

**SHELBY COUNTY ELECTION COMMISSION
REGULAR MEETING MINUTES
JULY 17, 2018**

APPROVED

Regular Meeting of the Shelby County Election Commission was held on July 17, 2018, at 2:30 p.m. at the Election Operations Center, 980 Nixon Drive.

CALLED TO ORDER: Chairman Meyers **Time:** 2:31 p.m.

COMMISSIONERS PRESENT: Commissioner Lester, Commissioner Stamson and Commissioner Tate, and Commissioner Nollner.

ATTORNEY'S REPORT:

Executive Session: The Commission recessed for a brief Executive Session to meet with legal Counsel concerning pending litigation. Chairman Meyers, Commissioner Lester, Commissioner Nollner, Commissioner Stamson, Commissioner Tate, Linda Phillips, Joe Young, Attorney Ryder, Attorney Varela, and Attorney Hagler went into a private executive session for one and half (1.5) hours in the large training room. Once they returned, the meeting reconvened.

Regular Meeting of the Shelby County Election Commission was resumed at 4:00 p.m. Chairman Meyers called the meeting to order at 4:00 p.m.

APPROVAL OF JUNE 15, 2018 MINUTES

MOTION STATED: Commissioner Stamson made a motion to approve the June 15th minutes as presented.

SECONDED BY: Commissioner Nollner

ABSTAINED: Commissioner Lester

OUTCOME OF MOTION: Passed 4-0 (Commissioner Lester was absent during the June 15th meeting)

APPROVAL OF JUNE 21, 2018 MINUTES

MOTION STATED: Commissioner Tate made a motion to approve the June 21st minutes as presented.

SECONDED BY: Commissioner Stamson

ABSTAINED: Commissioner Lester

OUTCOME OF MOTION: Passed 4-0 (Commissioner Lester was absent during the June 21st meeting)

APPROVAL OF JUNE 29, 2018 MINUTES

MOTION STATED: Commissioner Nollner made a motion to approve the June 29th minutes with the following changes: Remove Dell Gill name from the public comments list and correct the misspelling of Bethel.

SECONDED BY: Commissioner Stamson

OUTCOME OF MOTION: Passed unanimously

APPROVAL OF EMERGENCY POLLING PLACE CHANGE

Emergency polling place change request withdrawn. Due to the construction in the gym at Arlington High was delayed by five months, the election commission would be unable to use the gym. However, the school superintendent offered and the election commission accepted the use of the cafeteria instead.

APPROVAL OF RESOLUTION FOR SECURITY POLICY

The purpose of the policy is to provide clarity of requirements.

Full Time & Regular Part-Time Employees of the Election Commission:

1. All employees have name badges and the badges must be worn in a visible location at all times.
2. Employees with prox cards must not loan them to other employees. Prox cards are programmed to allow access only to the areas that the employee's job requires. Employees who lose their prox cards will pay \$50 to replace the card and re-program access.
3. Only employees who have received training in the ballot creation and vote tabulation software are permitted in the Server Room. When tabulation is occurring, a bipartisan team must be present whenever access is required to the server.
4. Access to the fire safe is permitted only when a bi-partisan team is present.

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5. The man door on the dock must never be propped open.
6. When the overhead dock doors are open to allow loading and unloading of trucks, staff must be vigilant in ensuring that the doors are only open for the minimum amount of time.

TEMPORARY EMPLOYEES OF THE ELECTION COMMISSION:

7. Temporary employees will have name badges and the badges must be worn in a visible location at all times.
8. Regular, returning temporary employees will be issued prox cards at the discretion of their supervisor.
9. Temporary employees without prox cards need to be admitted to secure areas by their supervisor.

Pollworkers Attending Training

10. Since some training locations can only be reached by going through a secure door, pollworkers attending training in those areas will have name badges and will be escorted as a group to the training.

Employees of Shelby County

11. Must sign in at the front counter and receive a visitor's badge. The badge must be visible at all times. Shelby County Employees who need to do repair work in the warehouse must be accompanied by a staff member or monitored on the security feed when programmed election equipment is present.

Inmates on Work Line

12. Will be supervised as required by the Sheriff's Office.

Other Visitors and Vendors Other than Election Day and Public Test:

13. Access to secure areas is limited to only what is required for the vendor to do their job.
14. Visitors will be accompanied by a staff member at all times.
15. Vendors will be supervised and their access is limited to the areas required.
16. Vendors are never permitted in the server room when tabulation is occurring. Vendors who need access to the routers will be closely supervised by an employee.
17. All visitors must sign in and receive a visitor's badge. The badge is to be worn in a visible place during their entire visit.

Tours:

18. School and other tour groups will be limited to times of the year when programmed election equipment is not present. Tours will be conducted only with multiple staff members present.
19. One on one tours may be permitted when programmed election equipment is present but the visitor must be accompanied at all times.

News Media:

20. News media are to be treated as any other visitor.

Visitors Watching the Public Test:

21. Must sign in and receive a visitor's badge. They must remain with the group and are not permitted to wander around the warehouse.

Poll Watchers on Election Day Observing the Absentee Counting Board:

22. Must be appointed in accordance with TCA §2-7-104. When they arrive, the poll watcher will present their credentials and sign in at the front counter. In addition to their credential, they will receive a badge that must be worn in a visible location. This badge helps those who monitor the security feed.
23. As required by TCA §2-7-104, the poll watcher will place their cell phones, laptops, smart watch, pagers, or any other device capable of transmitting results in an envelope, which they will seal and write their name upon. We will lock the envelopes in a file cabinet.

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24. Poll watchers will then be escorted to a location where they can watch the activities. Stanchions will cordon off the viewing area . As per TCA §2-7-104, they must remain in that area until the absentee counting board is finished and results tabulated Should a poll watcher need to use the restrooms, they will be escorted to the breakroom. When finished, the watcher will be escorted back to the viewing area. Poll watchers may not wander around the warehouse. When the activities of the counting board are complete and the results available, the poll watcher will be escorted back to the Training/conference room and their property returned. They may continue to observe via the security camera feed.

Election Day Evening Tabulation:

25. Candidates and their supporters are welcome to come to the Operations Center but they will remain in the large conference room while the election is being tabulated and equipment is being returned. This is for both their protection and SCEC; Neither the SCEC nor Candidates want any suggestion that there was improper access to election materials. There are two large screen TV's in the Training Room; one will have the Election Night Reporting Results. The other will show the security feed from the cameras in the warehouse and the upload area.
26. A sheriff's deputy will be stationed on the back dock to ensure that unauthorized visitors do not enter the warehouse.

General Concepts:

27. No secure door is ever to be propped open unless it is being monitored by an employee or sheriff's deputy. This includes both interior and exterior doors.
28. The dock doors are to be open as rarely as possible and for as short a period of time as possible. When the doors are open, they should be carefully monitored by an employee or sheriff's deputy. As an additional precaution, when the dock doors are to be opened, the Operations Manager, the DAOE and/or the AOE should be notified that the doors are about to be opened, so that the dock security camera feed can be monitored to detect any unauthorized activity.
29. The man door on the dock is never to be propped open. If employees exit through that door on a break, they must walk around to the front entrance if they do not have keys to the dock doors.
30. Front door keys are assigned to specific employees and the DAOE maintains a log of those keys. Keys must be returned if an employee leaves.
31. Exterior door locks are to be changed whenever keys are lost or employees are terminated for cause.
32. Keys to the exterior dock door are to be stored in the server room, thus assuring that only a few people have access to open a door that opens directly into a secure area.
33. The alarm system is to be set whenever the building is vacant.

Commissioner Stamson inquired about cost of key locks replacement. Commissioner Tate inquired about a generator for the building. Mr. Young, Deputy AOE informed the commission that he had obtained an RFQ template to start the process for purchasing a backup generator.

MOTION STATED: Commissioner Stamson made a motion to approve the security policy.

SECONDED BY: Commissioner Nollner

OUTCOME OF MOTION: Passed unanimously

ADMINISTRATOR'S REPORT (SEE ATTACHMENT):

Given by Linda Phillips.

The following is items was discuss:

- VCS received 3,119 applications after July 3rd cut-off.
- Nursing home visit update
- Last day to submit a request for an absentee ballot by mail is Thursday, July 26, 2018
- Petitions for Municipal Offices
- Republican Election Day workers needed to work in Memphis
- TCA § 2-6-502 deadline discrepancy
- Public inspection of the early voting machines
- Public inspection of the Election Day machines is scheduled Monday, July 23, 2018
- New VR system

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- VR cards and absentee envelopes have arrived.
- Employee holiday swap
- Dates to Upcoming Events

OLD / NEW BUSINESS:

Old Business- Commissioner Nollner inquired about an update on portable polling site. Mrs. Phillips informed the commission that she inquired about renting a portable office which she found was inexpensive and most companies only needed a day or two notice for delivery. The portable office also comes with a generator.

New Business- Commissioner Stamson inquired about Election Day precinct list.

New Business- Commissioner Lester requested a list of Early Voting and Election Day polling place sites with the polling location officer's phone number. The Chairman requested the list to be sent to all commissioners.

New Business- Due to some voting issues at Mississippi Blvd, Fred Dorse contacted Commissioner Tate to request that voting hours at Mississippi Blvd be extended for one hour on Saturday, July 14, 2018.

Unfortunately, Mr. Dorse request for Saturday, July 14th could not be granted, so Mr. Dorse suggested Saturday, July 21, 2018. **MOTION STATED:** Commissioner Tate made a motion to extend voting hours at Mississippi Blvd by one hour on Saturday, July 21, 2018. **SECONDED BY:** Commissioner Lester

OUTCOME OF MOTION: Failed 3-1

(No – Chairman Meyers, Commissioner Nollner, Commissioner Stamson)

(Yes – Commissioner Tate)

(Abstained - Commissioner Lester)

ANNOUNCEMENTS:

- Regular Commission Meeting scheduled for Monday, August 20, 2018

ADJOURNMENT:

MOTION STATED: With no further business at hand, Commissioner Stamson made a motion to adjourn the meeting.

SECONDED BY: Commissioner Lester

OUTCOME OF MOTION: Passed unanimously

Adjourned at 4:43pm

OTHERS IN ATTENDANCE:

Linda Phillips, Administrator
Joe Young, Deputy Administrator
Carla Lytle, Operations Manager
Stacey Scott, Staff
Audrey Joy, ITS
Attorney Varela

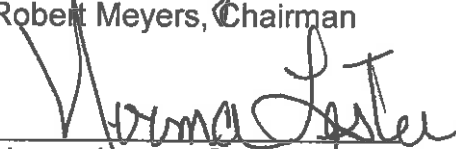
Attorney Ryder
Attorney Hagler
Attorney Bibbs
Janice Banks
Bobby Delane Burrage
Suzanne Thompson- Cozza




Robert Meyers, Chairman



Date



Norma Lester, Secretary



Date



Shelby County Election Commission

Administrator of Elections Monthly Report July, 2018

Voter and Candidate Services

- We received 3,119 VR applications between ^{June} July 29th and the deadline of July 3rd. Staff worked considerable overtime to get them all entered before the start of early voting. 86 apps were received timely by the Department of Safety but they did not get them to us until the middle of last week.
- Nursing homes are scheduled and the team will continue voting nursing home residents through July 19th. We only visit licensed nursing homes; independent living facilities are not licensed so their residents need to vote early, on election day, or request an absentee ballot by mail.
- **The last day to submit a request for an absentee ballot by mail is Thursday, July 26, 2018.** Please urge people not to wait until the last minute. Mailing times have lengthened and ballots can only be returned by mail.
- We are continuing to issue and receive petitions for municipal offices that will be on the November ballot. The qualifying deadline is Noon on Thursday, August 16, 2018. The withdrawal deadline is Thursday, August 23, 2018 at Noon.

Operations Department

- We are in full election mode. We are still looking for some Election Day workers; mostly Republicans who are willing to work in Memphis.
- As you are aware, TCA § 2-6-502 requires that military and overseas voters be mailed or emailed their ballots 45 days prior to the election. In this case, that was June 18th. The problem is that the qualifying deadline for the Memphis Super District 9 elections was on June 21st and the withdrawal deadline wasn't until June 25th. . So, we didn't get final ballot approval until June 28th. So, essentially, we cut two weeks out of what was a tight timeframe for L&A testing

for a long ballot. I have discussed this with the Coordinator's office as a part of the TN code that really needs changing. Our printer needed those additional two weeks to print the provisional ballots; as it was we had to open the five headstart EV sites with ballot on demand general election ballots. The general ballots were delivered on Friday, July 13th and staff worked all weekend to get them ready for the rest of the EV sites. As it is, our labor costs have increased by more than \$50,000 for both straight and overtime.

- The public inspection of the early voting machines was held on July 11, 2018 at 9:00am here at Nixon. No candidates, news media, or members of the public attended. The auditors were here; they found zero errors.
- The public inspection of the Election Day machines will be Monday, July 23, 2018 here at the operations center at 9:00am.
- Thanks to superhuman efforts by the Operations Department, all EV sites opened today on time. We've really had no problems. A special thank you to my husband for spending his day yesterday driving staff to EV locations so they would mark the 100ft boundary.

Administrator

- Update on Voting Machine Replacement. We will be meeting with Purchasing next week to firm up the schedule. We are having a planning meeting with IT, tentatively scheduled for August 7th. There will be a voting machine "petting zoo" on Thursday, September 20th from Noon until 4:30pm at the Code Enforcement Training Facility. We will invite our staff, the Commission and elected officials to adrop in from 12:30pm until 2:30pm. We will open it to the public from 2:30pm until 4:30pm. All the manufacturers of equipment certified for use in Tennessee have been invited to show their products. They have been told that we are only interested in machines that have a voter verifiable paper trail. All of the manufacturers have also been invited to spend a half day with us to do a deep dive into their back end; i.e. the software that creates the ballots and tabulates the results. Our tentative schedule includes a pre-bid meeting in early October with the release of two separate RFP's in late October. One RFP will be Voting Machines and Software; the other will be for replacement of the EPB's. Some manufacturers have both voting machines and EPB's; other's have one or the other.

- Sometime today, our website hits should exceed 300,000 since it's debut on January 31, 2018.
- Our new VR cards and absentee envelopes have arrived; samples are in your folders.
- Copies of the column by Williams Brack and my response are in your folders. I liked his creativity but offering a quid pro quo for voting is not legal in Tennessee.
- We are swapping out two holidays. Employees who had to work on July 4th will be off December 26th. We will be working on Veteran's Day, Monday, November 12th; we will be closed on Wednesday, November 21st
- Days to Upcoming Events:
 - 2018 Primary and County General Election – 16 Days
 - 2018 General Election – 112 Days