, 2022 Board of Voter Registrations & Elections Meeting. Motion carried 4-1 with Member Tucker opposed.

E. Hearings Regarding the Frank Schneider Challenge Submitted April 28, 2022

The Board made the following motions and decisions on individual electors based on the evidence provided by challenger Frank Schneider.

Vice Chairman Natt with a second from Member Tucker made a motion to dismiss the challenge for voters #7 Gloria Brabson and #8 Linda Brabson because the voters have moved out of state and are in cancelled status. Motion carried unanimously.

Vice Chairman Natt with a second from Member Tucker made a motion to dismiss the challenge for voter #77 Prakasha Mudalagiraiah because the voter has moved out of state and is in cancelled status. Motion carried unanimously.

Vice Chairman Natt with a second from Secretary Radzikinas made a motion to dismiss the challenge for voters #97 Dana Petrin and #99 Rachel Petrin because the voters have moved out of state and are in cancelled status. Motion carried unanimously.

Vice Chairman Natt with a second from Secretary Radzikinas made a motion to dismiss the challenge for voter #453 Dorothy Cooper because the voter is deceased and is in cancelled status. Motion carried unanimously.

Vice Chairman Natt with a second from Secretary Radzikinas made a motion to dismiss the challenge for voters #454-462 because the voters have moved out of state and are in cancelled status. Motion carried unanimously.

Secretary Radzikinas with a second from Member Tucker made a motion to dismiss the challenge for voters #441-452 because the voters have moved out of the county. Motion carried unanimously.

Vice Chairman Natt with a second from Member Tucker made a motion to dismiss the challenge for voters #435-440 because they have moved to a different address within the county. Motion carried unanimously.

Vice Chairman Natt with a second from Assistant Secretary Thalimer made a motion to postpone active voters #1-146 excluding voters #7, #8 and #77 from the April 28, 2022 Schneider Challenge to the July 5, 2022 Board of Voter Registrations & Elections meeting. Motion carried unanimously.

Chairman Luth with a second from Member Tucker made a motion to dismiss the challenge for inactive voters #147-434 from the April 28, 2022 Schneider Challenge. Motion carried unanimously.

Vice Chairman Natt made a motion to move all active Schneider challenges pursuant to O.C.G.A. 21-2-229 back to a 21-2-230 challenge for the June 21, 2022 General Primary Runoff. Attorney Pachuta stated the Ben Hill case ruled even 21-2-230 challenges would have to be taken on a case by case basis this close to the election. Vice Chairman Natt asked if the June 21, 2022 General Primary Runoff was a continuation of the May 24 General Primary Election. Attorney Pachuta said the Secretary of State's Office said it was a separate election.

There was no second to the motion.

Vice Chairman Natt with a second from Secretary Radzikinas made a motion to reconsider the action taken on active voters #1-30 from the April 4, 2022 Wexler Challenge. Motion carried unanimously.

Vice Chairman Natt with a second from Secretary Radzikinas made a motion to dismiss the challenge for active voters #13 Mandeep Mangat and #30 Alissa Williamson from the April 4, 2022 Wexler Challenge because the voters had returned their residency affirmations and currently live at the challenged address. Motion carried unanimously.

Vice Chairman Natt with a second from Secretary Radzikinas made a motion to postpone active voters #1-29 with the exception of voters #13 and #30 from the April 4, 2022 Wexler Challenge to the July 5, 2022 Board of Voter Registrations & Elections meeting. Motion carried unanimously.

IX. Recess Regular Meeting

X. Executive Session (if needed)

There was no need for an Executive Session.

XI. Adjournment

Secretary Radzikinas with a second from Member Tucker made a motion to adjourn at 10:52 a.m. Motion carried unanimously.

The above and foregoing minutes are hereby certified as being correct and ordered recorded.

Today's Date: July 5, 2022


Barbara Luth, Chairman


Joel E. Natt, Vice Chairman


Carla Radzikinas, Secretary


Daniel Thalimer, Assistant Secretary


Anita Tucker, Member