

SHELBY COUNTY ELECTION COMMISSION
REGULAR MEETING MINUTES
SEPTEMBER 15, 2015

APPROVED

The Regular Meeting of the Shelby County Election Commission was held on September 15, 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 4:01 p.m.

APPROVAL OF AUGUST 15, 2015 COMMISSION MEETING MINUTES

Commissioner Lester moved to approve the August 15, 2015 minutes with correction to insert "into the lawsuit" in the last paragraph on page 1 under Attorney's Report. Commissioner Tate seconded. There was no discussion. Minutes as corrected were unanimously approved.

ATTORNEY'S REPORT

Attorney Ryder reported there was one active piece of litigation, the Southwest Cordova annexation. There has been no action since the SCEC filed an answer.

There are 2 sets of petitions to bring before the Commission. The Fox Brothers have re-submitted the petitions they originally filed in June, basically asking to re-start the clock on the timing for them to gather signatures. Mr. Ryder felt there was no reason not to accept their re-submission.

Additionally, there have been petitions filed to recall numerous elected officials in Millington. We had previously reviewed the petitions and suggested corrections. The corrections have been made and the petitions re-submitted.

The SCEC now needs to approve the petitions as to form, the petitions will be returned to the petitioners to gather the necessary petitions. The signatures will then be submitted to SCEC for validation of signatures. Petitioners have 75 days from date of approval to collect the required number of valid signatures.

Commissioner Lester moved to accept Millington Petitions to recall Elected Officials. Commissioner Stamson seconded. Motion to accept Millington Petitions to recall Elected Officials was unanimously approved.

Commissioner Nollner moved to accept the first Fox Brothers petition to amend the Shelby County Charter by deleting Article VIII in its entirety and replacing it with a new Article VIII entitled "Constitutional Officers": to provide for the duties of the Assessor of Property in Shelby County, the duties of the Sheriff in Shelby County, the duties of the Register of Deeds in Shelby County, the duties of the County Clerk in Shelby County, and the duties of the Trustee in Shelby County, all of whose elections, duties, qualifications, oaths of office, bond requirements and compensation are governed by the Constitution and laws of the State of Tennessee and the Shelby County Charter. This will return judicial oversight to the five constitutional officers, allowing the courts to oversee the actions of the county commission in regards to these offices. The above named Officers shall remain Elected Constitutional Officers. Commissioner Stamson seconded. Motion to accept the petition to amend the Shelby County Charter by deleting

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Article VIII in its entirety and replacing it with a new Article VIII entitled "Constitutional Officers": to provide for the duties of the Assessor of Property in Shelby County, the duties of the Sheriff in Shelby County, the duties of the Register of Deeds in Shelby County, the duties of the County Clerk in Shelby County, and the duties of the Trustee in Shelby County, all of whose elections, duties, qualifications, oaths of office, bond requirements and compensation are governed by the Constitution and laws of the State of Tennessee and the Shelby County Charter. This will return judicial oversight to the five constitutional officers, allowing the courts to oversee the actions of the county commission regarding these offices. The motion to accept the petition presented by the Fox brothers regarding the above named Officers was found to be in order and was unanimously approved to allow for petition circulation.

Commissioner Stamson moved to accept the second Fox Brothers petition to amend the Shelby County Charter by amending Article V Section 5.25 to change the term limitation for the officers listed in Article VIII from two terms to three. Commissioner Lester seconded. Motion to accept the petition to amend Article V Section 5.25 changing term limitation for the officers listed in Article VIII from two terms to three was found to be in order and was unanimously approved to allow for petition circulation.

OPERATIONS AND TECHNOLOGY COMMITTEE REPORT

Given by Commissioner Nollner

Everything is on schedule for the Arlington/Lakeland election on September 17, 2015 and the Memphis Election on October 8, 2015.

800 memory cards have been received to replace those in lock-down pending the Amendment 1 lawsuit.

Nursing Home – Candidates/campaigns have been inquiring regarding SCEC/Nursing Home schedule. We provide the schedule to campaigns; however we do not include the Nursing Home contact information. It was agreed in committee that the AOE would add the corresponding TCA to the Nursing Home schedule on the website.

Commissioner Lester felt it was appropriate not to give out Nursing Home contacts. All commissioners agreed with this direction for the AOE. Mr. Holden expressed he understood the Commissioner's directive regarding nursing home contacts.

Mr. Brown reported that staffing for the Memphis election was 90% completed. It was also agreed that the Commissioners see the total report on election officials and the candidates/campaigns will only be given a list of names and party affiliation, with no precinct or contact information.

It was also agreed that the Commissioners would approve the list of election officials by party.

VCS/HR COMMITTEE REPORT – VCS MANAGER REPORT ATTACHED

Given by Commissioner Stamson

Mr. Dow gave the VCS manager's report on Voter registration statistics and there was currently no backlog. Commissioner Lester commended the VCS staff on not having a backlog. Mr. Dow also reported on the returned mail status from the precinct consolidation mailings, in addition

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to the NCOA mailings going on currently. Once the NCOA mailings are complete, the biennial NVRA mailings will be processed.

Once all of the above mailings have been completed, the SCEC will begin the process of purging the voter registration database.

ADMINISTRATOR OF ELECTIONS REPORT - ATTACHED

Given by Mr. Holden.

Voter Database – with all the recent work, the database is in better shape than it has been in years. Working with ITS and the State to geo-code by address as a triple check for accuracy as we move forward towards 2016.

Chairman Meyers asked for an update on the conversation from the last meeting with Mr. Smith and questions regarding the database. Mr. Holden reported that based on conversations with Commissioner Lester, everyone is satisfied. Commissioner Lester explained she had been working closely with Mr. Holden and the staff and commended him for the amount of work he had been doing. As she understands, the monthly report given to the party chairs is static as of that date. However, if there is a need, they can request updated information and Mr. Holden will provide the most recent data.

Regarding the RFP for drayage of the voting machines, Tony Lanigan was awarded the contract and we are waiting on the actual contract at this point. Commissioner Lester asked the amount of the contract and was informed it was \$95,000.

There is a budget update included in the packet. He's happy to answer any budget questions.

Commissioner Lester would like to create and schedule either forums or training for candidates and elected officials. Mr. Holden said we would create a presentation and bring it to the committee for consideration.

NEW ELECTION MANAGEMENT SYSTEM CONSULTANT UPDATE

Mr. Young reported that everything was on schedule. The consultants will be on-site September 22-24 to conduct sessions with users, managers and ITS.

NEW/OLD BUSINESS

Commissioners asked to be kept in the loop regarding any meetings or communication with the architects.

Commissioner Lester announced the Matt Lucas has been appointed as the new Democratic Voting Machine Technician.

Chairman Meyers discussed having Suzanne Thompson reach out to the media regarding our willingness to cooperate and the accessibility to the Chairman, etc. as they will hopefully have on-going interest in the October 8, 2015 election.

ADJOURNMENT

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Meeting was adjourned.

Others in attendance:

Rich Holden, Administrator
Joe Young, Deputy Administrator
Darral Brown, Ops Manager
Dan Dow, VCS Manager
Pam Crosno, Staff
Deborah Upchurch, Staff
Carlos Bibbs, Attorney
Monice Hagler, Attorney
John Ryder, Attorney
Pablo Varela, Attorney
Rose Ann Bradley
Suzanne Thompson

Robert Meyers, Chairman

Date

Norma Lester, Secretary

Date