

SHELBY COUNTY ELECTION COMMISSION
REGULAR MEETING MINUTES
January 21, 2015

APPROVED

The Regular Meeting of the Shelby County Election Commission was held on January 21, 2015 at 4:00 PM at the Election Operations Center, 980 Nixon Drive. All Commissioners were present.

Meeting was called to order by Chairman Meyers at 4:08 p.m.

APPROVAL OF DECEMBER 17, 2014 COMMISSION MEETING MINUTES

Commissioner Lester moved to approve the December 17, 2014 Commission meeting minutes. Commissioner Stamson seconded with approved change in wording to Ops/Tech Committee Report. The December 17, 2014 Commission meeting minutes were approved. Commissioner Lester requested that the minutes be distributed at least 3-4 days prior to the meeting in the future.

ATTORNEY'S REPORT

Attorney Ryder reported the only outstanding litigation is the matter of Joe Brown, unsuccessful candidate for District Attorney General from last August's Election. Mr. Brown is appearing pro se, as well as representing several others, in challenging the validity of the entire August 2014 Election. There was a problem in that all 3 Chancellors recused themselves in this matter. It was then circulated to the Circuit Court Judges (Circuit Court has concurrent jurisdiction with the Chancery Court) and all of the Circuit Judges recused themselves except Robert Childers, Judge of Division 9 of Circuit Court. The Order was just entered and we received a copy of the Order Monday (January 19, 2015). We will be appearing before Judge Childers. Mr. Ryder reported that there are two motions to dismiss on file. One is to dismiss based on various procedural reasons and the other is a motion to dismiss based on failure to state a claim. Mr. Ryder expects there will be a hearing within the next 30-45 days depending on the schedules of the Judge and other counsel.

Mr. Holden has been noticed for a deposition in the South Cordova annexation case but he is appearing as a fact witness only. We are not a part of the actual litigation.

ATTORNEY'S REPORT

Mr. Bibbs had no report.

OPERATIONS AND TECHNOLOGY COMMITTEE REPORT – ATTACHED

Given by Commissioner Nollner

Discussion followed Commissioner Nollner's report on the proposed precinct consolidation issue. Mr. Holden reported that the Chairman had requested a letter be sent to the Party Chairmen, all Elected Officials (with the proposed affected precincts in their districts), the media, the League of Women Voters and the NAACP. The letter will be sent by January 28, 2015. In addition to the affected precincts in the Elected Officials' districts, they will also be notified as to which group, A or B, the precincts are in and the corresponding date they will be discussed in Committee meetings. Commissioner Tate requested the letter to the General Assembly be sent Certified Mail.

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VCS/HR COMMITTEE REPORT – ATTACHED

Given by Commissioner Stamson

RFQ UPDATE

Mr. Young invited Mr. Nelson Fowler from purchasing to answer any questions related to procedures regarding the RFQ. Mr. Young provided the original scorecard as well as the updated scorecard based on input from Commissioners. Deadline for vendors to respond to RFQ was January 16. There were only two respondents and of those two, one did not have a current EOC certification, which is required. They are contemplating extending the deadline for two weeks to give additional vendors an opportunity to respond.

Mr. Young covered the differences in the original RFQ scorecard and the revision, which included changes requested by the Commissioners.

Chairman Meyers and Commissioner Lester voiced concerns about how vendors would be scored. Mr. Fowler pointed out this is an RFQ – a request for qualifications. We are asking them to sell themselves and tell us their qualifications. He does agree that the scoring process is relatively subjective. Mr. Fowler explained the RFQ process. Once the bids are received he will contact the scorers, set-up a scorers meeting, provide a copy of the bids at the meeting and give a copy of each bid to the scorers with instructions on how to score. The scorer will review the RFQ, read each bid and score each vendor. Once complete, the scorecards will be returned to Mr. Fowler, he will compile the results and send those to Mr. Young. The winning vendor does not always go to the highest scorer but to the most responsive to the RFQ. Chairman Meyers recommended that a Republican and Democratic Commissioner be involved in the scoring process. The Commissioners felt it would be beneficial if all Commissioners were involved in the scoring process.

Chairman Meyers thanked Mr. Fowler for his attendance and input.

ADMINISTRATOR OF ELECTIONS REPORT

Given by Administrator Holden – attached.

Discussion ensued regarding the FY16 Budget (July 1, 2015 – June 30, 2016). The Budgets provided today are the same as previously distributed at the December Commission Meeting. The Admin salaries budget does include a 5% increase in the budget, which would allow the Commissioners the available funds to give up to a 5% increase should they so choose. Chairman Meyers pointed out that this budget has not been approved by the County, this budget is only what we are requesting. By statute it is required that the Commissioners approve the budget and then it will be presented to the County Commission for their approval.

The question was again raised about the County raise of 3% on July 1, 2014 for previously appointed employees. Administrator Holden assured the Commissioners that all employees received the 3% County raise. Commissioner Tate asked Mr. Young specifically if he had

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received the 3% County raise in July and he stated he had not. Mr. Holden will provide proper documentation to the Commissioners.

UPDATE: It was consequently discovered that Mr. Young had received the 3% raise in July of 2014.

Chairman Meyers proposed and it was agreed that there will be a Special Meeting to discuss and approve the FY2016 Budget on Tuesday, January 27, 2015 at 4:00 p.m. Chairman Meyers requested that increased budgets for additional training of Election Officials be included in the budget for discussion on the 27th.

ANNOUNCEMENTS

Special Meeting: Tuesday, January 27, 2015 at 4:00 p.m.

Next Committee Meetings:

Ops/Tech Committee Meeting – February 4, 2015 at 4:00 p.m.

VCS/HR Committee Meeting – February 4, 2015 at 4:30 p.m.

Next Regularly Scheduled Board Meeting:

Wednesday, February 18, 2015 at 4:00 p.m.

ADJOURNMENT

Commissioner Stamson moved to adjourn the meeting. Commissioner Lester seconded. Meeting was adjourned at 5:35 p.m.

Others in attendance:

Rich Holden, Administrator

Joe Young, Deputy Administrator

Dan Dow, VCS Manager

Pam Crosno, Staff

Carlos Bibbs, Attorney

John Ryder, Attorney

Suzanne Thompson

Nelson Fowler, County Purchasing Department

Colonel Billingsley