



MEETING AGENDA

October 10, 2022

TORI SILAS (Chairperson)

Legislative Delegation Appointee

JESSICA BROOKS (Vice Chairperson)

Democratic Party Appointee

JENNIFER MOSBACHER (Secretary)

Commission Chairperson Appointee

STEVE BRUNING (Assistant Secretary)

Legislative Delegation Appointee

PAT GARTLAND

Republican Party Appointee

JANINE EVELER

Director of Elections and Registration

REGULAR MEETING October 10, 2022
CALL TO ORDER – 3:00 p.m.

100 Cherokee Street
Marietta, GA 30090

1) PUBLIC COMMENT (5 Minute limit per speaker)

2) APPROVAL OF MINUTES

- a) September 12, 2022

3) ELECTIONS MANAGER (Kara Pringle)

- a) To change the polling place location for precinct Marietta 3A (MR3A) from Pleasant Grove Missionary Baptist Church, 566 Whitlock Ave. NW, Marietta, GA 30064 to Switzer Library, 266 Roswell St., NE, Marietta, GA 30060 beginning January 1, 2023.

4) CHAIRWOMAN TORI SILAS

- a) Pursuant to O.C.G.A. §21-2-230, determine if probable cause exists to sustain Karyl Asta's challenge of 1232 voters registered at various addresses on the grounds that their records are missing an apartment number.
- b) Pursuant to O.C.G.A. §21-2-230, determine if probable cause exists to sustain Eugene Williams' challenge of 31 voters registered at 1000 Chastain Rd. NW, Kennesaw on the grounds that their records are missing dorm name, room or unit number.
- c) Pursuant to O.C.G.A. §21-2-230, determine if probable cause exists to sustain Eugene Williams' challenge of 32 voters registered at 1100 S Marietta Pkwy SE, Marietta on the grounds that their records are missing dorm name, room or unit number.
- d) Pursuant to O.C.G.A. §21-2-230, determine if probable cause exists to sustain Eugene Williams' challenge of 7 voters registered at 4695 N Church Lane SE, Atlanta on the grounds that their records are missing an apartment number.
- e) Pursuant to O.C.G.A. §21-2-230, determine if probable cause exists to sustain Eugene Williams' challenge of 12 voters registered at 6850 Mableton Parkway SE, Mableton on the grounds that their records are missing an apartment number.
- f) Pursuant to O.C.G.A. §21-2-230, determine if probable cause exists to sustain Eugene Williams' challenge of 7 voters registered at 1615 Cobb Pkwy N, Marietta GA 30062 on the grounds that their records are missing an apartment or unit number.

- g) Pursuant to O.C.G.A. §21-2-230, determine if probable cause exists to sustain Eugene Williams' challenge of 9 voters registered at 3755 Medical Park Drive, Austell GA 30106 on the grounds that their records are missing an apartment or unit number.
- h) Pursuant to O.C.G.A. §21-2-230, determine if probable cause exists to sustain Eugene Williams' challenge of 8 voters registered at 2105 Mesa Valley Way, Austell GA 30106 on the grounds that their records are missing an apartment or unit number.
- i) Pursuant to O.C.G.A. §21-2-230, determine if probable cause exists to sustain Eugene Williams' challenge of 12 voters registered at 6660 Mableton Pkwy, Mableton GA 30126 on the grounds that their records are missing an apartment or unit number.

5) BOARD MEMBER COMMENTS

6) NEXT SCHEDULED BOARD MEETING

November 8, 2022 – Election (995 Roswell St. NE, Marietta)

November 15, 2022 – Certification 3pm (995 Roswell St. NE, Marietta)

7) EXECUTIVE SESSION (if necessary)

8) ADJOURN

COBB COUNTY BOARD OF ELECTIONS AND REGISTRATION
September 12, 2022
BOARD MEETING MINUTES

100 Cherokee Street.
 3:00 p.m.

Board Members Present

Tori Silas
 Jessica Brooks
 Jennifer Mosbacher
 Pat Gartland
 Steve Bruning

Board Members Absent

Others Present: Janine Eveler, Daniel White, Erica Hamilton, Kara Pringle, Karlie Brooks

Chairwoman Silas called the meeting to order at 3:00 p.m.

Chairwoman Silas stated agenda items 6 and 7 will be reversed

PUBLIC COMMENT:

- Shelley Northrup (Online) – Smyrna resident. Thanked for securing Sunday voting. Stated Board must ensure that all eligible voters have access to ballot box. Wants old headquarters on Whitlock as advanced voting location. Board should be prepared to handle voting emergencies and address poll worker safety. There have been about 157 vote-by-mail applications rejected as of last week, Board should make sure that they are processing and rejecting applications in a timely manner, so voters can correct in a timely manner. Board should mail out ballots on Oct 10th and begin process of returning ballots on Oct 24th.
- Kent Buis (In Person) – Resident of Powder Springs. Thanked board for Sunday afternoon voting date. 2 years ago the Secretary of State mailed ballots to all eligible voters. No one he talked to will vote by mail now because it's so much harder. Cobb has 157 rejected vote-by-mail applications. Many voters are voting early in person. Board must do all it can to ensure everyone has access to the ballot box. In 2020 many people waited 30 min-hour to vote. To assist in his request, would like to keep County's old headquarters at Whitlock to vote.
- Sam Henderson (In Person) – Marietta Resident. Thanked the Board for work on behalf of all the voters in Cobb. Talked about recent editorial in MDJ. Thanked Board for doing best to represent all voters of Cobb County not just those who show up at the meetings. Want Board to do everything we can to have voting for everyone. Stated the State stood against discredited elections fraud theories, but then immediately passed a set of laws that will make it harder for legally registered voters to vote. Consider using former headquarters location as early voting site.
- Barbera Schneides (In Person) – Marietta Resident. Voted since early 1970's and attending BOE meetings since February or March. She appreciates the meetings being open. Thanked Board for hard work and Sunday voting. Encouraged Board to keep Whitlock location open. Please try to keep lines at minimum. Encouraged Board to train poll workers so they have the tools they need for emergencies. Would want mail in ballot issues attended to quickly so their vote can count if they made a mistake. Thanked for transparency of Board.
- Jon Gargis (In Person) – Paulding resident but works in Cobb. Thanked Board and state for 3 weeks of advanced voting and weekend voting. Some are calling for voting to only be held on 1 day which he thinks is ridiculous. Stated that friend had his birthday yesterday and in GA that means your Car tag is due. Compared the length of time to getting emissions, and car tag length of time it takes 4-6 weeks before. Maybe 3 weeks of voting isn't enough. Saturday and Sunday voting have fewer work obligations and child care restraints. Income inequality in Cobb hit a high in 2019. In 2018 general elections took 45 min - hour. Hoping board has put measures in place to reduce lines in this election. Talked about not getting rid of paper ballots and how the new machines capture a paper print out.
- Debbie Fisher (In Person)- Congratulated the open house and new election facility. Stated it was one of the most

refreshing things she has seen in Cobb in a long time. Sent Board an email with a video in it about a current case in Florida. The investigation was taken from a Georgian who had reported on voter roll inaccuracies in Cobb County. Talked about the voter challenges brought before the Board in June and July. Stated there seemed to be more deflection than reflections, and today they are not removed from Voter role. Secretary of State cards mailed late and 30,000 were returned out of 500,000 voters. Recommended to National Change of Address list. Would save 30,000 on postage and having to resend additional documentation. Stated she has not seen the lines people referenced before, except in very isolated instances. When the Secretary of State sent out applications total chaos ensued. Many people were suppressed from being able to vote. Would like to make sure that one vote cast equals one vote counted.

- Sabrina Gallon (In Person) - Cobb County resident. Voted in every election since she has been in Georgia. Thanked Board. Started becoming involved in process. Thanked Board for extended voting and wants expanded voting. Keep polling locations people are familiar with and hours so everyone can benefit.
- Ahmad Salih (In Person) – Vinings resident. Explained history of monks in 3rd century and how silence was a more direct path to God. Has observed in these Board meetings the futility of words spoken on both sides. Asked for 1 minute of silence.
- Boyd Parks (In Person)- Acworth resident. Wanted to put on record we do not live in a democracy as stated by previous speaker, we live in a constitutional republic. Thanked for open house and really impressed with new facility. Stated before I can accept anything I need to know how it works. Gave example of experiment conducted in his childhood. Example illustrated that he is a logical thinker and can critically analyze things. As it relates to elections chain of custody and documentation in elections. Within the certification process superintendent must know the steps and data. Officials who violated their oaths can be held liable. Recommends conducting the 2022 election on hand marked paper ballots cast and counted at precincts.
- Karyl Asta (In person)- registered Cobb voter. Wants to learn what happened to the challenges at the last meeting where no vote was taken. Stated that she provided solid evidence that these voters now challenged on 229 should now be marked under 230.

APPROVAL OF MINUTES

- a. July 11, 2022
- b. August 8, 2022

Ms. Brooks motioned to approve, 2nd by Ms. Mosbacher, passed 5-0.

PUBLIC HEARING - none

REGISTRATION MANAGER (Erica Hamilton)

- a. Ms. Hamilton discussed the last call pre-election day ballot return formally known as the 2021 library project. It was deemed a success and will continue with the 2022 election cycle. Recommended changes and better marketing plan. First change was to rename from 2021 Library Project to the "Last Call Pre-Election Ballot Return". Second change was to increase accessibility by increasing number of participating library locations from three to seven. Handout shown with new library locations. Program will be available the Saturday and Monday prior to election day because the drop boxes would close and allow voters to turn in their ballots prior to election day. Library hours will be Saturday Nov 5th 10am-5pm and Monday Nov 6th 10am - 6pm. Recruitment efforts underway to have 3 deputy registrars at each location to check information and accept ballots that meet criteria. Designate those that require further review by Absentee ballot information. Will be kept in a secure location at facility until picked up by sworn authorized couriers and processed at the elections office.

Chairwoman Silas asked if there were any questions. Ms. Brooks asked about a marketing plan. Ms. Hamilton explained that they would be doing fliers, putting on the Elections website, and other marketing ideas the committee is looking into.

Chairwoman Silas asked for any more comments or questions from the Board.

DIRECTOR OF ELECTIONS (Janine Eveler)

- a) Due to the November 11th Veterans Day Holiday, the Secretary of State has moved deadline dates. Previously, we had until November 11th to receive items from provisional voters and UOCAVA ballots but because it is a holiday, there will be no mail and the county offices will be closed. The new deadline to receive items is now 5pm on November 14th. This requires that we move election certification meeting to November 15th at 3pm. The BOC room at 100 Cherokee St is currently booked for that time, so would need to move the meeting to the Elections Board Room at the main office (995 Roswell Street).

Chairwoman Silas asked if there were any questions. Mr. Gartland motioned to approve the dates and location, 2nd by Mr. Bruning. Item passed 5-0.

BOARD MEMBER COMMENTS

Ms. Mosbacher - Praised the staff for event on Saturday, thought it was phenomenal.

Chairwoman Silas- Echoed the same. Appreciative of the forethought of Janine and Election Board in 2013. Promotion and attendance was great, even with the rain.

Clarified that there have been many comments about Whitlock as an early voting location. Wanted to note that the decision had already been made and are not in a position to go back unless a member of the board deems it appropriate. Elections team will have appropriate signage and marketing directing people to new locations.

Mr. Bruning- Great new facility and will make the process so much more efficient. So much more room for early voting, it is covered and air conditioned. Asked Ms. Eveler what the 2 points she did not receive on her items for new location were. Ms. Eveler responded that one was to have 10 voting windows we only have 9 due to an unexpected steel beam in the wall. The other was for 400 parking spaces. Working to get overflow parking approved.

CHAIRWOMAN TORI SILAS

Chairwoman Silas summarized that there were a number of previous challenges submitted last meeting under 21-2- 229. She stated that we would not be taking any action on sustaining a challenge under section 229 since Aug 10 was the final date to remove a voter under the National Voter Registration Act. A number are now being re-presented under section 21-2-230.

The next item is taking up those challenges. Chairwoman Silas clarified the difference between the two sections. Section 229 would require a removal from the voter roll, while section 230 is a challenge to the ability of the voter to vote at the next election. It is set forth in the code that the Board will determine if there is probable cause. In the event that they do find there is probable cause there are certain steps that we would be required to take based on whether or not the voter casts a ballot in the election.

Chairwoman Silas deferred to counsel, Daniel White. Mr. White stated he has tried to answer any questions from board. Code section 230 stated that the board will determine if there was probable cause immediately, which was read as the next board meeting. Depending on what actions are taken, there is a matrix of possibilities if anyone ends up being challenged. There are different protocols depending on what type of ballot a person tries to cast. Today we are here to make the probable cause determination.

Chairwoman Silas stated having reviewed the challenge there are a number of items that need to be taken up. Conversated with Ms. Eveler, on how to move forward with the 3 separate challenges made.

Ms. Eveler responded that she looked up whether the voters on the lists were still GA registered. Ms. Asta's and Mr. Lang's voters are still GA registered. Mr. Williams had several removed and his list was revised. A new list provided that 32 of his voters were cancelled on their own and 2 were not able to be identified if there were GA voters.

Chairwoman Silas restated that Mr. Williams submitted a section 230 challenge to 148 electors – 32 were removed by their own action and 2 were unable to match due inconsistency in information by the Cobb County Elections Office.

Chairwoman Silas stated that the question at this point is to determine if there is probable cause and the Board is needing to go into executive session. At 3:50 p.m., Ms. Brooks made a motion to enter executive session for the purpose of discussing pending litigation, Mr. Bruning 2nd. Passed 5-0.

At 4:46 p.m., Mr. Gartland motioned to come out of executive session, Mr. Bruning 2nd . Passed 5-0

Daniel White summarized what the Board discussed prior to exec session. Section 229 removes voters from the voting list. Section 230 challenges the ability to vote in elections. The Board is charged to determine probable cause to sustain the challenge. The Board's charge was to consider if there was probable cause to sustain the 184 challenges. The Board is looking at the National Voter Registration Act which prevents a systematic removal of voters within 90 days of an election, which we are in that period. There has been a case in GA where section 230 played into it.

Chairwoman Silas- We have a motion to put forth. Simply being on NCOA list is insufficient especially given we are within the 90-day period. The Board has determined that whether a voter has voted in a subsequent election following their registration in another state is consistent in decisions we have made with 229 challenges. Chairwoman Silas moved to sustain a finding of probable cause as to those voters on the challenge list who are identified as both having registered and subsequently voted in another state, subject to verification by the Cobb Board of Elections staff, and to deny a finding of probable cause as to the remaining voters on the lists presented by the 3 challengers. Mr. Bruning 2nd. Passed 5-0.

Chairwoman Silas addressed the challengers by stating that there is no opportunity for a hearing at this juncture. You will be provided with notice as to how it will move forward once we validate if they have voted in another state.

Next Scheduled meeting October 10, 2022 3:00 pm in the BOC Room located at 100 Cherokee Street

Meeting adjourned at 4:52 pm

TO: Board of Elections and Registration
FROM: Janine Eveler, Director of Elections
DATE: October 10, 2022
SUBJECT: REQUEST APPROVAL TO CHANGE POLLING LOCATION

PURPOSE

To request approval to change the polling place location for precinct Marietta 3A (MR3A) from Pleasant Grove Missionary Baptist Church, 566 Whitlock Ave. NW, Marietta, GA 30064 to Switzer Library, 266 Roswell St., NE, Marietta, GA 30060 beginning January 1, 2023.

BACKGROUND

Pleasant Grove Missionary Baptist Church has notified the Cobb County Board of Elections & Registration that the facility is no longer available as a polling place. The Switzer Library is 0.7 miles from the existing polling place and will adequately serve the 4,280 active registered voters.

This change is to be effective January 1, 2023. Notification of this change will include sending new precinct cards to all registered voters in the Marietta 3A precinct, posting signs at and near the old polling location at the first effective election, and providing information on the Cobb Elections website, among other notification techniques.

This change will establish the polling location outside the precinct boundary, therefore a report will be sent to the State Election Board as required in O.C.G.A. 21-2-265 (e).

FUNDING

None

RECOMMENDATION

Approve change to the polling place location for precinct Marietta 3A (MR3A) from Pleasant Grove Missionary Baptist Church, 566 Whitlock Ave. NW, Marietta, GA 30064 to Switzer Library, 266 Roswell St., NE, Marietta, GA 30060 beginning January 1, 2023.

MARIETTA 3A (MR3A)

REPLACING POLLS - 2022

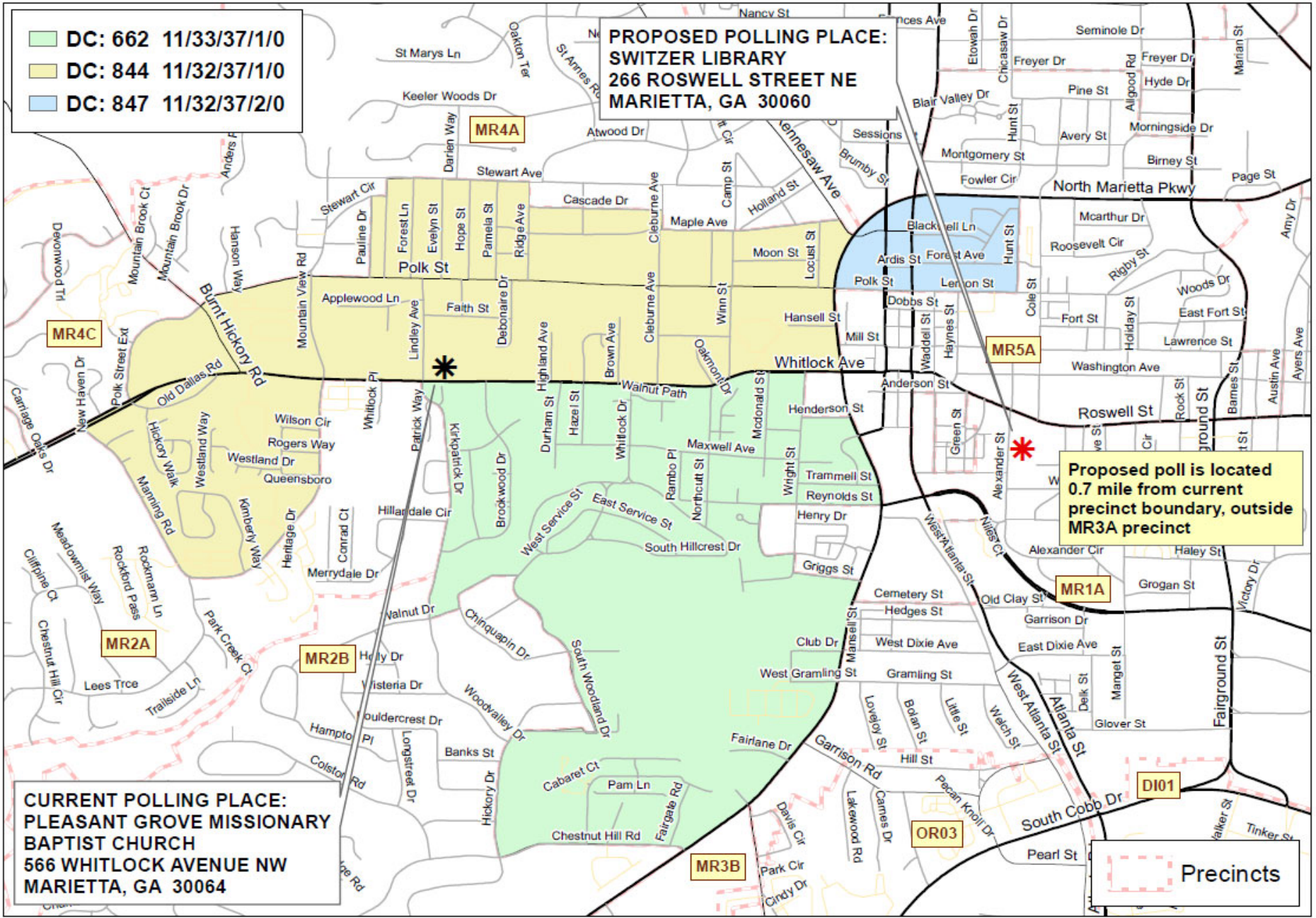
* PROPOSED POLLING PLACE
* CURRENT POLLING PLACE

- DC: 662 11/33/37/1/0
- DC: 844 11/32/37/1/0
- DC: 847 11/32/37/2/0

PROPOSED POLLING PLACE:
SWITZER LIBRARY
266 ROSWELL STREET NE
MARIETTA, GA 30060

Proposed poll is located
0.7 mile from current
precinct boundary, outside
MR3A precinct

CURRENT POLLING PLACE:
PLEASANT GROVE MISSIONARY
BAPTIST CHURCH
566 WHITLOCK AVENUE NW
MARIETTA, GA 30064



Precincts