



# *Board of Elections & Registrations* *Irwin County Georgia*

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*Waymond Harris, Chairman*

*Ethan Compton, Election Supervisor*

*Patricia Thurman, Democratic Party Representative / Vice-Chair*

*Wyatt Thompson, Republican Party Representative*

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## **Board Meeting Minutes**

Tuesday, December 9<sup>th</sup>, 2025 @ 4pm

Call to Order: *Invocation and pledge led by Chairman Harris, Vice-Chair Thurman joins at 4:06pm*

Approval of Minutes: *Motion to approve minutes by Rep. Thompson, seconded by Chair Harris, approved 2-0*

Old Business: *N/A*

New Business:

*Representative Thompson motions to relax the agenda to cover as many agenda items un-related to the candidate challenge or proposed resolution until such time as Vice-Chair Thurman is able to join the meeting. Motion seconded by Chairman Harris, approved 2-0.*

1. *Approval of Tentative 2026 Meeting Schedule.*

- a. *Presented is a tentative meeting schedule for 2026, scheduling around known conflicts of our bylaws' rules for meeting on the second Tuesday of each month when possible, and meeting on the Friday after each election for reconciliation and certification.*
  - i. *Due to the Juneteenth holiday, in the likely event that a June 16<sup>th</sup>, 2026 Primary Runoff is held, we will need to hold our Reconciliation meeting on Thursday June 18<sup>th</sup>, 2026 to meet SEB rules mandating that it be held by 3pm on the Friday after each election, and then meet again to certify said election results on Monday June 22<sup>nd</sup>, 2026 due to the delay caused in the provisional and UOCAVA ballot deadlines.*

*Rep. Thompson motions to approved the proposed tentative schedule for 2026, Chairman Harris seconds, approved 2-0.*

2. ~~4~~ *Statement of Facts and Ruling on Candidate Challenge.*

- a. *Given the conflicts of interest present with this case given that his father is the candidate running against Mr. Lake, Board Member Thompson stands recused at this time, but given the nature of this challenge, will be allowed to vote only in the event of a tie due to the need for resolution of*

this challenge by our board in a timely manner to allow for as little voter confusion and as much time for an appeals process, if necessary, as possible.

- b. Mr. Christopher Dale Mann has issued a challenge of candidate qualifications against Mr. Maurice Lake's bid for County Commission Chairman on the following grounds which we will consider and rule on independently:
  - i. Failure to complete qualifying documents before the published close of the qualifying period at Noon on November 21<sup>st</sup>, 2025.
  - ii. On Mr. Lake's Notice of Candidacy and Affidavit, he listed the office he was seeking as County Commissioner when qualifying was only open for County Commission Chairman.
- c. Announcement of Irwin County Legal Counsel's Recommendations regarding the allegations (if any).
  - i. Emails stating the Georgia Supreme Court Case *Camp v. Williams* as well as County Attorney James Banter and his partner John Nichols are included and can be summarized as such:
    1. If the arguments and facts presented by Supervisor Compton and challenger Mr. Mann are true, than their current interpretation of the law is that the challenge should be upheld on both allegations and Mr. Lake disqualified from running for office due to failing to meet the procedural qualifications required to run for this office for this election, namely incorrectly filling out his Notice of Candidacy and completing it past the qualifying deadline.
    2. However, they do stress that this board should listen and consider all facts including those brought by the challenged candidate and that if Mr. Lake submits contrary law specifically stating that he is entitled to run for office despite the circumstances or if he can prove the allegations as false, then the challenge should be dismissed and Mr. Lake should remain on the ballot.

*It is noted that while Mr. Lake is not present for this meeting, our office sent him certified notice of the time, date, location and grounds of the challenge hearing to best afford him due process and he signed for such letter at 10:24am on December 1<sup>st</sup>.*
- d. On the first allegation, Mr. Lake did enter our office at 11:53am of the final day of qualifying and paid the qualifying fee at that time, then began completing all documents due at the time of qualifying: the Declaration of Intention to Accept Campaign Contributions, the Affidavit of a Candidate's Intent Not to Exceed \$2,500 in Contributions and/or Expenditures, and the Notice of Candidacy and Affidavit. His Notice of Candidacy and Affidavit was not completed and ready for notarization until 12:11pm. The Call for Special Election as published in the legal organ of Irwin County specifically stated: "All qualifying documents and fees must be completed and submitted to our office by close of the qualifying period to be able to qualify to run for office" so prior notice was given to candidates to arrive in a timely manner.
  - i. Given that this is a county-level special election, O.C.G.A. §21-2-132(d) and (d)(3) are the applicable code section and states: "All political body and independent candidates shall file their notice of candidacy and pay the prescribed qualifying fee by the date

prescribed in this subsection in order to be eligible to have their names placed on the election ballot by the Secretary of State or election superintendent, as the case may be, in the following manner:

.....

(3) Each candidate for a county office, or his or her agent, desiring to have his or her name placed on the election ballot shall file notice of his or her candidacy in the office of the superintendent of his or her county **during the period** beginning at 9:00 A.M. on the Monday of the thirty-fifth week immediately prior to the election and ending at 12:00 Noon on the Friday immediately following such Monday, notwithstanding the fact that any such days may be legal holidays, in the case of a general election and no earlier than the date of the call of the election and no later than 25 days prior to the election in the case of a special election;”

1. This would mean that, in this instance, the qualifying period began on the date of the call of the election since it was a special election for county office and ended at Noon on the Friday immediately following the beginning of the qualifying period, which started on the date of the call’s publishing in the legal organ (The Ocilla Star). The language of no later than 25 days prior to the election in the case of a special election refers to the last day to hold qualifying in the case that the call for a special election is placed the week of the 25<sup>th</sup> day preceding the election.
  - a. We had no option but to call the election sooner in our case due the Irwin County Charter mandating that the call for special election be placed and qualifying to begin no later than 30 days after the creation of the vacancy for office, whose timer begun the day that Governor Kemp accepted Mr. Hutchinson’s resignation, and we posted the call on day 29, minutes after receiving approval from legal counsel regarding when the election would need to be held.
    - i. Per the original charter’s timeframe, this special election would have been held December 23<sup>rd</sup> except that O.C.G.A. §21-2-540 supersedes the charter’s language regarding timing of the election and pushes it back to March 17<sup>th</sup>.
2. O.C.G.A. §21-2-132(d)(3)’s use of the phrase “during the period” to describe when a candidate must file and pay states that qualifying documents and fees must be filed in a timeframe that ends at the Noon close of qualifying according to the interpretation of law by County legal counsel, Supervisor Compton’s professional opinion and the challenger Mr. Mann.
  - a. O.C.G.A. §21-2-132(d)(3)’s interpretation also relies on the definition of the word “file” and if it means handing the finished form(s) to the qualifying officer or if it means beginning to fill out the forms.
  - b. As a verb as is in this instance, if the definition of “file” is to hand the finished form(s) to the qualifying officer, it would suggest that, if O.C.G.A. §21-2-132(d)(3)’s “during the period” language is considered as taking precedence, that Allegation 1 may be upheld and lead to

Candidate Lake's disqualification.

- i. The legal definition of "file" in this instance would match the definition provided by Justia, the interpretation of County legal counsel, Supervisor Compton's professional opinion and the challenger Mr. Mann.
  - c. Conversely, if the definition of "file" is to begin filling out the forms for the qualifying officer, then even using O.C.G.A. §21-2-132(d)(3)'s "during the period" phrasing as that of precedence in this situation, that Allegation 1 may be dismissed and Candidate Lake would remain on the ballot.
3. The closest case law for this circumstance that Supervisor Compton found is the 2016 case *De La Fuente v. Kemp*, where Independent Presidential Candidate Roque "Rocky" De La Fuente filed Notices of Candidacy for his slate of presidential electors to the Secretary of State's Office at the same time as his nomination petition, eleven days past the close of the qualifying period, and both were rejected.
  - a. Key points here are that:
    - i. Plaintiff De La Fuente admitted to not presenting himself nor the Notices of Candidacy for his electors until 11 days after the deadline and that his lawsuit was on grounds of his petition's rejection.
    - ii. The Georgia Supreme Court unanimously affirmed that Roque De La Fuente could not run for office due to his failure to submit the Notices of Candidacy for his slate of electors "*within the time required*", regardless of the state of his petition.
4. Also cited case law by County legal counsel is the 2022 Georgia Supreme Court case *Camp v. Williams*, where the Douglas County Board of Elections had allowed the Douglas County Democratic Party to substitute a candidate who had qualified for Chief Magistrate Judge after the qualifying period ended due to the withdrawal of the candidate for their party who had qualified for the office of Judge of Superior Court.
  - a. An elector, such as in this case, challenged the candidacy of the substituted candidate, alleging that they failed to submit their qualifying documents for Superior Court in a timely manner and had instead qualified to run for Chief Magistrate Judge during the qualifying period.
  - b. The State Supreme Court agreed that the candidate should be removed from the ballot, given that qualifications for office includes all procedural requirements such as submitting a complete application on time. They ruled that the candidate could run for Chief Magistrate Judge, the office they had listed on their Notice of Candidacy, but not as a substitute for Judge of Superior Court, since 1) that was the office listed on their documents filed and 2) they did not qualify for the office of Judge of Superior Court during the time of the qualifying period.

5. In August 2025, a similar case to the one being considered happened in Waycross, where a candidate paid their qualifying fee then failed to complete their Notice of Candidacy before the end of the municipal qualifying period. Such candidate was not challenged but instead a complaint was submitted to the Georgia State Elections Board, where upon investigation of Waycross and Ware County, it was determined that since the candidate arrived and paid their qualifying fee prior to the deadline that no code violations occurred by the qualifying officer in accepting their documents.
  - a. Their logic applied was the same as if a voter arrives in line to vote or is still in the process of voting at the close of polls, where statute clearly allows all voters still voting as well as voters in line at 7:00pm to remain in line and still be allowed to complete the voting process and their ballots be counted like any other vote.
  - b. This case never considered the candidate's qualifications to run, as a SEB complaint is not the proper legal channel to use to remove a candidate- a challenge to the jurisdictions' Board of Elections is.
  - c. This case sparked a lengthy conversation between Georgia's elections officials, where nearly all counties' elections directors/supervisors agreed with the State Elections Board's determination with the lone dissent being that of Supervisor Compton, who thought that more scrutiny should have been given towards the meaning of the applicable definitions and code sections before dismissing the case as quickly as they did.
- e. The second allegation's most relevant legal code section would be O.C.G.A. §21-2-132(f), which outlines the formatting of the affidavit portion of the Notice of Candidacy and Affidavit but does not address the proper course of action or consequences if any of the required fields are mis-filled.
  - i. There were no other contests being qualified for, and Mr. Lake was assisted by our office in filling out all portions of all forms he requested assistance for, but he did not ask for assistance for the field in question.
  - ii. Mr. Lake paid the qualifying fee for County Commission Chair and explicitly asked which District he was running for, to which we told him this office was for Commission Chair and is countywide and therefore doesn't have a district, so he signed all documents with that knowledge but did not go back to correct this field on the Notice of Candidacy and Affidavit.
  - iii. County legal counsel, on review of this situation, currently believe that this is a violation of qualifications for Mr. Lake under the standards of the *Camp v. Williams* decision.
- f. Both the challenger and challenged or their representation can speak at this time.
  - i. Once again, Supervisor Compton and County legal counsel stress that arguments presented as both parties state their cases may impact their recommendations as to how this Board should rule, so listen and consider all facts and statements issued at this time and that the final ruling is up to the Irwin County Board of Elections and Registrations, not the Irwin County Attorney nor the Irwin County Election Supervisor.

- g. Determination of the Irwin County Board of Elections and Registrations on the standing of the Candidate Challenge, whereas an upheld challenge on even one allegation removes Mr. Lake's candidacy and a dismissed challenge on all allegations maintains Mr. Lake's candidacy:

1. Allegation 1- Late filing of documents:

*Vice-Chair Thurman reasons that the same logic of that of voters waiting in line to vote should be applied in this case and motions to dismiss the challenge allegation. There is no second so the motion fails. Chairman Harris reasons that strict adherence with the law must be maintained and that in light of legal counsel's findings, he motions to sustain the challenge allegation. As this results in a tie, Representative Thompson is removed from recusal at this time and seconds the motion to sustain the challenge allegation. Motion to sustain the challenge allegation passes 2-1 with Vice-Chair Thurman dissenting.*

2. Allegation 2- Mis-filled documents:

*Vice-Chair Thurman reasons that slight instances of human error should not be enough to deprive voters of their opportunity for a choice to have multiple candidates on the ballot and motions to dismiss the challenge allegation. There is no second so the motion fails. Chairman Harris reasons that strict adherence with the law must be maintained and that in light of legal counsel's findings, he motions to sustain the challenge allegation. As this results in a tie, Representative Thompson is removed from recusal at this time and seconds the motion to sustain the challenge allegation. Motion to sustain the challenge allegation passes 2-1 with Vice-Chair Thurman dissenting.*

**Due to the rulings of the Irwin County Board of Elections and Registrations concerning this challenge, Candidate Maurice Lake (~~will~~ will not) remain on the ballot for the March 17<sup>th</sup>, 2026 Special Election.**

- h. If disqualified, Mr. Lake cannot be refunded his qualifying fee per O.C.G.A. §21-2-134(e) which specifically forbids refunding qualifying fees to disqualified candidates. 75% of his qualifying fees have been retained by the Irwin County Board of Elections and Registrations, and, as a candidate who qualified as a Democrat through the elections office, 25% of his qualifying fees have already been remitted to the Georgia Democratic Party.
3. ~~2-~~ Qualified Candidates and Details of March 17<sup>th</sup>, 2026 Special Election.
- a. If Democratic Candidate Maurice Lake was disqualified, Republican Vince Thompson remains as the sole candidate for the March 17<sup>th</sup>, 2026 Special Election, and if no appeal of our decision to disqualify is filed in Superior Court by December 19<sup>th</sup>, we will publish a Notice of Election Cancellation notifying the public that the unopposed Vince Thompson will have been considered as voting for himself and declared the winner, with no election needing to take place.
- ~~b. If Democratic Candidate Maurice Lake is not disqualified, we intend to hold a March 17<sup>th</sup>, 2026 Special Election where he will face Republican Candidate Vince Thompson for County Commission Chairman.~~
- ~~i. Mr. Mann retains the right to file an appeal in Superior Court, whereas if the final court decision is to disqualify Mr. Lake, then we will publish Notice of Election Cancellation, but until that order is final in the eyes of the court and all applicable appeals, or an injunction is issued delaying the election until such determination is made, we will consider the election as still being held in March.~~

1. Due to the delays likely involved with the appeals process and the tight

timeframes involved with holding elections, if this challenge is to be appealed, Supervisor Compton intends to ask the court for an injunction to delay the holding of this election until the May 19<sup>th</sup>, 2026 Primary ballot.

- ii. *If this disqualification is overturned on appeal and no injunction granted*, We anticipate holding Logic and Accuracy Testing on the equipment between Monday February 9<sup>th</sup> and February 11<sup>th</sup>, with Poll Worker Training on February 13<sup>th</sup>.
- iii. *If this disqualification is overturned on appeal and no injunction granted*, Advance Voting will be held at the Irwin County Elections Office at 225 E 4th St, Ocilla, GA 31774, from 8a.m. until 5p.m. on these days:
  - 1. Monday February 23<sup>rd</sup> – Saturday February 28<sup>th</sup>, 2026
  - 2. Monday March 2<sup>nd</sup> – Saturday March 7<sup>th</sup>, 2026
  - 3. Monday March 9<sup>th</sup> – Friday March 13<sup>th</sup>, 2026
- iv. *If this disqualification is overturned on appeal and no injunction granted*, Absentee by Mail ballot applications can be submitted to our office or online at [securemyabsenteeballot.sos.ga.gov](https://securemyabsenteeballot.sos.ga.gov) between December 29<sup>th</sup>, 2025 and March 6<sup>th</sup>, 2026.
- v. *If this disqualification is overturned on appeal and no injunction granted*, On Election Day, March 17<sup>th</sup>, 2026, we anticipate opening from 7am until 7pm both in our office and at the Irwinville Community Center.
- vi. *If this disqualification is overturned on appeal and no injunction granted*, We estimate a low turnout due to the timing of the election, so we expect between 250 and 500 votes cast but as always, will be prepared for everyone just in case.

4. ~~3~~ Poll Worker Appreciation Lunch Details.

- a. In light of an unusually action-packed ‘off-year’, it has been agreed that we continue our tradition of thanking our poll workers for their service by holding an appreciation lunch / holiday party.
- b. Given our interest in minimizing expenses on the Irwin County budget, poll workers have traditionally provided most foods in a potluck style lunch, and we have provided the primary protein(s).
  - i. Since the delays in property assessments and federal reimbursement of Hurricane Helene cleanup costs have had a significant effect on Irwin County available funds and we do not want to take funds away from potentially urgent expenditures that may occur within other departments, Supervisor Compton requests that the costs usually paid for within our General Supplies budget will be covered by himself and members of the Irwin County Board of Elections and Registrations.
  - ii. Assistant Supervisor Romans has requested that all persons attending the luncheon at noon on December 12<sup>th</sup> please bring an unused, unwrapped toy to be given to Sheriff Yaughn’s “Cody’s Kids” program with Toys for Tots.

5. ~~4~~ Approval of Tentative 2026 Meeting Schedule.

- a. Presented is a tentative meeting schedule for 2026, scheduling around known conflicts of our bylaws’ rules for meeting on the second Tuesday of each month when possible, and meeting on

the Friday after each election for reconciliation and certification.

- i. Due to the Juneteenth holiday, in the likely event that a June 16<sup>th</sup>, 2026 Primary Runoff is held, we will need to hold our Reconciliation meeting on Thursday June 18<sup>th</sup>, 2026 to meet SEB rules mandating that it be held by 3pm on the Friday after each election, and then meet again to certify said election results on Monday June 22<sup>nd</sup>, 2026 due to the delay caused in the provisional and UOCAVA ballot deadlines.
6. ~~5.~~ Approval of Resolution Acknowledging School Board ESPLOST Resolution on May 19<sup>th</sup>, 2026 Primary Ballot.
- a. Given that the May 2024 ESPLOST was only for 2 years, it is time to renew the ESPLOST on the May 19<sup>th</sup>, 2026 ballot, this time for 5 years.
    - i. This is NOT a new tax, but a vote to renew the one that was approved by Irwin County voters in May 2024.
  - b. Their lawyers have sent our board a resolution they would wish for us to pass, stating that we recognize and join the School Board in their call for a special election for renewing the ESPLOST, that our board has jurisdiction to run the election and will follow all applicable laws in holding it and that all current precincts will be open for said election.
    - i. They will be running the call for special election notice and the 4 referendum notices required for the ESPLOST in the paper themselves, saving our board all added costs the school board would have otherwise imposed on Irwin County by adding this referendum to the ballot.

*Rep. Thompson motions to approve, Chairman Harris seconds, approved 2-0 with Vice-Chair Thurman abstaining.*

Public Comment:

*Becky Cook asked to hear a reading of the exact ballot text for the ESPLOST, to which Supervisor Compton read the ballot text aloud and gave Becky Cook a copy of the Call for Special Election that will soon be published.*

*Vince Thompson stated his appreciation for the Board's decision and while he respects due process and procedures being respected, Vince Thompson stresses the importance of the timely submission of documents as an important trait for a candidate to have.*

*Chris Mann states that he has been participating in County Commission meetings for 2 years and has never noticed the presence of Mr. Lake at a single meeting.*

Board Comment:

*Chairman Harris stressed that he followed the advice of legal counsel and noted his past experience serving in a nonpartisan elected office for over 15 years and the importance of placing legal compliance first and foremost and added that he was present within our office for 2 days of the qualifying period and that there was plenty of opportunity present for other candidates to qualify for office.*

Executive Session: Entered executive session @ \_\_\_\_\_ due to request by \_\_\_\_\_ to discuss:

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Exited executive session @ \_\_\_\_\_

Meeting Adjourned: Next Meeting: Tuesday, January 6<sup>th</sup>, 2026 @ 4pm *Rep. Thompson motions to adjourn, Vice-Chair Thurman seconds, meeting adjourned at 4:43pm.*