



**MINUTES**  
**STATE ELECTION BOARD MEETING**  
**Tuesday, May 7, 2024**  
**9:30 A.M.**  
**Georgia State Capitol, Room 341**  
**Atlanta, Georgia**

**I. CALL TO ORDER AND INTRODUCTORY REMARKS**

Chairman John Fervier called the meeting to order at 9:35 A.M. A quorum was present for each Board action taken. The following Board members attended the meeting: Mr. John Fervier, Mrs. Sara Tindall Ghazal, Mr. Edward Lindsey, Dr. Janice Johnston, and Mr. Rick Jeffares.

Mr. Jeffares was not present at the beginning of the meeting, but joined the proceedings via phone call at 3:20 P.M.

Mrs. Tindall Ghazal moved to reschedule the October board meeting to October 8, Dr. Johnston seconded, passed 3-0.

Mr. Lindsey delivered the invocation and Dr. Johnston lead the Pledge of Allegiance. Mr. Fervier made opening remarks.

**II. APPROVAL OF BOARD MEETING MINUTES**

**State Election Board Meeting and Hearings – February 13, 2024**

Dr. Johnston introduced amendments to the minutes from the February 13, 2024 meeting. Mr. Lindsey moved to accept the minutes as amended, Mrs. Tindall Ghazal seconded, passed 4-0.

**State Election Board Meeting and Hearings – March 28, 2024**

Mr. Lindsey moved to accept the minutes from the March 28, 2024 meeting as written, Dr. Johnston seconded, passed 3-0.

**III. INVESTIGATIONS REPORTS**

The investigation reports to be considered are listed below according to the disposition recommended by the investigation staff.

**Cases Recommended to be Dismissed**

Mrs. Tindall-Ghazal requested to pull SEB2021-058 for presentation.  
Mr. Lindsey requested to pull SEB2022-038 and 2023-010 for presentation.

Mr. Lindsey moved to dismiss the remaining cases, Dr. Johnston seconded, passed 3-0.

**The following cases were dismissed:**

SEB2021-048 Sumter County Failure to Open Poll  
SEB2022-129 Muscogee County Problems at the polling Place  
SEB2022-182 Long County Absentee Ballot Issue  
SEB2022-194 Fulton County Alpharetta Branch Library ABA  
SEB2022-204 Forsyth County Residency Issue  
SEB2022-253 Fulton County Early Closing of Advanced Polling Location  
SEB2022-275 Fulton County Improper Campaign Sign Postings  
SEB2022-368 Fulton County Prohibited Personnel Practices by Poll Officials  
SEB2023-002 Morgan County Failure to Open Polls  
SEB2023-047 Fulton County City of Milton Improper Polling Location Changes  
SEB2023-093 Fulton County City of Roswell Johns Creek Water Treatment Plant Delayed Poll Opening

**SEB2021-058 Multi-County Excess Voting**

After presentation and discussion of the investigative findings, Mrs. Tindall Ghazal moved to dismiss the case, Dr. Johnston seconded, passed 3-0.

**SEB2022-038 Gwinnett County Ballot Harvesting**

After presentation and discussion of the investigative findings, Mr. Lindsey moved to continue the case as to Joyce Loftin and an unidentified female, Dr. Johnston seconded, passed 3-0. Dr. Johnston moved to dismiss the remaining respondents, Mr. Lindsey seconded, passed 3-0.

**SEB2023-010 Gwinnett County Ineligible Board Member**

After presentation and discussion of the investigative findings, Mr. Lindsey moved to dismiss the case and issue a Letter of Instruction without finding a violation, Dr. Johnston seconded, Mrs. Tindall Ghazal voted nay, passed 2-1.

**Violation Cases Recommended for Letters of Instruction**

**SEB2021-156 Clayton County Failure to Record Assistance Information**

After presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction.

**SEB2022-042 Bacon County Intentional Interference with Election Duties**

After presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction.

**SEB2022-043 Fulton County Election Night Reporting May 3, 2022**

After presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction.

**SEB2022-090 Bibb County Early Voting Results Printed**

After presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction.

**Dr. Johnston moved to break for lunch, Mrs. Tindall Ghazal seconded, passed 3-0.  
The Board returned from lunch at 1:18 P.M.**

**The Board heard the below case out of order.**

**SEB2023-025 Fulton County Tabulator Results 2020 General Election**

After presentation and discussion of the investigative findings, Mrs. Tindall Ghazal moved to dismiss the case, motion failed for lack of a second.

Dr. Johnston moved to amend the RLA totals, amend the election total records at county and state levels, to designate the vote totals may not be accurate, to request the Secretary of State either invalidate 17,852 ballots from the official certification or initiate an independent investigation to determine their authenticity, to request that the Secretary of State initiate an independent investigation of the authenticity of the ballots from ten advance voting scanners or expunge those ballots from the records, to refer the case to the Attorney General's office for immediate review, to recommend a monitor team to provide investigative oversight of Fulton County elections for 2024 that would consist of certified public accountants, independent investigators, and state auditors to be funded by Fulton County.

The motion to amend the RLA totals, amend the election total records at county and state levels, to designate the vote totals may not be accurate failed for lack of a second.

The motion to request the Secretary of State either invalidate 17,852 ballots from the official certification or initiate an independent investigation to determine their authenticity failed for lack of a second.

The motion to request that the Secretary of State initiate an independent investigation of the authenticity of the ballots from ten advance voting scanners or expunge those ballots from the records failed for lack of a second.

The motion to refer the case to the Attorney General's office for immediate review, to recommend a monitor team to provide investigative oversight of Fulton County elections for 2024 that would consist of certified public accountants, independent investigators, and state auditors to be funded by Fulton County failed for lack of a second.

Chairman Fervier moved to refer the case to the Attorney General's office for immediate review and to recommend a monitor team to provide investigative oversight of Fulton County elections for 2024. Dr. Johnston seconded the motion. Chairman Fervier withdrew his motion to hear an alternative motion from Mr. Lindsey.

Mr. Lindsey moved to issue a letter of reprimand to Fulton County, and enter a memorandum of understanding between Fulton County, the Office of the Secretary of State, and the State Election Board, outlining a mutually agreeable monitor for the 2024 election cycle by the next hearing. Should an agreeable monitor not be reached by the next scheduled Board meeting, a motion will be presented to refer the case to the Attorney General's office.

Dr. Johnston presented an intervening motion to add a cease-and-desist order, a letter of reprimand, and referral to the Attorney General's office. The intervening motion failed for lack of a second.

As to the original motion from Mr. Lindsey, Mrs. Tindall Ghazal voted aye, Mr. Lindsey voted aye, Dr. Johnston voted nay, the motion passed 2-1.

#### **IV. ATTORNEY GENERAL REPORT**

Assistant Attorney General Russell Willard presented the Attorney General's report.

##### **Final Orders**

|             |                |
|-------------|----------------|
| SEB2014-014 | Douglas County |
| SEB2014-014 | Terrell County |

Mrs. Tindall Ghazal moved to accept the Attorney General's report as recommended, Mr. Lindsey seconded, passed 3-0.

#### **V. INVESTIGATIONS REPORTS continued**

**Mr. Jeffares called into the meeting via telephone.**

##### **Violation Cases Recommended for Letters of Instruction**

##### **SEB2022-112 McIntosh County Interference with performance of Election Duties**

After presentation and discussion of the investigative findings, Mr. Lindsey moved to issue a Letter of Instruction, Dr. Johnston seconded, passed 4-0.

##### **SEB2023-041 Walker County Chickamauga Qualifying Fee Issue**

After presentation and discussion of the investigative findings, Mrs. Tindall Ghazal moved to issue a Letter of Instruction and request guidance from the Secretary of State's office, before withdrawing the motion. Mr. Lindsey moved to continue the case pending instructions from the Attorney General's office, Dr. Johnston seconded, passed 4-0.

##### **SEB2022-133 Washington County Districting Issue**

After presentation and discussion of the investigative findings, Mr. Lindsey moved to issue a Letter of Instruction, Mrs. Tindall Ghazal seconded, passed 4-0.

##### **SEB2022-136 Clayton County Tabulation Sheets**

After presentation and discussion of the investigative findings, Mrs. Tindall Ghazal moved to issue a Letter of Instruction, Dr. Johnston seconded, passed 4-0.

##### **SEB2022-238 Ben Hill County Voter Using a Business Address to Register to Vote**

After presentation and discussion of the investigative findings, Mrs. Tindall Ghazal moved to issue a Letter of Instruction, Mr. Lindsey seconded, passed 4-0.

**SEB2022-318 Bibb County Child Not Allowed in the Voting Booth with Parent**

After presentation and discussion of the investigative findings, Dr. Johnston moved to dismiss the case, Mr. Lindsey seconded the motion, Mr. Lindsey withdrew his second, Dr. Johnston withdrew her motion, Mr. Lindsey moved to issue a Letter of Instruction, Mrs. Tindall Ghazal seconded, passed 4-0.

**Chairman Fervier announced the following case was to be heard out of order.**

**SEB2022-137 Fulton County Campaigning Within 150 Feet**

After presentation and discussion of the investigative findings, Mr. Lindsey moved to issue a Letter of Instruction, Dr. Johnston seconded the motion, Mrs. Tindall Ghazal voted nay, passed 3-1.

**SEB2022-327 Cobb County Early Voting Tabulation Issue**

After presentation and discussion of the investigative findings, Mrs. Ghazal moved to issue a Letter of Instruction, Mr. Jeffares seconded, passed 4-0.

**SEB2022-340 Cobb County Voter Privacy Issue**

After presentation and discussion of the investigative findings, Mr. Lindsey moved to issue a Letter of Instruction, Dr. Johnston seconded, passed 4-0.

**SEB2024-016 Cobb County Improper Issuance of ABM**

After presentation and discussion of the investigative findings, Mr. Lindsey moved to issue a Letter of Instruction, Mrs. Tindall Ghazal seconded, passed 4-0.

**SEB2022-370 Fulton County Buckhead Library Interference by Poll Watcher**

After presentation and discussion of the investigative findings, Mr. Lindsey moved to continue the case with a request to place the case at the top of the agenda at the next scheduled meeting, Dr. Johnston seconded the motion, passed 4-0.

**IV. ADJOURNMENT**

Mr. Lindsey moved to adjourn for the day, Dr. Johnston seconded, passed 4-0.

The meeting adjourned at 5:01 P.M.



**MINUTES**  
**STATE ELECTION BOARD MEETING**  
**Tuesday, May 8, 2024**  
**9:30 A.M.**  
**Georgia State Capitol, Room 341**  
**Atlanta, Georgia**

**I. CALL TO ORDER AND INTRODUCTORY REMARKS**

Chairman John Fervier called the meeting to order at 9:31 A.M. A quorum was present for each Board action taken. The following Board members attended the meeting: Mr. John Fervier, Mrs. Sara Tindall Ghazal, Mr. Edward Lindsey, Dr. Janice Johnston, and Mr. Rick Jeffares.

**II. INVESTIGATIONS REPORTS continued from previous day**

**SEB2022-344 Fayette County Ineligible Voter Nov 2022 GE**

After presentation and discussion of the investigative findings, Mr. Lindsey moved to continue the case, and to request the Secretary of State's office to discuss the matter at the August meeting, Mrs. Tindall Ghazal seconded, passed 4-0.

**SEB2022-356 Fulton County Welcome All Rec Center Tabulation Issue**

After presentation and discussion of the investigative findings, Dr. Johnston moved to request guidance from the Secretary of State's office, Mr. Jeffares seconded, passed 4-0. Mrs. Tindall Ghazal moved to issue a Letter of Instruction, Dr. Johnston seconded, passed 4-0.

**SEB2023-035 Fayette County Qualification Fee Issue**

After presentation and discussion of the investigative findings, Mrs. Tindall Ghazal moved to dismiss the case, Dr. Johnston seconded, passed 4-0.

**SEB2020-292 Richmond County Voter Registration**

After presentation and discussion of the investigative findings, Mr. Lindsey moved to refer allegations 1 & 3 to the Attorney General's office, Dr. Johnston seconded, passed 4-0. Mr. Lindsey moved to continue allegation 2 for further review, Dr. Johnston seconded, passed 4-0. Mr. Lindsey moved to add "The Outreach Team" as a respondent in the case, Dr. Johnston seconded, passed 4-0.

**SEB2022-036 Clarke County False ID Card**

After presentation and discussion of the investigative findings, Mr. Lindsey moved to refer the case to the Attorney General's office with a recommendation to issue a cease-and-desist order, Dr. Johnston seconded, passed 4-0.

**SEB2022-138 Chatham County Miscellaneous**

After presentation and discussion of the investigative findings, Mr. Lindsey moved to refer the case to the Attorney General's office, Mrs. Tindall Ghazal seconded, passed 4-0.

**SEB2022-186 Grady County Challenged Voters**

After presentation and discussion of the investigative findings, Mr. Lindsey moved to refer Grady County Board of Registrars and Melinda Butler to the Attorney General's office, Mrs. Tindall Ghazal seconded, passed 4-0. Mr. Lindsey moved to issue a Letter of Instruction to Brandon Phillips, Mr. Jeffares seconded, passed 4-0.

**SEB2022-211 Fulton County AB Fraud**

After presentation and discussion of the investigative findings, Mr. Lindsey moved to issue a Letter of Instruction, Dr. Johnston seconded, passed 4-0.

**The Board broke for recess at 10:46 A.M., and returned at 11:19 A.M.**

**III. PROCEDURE MATTERS**

**A. Petition for promulgation of State Election Board Rule, presented by Bridget Thorne**

After presentation and discussion of the petition, Mr. Lindsey moved to reject the proposed rule, and asked the Chairman to appoint a Board subcommittee to assist in working on a proposed rule to consider at the next meeting, Dr. Johnston seconded, passed 4-0.

**B. Petition for amendment of State Election Board Rule, presented by Salleigh Grubbs**

After presentation and discussion of the petition, Chairman Fervier moved to adopt the rule with the amendment that "drop box or any" be removed from Section 18 Line 1, and "with exception of drop boxes" is inserted. Mr. Lindsey recommended inserting "or authorized drop box under law". Assistant Attorney General Russ Willard advised the Board to use the language "initiate rulemaking proceedings" instead of "adopt".

Mr. Lindsey moved to initiate rulemaking with the proposed petition with the following amendments: Section 18 Line 1 strike "box or any", Line 2 insert "other than USPS or authorized and defined dropbox under Georgia law". Dr. Johnston seconded the motion, Mr. Lindsey withdrew the motion.

Mr. Lindsey moved to initiate rulemaking with the proposed petition as amended as follows: on Section 18 Line 1 strike "drop box or any", replace with "all". Line 2 after "postal service", add "or authorized and defined dropbox under Georgia Law. Section 19 Line 4 strike "that polling place" and insert "a dropbox at any early voting location. Dr. Johnston seconded the motion, passed 4-0.

**Mrs. Tindall Ghazal moved to break for lunch, Dr. Johnston seconded, passed 4-0.**

**The Board broke for lunch at 1:21 P.M., and returned at 2:08 P.M.**

**C. Petition for amendment of State Election Board Rule, presented by Julie Adams**

After presentation and discussion of the petition, Ms. Adams withdrew her petition.

Dr. Johnston moved to send a letter to all county elections offices, boards of elections, election supervisors, etc. with guidance reiterating State Election Board rules and Georgia Election Code describing the appointment of poll watchers in designated areas in tabulation centers, Mr. Lindsey seconded, passed 4-0.

**D. Petition for amendment of State Election Board Rule, presented by Marilyn Marks**

After presentation and discussion of the petition, Mr. Lindsey moved to reject the petition, seconded by Mrs. Tindall Ghazal, passed 4-0.

**E. Petition for amendment of State Election Board Rule, presented David Cross**

After presentation and discussion of the petition, Dr. Johnston moved to initiate rulemaking for the petition, Mr. Cross withdrew his petition, Dr. Johnston withdrew her motion.

**F. Petition for promulgation of State Election Board Rule, presented by David Cross**

After presentation and discussion of the petition, Mr. Cross withdrew his petition.

**Mrs. Tindall Ghazal left the meeting early.**

**G. Petition for amendment of State Election Board Rule, presented by Michael Heekin**

After presentation and discussion of the petition, Dr. Johnston moved to initiate rulemaking for the petition and initiate renumbering/relettering as necessary, Mr. Jeffares seconded, Dr. Johnston voted aye, Mr. Jeffares voted aye, Mr. Lindsey voted nay, motion passed 2-1.

**IV. NEW BUSINESS**

Mr. Jeffares moved to reconsider SEB2023-025 and refer the case to the Attorney General's office. Chairman Fervier ruled the motion out of order.

Dr. Johnston moved to reconsider SEB2023-025 and initiate an independent investigation into the matter. Chairman Fervier ruled the motion out of order.

**V. ADJOURNMENT**

Mr. Lindsey moved to adjourn, Dr. Johnston seconded, passed 4-0.

The meeting adjourned at 4:44 P.M.