

BOARD OF ELECTIONS AND REGISTRATION



CAMDEN COUNTY GEORGIA

Bylaws

Adopted on January 22, 2019

Amended Sep 23, 2021

CAMDEN COUNTY GEORGIA

Board of Elections and Registration Bylaws

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CAMDEN COUNTY, GEORGIA
Board of Elections and Registration Bylaws
Amendment 1 Executive Summary

Purpose: To update the Camden County BoER bylaws and align them with Georgia HB202, resulting in major changes to the Election Code, which was signed into law in 2021.

Summary:

1. **Article 4: Membership:**
 - (a) Clarified successive term eligibility for Chair and Vice-Chair.
 - (b) Added new paragraph 4.2 that clarifies the process for nominating and electing the Chairperson and Vice Chairperson to include training.
 - (c) Renumbered remaining paragraph.
 - (d) Added O.C.G.A. references and requirements.
2. **Article 6: Terms of Office:**
 - (a) Updated to reflect a 4-year term for all Board Members.
3. **Article 7: Removal from Office:**
 - (a) Added O.C.G.A. references.
4. **Article 8: Duties of Board Members:**
 - (a) Paragraph 8.3, replaced contract with Intergovernmental Agreements (IGA) and added requirement to present all IGA's to the County Attorney.
 - (b) Added O.C.G.A. reference to paragraph 8.9.
5. **Article 9: Meetings:**
 - (a) Added new paragraph 9.2 (a), that aligns special called meeting notification process with HB 1023 (2018) section 9.
 - (b) Added a new paragraph 9.6, concerning items being presented to the Board during meetings.
 - (c) Renumbered remaining paragraph.
6. **Article 10: Voting:**
 - (a) Added new paragraph 10.1 (a), clarifies Chairs use of unanimous Consent. Adds RONR (11th ed.) reference.
7. **Article 13: Municipal Elections:**
 - (a) Paragraph 13.3, replaced contract with IGA throughout.
8. **Article 14: Amendments:**
 - (a) Paragraph 14.1, replaced majority vote with 4/5 and added the requirement that all Board Members must be present.

CAMDEN COUNTY, GEORGIA

Board of Elections and Registration Bylaws

Article 1: Authority

1.1 As provided by law, H.B. No.1023 (2018) and pursuant to subsection (b) of Code Section 21-2-45 of the O.C.G.A., there is created the Board of Elections and Registration of Camden County, herein after referred to as “the Board.”

1.2 The board shall have the powers, duties, and responsibilities of the election superintendent of Camden County, the municipal election superintendent of the City of St. Marys, the City of Woodbine, and the City of Kingsland, and the board of registrars of Camden County, all as provided for under Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code Annotated," hereinafter referred to as “the Code.”

Article 2: Mission

The mission of the Board of Elections and Registration, as an independent body and within the legal framework of the State of Georgia and Camden County, is that of:

- a) Conducting elections and certifying the election results;
- b) Registering and verifying voters and ballots;
- c) Educating the community and increasing community awareness of upcoming elections and on voter registration; and
- d) Creating community confidence and trust in voting and the democratic process.

Article 3: Purpose of the Board

3.1 The Board enforces strict adherence to all current Federal, State and Local laws as well as State Election Board rules and regulations concerning registering to vote and voting, and serves all citizens in election related matters.

3.2 The Board is responsible for conducting all County, State, and Federal elections that are held in Camden County. The Board also serves as a resource for election support for municipalities located within Camden County.

Article 4: Membership

4.1 The Board shall be composed of five members – a chairperson, hereinafter referred to as “the Chair,” a vice-chairperson, hereinafter referred to as “the Vice-Chair,” and three Board members. Every two years the board shall elect one of its members to serve as Chairman for a two-year term, in accordance with O.C.G.A. § 21-2-75(b). Chair and Vice-Chair shall be eligible to serve successive terms and shall have to right to resign their position at any time.

4.2 Nomination and election of the Chair and Vice-Chair

- (a) At the last regularly scheduled Board meeting prior to the end of the two-year term, the Chair shall call for nominations of a new Chairperson. The nomination(s) must come from the Board members only, nominations do not require a second. Once all nominations are selected, a vote shall be taken by the Board and the nominee with the most votes becomes the Chair. The same process will be utilized for the Vice-Chair.
- (b) The newly elected Chair and Vice-Chair will assume their duties at the next regularly scheduled Board meeting.
- (c) If the Chair becomes vacant prior to the end of the two-year term the Vice-Chair will assume the duties as the Chair for the remainder of the unexpired term, and will call for the nomination and election of a new Vice Chair for the remainder of the unexpired term.
- (d) Prior to any nominations the Chair shall provide training to the Board on the nomination/election process.

4.3 Board Members:

- (a) Must take an oath of office; in accordance with O.C.G.A. § 21-2-70(15)(B).
- (b) Must not, in the exercise of their official functions, act in a partisan manner in accordance with O.C.G.A. § 21-2-214(c);
- (c) Must be at least twenty-one (21) years of age;
- (d) Must be registered to vote in Camden County O.C.G.A. § 21-2-214(a);
- (e) Must reside in the district they represent in Camden County CCBOC Aug 21, 2018;
- (f) Must demonstrate knowledge of Federal, State, and Local election laws O.C.G.A. § 21-2-214(a);
- (g) Must be able to serve an initial 4-year term HB 1023 (2018) Section 2;
- (h) Must maintain all eligibility requirements of O.C.G.A. § 21-2-75(a) & (b);
- (i) Must be able to attend monthly scheduled meetings CCBOC Aug 21, 2018;
- (j) Must be able to travel to voting precincts before, during and after election(s) CCBOC Aug 21, 2018;
- (k) Must be able to successfully complete the Georgia Election Official Certification Program and become certified in elections administration O.C.G.A. § 21-2-101(a); and
- (l) Must pass a criminal background check O.C.G.A. § 21-2-214(a).
- (m) Perform all duties as outlined in O.C.G.A. § 21-2-70.

Article 5: Appointment of Board Members

5.1 The appointment of each member of the board shall be made by the governing authority of Camden County filing an affidavit with the Clerk of the Superior Court no later than 30 days preceding the date at which such member is to take office stating the name and residential address of the person appointed and certifying that such member has been duly appointed as provided in this Act. The Clerk of the Superior Court shall record each of such certifications on the minutes of the court and shall certify the name of each such member to the Secretary of State and shall provide for the issuance of appropriate commissions to the members within the same time and in the same manner as provided by law for registrars.

5.2 If the governing authority of the county does not, in conformity with this Act, certify an appointment to the board within 30 days after the beginning of a term of office or within 30 days after the creation of a vacancy in that office, then the Judge of the Probate Court of Camden County shall immediately fill that vacancy by making the appointment thereto and shall certify it as provided in this section. Any person appointed to fill a vacancy shall serve out the unexpired term of office.

Article 6: Terms of Office

6.1 All members will serve four (4) year terms. HB 1023(2018) Section 2.

6.2 Each member of the Board shall be eligible to serve successive terms, and shall have the right to resign at any time by giving written notice of such resignation to the appointing body and the Clerk of the Superior Court.

6.3 In the event a vacancy occurs in the office of any appointed member before the expiration of the member's term, by removal, death, resignation, qualifying as a candidate for an elective office or otherwise, a successor shall be appointed to serve the remainder of the unexpired term, such appointment to be made in the same manner of appointment as provided for such position in Article 5 of these Bylaws. The Clerk of the Superior Court shall be notified of such interim appointments and record and certify such appointments in the same manner as the regular appointment of members.

6.4 In accordance with O.C.G.A. § 21-2-214(e), the Board shall be privileged from arrest upon days of primaries and elections, except for fraudulent misconduct of duty, felony, larceny, or breach of the peace.

Article 7: Removal from Office

7.1 Board members shall be subject to removal from the Board by the appointing body at any time, for cause, after notice and hearing, in the same manner and by the same authority as provided for the removal of registrar as outlined in O.C.G.A. § 21-2-106 and O.C.G.A. § 21-2106.

7.2 Board members may be subject for recommended removal from the Board for the following reasons: (a) Failure to attend three (3) consecutive regular monthly meetings of the Board without sufficient excuse; or (b) Failure to attend five (5) regular meetings in a twelve (12) month period.

Article 8: Duties of Board Members

8.1 The Chair shall be the Chief Executive Officer of the Board and shall generally supervise, direct and control the administration of the affairs of the Board pursuant to law and duly adopted bylaws and resolutions of the Board. In the event the Chair is unable to perform their duties, the Vice-Chair shall assume the Chair.

8.2 The Board shall be authorized to organize itself, determine its procedural rules and regulations, adopt bylaws, specify policies for the functions and duties of its employees and poll workers, and otherwise take such action as is appropriate to the management of the affairs committed to its supervision; provided, however, that no such action shall conflict with state law.

8.3 The Board shall have the authority to enter into an Intergovernmental Agreements with any municipality located within Camden County for the holding by the Board of any primary or election to be conducted within such municipality.

8.4 The Board shall receive and consider all petitions by electors or the county executive committee of a political party for the division, re-division, alteration, change or consolidation of precincts.

8.5 The Board shall establish and maintain, by appropriate resolution entered on its minutes, directives governing the execution of matters within its jurisdiction.

8.6 The Board shall make and issue such rules, regulations, and instructions consistent with law, including the rules and regulations promulgated by the State Election Board, as may be deemed necessary for the guidance of poll officers, custodians, and electors in primaries and elections.

8.7 The Board may assist the Elections Supervisor with instructing poll officers and others in their duties, calling them together in meetings whenever deemed advisable, and inspecting systematically and thoroughly the conduct of primaries and elections in the several precincts in Camden County to this end that primaries and elections may be honestly, efficiently, and uniformly conducted.

8.8 Board members shall expend the time and effort necessary to ensure that they fully understand their duties and obligations as members of the Board and generally understand important concepts in the administration of elections, such as: the process to register to vote; the purpose of provisional voting; general information pertaining to the current voting systems; the absentee ballot process; required forms of voter identification; and sensitive election deadlines.

8.9 The Board shall perform numerous other duties as appropriate, relating to voter registration and election systems as outlined in O.C.G.A. § 21-2-70.

Article 9: Meetings

9.1 The Board shall hold regular monthly meetings and shall meet not fewer than twelve (12) times per year. Said meetings shall be set by a majority vote of the Board and shall be advertised in accordance with the Georgia Open Meetings Law.

9.2 Special meetings may be called by the Chair or any three members of the Board.

(a) Any specially called meetings shall be held only after notification of the time and place

of the holding of such meeting has been communicated in writing to the election supervisor who shall provide public notice of the meeting and required by law as outlined in HB 1023 (2018) section 9

9.3 Where meetings are not held in a previously designated day, time or place, all Board members shall be provided notice by mail or email at least 24 hours in advance of the meeting.

9.4 Board members are expected to attend all meetings of the Board. If a member cannot attend a meeting, prior notice shall be given to the Chair.

9.5 All meetings must be open to the public except when considering Court action or when dealing with personnel matters and shall be advertised in compliance with the Georgia Open Meetings Law (O.C.G.A. § 50-14-1 *et seq.*).

9.6 All Board Members who would like to provide handouts or written material to fellow Board Members, must make available those items 24 hours prior to the meeting date for review by the Chair and/or Vice-Chair.

9.7 The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Board in all cases to which they are applicable and when not inconsistent with the Code, the rules and regulations of the State Election Board, these Bylaws, and any special rules of order the Board may adopt.

Article 10: Voting

10.1 Action and decisions by the Board shall be by a majority of the Board members present at any regular or specially called meeting when a quorum is present.

- (a) The Chair may without objection, rule an item has passed/failed utilizing unanimous Consent. RONR (11th ed.), p. 54-56

10.2 A quorum shall consist of three members.

Article 11: Compensation

Compensation for the members of the Board, Clerical Assistants, and other employees who assist voters, shall be fixed by the Board of Commissioners. Such compensation shall be paid wholly from county funds.

Article 12: Board Records

The Board shall have prepared and maintained written minutes of all meetings and a record of policy decisions amended to include additions and deletions. Such written records shall be

approved by the Board and copies shall be made available to all parties directly concerned and for the public's view.

Article 13: Municipal Elections

13.1 Municipalities located within Camden County may by ordinance authorize the Board to conduct their elections as necessary, upon agreement with the Board.

13.2 The Board shall perform all duties as Superintendent of Elections as specified in accordance with O.C.G.A. § 21-2-45(c).

13.3 Municipalities shall pay all costs incurred by the Board in performing those functions specified in the Intergovernmental Agreement. The Board only has authority to conduct those functions specifically spelled out in the Intergovernmental Agreement.

Article 14: Amendments

14.1 These Bylaws may be amended or supplemented upon a favorable four-fifth vote at which all Board members are present at any regular meeting and notice of such amendment or supplement was given at least five (5) working days prior to such meeting. If no notice was given or all Board members are not present, the proposed amendment or supplement to these Bylaws shall be voted upon at the next or a subsequent regular meeting after their introduction.

14.2 All notices required by these Bylaws may be specified from time to time by resolution of the Board. The form of transmittal of notices may include email, postal service or other mail delivery service, telephone, facsimile or other medium of communication.

14.3 Notices to members of the Board shall be delivered to each member's addresses as they appear in the records of the Board. It is the responsibility of each Board member to ensure that their contact information is listed correctly in the records of the Board. If the Board determines that the form of notice is to be by email, then that notice will be sent to the official county email address assigned to each Board member.

Article 15: Conflict of Rules

15.1 If a provision of these Bylaws is or becomes illegal, invalid, or unenforceable, that shall not affect other provisions of these Bylaws.

15.2 To the extent that any existing policies or procedures shall conflict with any provisions herein, such policy or procedure shall be void and these rules shall have full force and effect.

Amendment 1

This is to certify that the Board has been duly organized in accordance with H.B. 1023 (2018) of the Georgia Legislature and that these Bylaws were approved by unanimous vote during the Board's regularly scheduled meeting held *January 22, 2019*. Amendment 1 was approved by unanimous vote during the Board's regularly scheduled meeting held *September 23, 2021*.

CAMDEN COUNTY BOARD OF ELECTIONS AND REGISTRATION

Chairperson *Dyl C. Papp*

Vice-Chairperson *Jennett Brown*

Board Member *Joseph C. Michaels*

Board Member *Amy Houghton*

Board Member *Barbara Latta*