

From Minutes of Georgia Board of Elections meeting
September 20th, 2017

Pages 25-17: Complaints of vote buying and early tabulation during 2015, Special Election, Greene County Georgia; Elections Supervisor Mike Morgan.

Link to transcript: <https://bit.ly/2OWzd5p>

Note: The record reflects that SoS Brian Kemp was not in attendance at the time this case was called, heard, and decided. Morgan makes no appearance.

THE OFFICE OF THE SECRETARY OF STATE
STATE OF GEORGIA
IN THE MATTER OF THE:
STATE ELECTION BOARD HEARING
GEORGIA STATE CAPITOL BUILDING
ROOM 341
ATLANTA, GEORGIA 30334
SEPTEMBER 20TH, 2017
10:00 A.M.
PRESIDING OFFICER BRIAN KEMP
SECRETARY OF STATE
STATE OF GEORGIA
LATASHA D. BETHEL, CCR
HAPPY FACES COURT REPORTING
POST OFFICE BOX 1063
TUCKER, GEORGIA 30085
(770) 414-9071

Transcript Pages: 25-27.

MS. SULLIVAN: Any opposed? And that motion carries. Moving right along here to 2015-006, Greene County.

MS. WATSON: On February 3rd, 2015, two complaints involving the special election for House District 120 held in Greene County on January 6th, 2015, were received. The first complaint alleged voter fraud during the January 6th, 2015 special election and February 3rd, 2015 special election runoff. The second complaint alleged that Greene County elections office tabulated votes early during the February 3rd, 2015 special election runoff. Investigations showed a number of individuals were interviewed regarding the allegations of vote buying. There was insufficient evidence to substantiate the violation of the Georgia code. As to the second allegation of early tabulation, election supervisor Mike Malone (phonetic) stated that he

intended to early tabulate the February 3rd, 2015 special runoff election for the absentee mail-in and early votes only at 6:45 p.m. but inserted the end card which resulted in the overall election being tabulated prior to 7 p.m. Mr. Malone stated he placed a notice of early tabulation in the courthouse but failed to notify the Secretary of State's office in writing of the early tabulation.

We recommend Greene County board of elections and registration, Mike Malone, election supervisor, be bound over to the AG's office for the listed violations.

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MS. SULLIVAN: Any board members have any questions for Ms. Watson?

(No response)

MS. SULLIVAN: I believe we have someone to speak on this case.

MS. GRANT: Good morning, my name is Andrea Grant and I'm an attorney for Greene County board of elections and registration. My address is 504 Bowers Street in Royston, Georgia and with me I have the current supervisor, Kathleen Mayers (phonetic) and she will have to give you her address.

MS. MAYERS: I live at 1831 Arbor Bridge Rd., Greensboro, Georgia.

MS. GRANT: First of all, I want to thank the investigators for being so prompt in calling us back and providing us with information that we needed to handle, something that occurred with a supervisor that is no longer with Greene County. I would like to mention to the board that Mr. Malone did cooperate with the investigators in getting written responses to them and everything and did admit that the written notification was not sent to the Secretary of State. However he did give oral notification to Ms. Holly Smith (phonetic). Being that that's not what the rules say. He did have an attempt to contact the Secretary of State regarding the early absentees. The County cooperated with the investigators. They admitted their errors. There has not been any alleged problems because of this as to the election results and hence the Greene County Board of elections and registrations would like to ask for a less evasive measure than to be turned over to the Attorney General's office. They have

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put steps in place and have a very competent staff now and they really strive to have fair and reliable elections. So therefore we ask that one of the less evasive actions under 21-2-31.1(a) be issued rather than being turn over to the Attorney General's

office.

MS. SULLIVAN: Thank you, Ms. Grant. Would you like to speak?

MS. MAYERS: I would like to say that I worked for

Mr. Malone for a couple of years and he strived hard to make sure that we were in compliance and it was definitely a (indiscernible) and we will ensure not to ever repeat it again. Thank you.

MS. SULLIVAN: Thank you. Did any of the board members have any questions for Ms. Grant or Ms. Mayers?
(No response)

MS. SULLIVAN: Is there a motion?

MR. WORLEY: I make a motion to bind this case over to the Attorney General's office.

MS. SULLIVAN: Is there a second?

MR. SIMPSON: I second.

MS. SULLIVAN: Is there any further discussion?
(No response)

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MS. SULLIVAN: All in favor.

(Whereupon the vote was unanimous.)

MS. SULLIVAN: Any opposed? And that motion carries. Thank you for being here. We have next on the agenda 2015-014, Rabun County, City of Sky Valley.