

COBB COUNTY BOARD OF ELECTIONS AND REGISTRATION
March 26, 2020
BOARD MEETING MINUTES

548 S. Marietta Pkwy SE, Marietta GA 30060
2:00 p.m.

Board Members Present

Phil Daniell
Fred Aiken
Jessica Brooks
Darryl Wilson, Jr.
Neera Bahl

Others Present: Janine Eveler, Gregg Litchfield (Board Attorney), James Herndon, Cornelius Pope (Communications), Lamont Johnson (Communications)

Chairman Daniell called the meeting to order at 2:00 p.m.

Mr. Neil Warren, Ms. Sonya Allen, and Attorney Nathan Wade entered the room for the first challenge hearing. Chairman Daniell asked Mr. Litchfield to facilitate a hearing of the challenge brought by James Herndon against Mr. Warren as a candidate for Sheriff in the general primary. Mr. Herndon presented a summary of his challenge, which related to improper notarizing of Mr. Warren's qualifying documents. Mr. Warren presented his rebuttal though his Attorney by calling witnesses Jason Shepherd, Republican Party Chairman, and Tonya Boga, Party General Counsel. The witnesses provided the original documents submitted during Party qualifying. After seeing that there is an embossed-style stamp on the original documents that was not visible on the copies obtained from the Board of Elections, Mr. Herndon withdrew his challenge.

Mr. Gregory Gilstrap and Attorney Walter Furlong entered the room for the second challenge hearing. Chairman Daniell asked Mr. Litchfield to facilitate a hearing of the challenge brought by James Herndon against Mr. Gilstrap as a candidate for Sheriff in the general primary. Mr. Herndon presented a summary of his challenge, which related to the qualifications of Mr. Gilstrap's appointed Chief Deputy and his failure to submit the Affidavit required in O.C.G.A. §15-16-1 (c)(3). Mr. Gilstrap presented his rebuttal through his Attorney and submitted a copy of documents that were given to the Democratic Party on March 2, 2020, which logged as "Gilstrap-1".

At 3:14 p.m. Mr. Daniell moved to go into executive session to receive legal counsel, Mr. Aiken SECONDED. APPROVED 5-0. All parties exited the room and the livestream was turned off for the Board to deliberate.

At 3:23 p.m. Mr. Daniell moved to come out of executive session, Ms. Bahl SECONDED. APPROVED 5-0.

Mr. Aiken made a motion that, as a result of candidate Gilstrap's failure to comply with the law to file the third affidavit, he is not be qualified to run for office. The motion failed for lack of a second.

Mr. Daniell moved to disqualify Mr. Gilstrap as a candidate because the person named as Chief Deputy does not meet the qualifications for Sheriff. Mr. Aiken SECONDED. APPROVED 5-0.

Mr. Craig Owens and Attorney Cynthia Yeager entered the room for the third challenge hearing. Chairman Daniell asked Mr. Litchfield to facilitate a hearing of the challenge brought by James Herndon against Mr. Owens as a candidate for Sheriff in the general primary. Mr. Herndon presented a summary of his challenge, which related to Mr. Owens' failure to submit the Affidavit required in O.C.G.A. §15-16-1 (c)(3) and his failure to provide a complete listing of employers on the Affidavit for Sheriff. Mr. Herndon called Police Chief Charles Timothy Cox as a witness and Chief Cox provided a group of secondary employment requests, which were logged as "CH-1. Mr. Owens presented his rebuttal through his attorney and called Chief Cox to provide copies of diploma documents on file with Cobb County Police department, which were logged as "CAND-1". Democratic Party Chair Jacquelyn Bettadapur was called to testify by phone. During Ms. Bettadapur's testimony, Ms. Yeager submitted a document called Party Qualifying Instructions, which was logged as "CAND-2".

At 4:46 p.m. Mr. Daniell moved to go into executive session to receive legal counsel, Mr. Aiken SECONDED. APPROVED 5-0. All parties exited the room and the livestream was turned off for the Board to deliberate.

At 4:57 p.m. Mr. Daniell moved to come out of executive session, Ms. Bahl SECONDED. APPROVED 5-0.

Ms. Bahl moved to disqualify Mr. Owens as a candidate because he failed to submit the Affidavit required in O.C.G.A. §15-16-1 (c)(3). Mr. Aiken SECONDED. APPROVED 5-0.

Ms. Brooks moved to adjourn the meeting at 4:59 p.m. Ms. Bahl SECONDED. APPROVED 5-0.