

Davidson County Election Commission

April 8, 2021 6:00 p.m.

The Davidson County Election Commission (DCEC) met at 6:00 p.m. in the Sonny West Conference Room at Howard Office Building. Commissioners Jim DeLanis, A. J. Starling, Tricia Herzfeld, Dan Davis, and Ross Evans were present.

DCEC staff members present included Administrator of Elections (AOE) Jeff Roberts, Joan Nixon, Lisa Pierce, Courtney Mott, John Hite, Bobby Medley, and Kelley Harrison. Also present were Nicki Eke of the Metropolitan Department of Law and Bob Cooper, Director of the Metropolitan Department of Law.

Due to technical difficulties of streaming the meeting live, Chairman DeLanis convened the meeting at 6:40 p.m.

Retention of counsel

Commissioner Herzfeld recommended the Commission retain Bill Koch as legal counsel and Junaid Odubeko as co-counsel, due to their knowledge of the case and previous experience representing the DCEC. Commissioner Starling concurred with Commissioner Herzfeld.

Chairman DeLanis expressed concern about retaining Bill Koch, due to a conflict of interest, and suggested the DCEC retain Jim Blumstein and Austin McMullen.

Chairman DeLanis spoke to Mr. Blumstein about advising the DCEC regarding the required number of signatures on the petition. Mr. Blumstein is willing to review the materials, prepare a written opinion, and appear before the Commission to discuss his opinion.

Discussion ensued.

Motion stated: Commissioner Herzfeld made a motion to allow Chairman DeLanis to engage Mr. Blumstein for an opinion on the number of signatures required on the filed petition (only). Also, Chairman DeLanis will invite Mr. Blumstein to present a proposal to advise the Commission on related issues and related litigation.

Seconded by: Commissioner Evans

Outcome of motion: Passed unanimously

Discussion and possible vote on number of signatures required on petition

Motion stated: Commissioner Herzfeld made a motion to defer this agenda item to the next scheduled meeting.

Seconded by: Commissioner Davis

Outcome of motion: Passed unanimously

Discussion and possible vote on placing referendum before voters

Motion stated: Commissioner Herzfeld made a motion to defer this agenda item to the next scheduled meeting.

Seconded by: Commissioner Starling

Outcome of motion: Passed unanimously

AOE Report

- Completed verification of petition signatures - 12,398 signatures were verified
- Approximately 3K poll officials have been contacted regarding possible referendum election

Public Comment

None stated

Set date and time of next meeting

Call of the Chair

Adjourn

Motion stated: With no further election business to discuss, Commissioner Herzfeld made a motion to adjourn.

Seconded by: Commissioner Evans

Outcome of motion: Passed unanimously

Tricia Herzfeld, Secretary