

Davidson County Election Commission

May 10, 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, Ross Evans, Tricia Herzfeld, Dan Davis, and A. J. Starling were present.

DCEC staff members present included Administrator of Elections (AOE) Jeff Roberts, Joan Nixon, Jeremy Greene, Courtney Mott, Lisa Pierce, Bobby Medley and Kelley Harrison. Nicki Eke of the Metropolitan Department of Law, Bob Cooper, Director of the Metropolitan Department of Law and Professor Jim Blumstein and Austin McMullen were present.

Jim DeLanis convened the meeting.

Approve minutes from April 22, 2021 meeting

Motion stated: Commissioner Starling made a motion to approve the minutes as presented.

Seconded by: Commissioner Davis

Outcome of motion: Passed unanimously

Retention of Counsel

Motion stated: Commissioner Starling made a motion to authorize Chairman DeLanis to sign the letters of engagement from Professor Jim Blumstein and the Bradley firm.

Seconded by: Commissioner Evans

Outcome of motion: Passed unanimously

Discussion and possible vote to place 4 Good Government referendum before voters

Professor Blumstein and Austin McMullen of the Bradley firm submitted a seventeen (17) page legal opinion (privileged) and two (2) page summary (public) regarding the 4 Good Government petition. Discussion ensued.

Motion stated: Commissioner Davis made a motion to place 4 Good Government referendum on the ballot.

Seconded by: Commissioner Evans

Outcome of motion: Passed with 3 - 2 vote
Chairman DeLanis – yes
Commissioner Davis – yes
Commissioner Evans – yes
Commissioner Herzfeld – no
Commissioner Starling – no

Discussion and possible vote to place referendum from Council Resolution 2021-837 before voters

Councilman Mendes and Councilman Glover made presentations about the Council Resolution. Discussion ensued.

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

Seconded by: Chairman DeLanis

Outcome of motion: Passed unanimously

Discussion and possible vote to set date for election

AOE Roberts suggested two (2) dates to hold the election: July 27, 2021 or August 3, 2021.

Discussion ensued.

Motion stated: Commissioner Herzfeld made a motion to hold the referendum election on August 3, 2021

Seconded by: Commissioner Starling

Outcome of motion: Failed with 3 – 2 vote

Chairman DeLanis – no
Commissioner Davis – no
Commissioner Evans – no
Commissioner Herzfeld – yes
Commissioner Starling – yes

Motion stated: Chairman DeLanis made a motion to hold the referendum election on July 27, 2021.

Seconded by: Commissioner Davis

Outcome of motion: Passed with 3 - 2 vote

Chairman DeLanis – yes
Commissioner Davis – yes
Commissioner Evans – yes
Commissioner Herzfeld – no
Commissioner Starling - no

AOE Report

AOE is collecting emails/written notification from voters wanting their names removed from 4 Good Government petition

DCEC staff will begin preparing for July 27, 2021 election

Public Comment

Jim Garrett

Jim Roberts

Jamie Hollin

Set date and time for next meeting

Motion stated: Commissioner Herzfeld made a motion to schedule the next meeting for May 13, 2021 at 6:00 p.m.

Seconded by: Chairman DeLanis

Outcome of motion: Passed unanimously

Executive Session to discuss settlement of fall 2020 lawsuit

Chairman DeLanis called for a recess while the Commission convened in a private Executive Session.

Adjourn

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

Seconded by: Commissioner Davis

Outcome of motion: Passed unanimously

Tricia Herzfeld, Secretary