

# 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?