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THE OFFICE OF SECRETARY OF STATE
STATE OF GEORGIA

IN THE MATTER OF:

STATE ELECTION BOARD MEETING

Virtually, via Microsoft Teams

Tuesday, July 30, 2024

Atlanta, Georgia

3:00 p.m.

APPEARANCE OF THE PANEL

- John Fervier, Chair
- Sara Tindall Ghazal
- Janice Johnston
- Janelle King
- Rick Jeffares

Mary K McMahan, CCR, 2757
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1 **P R O C E E D I N G S**

2 **MR. FERVIER:** We're going to call to order
3 the -- this will be the -- actually we're going
4 to come out of recess for the July 9, 2024,
5 meeting and call to order this meeting of
6 July 30, 2024. Coming out of recess from July
7 9th.

8 I appreciate everyone attending. I see we
9 have a whole lot of people online. This is a
10 meeting to reconfirm what was done on July 9th
11 and to move unfinished business to an August 6th
12 meeting.

13 The -- Dr. Johnston, would you say the
14 invocation for us, please.

15 **DR. JOHNSTON:** Certainly. Bow your heads.
16 (Invocation)

17 **MR. FERVIER:** Member King, would you lead us
18 in the Pledge of Allegiance? Did we lose her?

19 **UNIDENTIFIED:** I'm --

20 **MR. COAN:** I think you're on muted.

21 **DR. JOHNSTON:** On mute?

22 **MR. FERVIER:** Is member King still on?

23 **MR. COAN:** She is.

24 **MR. FERVIER:** Yeah, I -- I can't hear her.

25 **MR. COAN:** Janelle, can you check your mic?

1 It may be on muted. There's an icon that says
2 mic. If you hit that one, it should unlock it.

3 **MS. KING:** What about now? Because it has
4 unmuted on my thing.

5 **MR. COAN:** That's it (indiscernible).
6 You're good.

7 **MS. KING:** (indiscernible) my bluetooth.
8 All right, we're good to go. All right.
9 Everyone can find their flag. All right.
10 (Pledge of Allegiance)

11 **MR. FERVIER:** Thank you. Thank you.

12 The first item on the agenda is to --
13 confirmation of actions taken on July 9, 2024. I
14 have a copy of the agenda from July 9, 2024. We
15 started with the invocation and the Pledge of
16 Allegiance. Then we approved board minutes from
17 May 7th and May 8th, went into an executive
18 session, and then we had an extensive public
19 comments. Then we went into procedural matters
20 to hear petitions.

21 The first petition heard was a petitioner
22 for amendment of State Election Board rule
23 presented by Sharlene Alexander. The board voted
24 to initiate rulemaking on that petition.

25 The second petition heard was a petition for

1 amendment of State Election Board rule presented
2 by David Cross. That petition was denied by the
3 board.

4 The third petition was petition for
5 amendment of State Election Board rule presented
6 by Orion Danjuma. And that petition was tabled
7 for a future meeting.

8 The next item was a petition for amendment
9 of State Election Board rule presented by
10 Salleigh Grubbs, Bridget Thorne, and David
11 Handcock. And the board ruled to initiate
12 rulemaking procedures on that.

13 The last petition heard was petition for
14 amendment of State Election Board rule presented
15 by Gail Lee. And the board ruled to -- or voted
16 to initiate rulemaking procedures on that one.

17 The -- I believe that that was the actions
18 that were taken before the board. Do we have a
19 motion by this board to confirm the actions taken
20 on July 9, 2024, as I just stated?

21 **DR. JOHNSTON:** Mr. Chairman?

22 **MR. FERVIER:** Yes.

23 **DR. JOHNSTON:** There were -- there were
24 other items of business and actions taken during
25 that meeting. Are you confirming that -- or

1 affirming, confirming, and ratifying that all
2 actions ...

3 **MR. FERVIER:** Which actions are you
4 referring to?

5 **DR. JOHNSTON:** I'm referring to the actions
6 concerning SEB case 2023-025.

7 **MR. FERVIER:** Which -- which action in
8 particular?

9 **DR. JOHNSTON:** The action was to re -- re --
10 readdress that case at the August 6th meeting
11 after outside legal counsel opinions were
12 obtained.

13 **MR. FERVIER:** Was there a vote taken on
14 that?

15 **DR. JOHNSTON:** I believe there was,
16 Mr. Chairman.

17 **MS. KING:** Yes, there was.

18 **MR. FERVIER:** Okay. Any other -- any other
19 actions that we took?

20 **MS. KING:** I'd -- I don't see ...

21 **MR. FERVIER:** (indiscernible) --

22 **DR. JOHNSTON:** Do we have a -- do we have a
23 copy of the minutes from that meeting,
24 Mr. Chairman?

25 **THE BOARD MEMBERS:** The minutes -- the

1 minutes were not produced for that meeting
2 because the meeting was not adjourned, the
3 meeting was just recessed. So no minutes have
4 been produced yet.

5 **DR. JOHNSTON:** As a point of order, I would
6 suggest that referring to our memory of the
7 meeting may be inadequate and that we should have
8 those items reviewed and make sure that we have
9 not missed any items that were on the agenda
10 during that -- that meeting. It was a long day
11 and a long meeting.

12 **MR. FERVIER:** Well, are you recommending
13 that we move those items not addressed to the
14 August 6th meeting then?

15 **DR. JOHNSTON:** No, Mr. Chairman. I -- I
16 agree that of all the ones that you have stated
17 and plus the one that -- that I recall, if there
18 are any others -- and I would suggest that we
19 might amend this motion to include any other
20 action items that were taken.

21 **MS. KING:** I agree, in case we forgot
22 something. I think we should ensure that we
23 don't miss that in the August meeting.

24 **MR. FERVIER:** Yeah, I don't mind -- I don't
25 mind that. So your motion -- would you like to

1 make a motion, Dr. Johnston?

2 **DR. JOHNSTON:** Yes, I would. Mr. Chairman,
3 I -- I would like to make a motion, and I --
4 before I make a motion, I request to make a
5 statement concerning the State Election Board
6 meeting of July 9th.

7 **MR. FERVIER:** Okay.

8 **DR. JOHNSTON:** With the desire to complete
9 the business of hearing petitions for rules, a
10 majority of board members in good faith called
11 for return of recess from the July 9th State
12 Election Board meeting on July 12.

13 Board members heard two available
14 petitioners, moved other unfinished business to
15 the August 6th scheduled meeting, and adjourned
16 the meeting of July 9th.

17 Board member Janelle King patiently and
18 eloquently explained the efforts made to post
19 notice of return from recessed July 9th meeting.
20 This was done correctly and in keeping with
21 Georgia law while the intent was simply to
22 continue hearing petitions for rulemaking and
23 ensure unfinished business would be addressed at
24 the August 6th meeting.

25 However, there was a weirdly overdramatic

1 and excessive alarm raised, a seemingly
2 coordinated misinformation campaign, followed by
3 apparent media attacks, and outrageous and
4 ridiculous threats made to the State Election
5 Board. In the interest of lowering the
6 temperature, we have agreed to redo the
7 unfinished agenda items as of July 9th and will
8 address those at the meeting on the 6th of
9 August.

10 Therefore the two petitions heard on
11 July 12th will be reheard at the August 6th
12 meeting. And the unfinished business of July 9th
13 meeting will be addressed at the August 6th
14 meeting.

15 It is evident that there is already much
16 attention on the State Election Board in this
17 election year and perhaps some efforts by those
18 determined to create chaos and law fear to hamper
19 and cripple election integrity.

20 We encourage all who intend or watch the
21 State Election Board meetings to stay calm and
22 understand that we have business to address to
23 fulfill our duty to ensure that Georgia elections
24 are transparent, fair, free, uniform, and
25 orderly. We will protect every eligible voter,

1 every legal ballot, and every accurate vote count
2 as required by law.

3 Mr. Chairman, I make a motion to confirm and
4 ratify all actions of the July 9th meeting,
5 adjourn the meeting as of July 9, 2024, with
6 instructions to the staff to take actions in
7 furtherance with the actions of that meeting with
8 the caveat that all unfinished business is moved
9 to the agenda of August 6th.

10 As a courtesy to and respect for the
11 petitioners who were not heard, move the hearing
12 of their petitions for rulemaking, following the
13 reading and approval of the minutes, at the
14 August 6th meeting. Thank you.

15 **MR. FERVIER:** We have a motion made by
16 member Johnston, which I cannot repeat for the
17 board. Is there a second?

18 **MS. KING:** Second.

19 **MR. FERVIER:** We have a motion and a second.
20 Any discussion? Hearing no discussion, all those
21 in favor signify by saying aye. We'll have a
22 roll-call vote since it is a virtual.

23 Member Johnston?

24 **DR. JOHNSTON:** Aye.

25 **MR. FERVIER:** Member King?

1 **MS. KING:** Aye.

2 **MR. FERVIER:** Member Jeffares?

3 **MR. JEFFARES:** Aye.

4 **MR. FERVIER:** Member Ghazal?

5 **MS. GHAZAL:** Aye.

6 **MR. FERVIER:** Motion carries four to zero.

7 **DR. JOHNSTON:** Mr. Chairman?

8 **MR. FERVIER:** Yes, member Johnston.

9 **DR. JOHNSTON:** Point of order.

10 **MR. FERVIER:** Yes.

11 **DR. JOHNSTON:** I'd like to refer to the

12 informal advice by the Attorney General's Office

13 from Ms. Elizabeth Young that referred to the

14 posting of notices for rulemaking that confirm

15 that the three rules that were -- for rulemaking

16 that were approved were posted on July 18th to

17 the board's website and that these rules will be

18 considered at the August 19th board meeting which

19 meets the general timeliness requirement under

20 O.C.G.A. 50-13-4.

21 **MR. FERVIER:** Yes. And I will confirm that

22 I received that advice from the Attorney

23 General's Office for the posting of those rules.

24 **DR. JOHNSTON:** Mr. Chair, I thank you for

25 requesting that letter, and I acknowledge that.

1 **MR. FERVIER:** Is there any other business to
2 come before this board? Do we have a motion to
3 adjourn?
4 **MS. KING:** Motion to adjourn.
5 **MR. FERVIER:** We have a motion to adjourn.
6 Do we have a second?
7 **DR. JOHNSTON:** Second.
8 **MR. FERVIER:** We have a motion and a second.
9 We'll have a roll-call -- any discussion?
10 Hearing no discussion, we'll have a roll-call
11 vote.
12 Member Johnston, how do you vote to adjourn?
13 **DR. JOHNSTON:** Aye.
14 **MR. FERVIER:** Member King?
15 **MS. KING:** Aye.
16 **MR. FERVIER:** Member Jeffares?
17 **MR. JEFFARES:** I guess so.
18 **MR. FERVIER:** Member Ghazal?
19 **MS. GHAZAL:** Aye.
20 **MR. FERVIER:** Motion carries four to zero.
21 This motion -- this meeting is adjourned. Thank
22 you.
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CERTIFICATE

STATE OF GEORGIA

I hereby certify that the foregoing meeting was taken down, and was reduced to typewriting under my direction; that the foregoing transcript is a true and correct record given to the best of my ability.

The above certification is expressly withdrawn upon the disassembly or photocopying of the foregoing transcript, unless said disassembly or photocopying is done under the auspices of Steven Ray Green Court Reporting, LLC, and the electronic signature is attached thereto.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties; nor am I financially interested in the action.

This, the 12th day of August 2024.

****Mary K McMahan****

Mary K McMahan, CCR
Certified Court Reporter
Certificate Number 2757