

DAVIDSON COUNTY ELECTION COMMISSION

FEBRUARY 5, 2015

The Davidson County Election Commission (DCEC) met on February 5, 2015 at 3:30 p.m. in the Antioch Conference Room at Metro Southeast. Commissioners Ron Buchanan, Jim DeLanis, Jennifer Lawson, AJ Starling, and Tricia Herzfeld were present. DCEC staff members included Administrator of Elections (AOE) Wall, Joan Nixon, Meredith McKay, Bill Hyden, Jeremy Greene, Reid Lovell, Bobby Medley, Courtney Mott, Nancy DeKalb, John Hite, and Kelley Harrison. Nicki Eke and Lora Fox of the Metropolitan Department of Law were also in attendance.

Chairman Buchanan convened the meeting.

Approve Minutes from November 24, 2014 Meeting

Stated motion: Commissioner Lawson made a motion to approve the minutes from the November 24, 2014 meeting as submitted.

Seconded by: Commissioner Starling

Outcome of motion: Passed 4-0 (Commissioner DeLanis was not present at the time of the vote)

Daniel Horwitz Lawsuit

Chairman Buchanan stated that the DCEC can take no action regarding Mr. Daniel Horwitz's lawsuit because there was no public notice or public hearing regarding the matter of obtaining electronic signatures on petitions.

DCEC Commissioners, AOE Wall, Joan Nixon, Nicki Eke, and Lora Fox excused themselves and went into a thirty-five minute executive session. Due to pending litigation, Mr. Horwitz was not able to address the board.

Review FY'16 Budget and Priorities

AOE Wall presented DCEC accomplishments, goals, and strategic issues for the fiscal year 2015-2016 in the Mayor's Budget Hearings. *The accomplishments are:*

- Successfully conducted (3) three county-wide elections; provided Early Voting and Election Day services for the 250,048 voters (March -November 2014)
- Reconfigured training process; 7,812 student hours (March - November 2014)
- Processed over 35,000 voter registration records and 5,978 Election Day changes of address (January -December 2014)
- Organized, staffed, funded and implemented aggressive effort to recruit new poll officials resulting in over 1,100 new applications (January - October 2014)
- DCEC does and will continue to maintain (2) two office locations

The goals are:

- Conduct free and fair elections for all Davidson County citizens who are eligible to vote

- Continue to seek necessary funding to address DCEC staffing and to increase the Election Day pay scale as well as training rate for all poll officials
- Continue to refine procedures to ensure accurate database
- Improve organizational and management competence and professionalism

The strategic issues are:

- Continue to modernize and improve DCEC technology
- Increase retention rates of poll officials
- Develop, fund and implement aggressive communications program to Davidson County voters concerning the importance of updating registration records
- Continue to aggressively recruit new poll officials
- Continue to seek ways to improve poll official training
- Bring in additional trainers (from poll official roster) to assist with training
- Continue to raise the performance bar in all DCEC endeavors

Bill Hyden explained in detail the Budget Modification Hearing List Report to include breakdown of needed expenses for 2015 August Metropolitan General Election and Early Voting, September Metropolitan General Run-Off Election and Early Voting, March 2016 Presidential Preference Primary and Berry Hill Municipal Election, June 2016 Oak Hill City Election, recruiting program, poll officials compensation increase, training pay adjustment for poll officials, electronic poll book rental, voter outreach campaign and required 3% reduction. The DCEC budget for FY'16 is \$1,866,500.00 after adjustments.

AOE Wall and Bill Hyden will meet with the MB&F Committee on February 18, 2015. AOE Wall and Deputy AOE Joan Nixon will begin to schedule individual meetings with council members.

Discussion ensued among the board.

Motion stated: Commissioner DeLanis made a motion to approve the proposed expense amount of \$1,866,500.00 as recommended.

Seconded by: Commissioner Herzfeld

Outcome of motion: Passed unanimously

Review FY'15 Budget and Expenses Year to Date

Bill Hyden reported that the DCEC CY (current year) Budget as of January 27, 2015 is below budget. DCEC has spent \$2,607,918 of \$4,015,900 budget which includes \$50,000 for the August 2015 Election start up (March – June period).

Call August 6, 2015 Metro General Election and September 10, 2015 Run-Off Election (If Run-Off is Needed)

Motion stated: Commissioner Herzfeld made a motion to call the August 6, 2015 Metro General Election and September 10, 2015 Run-Off Election (if needed).

Seconded by: Commissioner DeLanis

Outcome of motion: Passed unanimously

Set Early Voting Sites, Dates and Times; Early Voting/Election Day

AOE Wall presented staff recommendations of using the same early voting sites as the November 2014 election with (2) two recommended changes of locations:

Casa Azafran to Coleman Park Community Center and Crossings Event Center to Southeast Community Center.

For the August Election, early voting begins July 17 and ends August 1st. Sonny West Auditorium will be open the full (14) fourteen days while the satellite locations will be open (9) days beginning on Thursday, July 23rd. The recommended schedule is as follows:

Howard Office Building (Sonny West Auditorium)

Friday, July 17	8:00 a.m. - 6:00 p.m.
Saturday, July 18	9:00 a.m. - 4:00 p.m.
Monday, July 20	8:00 a.m. - 6:00 p.m.
Tuesday, July 21	8:00 a.m. - 6:00 p.m.
Wednesday, July 22	8:00 a.m. - 6:00 p.m.
Thursday, July 23	8:00 a.m.- 6:00 p.m.
Friday, July 24	8:00 a.m. - 6:00 p.m.
Saturday, July 25	9:00 a.m. - 6:00 p.m.
Monday, July 27	8:00 a.m. - 6:00 p.m.
Tuesday, July 28	8:00 a.m. - 6:00 p.m.
Wednesday, July 29	8:00 a.m. - 6:00 p.m.
Thursday, July 30	8:00 a.m. - 6:00 p.m.
Friday, July 31	8:00 a.m. - 6:00 p.m.
Saturday, August 1	9:00 a.m. - 4:00 p.m.

Recommended satellite locations:

*Belle Meade City Hall
Bellevue Community Center
Bordeaux Library
Coleman Park Community Center
Edmondson Pike Library
Goodlettsville City Hall
Green Hills Library
Hermitage Library
Madison Library
Southeast Community Center*

For the September Election, early voting begins August 21 and ends September 5. Sonny West Auditorium will be open the full (14) fourteen days while the satellite locations will be open (9) days beginning on Thursday, August 27th. The recommended schedule is as follows:

Howard Office Building (Sonny West Auditorium)

Friday, August 21	8:00 a.m. – 6:00 p.m.
Saturday, August 22	9:00 a.m. – 6:00 p.m.

Monday, August 24	8:00 a.m. – 6:00 p.m.
Tuesday, August 25	8:00 a.m. – 6:00 p.m.
Wednesday, August 26	8:00 a.m. - 6:00 p.m.
Thursday, August 27	8:00 a.m. - 6:00 p.m.
Friday, August 28	8:00 a.m. - 6:00 p.m.
Saturday, August, 29	9:00 a.m. - 4:00 p.m.
Monday, August 31	8:00 a.m. - 6:00 p.m.
Tuesday, September 1	8:00 a.m. – 6:00 p.m.
Wednesday, September 2	8:00 a.m. – 6:00 p.m.
Thursday, September 3	8:00 a.m. - 6:00 p.m.
Friday, September 4	8:00 a.m. - 6:00 p.m.
Saturday, September 5	9:00 a.m. - 6:00 p.m.

Recommended satellite locations:

- Belle Meade City Hall*
- Bellevue Community Center*
- Bordeaux Library*
- Coleman Park Community Center*
- Edmondson Pike Library*
- Goodlettsville City Hall*
- Green Hills Library*
- Hermitage Library*
- Madison Library*
- Southeast Community Center*

Discussion ensued among the board.

Motion stated: Commissioner Herzfeld made a motion to table the vote until the next meeting to further discuss the changing of one of the early voting locations (Casa Azafran). Commissioner DeLanis made an amendment to Commissioner Herzfeld’s motion to approve the recommended early voting dates, times and locations for both August and September with the exception of replacing Casa Azafran with Coleman Park and defer the vote on that (1) one location until the next meeting.

Seconded by: Commissioner Lawson

Outcome of motion: Passed unanimously

Discuss Library Policy "Next Steps"

Board decided to defer this agenda item until the next meeting as "old business"

Summary of Election Day Poll Location Changes

Bobby Medley addressed the board with (4) four precinct changes. All voters affected will receive new voter registration cards.

17-4 Second Missionary Baptist Church to Sevier Park Community Center. This was a temporary move due to construction of Sevier Park
 19-6 Napier School to MOB. This precinct has only (8) eight registered voters and our DCEC personnel at MOB will be able to process those voters.

32-4 Old Southeast Library to New Southeast Library. The old library is no longer available.

33-5 Faith Life Church to Antioch High School. Merging 33-5 into precinct 33-3 due to uncertainty of the Faith Life facility.

Motion stated: Commissioner Starling made a motion to accept the (4) four precinct changes as presented.

Seconded by: Commissioner DeLanis

Outcome of motion: Passed unanimously

Discuss Candidates' Fundraising for Run-Off Election

In October of 2014, the Bureau of Ethics and Campaign Finance contacted Joan Nixon stating they've received an inquiry regarding candidates running for a local office and whether they are able to raise/spend monies for the Run-Off Election. Drew Rawlins of the Registry of Election Finance informed our office that raising monies for the Run-Off Election is prohibited because the Run-Off Election (TBD-August 6, 2015) is not a regularly statutory election. Once it is determined a Run-Off Election (TBD- August 6, 2015) is necessary, the candidates may begin raising/spending monies.

Joan Nixon sent out notices to all of the candidates informing them of this information.

DCEC Policy, Electronic Devices in Polling Locations

Board decided to defer this agenda item until the next meeting as "old business".

Candidates' Forum- February 27, 2015

DCEC will host a Candidates' Forum on February 27, 2015 from 9:00 a.m. - 12 Noon for those who've appointed a treasurer for the August 6th Election. This forum will give the candidates the opportunity to receive information regarding a variety of topics such as nominating petitions, campaign literature, how to obtain election totals at the end of Election Day, etc.

Online Posting of Candidate Financial Statements

Joan Nixon reported that beginning next week, campaign financial statements filed on Monday, February 2, 2015 and going forward will now be scanned and available for viewing on our website.

Custodial Contracts

Bobby Medley reported that custodians of those metro schools which are used as Election Day polling locations are under contract and are being paid through the school board to open the polls early on all Election Days.

Upgrading DCEC Phone System

Jeremy Greene informed the board that DCEC has been working with Metro ITS Department to upgrade our phone system. The new phone system (equipment, routing and menu selection) will be in place by the end of February.

Update-Alleged May Election Voter Fraud

During the previous DCEC meeting, AOE Wall recapped the investigative report that was submitted to the District Attorney's office. State Coordinator, Mark Goins, did not agree with the findings stated on the investigative report. AOE Wall asked Joan Nixon to re-verify the signatures and other election documents of the (6) six voters who allegedly voted twice in the May 2014 Election. With the exception of (1) one who is now deceased, all of the signatures matched.

State Coordinator Goins asked that the board consider re-opening this issue and if agreed, re-submit the information to the District Attorney's office for prosecution.

Discussion ensued among the board.

Motion stated: Commissioner Buchanan made a motion to refer the voters' names and supporting documents to the District Attorney's office with recommendation that they be re-investigated and if warranted, prosecuted.

Seconded by: Commissioner DeLanis

Outcome of motion: Passed 4-1 (Commissioner Herzfeld voted no)

Administrator's Report

AOE Wall asked to defer this agenda item to the next meeting as "old business".

Old/ New Business

None stated

Set Date and Time for Next Meeting

The date and time of the next meeting was set for March 26, 2015 at 3:30.

Adjourn

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

Seconded by: Commissioner DeLanis

Outcome of motion: Passed unanimously

Secretary, Tricia Herzfeld