

Bryan County

Board of Elections and Registration Meeting Minutes

October 10, 2024 at 3:30PM
66 Capt. Matthew Freeman Dr.,
Commissioners Conference Room
Richmond Hill, GA 31324

Persons Attending:

Chairman Andrew Johnson, Board Members Penny Dubois, Lee Ertle and Nevin Patton. Elections Supervisor - Olivia Chapman. Kathryn Downs, Asst. County Manager. County Attorney Aaron Kappler and Associates, and 80+ members of the public. Absent, Vice Chair and Secretary, Keith Spitznogle.

Call To Order

Board Member Elizabeth Ertle called the meeting to order at 3:30, explaining to visitors that the Board will go into an Executive Session and will return by 4:00 PM. The meeting was properly advertised on the County website.

Executive Session

Attending the Closed Executive Session were Board Members Penny Dubois, Elizabeth Ertle, Nevin Patton, and Elections Supervisor-Olivia Chapman, Assistant County Manager-Kathryn Downs, County Attorney-Aaron Kappler and his team. Secretary Spitznogle was present by telephone. Absent were Andrew Johnson.

Regular Session Begins

Call To Order

Chairman Andrew Johnson called the meeting to order at approximately 4:00pm.

Minutes

Chairman Johnson asked for a Motion to approve the Minutes from the September 16, 2024 meeting. The Motion was made by Elizabeth Ertle and was seconded by Penny Dubois. The Motion passed unanimously.

Old Business

None

New Business

A) Challenge Hearing

Bryan County Board Attorney Aaron Kappler explained the background of the Challenge to 859 electors/voters on the Bryan County Voting Rolls, saying that the list was possibly compiled through the use of data broker websites or data mining spreadsheets. The 229 Challenge is State Law, allowing any elector to challenge any other elector's right to vote. Attorney Kappler explained that the burden of proof rests on Ms. Hilburn, not the elector/voter. He further explained that the Elections Board sits in a quasi-judicial position, determining the facts and will vote. And Attorney Kappler said that the law requires the Hearing—she must be given the opportunity to make her Challenge. But that federal law dictates that no data broker website or data mining spreadsheet can be used. The Elections Board is not permitted to pull county records prior to the meeting. Their vote is based on what we hear today.

Chairman Johnson selected and announced one name that was challenged on the Bryan County Voting Rolls and asked Ms. Jennifer Hilburn to step forward and give her proof as to why this elector shall be denied the right to vote. After calling the Challenger's name several times and searching the hall, it was determined that Ms. Hilburn was not in attendance to the Hearing

Chairman Johnson called for a Motion to dismiss the Challenge. Penny Dubois moved that the charges against the voters be dropped. The Motion was seconded by Chairman Johnson and the vote was unanimous.

The visitors asked if there was any recourse available to file against Ms. Hilburn. Some spoke about the cost that was incurred for the mailouts and that she should re-imburse the County. Chairman Johnson stated that the Elections Board would look into the matter.

Attorney Kappler came forward to answer the visitors' questions. He explained that her Challenge has been denied and dismissed. Attorney Kappler said that he represents the County and his direction is from the Board of Commissioners and the Boards he represents and that he cannot represent the electors/voters—it's up to the Board to vote to have an investigation for recourse against the challenger. He stated that the Challenge was an enormous undertaking, compiling data, serving notices, mailouts, etc. at the cost of Bryan County.

Chairman Johnson asked County Attorney Kappler to look into that and let us know if there is any recourse.

Chairman Johnson then stated that a number of individuals had signed up to speak publicly and that he would call each name, giving time to that person to come speak to the group. About 9-10 visitors spoke explaining their anguish and trauma and how time consuming the ordeal had been. They wanted the state law changed so that a Challenge like this could not occur again. Many thanked the Elections Board, Staff, and attorneys for their work. Others stressed there should be repercussions for this Challenge or future challenges may occur.

Chairman Johnson said that the Hearing was over and that the Board would now continue their meeting with remaining items on the Agenda. The visitors were welcome to stay or they could leave. About 7-8 visitors remained.

B) By-Law Update

Item was removed from the Agenda

C) Certification Procedures

Olivia Chapman provided a handout titled "Preparing for Election Certification." She said that if discrepancies in voting are found, she would conduct an investigation and would be gathering all data.

D) Supervisor's Report

Poll worker training is complete. Additional people interested could still be placed on Election Day and trained individually beforehand.

Voter Registration deadline was Monday, October 7, 2024.

Begin Early Voting on Tuesday—not next week on Monday, due to Columbus Day.

Opening Absentee Ballots—poll workers have been asked to do this. Absentee Ballots will not be tabulated until Election night.

Pre-certification of the Election will be Friday, November 8, at 1:00 in Pembroke.

Board or Staff Concerns

No Concerns.

Public Comments (Limited to Agenda Items – 5 Minute Maximum)

No Comments

Executive Session

No Executive Session was necessary.

Adjournment

No further business being necessary or offered, Board Member Dubois made motion to adjourn. Board Member Patton Seconded. Meeting was adjourned at 5:00pm. Next Board Meeting is scheduled for November 12 at 4:00PM at the Elections Office located at 6024 US Highway 280 E, Pembroke.

Respectfully Submitted,

Elizabeth L. Egle

Elizabeth L. Egle, Board Member