

SHELBY COUNTY ELECTION COMMISSION
REGULAR MEETING MINUTES
DECEMBER 15, 2015

APPROVED

The Regular Meeting of the Shelby County Election Commission was held on December 15, 2015 at 4:00 PM at the Election Operations Center, 980 Nixon Drive.

Meeting was called to order by Chairman Meyers at 4:00 p.m. All Commissioners were present.

ATTORNEYS' REPORTS

Ms. Hagler: The only pending suit is Halbert vs. SCEC and a court date to hear a motion is set for this Friday (December 18, 2015). Ms. Halbert has requested a motion to amend the complaint. The SCEC has consented to the amendment and requested the scheduling order be forwarded to here. The amendment added requests for consideration of constitutional violations due to discrepancies in election. She also added the newly elected city court clerk as a party to the complaint. She had originally requested an audit of the election returns; however, after numerous attempts to schedule an audit, Ms. Halbert has not responded.

Commissioner Lester requested an update on the scheduling of the audit. Commissioner Meyers requested a consensus in moving forward with or without Ms. Halbert's participation. Ms. Hagler stated there is reason to move forward as a response to the complaint needs to be filed and an audit would allow the SCEC to state with certainty what occurred. Commissioners agree to move forward with the audit.

Commissioner Lester asked if, as a result of the audit, the numbers changed would it require re-certification of the October 8, 2015 election. Ms. Hagler responded a need for discussions with the State Election Coordinators office for direction. Ms. Hagler further explained that the Commission was charged with certifying the outcome/winners and if the outcome does not change, it should not require re-certification but the final decision would be determined by the State.

Action Item: Audit is scheduled for Thursday at 1:00 p.m.

Mr. Bibbs: No report

ADMINISTRATOR OF ELECTIONS SEARCH REPORT

Commissioner Meyers:

Search Committee Members are: Commissioners Stamson and Tate, Janice Holmes, Joy Touliatos and Monice Hagler.

Commissioners approved Committee members.

The County has created a website to solicit resumes and applications for interested persons.

The Commissioners were provided a copy of the newspaper advertisement that will appear in the following:

- The Commercial Appeal in print and on the website
- The Election Center, an election specific website with a jobs posting page
- Shelby County website.

The Administrator of Elections job description was distributed as well, and will serve as the basis for the search. The plan is to hold the application process open for two (2) weeks, beginning December 16, 2015, which takes it through the end of the month. The search committee will then review the applicants and should any meet the requirements, will then be recommended to the Commission.

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Chairman Meyers recommended Commissioner Stamson as Chair as he had previous administrative experience with the county. There were no objections. Commissioner Stamson will be the Chair. Commissioner Lester questioned the job description not include passing the State Administrator's Certification Test. Chairman Meyers felt it was not listed as a requirement as it might limit the applicants and the Administrator's Certification Test can be taken after becoming the Administrator. Action Item: Mr. Young will determine if the State Certification Test is required for the position of Administrator.

Commissioner Tate requested additional information regarding the Administrator's salary. There is a minimum, which is tied by law to the Assessor's salary but no actual cap.

Proposed Search Committee Timeline:

Goal is to have a report back to the Commission on the next scheduled meeting, January 19, 2016.

The Candidates for the March 1, 2016 Election must be certified and will necessitate a Special Meeting of the Election Commission. December 17, 2015 is the withdrawal deadline. The State will send a list of approved candidates and delegates after noon on the 17th.

Commissioners agreed to a Special Meeting Friday, December 18, 2015 at Noon to certify the candidates for the March 1, 2016 Elections.

Next Regular Meeting Scheduled for January 19, 2016 at 4:00 p.m.

Action Item: Chairman Meyers requested Mr. Young provide an Elections Calendar for election preparation to keep the Commissioners in the loop in the absence of an Administrator.

Chairman Meyers reported, as additional support for the staff during this time of transition, he had requested a proposal from ES&S for additional days of support and that he was willing to go to the County Administration to request additional funds if necessary to provide this support.

Discussion followed.

Commissioner Lester asked to bring Mr. Albert Holmes back, not as a Trainer, but in a consultant role and be paid more than the temporary salary.

Action Items: Chairman Meyers will meet with Mr. Young, Mr. Brown and Mr. Dow to determine any additional days of support needed and also to discuss Mr. Holmes rate of pay.

As a follow-up to Mr. Stocking's provisional ballot on October 8, 2015, Commissioner Nollner reported that after research, Mr. Stocking attempted to vote on the voting machine but did not push cast ballot. He was given a provisional ballot. Once a provisional ballot is counted, it is recorded as "At Poll". Mr. Stocking's provisional ballot was counted.

Discussion followed regarding process and procedures for recoding provisional votes.

Action item: Determine for future elections what reports, unofficial or official, will be released and what disclaimers may need to be included to reduce confusion surrounding changes to the SOVC that occur as a result of reconciliation and provisional ballots.

The SCEC tri-Fold flyer was approved with the changes: add Main Number and 901 before the 222-1200 phone number.

Action Item: Proceed with printing.

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ADJOURNMENT

Meeting was adjourned.

Others in attendance:

Joe Young, Deputy Administrator
Dan Dow, VCS Manager
Darral Brown, Operations Managers
Pam Crosno, Staff
Deborah Upchurch, Staff
Carlos Bibbs, Attorney
Monice Hagler, Attorney
Kevin Key
Rose Bradley
Sheila Renfro

Robert Meyers, Chairman

Date

Norma Lester, Secretary

Date