

SHELBY COUNTY ELECTION COMMISSION  
REGULAR MEETING  
June 18, 2014

APPROVED

The Regular Meeting of the Shelby County Election Commission was held on June 18, 2014 at 4:00 PM at the Election Operations Center, 980 Nixon Drive. All Commissioners in attendance except Commissioner Lester, absent with permission.

Meeting was called to order by Chairman Meyers at 4:09 P.M.

**DISCUSSION/APPROVAL OF MINUTES FROM APRIL 16, REGULAR COMMISSION MEETING, AND MAY 21, 2014 REGULAR COMMISSION SPECIAL MEETING**

Commissioner Stamson moved to approve 4/16 Minutes. Commissioner Nollner seconded. No discussion. Motion approved.

May 21<sup>st</sup> Regular Commission Meeting minutes were deferred.

**ATTORNEY'S REPORT**

Attorney John Ryder presented the following report:

1. District 4, Shelby County School Board Election from 2012 Election is only current litigation –oral arguments were heard on June 17 and awaiting decision from Court of Appeals. Argued solely on behalf of Mr. Whalum – the SCEC did not present argument.
2. County Commission District 10 could become litigation. Attorney Ryder has been told the Democratic Primary Board is meeting June 18 and should reach a decision.

**REQUEST BY CANDIDATE TO SPEAK**

Lee Ann Pafford Dobson wishes to appear before the Commission.

Her issue is the listing of her name on the ballot. Her petition directs that her name appear as Lee Ann Pafford Dobson (LAPD) however, the ballot does not have the LAPD listed. She is asking to have the ballot changed.

Mr. Holden explained he was aware of issue and had conferred with the State and both agreed that (LAPD) does not belong on the ballot

Brief discussion followed and Chairman Meyers asked if there was a motion to deny. No motion followed. Closed discussion. We will allow her name with the (LAPD) added to the ballot.

Ms. Pafford thanked the Commission for allowing her to speak.

**ADMINISTRATOR'S REPORT:**

Mr. Holden reported:

County school board redistricting geocoding has been completed. Mr. Holden provided a printed copy of the geocoding by precincts and explained the color coding regarding voter's school board districts. SCEC will be happy to provide this to anyone requesting but it is not email friendly due to the size. Voter records have been updated to reflect the redistricting and confidence is high that voters will receive the correct ballot.

SHELBY COUNTY ELECTION COMMISSION  
REGULAR MEETING  
June 18, 2014

APPROVED

Chairman Meyers wanted to verify that the School Board redistricting has been completed both in the sense of the geocoding aspect and in applying information to our database. Mr. Holden confirmed that if you look up a voter you will get the appropriate School Board district.

Website: Mr. Holden asked Suzanne Thompson to be at the meeting to discuss Facebook strategies. Ms. Thompson has been taking photos of people with the state "I'm Registered to Vote" signs and encouraging non-voters to register. Ms. Thompson reported that people are excited about the photos appearing online. She will continue taking and uploading pictures until the August 7<sup>th</sup>. She will do another push before the November election. Facebook followers have increased by 100 bringing the total to 440. Ms. Thompson is also working on promoting the site within Facebook and cost is \$10 per day.

Mr. Holden proposed that the Commission adapt Early Voting standards based on election types and Early Voting satellite location size. Presented Resolution 06-01/2014 to approve EV Site Standards based on election type and voter turnout per site. We can know ahead of time what personnel and equipment needs we face during upcoming elections.

The Resolution breaks it down by size of precinct: low, medium and high with corresponding staffing and equipment requirements based on historical information. Chairman would like to bring this before the Election Operations Committee and has requested the backup data supporting the recommendations. Also would like to have the full commission present. The Commission will re-address at the July meeting.

August Early Voting Ballot –ballot has been built in ESM and has been submitted to ES&S. Goal is to complete the process so that absentee ballots can be mailed Friday 6/20. 45 day deadline is Monday 6/23. Sample ballot is posted on website and has generated a few minor changes. Discussion followed. Chairman Meyers mentioned we now had to add (LAPD). Mr. Holden does not anticipate that being a problem.

Commissioner Stamson has had questions concerning on which page of the ballot specific candidates will be listed. Mr. Holden and Mr. Holmes explained this is not something that can be generalized. It depends on the district and the number of candidates in that district. Some districts have senatorial races, some do not. The page will be determined by the district, therefor we cannot give exact information to the candidates.

Nursing Homes – the SCEC has been experiencing a few issues with some nursing homes responding with low level of cooperation. We have addressed this problem with the State as these nursing homes have a history of low compliance, so the state is attempting change this conduct as we move forward.

We did receive an ethics complaint, as reported last month, and the Republican Party dealt with the issue and dismissed the complaint.

SHELBY COUNTY ELECTION COMMISSION  
REGULAR MEETING  
June 18, 2014

APPROVED

WIGS –Petitions are being filed. Biggest issue you will most likely need to address is: each of the municipalities must conduct their own referendums, should they get enough signatures on the petitions. The total will be 8 different petitions and referendums.

Petition is pre-approved by the state but the SCEC is responsible for validating the petition signatures and that they live in the correct jurisdiction for that petition.

In the process of increasing the size of the conference room to be used as multi-function room for voting machine training and meeting space. The goal of the larger space is to address multiple needs.

Commissioner Stamson asked if we would have TVs before the election. Mr. Holden reported we are working with Jeff Yallope and that we should have a 90” in the large training room before August.

**Resolutions:**

Resolution 06-02/2014 RESOLUTION TO APPROVE EARLY VOTING LOCATIONS, DATES, TIMES, NUMBER OF PERSONNEL AND NUMBER OF VOTING MACHINES ASSIGNED TO EACH EARLY VOTING LOCATION FOR THE FEDERAL AND STATE PRIMARIES AND COUNTY GENERAL ELECTIONS TO BE HELD ON AUGUST 7, 2014

EV to start downtown, July 18<sup>th</sup>. Since it is a State election we must open one Saturday at 8:00 a.m., so hours at the downtown office on Saturday, July 19<sup>th</sup> will be 8:00 a.m. – 4:00 p.m. The satellites will open July 21<sup>st</sup>.

Commissioner Stamson moved to approve Res. 06-02/2014

Commissioner Nollner seconded. Chairman Meyers asked for discussion. None followed. Motion approved.

Resolution 06-03/2014 RESOLUTION TO APPROVE POLLING LOCATION CHANGE FOR WARD 77 PRECINCT 01

Polling location 77-01 Graves Elementary School is closing and will not be open next fall. Recommended Raineshaven Elementary as the new polling location, as it is within the precinct and was a former polling location prior to consolidation of precincts.

Commissioner Nollner moved to approve. Commissioner Stamson seconded. No discussion. Motion approved.

**Addition Potential Precinct Issues:**

- Firestone Union Hall has addressed and corrected the mold issue so we will not have to change this location.
  
- Lanier Middle School will be closing and a charter school will be opening in that building. Mr. Holmes is investigating other locations. Current Lanier Middle School staff must be out by July 1 and new staff will be on-site 8/1. If this location needs to change, there will need to be a Special Commission Meeting to approve the change.

SHELBY COUNTY ELECTION COMMISSION  
REGULAR MEETING  
June 18, 2014

APPROVED

- Corry Middle School is becoming a state run facility so school will be in session on August 7<sup>th</sup>. We can't use the gym as it has no air conditioning, and we can't use cafeteria. They offered a classroom but it was not handicapped accessible. Mr. Holmes is meeting with a church Sunday for use as an alternative to Corry Middle School.
- Details will need to be completed in order to schedule the Special Commission Meeting on July 2.

Resolution 06-07/2014 RESOLUTION TO INCREASE THE PRICE FOR NAMES OF REGISTERED VOTER DATA CDs

This is simply an administrative issue to streamline pricing. The State has determined prices can range from \$35 to \$75.

Commissioner Stamson moved to approve, Commissioner Nollner seconded. No discussion. Motion Approved.

**ELECTION OPERATIONS AND TECHNOLOGY COMMITTEE REPORT - ATTACHED**

Commissioner Nollner presented the Election Operations and Technology Committee Report.

Mr. Holden had one comment to add: now that the School Board redistricting has been completed, there are now 420 total precinct splits where previously there were 419.

**VOTER CANDIDATE SERVICES AND HUMAN RESOURCES COMMITTEE REPORT - ATTACHED**

Commissioner Stamson presented the Voter and Candidate Services and Human Resources Committee Report.

**OLD OR NEW BUSINESS**

Commissioner Stamson presented that the SCEC has received a letter from Mike Lewis with the County concerning setting the Administrator's salary. Current salary is \$102,262. The County employees are received a 3% increase. Mr. Holden explained that in the past, a change in the Administrator's salary was made according to the State increases. Commissioner Stamson asked if the State had an increase and Mr. Holden informed the Commission the State increase was 4%. Chairman Meyers asked how the Administrator's salary had become untied from the State as was previously done. Mr. Holden does not know how this got changed. This has never been an issue for the Commission in the past and now the Commission is required to set the salary. State law says that the County Administrator is to earn no less than 90% of the County Assessor of Property.

Commissioner Stamson moved that Mr. Holden's salary remain the same and he receive the same 4% increase as the State employees. Commissioner Nollner seconded.

SHELBY COUNTY ELECTION COMMISSION  
REGULAR MEETING  
June 18, 2014

APPROVED

Discussion: Commissioner Tate asked if the 4% was performance based. Mr. Holden and other Commissioners replied that both the State and County increases were not performance based but cost of living increases.

Chairman Meyers feels more amenable amending the motion to raise the salary by 3% to match the County vs. the 4% increase at the State.

Commissioner Stamson amended his motion to set the Administrator's salary at the currently level of \$102,262 with a 3% increase to begin July 1, 2014. Commissioner Nollner seconded the motion as amended. No other discussion ensued. Motion approved with a 3-1 Vote, Commissioner Tate voting against.

Commissioner Stamson moved that employees moved from civil service status to appointed status receive a 5% increase. Chairman asked Mr. Holden if there was money in the budget and was told there was and that the total amount would be less than \$30,000.

Commissioner Nollner seconded.

Motion made and seconded that permanent, full time employees' salaries be increased by 5% beginning July 1, 2014. No discussion. Motion Approved.

Commissioner Nollner noted that the County Commission had budgeted and directed an evaluation of the voter registration system for the next fiscal year and inquired of Mr. Young the status of this project. Mr. Young stated that he had not heard back whether funds had been appropriated yet by the County Commission. \$200,000 had been set aside for the next year and earnest monies of \$1,000,000 to come later. Mr. Young has been working on requests for qualifications on consulting firms to do the work and from that he will be developing the RFP.

Commissioner Nollner had a voter inform her that they had been told that jury selection was made from voter registration data. In 2009, state legislation passed that juries could not be selected from voter registration data however, the Federal government can select juries from voter registration data.

Commissioner Tate received an email from Darrick Harris requesting that we put Ms. Rochelle Stevens on the ballot. Mr. Holden asked to address this issue along with broader issues. Today, June 18 at noon, was the qualifying deadline to apply to be a write-in candidate. This does not mean their name will appear on the ballot or sample ballot. What we do is create a list of possible spellings that a voter might use to show intent to vote for that candidate and when those appear as write-in votes, that vote will be counted. In District 32, which involves a portion of Shelby County and all of Tipton County, if a candidate wants to be a write-in candidate for that District they would need to have filed with the SCEC and also file with Tipton County to be a write-in candidate. Chairman Meyers noted the email from Mr. Harris is a request in the form of a directive for Ms. Stevens to be placed on the ballot. Chairman Meyers asked if either Primary Board could direct the SCEC to place someone on the ballot and also asked why Ms. Stevens wasn't on the ballot. Mr. Holden explained that Ms. Stevens had failed

SHELBY COUNTY ELECTION COMMISSION  
REGULAR MEETING  
June 18, 2014

APPROVED

to complete the paperwork in both counties and therefore the name is not to be placed on the ballot. Mr. Ryder addressed the question regarding Mr. Harris' directive to place a name on the ballot, stating that this does not fall within the Primary Board's authority.

No further action taken.

**ANNOUNCEMENTS**

Mr. Holden reiterated that if there is a Special Meeting on July 2 we will need to send out a Meeting Notice. It will be determined by June 27 if a Special Meeting is necessary and if so will be held at 3:30 prior to the committee meetings.

Election Operations and Technology Committee Meeting, July 2, 2014 at 4:00 p.m.

Voter & Candidate Services and Human Resources Committee Meeting, July 2, 2014 at 5:00 p.m.

**ADJOURNMENT**

Without objection, meeting adjourned at 5:40 p.m.

**Others In Attendance**

Richard Holden, Administrator of Elections  
Joe Young, Deputy Administrator  
Albert Holmes, Manager, Election Operations  
Rosemary Barbee, Staff  
Pam Crosno  
Assistant County Attorney John Ryder  
Assistant City Attorney Carlos Bibbs  
Suzanne Thompson  
Lee Ann Pafford Dobson, Candidate  
Dr. Joe Weinberg

SHELBY COUNTY ELECTION COMMISSION  
REGULAR MEETING  
June 18, 2014

APPROVED

**Election Ops/Tech Committee report to the Board June 18, 2014**  
**By Dee Nollner**

June 4, Mr. Jeff Jollop, the County ITS telephone manager reported that with the help of Dan Ellenberger from Black Box they had identified and corrected several problematic issues with the SCEC telephone system. Reconfigurations were undertaken including a generic message box answering system. Lapsed log-in remains a people problem which must be corrected. There will be fewer log-in codes with each code prominently displayed next to the telephones. As soon as funds are made available two monitoring screens will be installed.

Manager Holmes reported that the machines used in Dist 10 county commission election will remain sealed until the issue is resolved.

**Copies** were provided to the Democrat primary board related to Dist 10:

- Machine tabulation tapes from each precinct in that district.
- Certification of the tabulation of the district.
- Copy of the voter signature lists from each precinct in Dist 10.

Precincts in closed schools Corry Middle, Lanier Middle, and Graves Elem will be relocated. Firestone 40-01 will probably be relocated to Manassas High. Various improvements in zones will be implemented.

Dennis Boyce with County ITS indicated there are currently 464 split precincts with more than 419 changes. A quality check was to be completed by June 10 on the registration data base. SCEC staff will be needed for weekend work.

ES & S presentation was by Ingrid Giordano for additional web-based voter information including ballot on line. We will continue to seek software presentations regarding election night reporting.

**NEW business** : The County Commission funded and directed an evaluation of our voter registration system in the next fiscal budget year. Where do we stand on that?

Voter Reg forms are to include that jury selection in TN is not from voter registration. I did not see that on the forms I referenced.

Salary – AOE

5% across the board raise for SCEC employees losing civil service status.

SHELBY COUNTY ELECTION COMMISSION  
REGULAR MEETING  
June 18, 2014

APPROVED

June, 2014 VSC & Human Resources  
Committee Meeting

The meeting was brought to order at approximately 5:00 p.m. A status report was given by Mrs. Kimberly Perkins. Chairman Meyers questioned Mrs. Perkins concerning Voter Registrations that were backlogged. Mrs. Perkins stated that she had a plan to get all Voter registrations processed. Chairman Meyers asked her if she needed any additional personnel and offered any assistance possible. There was then a brief discussion concerning the Affordable Care Act and how the Election Commission is affected by it. We then had a discussion concerning the 3 vacancies. Administrator Holden stated that they had interviewed candidates and were processing the paperwork on one, another had committed and they were waiting on the third to respond.

Commissioner Lester brought up the matter concerning the status of our employees. She asked if we had heard back from Kim Hackney, if there was going to be any reclassification and if the employees had been notified. Chairman Meyers Stated that all employees would be notified in writing and that he would draft the letter soon.

We then had a brief discussion concerning the Reconciliation of the May election and the review of Voter Registration applications. It was decided that Commissioner Lester would notify everyone of a date that she would be available to review the third quarter of 2013. We then had a discussion concerning active and in-active voters.

Commissioner Lester brought up a matter concerning Rochelle Stephens that had a problem in qualifying to run for a position in Shelby and Tipton County. Additionally she had questions concerning the Sample Ballot and how the Post Office gets Voter Registration Applications. The meeting was then adjourned. That concludes mt report Mr. Chairman.