

Davidson County Election Commission

March 21, 2013

The Davidson County Election Commission (DCEC) met at 1:00 p.m. on March 21, 2013 in the Davidson Conference Room of the Metro Office Building. Commissioners Lynn Greer, Patricia Heim, A J Starling, Eddie Bryan and Steve Abernathy were present. DCEC staff members present included Administrator of Elections (AOE) Albert Tieche, Joan Nixon, Bill Hyden, Courtney Mott, Tom Cunningham, Bobby Medley and Kelley Harrison. Also in attendance were Nicki Eke, Tom Cross and Director of the Metropolitan Department of Law, Saul Solomon.

Chairman Lynn Greer convened the meeting.

Approve February 21, 2013 meeting minutes:

Stated motion: Commissioner Abernathy made a motion to amend the minutes to read as follows: "Commissioner Abernathy made a motion to send information to the TN Department of Safety with social security numbers encrypted from the DCEC voter registration system whenever the applicant indicated they were not born in the United States *in order to verify the applicant's citizenship using the TN Department of Safety first and then using the S.A.V.E (Systematic Alien Verification for Entitlement) via the TN Department of Safety for any voters identified as non-citizens* starting March 1, 2013 and do it ongoing for a period of thirty (30) days to see what we get." Commissioner Abernathy also proposed striking a line from the minutes to read as follows: "*Commissioner Heim recommended an annual evaluation of the AOE be completed and discussed prior to the end of the current commissioners' terms. Evaluation forms will be sent to the commissioners for completion prior to the next meeting.*"

Seconded by: Commissioner Heim

Outcome of motion: Approved

Stated motion: Commissioner Heim made a motion to approve minutes as amended.

Seconded by: Commissioner Starling

Outcome of motion: Approved

Discuss and review Metro Legal opinion on investigating non-US citizens on voter roll:

Stated motion: Commissioner Bryan made a motion to rescind motion from the February 21, 2013 meeting.

Seconded by: Commissioner Starling

Outcome of motion: Approved

Review of 4% Fund Request:

Stated motion: Commissioner Heim made a motion to approve 4% fund request of \$48,000.00 for submission as presented with recommendation of striking any specific vendor names from the request.

Seconded by: Commissioner Starling

Outcome of motion: Approved

Administrator's Reports:

- a. Follow up on information requested by commissioners on 2/21/13- AOE reported that the information was sent via email

(March 21, 2013 minutes continued)

- b. Demo of online polling place finder- moved on to next item due to time restraints
- c. State review update- complied with document request and commissioners were copied on letter of transmittal; all staff and some commissioners were interviewed; to date DCEC has not received draft report for review
- d. D & O Insurance update- AOE reported that insurance carriers are very reluctant to issue this coverage for government agencies. Chairman Greer requested a metro legal opinion for D & O insurance
- e. List maintenance update- Complete parse database—separate full name into separate last name, first name, middle initial/name and suffix fields; complete process ACFN for returned voter registration cards who had no activity in August or November; Purge inactive voters who have not had any activity during the time period where two (2) November elections have been held after they have been made inactive; convert database to USPS standards; and send ACFN cards and make voters inactive who have had no activity and cast no ballots since October 1, 2010.
- f. 2013 Legislative update- given handout to Commissioners
- g. Possible voter fraud cases in 2012- AOE reported specific cases with documentation to the commission.
Motion stated: Commissioner Heim made a motion to refer the cases for the following individuals to the DA voters by the names of Candace Murphy and family, Destin Shoemaker, Deborah Ann Fowkles and Emily Murphy.
Seconded by: Commissioner Bryan
Outcome of motion: Approved
Motion stated: Commissioner Abernathy made a motion to refer an allegedly fraudulent voter registration application to the DA.
Seconded by: N/A
Outcome of motion: Failed due to lack of second
- h. EAC report update- AOE reported this required report has been completed by Tom Cunningham in December
- i. Posting November 2012 votes- AOE reported hand posting votes from paper poll books takes approximately forty-five (45) days; with EPB's votes can be processed in one (1) day except change of address, provisional voters and absentee.
- j. Staffing report and retirement incentive- Lionel Barrett and Betty Gilbert has accepted metro incentives and Betty Gilbert has been established as an essential employee and will remain until a replacement is hired. Position vacancy due to Lionel Barrett's departure cannot be filled until June 1, 2013
- k. Projects for CY 2013- upgrading street names to USPS standards, online campaign finances and poll official recruiting/training will begin last half of 2013

Any old/new business:

- a. Report on annual AOE evaluation- Copies of AOE evaluation was distributed to the commission by Chairman Greer. The original form will be placed in AOE Tieche's personnel file

Motion stated: Commissioner Bryan made a motion for AOE Tieche to resign as of April 1, 2013 so as the new commission may select an Administrator of Elections.

Seconded by: N/A

Outcome of motion: Failed due to lack of a second

Set date for next meeting: The next meeting was scheduled for April 17, 2013 at 2:00 p.m.

Review registration cards: Commissioners reviewed voter registration applications for accuracy in accordance with state law requirements.

Adjourn: There being no further business discussed, the meeting adjourned.

A J Starling, Secretary