

DAVIDSON COUNTY ELECTION COMMISSION

OCTOBER 9, 2014

The Davidson County Election Commission (DCEC) met at 3:30 p.m. in the Antioch Conference Room on October 9, 2014 at Metro Southeast. Commissioners Ron Buchanan, Jim DeLanis, Jennifer Lawson, A J Starling, and Tricia Herzfeld were present. DCEC staff members included Administrator of Elections (AOE) Wall, Joan Nixon, Bill Hyden, Meredith McKay, Nancy Dekalb, Bobby Medley, Chris Wooton, Jeremy Greene and Kelley Harrison. Nicki Eke of the Metropolitan Department of Law was also in attendance.

Chairman Buchanan convened the meeting.

Approve Minutes from September 10, 2014 Meeting

Motion stated: Commissioner Starling made a motion to approve the minutes from the September 10, 2014 meeting.

Seconded by: Commissioner DeLanis

Outcome of motion: Passed 4-0 (Commissioner Herzfeld was not present at time of voting)

Records Request from Joe Johnston

AOE Wall reported a records request from Joe Johnston dated September 15, 2014; DCEC response on September 23, 2014; and further received a follow-up document from Mr. Johnston dated September 29, 2014 (on file).

Early Voting and Election Day Voter Communications Plan Nancy Dekalb reported that outreach has already started with groups DCEC has worked with to get the word out about Early Voting. Metro Channel 3 is already running Early Voting information and advertising is scheduled in three (3) publications-TN Tribune, GCA weekly newspapers and the Tennessean. An op-ed by Chairman Buchanan is scheduled for the Tennessean.

Report from Metro Council Meetings

Bill Hyden attended the Budget and Finance Committee meeting on Monday, October 6, 2014 and the full Metro Council meeting on Tuesday, October 7, 2014. The contract DCEC had with ES & S for the Electronic Poll Books (EPB's) did not provide for rental of poll books in the event of unexpected loss or need and no protection amendment in case of loss, damage, or vandalism. The Metro Council was asked to approve an amendment to the contract. This request was agreed to and passed both nights without comment/question. The contract was extended until April 2017 and provides for an amount of \$52,600 which equals the set price to rent one hundred (100) EPB's.

Administrator's Report

- a. **Library Policies for Library Voting Sites-** Director of Libraries approached AOE Wall regarding signage placement and campaign worker activities at the libraries during EV and ED. Their policy will be used in EV training. Commissioner Herzfeld had reservations regarding the policy and asked if an attorney had viewed the policy for constitutionality. Nicki Eke stated that the policy was the work of the library's board and the Metro legal staff had reviewed the policy and found it to be constitutional.
Further discussion ensued among the board.
Motion stated: Commissioner Herzfeld made a motion to request an opinion from Metro Legal on the constitutionality of the library's policy.
Seconded by: Commissioner Starling
Outcome of motion: Passed unanimously
- b. **Electronic Poll Book Election Day Plan-** AOE Wall reported that ES & S offered at no charge, an additional sixty (60) EPB's for the November election. DCEC was to pay the freight charges. AOE Wall made the decision to proceed with the shipment.
- c. **Sample Ballots** – Sample ballots were mailed on Tuesday, October 7, 2014.
- d. **"Wait Here" Signs** – Each precinct will receive a "Wait Here" sign to aid in voter traffic control in each precinct.
- e. **Ballot Application-** An updated ballot application will be used at all the EV sites.
- f. **Vacation-** Chairman Buchanan and AOE Wall in November 2013, discussed vacation time. Chairman Buchanan stated that he and AOE Wall agreed to a two (2) week vacation the first year and re-visit the issue after first year of employment. Discussion ensued among the board.
Motion stated: Chairman Buchanan made a motion to give AOE Wall an additional two (2) weeks vacation this year and four (4) weeks vacation each year beginning January 1, 2015.
Seconded by: Commissioner Starling
Outcome of motion: Passed unanimously

Old/New Business

Old Business- Channel 5 was notified that the results of their records request was available on September 26, 2014. DCEC has heard nothing further from the reporter who made the request.

New Business- Memo from State Coordinator, Mark Goins, dated October 3, 2014 dealing with the Libertarian Party lawsuit - proceed with the election as currently set.

New Business- State has made available at no charge a new "I Voted" sticker which will be used during this election along with the "flag" stickers.

New Business- Winter TACEO in Clarksville, TN on Friday, November 21, 2014. No one from DCEC is attending.

New Business- An Affidavit of Truth was delivered to the DCEC on October 7, 2014 by Mr. Dennis Schuelke regarding the residency eligibility of Bill Beck (candidate for State House Dist. 51). Commissioner Starling noted that this matter was addressed thoroughly and voted upon in a previous meeting and no further action needs to be taken.

**Set Date and Time to Unlock Absentee and Early Voting Ballot Boxes
(November 4, 2014 at 9:00 a.m.)**

Motion stated: Commissioner Herzfeld made a motion to unlock Absentee and Early Voting ballot boxes on November 4, 2014 at 9:00 a.m.

Seconded by: Commissioner Lawson

Outcome of motion: Passed unanimously

**Unlock Provisional Ballot Bags and Consolidate
(November 5, 2014 at 9:00 a.m.)**

Motion stated: Commissioner Herzfeld made a motion to unlock provisional ballot bags and consolidate election materials.

Seconded by: Commissioner Lawson

Outcome of motion: Passed unanimously

**Unlock Consolidated Ballot Boxes (Provisional Ballots); Counting Board Meets
(November 10, 2014 at 9:00 a.m.)**

Motion stated: Commissioner Herzfeld made a motion to unlock consolidated ballot boxes (provisional ballots) and have the Counting Board meet on November 10, 2014 at 9:00 a.m.

Seconded by: Commissioner DeLanis

Outcome of motion: Passed unanimously

**Set Date and Time to Certify Election
(November 24, 2014 at 3:00 p.m.)**

Motion stated: Commissioner Herzfeld made a motion to set date and time to certify the election on November 24, 2014 at 3:00 p.m.

Seconded by: Commissioner DeLanis

Outcome of motion: Passed unanimously

Lock Ballot Bags

Chairman Buchanan and Commissioner Starling locked all ballot bags for the election.

Set Date and Time for Next Meeting

Motion stated: Commissioner Herzfeld made a motion to set date and time for the next meeting for November 24, 2014 at 3:00 p.m.

Seconded by: Commissioner Lawson

Outcome of motion: Passed unanimously

Adjourn

With no further business to discuss, Commissioner Starling made a motion to adjourn the meeting. The motion was seconded by Commissioner Lawson and passed unanimously

Secretary, Tricia Herzfeld