

Minutes of the Davidson County Election Commission
September 28, 2011

The Davidson County Election Commission (DCEC) met at 3:00 p.m. on September 28, 2011 in the Metro Office Building. Commissioners Lynn Greer, Patricia Heim, Steve Abernathy and Eddie Bryan were present. Commissioner A.J. Starling was not in attendance. DCEC staff members present included Administrator of Elections (AOE) Albert U. Tieche, Joan Nixon and Bobby Medley. Nicki Eke of the Metropolitan Department of Law was also in attendance. Chairman Lynn Greer convened the meeting.

Approve August 12, 2011 meeting minutes: Commissioner Heim made a motion to approve minutes as presented. The motion was seconded by Commissioner Bryan and passed unanimously.

Certify September 15, 2011 Run-Off Election: Commissioner Bryan made a motion to certify returns from the September 15, 2011 Run-Off election. The motion was seconded by Commissioner Heim and passed unanimously.

Update on 3 contests of election lawsuits: AOE Tieche presented the following updates regarding three (3) lawsuits arising out of the August 4, 2011 election:

- *Roberts vs. DCEC- (challenging Dist. 20 results)- Ms. Roberts filed a voluntary dismissal of her lawsuit on September 21, 2011. The court closed the case on September 23, 2011.*
- *Johnston vs. DCEC (challenging constitutionality of write-in ballot procedure)- The Attorney General has filed a motion to dismiss scheduled for Friday, September 30, 2011.*
- *Jakes and Crawford vs. DCEC (challenging the percentages required for winning an at-large seat without a run-off)- Metro Attorney, Lora Fox, has filed a motion to dismiss that is scheduled for Friday, October 14, 2011.*

Discuss instances of possible illegal votes from August 4, 2011 election: AOE Tieche presented the board with documentation regarding sixteen (16) possible illegal voters. Discussion ensued among the board. Commissioner Heim made a motion to refer eight (8) voters per recommendation of the AOE to the District Attorney's office with supporting documentation. The motion was seconded by Commissioner Abernathy and passed unanimously. Commissioner Abernathy made a motion not to refer two (2) voters to the District Attorney's office. The motion was seconded by Commissioner Bryan and passed unanimously. AOE Tieche will be mailing out "customized" address verification letters to those inconclusive voters.

Photo ID – preparing for March 6, 2012- Secretary of State (SOS) is promoting Town Hall meetings in all 95 counties on November 1, 2011 (times TBA). One town hall meeting will take place at Glenclyff High School and the other at Whites Creek High School. The Chairman and Chief Election Deputy will host one location and the AOE and Secretary will host the other. AOE Tieche has asked the Coordinator of Elections to compare Department of Safety database to our database to determine how many Davidson County Election Commission Minutes
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County voters do not have a driver's license, handgun permit or Department of Safety issued photo ID. This request is being handled by Steve Griffey at the SOS office.

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Primary called by Davidson County Democratic Party with PPP – Commissioner Bryan made a motion to call Democratic Primary with Presidential Preference Primary Election scheduled for March 6, 2012. The motion was seconded by Commissioner Heim and passed unanimously.

Potential early voting sites for 2012- AOE Tieche reported receiving a request from Meharry Hospital to serve as a satellite early voting site in 2012 instead of Friendship Baptist Church (32nd AV N). Commissioners agreed to set the early voting schedules with dates and sites in the near future.

Administrator's Reports:

- DCEC meeting telephonically- per Nicki Eke of Metro Legal boards, agencies and commissions of state government are allowed to meet electronically.
- Electronic poll books – Demonstration from ES & S on September 22, 2011
- Social media – Poll official recruiting and disseminating public information
- Pictometry Software – provides improved aerial and street level photographs helpful with re-districting
- SOS PowerPoint and 12 minute video on Photo ID

Any old/new business: None stated

Set date for next meeting: The next meeting was scheduled for October 26, 2011 at 2:00 p.m.

Review registration cards: Deferred to next meeting.

Adjourn: There being no further business before the Commission, the meeting was adjourned.

Lynn Greer, Chairman

A.J. Starling, Secretary

Steve Abernathy, Member

Eddie Bryan, Member

Patricia Heim, Member