

DAVIDSON COUNTY ELECTION COMMISSION

SEPTEMBER 10, 2014

The Davidson County Election Commission (DCEC) met at 3:00 p.m. in the Antioch Conference Room on September 10, 2014 at Metro Southeast. Commissioners Ron Buchanan, Jennifer Lawson, Tricia Herzfeld, AJ Starling and Jim DeLanis were present. DCEC staff members present included Administrator of Elections (AOE) Kent Wall, Joan Nixon, John Hite, Bobby Medley, Jenny Simmons, Nancy DeKalb, Brandon South, Bill Hyden, Reid Lovell, Courtney Mott, Meredith McKay and Kelley Harrison. Nicki Eke of the Metropolitan Department of Law was also in attendance as well as Joe Johnston and Denty Cheatham (private citizens).

Chairman Buchanan convened the meeting.

Approve minutes from August 22, 2014 meeting

Motion stated: Commissioner Lawson made a motion to approve the minutes from the August 22, 2014 meeting as presented.

Seconded by: Commissioner Herzfeld

Outcome of motion: Passed unanimously

Approve Poll Officials

- a. Election Day – Commissioner DeLanis made a motion to approve the list of Election Day poll officials as presented. The motion was seconded by Commissioner Starling and passed unanimously.
- b. Early Voting- Commissioner Starling made a motion to approve the list of Early Voting poll officials as presented. The motion was seconded by Commissioner Lawson and passed unanimously.
- c. Absentee/Provisional Counting Board- Commissioner DeLanis made a motion to approve the list of Absentee/Provisional Counting Board as presented. The motion was seconded by Commissioner Herzfeld and passed unanimously.
- d. Nursing Home Deputies- Commissioner Lawson made a motion to approve the list of Nursing Home Deputies as presented. The motion was seconded by Commissioner Starling and passed unanimously.
- e. Prison Deputies- Commissioner Herzfeld made a motion to approve the list of Prison Deputies as presented. The motion was seconded by Commissioner Lawson and passed unanimously.
- f. Inspectors- Commissioner DeLanis made a motion to approve the list of Inspectors as presented. The motion was seconded by Commissioner Herzfeld and passed unanimously.

Approve WIGS Referendum for both Nashville and Goodlettsville

Joan Nixon reported that petitions were received intermittently from June 20th – August 21st. On August 15, 2014, DCEC along with the Sumner County Election Commission verified 655 signatures from the City of Goodlettsville, which is more than the required number of 562. On August 21, 2014, DCEC verified 16,000 signatures from Metropolitan Nashville and Davidson County, which is more than the required number of 15,460. The referendum election notice for both will be placed in the Tennessean not before October 5 but no later than October 15.

Motion stated: Commissioner Herzfeld made a motion to approve WIGS referendum for both Nashville and Goodlettsville.

Seconded by: Commissioner DeLanis

Outcome of motion: Passed unanimously

Approve Candidates for Belle Meade, Forest Hills and Goodlettsville

Motion stated: Commissioner Herzfeld made a motion to approve the candidates as presented for the City of Belle Meade, City of Forest Hills and the City of Goodlettsville.

Seconded by: Commissioner Lawson

Outcome of motion: Passed unanimously

Approve Ballot

AOE Wall informed the board of a dilemma with the ballot regarding specific party designation of one of the candidates who has filed a motion in the court system to be listed as a Libertarian rather than Independent. At the present time, there is no court date for this matter nor has it been assigned to a judge. Per a memo from State Coordinator, Mark Goins, dated September 9, 2014, the DCEC is to proceed with the mailing of the military ballots as scheduled.

Discussion ensued among the board regarding the court proceedings and approval of the paper ballot.

Motion stated: Commissioner Starling made a motion to approve the ballot as presented and further, to confirm that AOE Wall be given authority to change the ballot should the court issue a ruling in that regard.

Seconded by: Commissioner Lawson

Outcome of motion: Passed unanimously

Lock Ballot Boxes for Early Voting and Absentee (Only)

Completed by Chairman Buchanan and Commissioner Starling

Administrator's Report

a. Training Schedule/Plan-

- Senior Staff will review officers' evaluations from the August election and implement any necessary changes for the November election
- Officer's Forums September 17th and September 19th
- Poll officials previously trained this year have the option of attending a training class for the November election or not. All new poll officials must attend training in order to work on Election Day.
- Early Voting training will begin on September 29th and Election Day training will begin on October 1st through October 25th.

b. Election Day Changes Re: Phone Bank-

- John Hite will now be heading up the "Phone Bank" and the "Phone Bank" will be staffed with more people.

c. Council Meeting Re: Supplemental- AOE Wall reminded the board that the supplemental budget has not been approved. It is on the Budget and Finance Committee agenda for Monday, September 15, 2014 and on the agenda for the full Council Meeting on Tuesday, September 16, 2014.

Old New/Business

- #### **a. Verification of Write-In Candidate Procedure (J. H. Johnston Complaint)-** Mr. Johnston addressed the board regarding his Administrative Complaint which was filed on August 12,

2014. Mr. Johnston stated there were a number of contests on the August 7th ballot where there was only one (1) candidate and an opportunity for a “write-in”. The problem occurred if a voter were to “write-in” a name of an individual who is not a “Certified Write-In Candidate”. That particular vote would not be counted. Mr. Johnston, on Election Day, requested a list of Certified Write-In Candidates but one was not provided. Mr. Johnston is requesting the following: (1) the DCEC post instructions explaining the state statute that regulates write-in votes; and (2) DCEC provide a list of certified write-in candidates to the Officer of Elections to be posted at each polling location.

(A copy of the complaint file by Mr. Johnston will be attached as part of the official minutes.)

Discussion ensued among the board regarding write-in candidacy procedures and the state statute.

Motion Stated: Commissioner DeLanis made a motion that the complaint was received and taken into consideration but no action was taken at this time.

Seconded by: Commissioner Herzfeld

Outcome of motion: Passed unanimously

“Special Note”- Commissioner DeLanis wanted the minutes to reflect that Mr. Denty Cheatham submitted his own “Administrative Complaint” to the board after the motion was voted on. A copy of Mr. Cheatham’s complaint will be attached to the official minutes.

- b. **Use of COA Sites in November-** Joan Nixon informed the board that Metro Office Building, Metro Southeast and Hermitage Library will be used as Change of Address sites for the November election and staffed accordingly.
- c. **ES & S Contract Change-** DCEC is working on language to be inserted into the contract to address the renting of EPB’s. This matter is to go before the Council for approval. DCEC is looking into the possibility of renting sixty (60) EPB’s for the November election.
- d. **Channel 5 Records Request -** DCEC has received records from two (2) Commissioners. The due date for a response to Channel 5 is September 30, 2014.

Set Date and Time for Next Meeting

The date and time for the next meeting will be at the discretion of the Chairman.

Review Voter Registration Cards

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

Adjourn

Stated motion: Commissioner Herzfeld made a motion to adjourn the meeting.

Seconded by: Commissioner DeLanis

Outcome of motion: Passed unanimously

Tricia Herzfeld, Secretary

