

DAVIDSON COUNTY ELECTION COMMISSION

NOVEMBER 24, 2014

The Davidson County Election Commission (DCEC) met at 9:00 a.m. in the Green Hills Conference Room on November 24, 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) Kent Wall, Joan Nixon, Bill Hyden, Courtney Mott, Jenny Simmons, John Hite, Reid Lovell, Jeremy Greene, Bobby Medley, and Kelley Harrison. Nicki Eke of the Metropolitan Department of Law was also in attendance.

Chairman Buchanan convened the meeting.

Approve Minutes from October 9, 2014 Meeting

Motion stated: Commissioner Lawson made a motion to approve the minutes from October 9, 2014 meeting.

Seconded by: Commissioner Starling

Outcome of motion: Passed unanimously

Certify Results of November 4, 2014

Motion stated: Commissioner Starling made a motion to certify the results from the November 4, 2014 election as presented.

Seconded by: Commissioner DeLanis

Commissioner Herzfeld inquired about any general errors or concerns from Election Day. AOE Wall reported that, in general, all seemed to run smoothly with only a few instances of precincts opening late for various reasons (i.e. two involving issues with ePoll books which were solved over the telephone; and three involving precinct accessibility in which custodial representatives arrived late or left the wrong key for access to the precinct).

Outcome of motion: Passed unanimously

Review Library Policy

Chairman Buchanan requested the library policy be reviewed as it relates to elections. AOE Wall stated that the issue is not with the 100 ft. boundary but is rather with the area outside the boundary that is on library grounds. Due to concerns, the board had requested an opinion from Metro Legal on the constitutionality of the library policy.

The Metro Department of Law deemed the policy legal and reasonable given the circumstances.

Commissioner Herzfeld expressed her reservations regarding the legal opinion from the Metropolitan Legal department.

Further discussion ensued among the board.

Motion stated: Commissioner Herzfeld made a motion for the DCEC to retain outside counsel to address the constitutionality of the library policy. The board will submit names of candidates for independent counsel to AOE Wall who will bring the list to the next scheduled meeting for discussion and a decision.

Seconded by: Commissioner Starling

Outcome of motion: Passed 4-1

Chairman Buchanan requested the record reflect his vote of "no".

District Attorney's Response to Alleged Voter Fraud, May 2014 Election

AOE Wall reported on the findings and decision by the Metro DA involving those voters who appeared to have voted twice in the May 2014 election. A letter from the investigator dated November 12, 2014 stated ADA Nathan McGregor had been notified of information discovered thus far and he agreed it represented no widespread irregularities on the part of the voters named in the allegation. The DA's office has chosen not to prosecute those voters.

Cellphone Allowance for AOE Wall

Bill Hyden informed the board that Metro has a new cell phone provider and the monthly reimbursement for cell phone usage by department directors was reduced from \$84.00 per month to \$46.00 per month in line with the contract charge by the new provider. Bill Hyden recommended that since AOE Wall's private carrier charge remained the same and that in order for AOE Wall to have the convenience of using one cell phone rather than 2 (personal and Metro provided), that the board approve a monthly reimbursement for the difference (\$456.00 per year).

Discussion ensued among the board.

No motion was presented.

Administrator's Report

- a. **Office Brunch** – December 11, 2014 at 10:00 a.m.
- b. **Open House for Poll Workers** - This is an event that will be part of an on-going campaign to "stay in touch" with poll officials during the first part of 2015 in the run-up to the August election. It's scheduled for January 30, 2015 from 10 a.m. – 12:00 p.m. Other departments that assisted the DCEC will be invited as well (Sheriff's Department, Office of Emergency Management, etc.).
- c. Also, an Officer's Conference is in the works for March to lay out for all officers the agenda for the 2015 election year and to discuss all coming changes.

Old/New Business

New Business: Commissioner Starling suggested that going forward a few meetings should be identified to provide the opportunity for the board to hear from the public on issues that the DCEC might improve upon.

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

Motion stated: Commissioner Herzfeld made a motion to adjourn the meeting.

Seconded by: Commissioner Lawson

Outcome of motion: Passed unanimously

Tricia Herzfeld, Secretary

