

DAVIDSON COUNTY ELECTION COMMISSION

MARCH 26, 2015

The Davidson County Election Commission (DCEC) met on March 26, 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) Kent Wall, Joan Nixon, Reid Lovell, Jeremy Greene, Bobby Medley, John Hite, Lisa Pierce, Carlatina Hampton, Nancy DeKalb, Meredith Mc Kay and Kelley Harrison. Nicki Eke of the Metropolitan Department of Law was also in attendance.

Chairman Buchanan convened the meeting.

Approve Minutes from February 5, 2015 Meeting

Stated motion: Commissioner Lawson made a motion to approve the minutes from the February 5, 2015 meeting as submitted.

Seconded by: Commissioner Starling

Outcome of motion: Passed unanimously

AOE Wall introduced Lisa Pierce to the board as our Community Engagement Manager. Lisa will be responsible for the core message points: register to vote, be sure your voter registration information is current and DCEC is hiring poll officials. Meredith McKay will be assisting Lisa as an expansion of her duties. Nancy DeKalb will continue to manage all messaging.

Candidate Forum Results

Joan Nixon reported that on February 27, 2015, DCEC held a Candidates' Forum from 9 a.m. to Noon at Metro Southeast. It was well received and over 100 people attended (candidates or candidates' representative). A follow-up forum is being considered in the spring for those who had not then picked up petitions or were not able to attend the February forum.

Poll Officials as Employees

In early 2014, Commissioner DeLanis posed a question as to why potential poll officials have to provide so much paperwork (i.e. original social security card, TN driver license, Form I-9 and Form W-4). This December, John Hite undertook to investigate and report his findings. John reported that Metro Human Resources will not accept any other documentation for hiring Poll Officials other than an original signed social security card, TN driver license, I-9 and W-4. Metro requires an applicant's original social security card for Internal Revenue Service (IRS) tax reporting, even though the original is optional per the IRS. Metro also requires a TN driver license because they do not participate in E-Verify.

Conclusion: Metro HR is unlikely to change its requirements any time soon despite the commission's requests.

Approve Precinct 1-02

Bobby Medley reported that due to summer programs/conflicting schedules officials at current precinct 1-2 have asked DCEC to find another voting location. Denton's Chapel on 4550 Dry Fork Road agreed to a two (2) election trial basis. Signs will be placed at former location directing voters to the new one and voters will be mailed new voter registration cards.

Motion stated: Commissioner Herzfeld made a motion to approve Denton's Chapel as the new voting location for precinct 1-02.

Seconded: Commissioner DeLanis

Outcome of motion: Passed unanimously

Absentee Voting by College Students

Chairman Buchanan received an email from Congressman Cooper's office regarding a college bound student who requested an absentee ballot to vote but was denied due to his registered to vote status ("by mail"). It is state law that if a voter registers "by mail", that voter must appear and vote "in person" the first time and is not eligible to vote by absentee ballot. If a voter registers "in person" or with a motor voter agency, the voter is eligible to vote by absentee ballot. Chairman Buchanan asked if the commission is doing all it can to get this information out to potential voters.

Joan Nixon stated that she has reached out to the colleges in prior times by conducting voter registration drives on various college campuses and explaining the voter registration process.

Discussion ensued among the board.

AOE Wall suggested that the staff take a look at this subject and report back with a recommendation at the next scheduled meeting. The board agreed.

Administrator's Report

- a. **FY16 Budget Process:** AOE Wall reported that the FY'16 DCEC budget approved in February was then submitted to Metro Budget and Finance shortly thereafter. AOE Wall and Joan Nixon have met (separately) with the following Council members: Steve Glover, Bill Pridemore (Finance Chairman), Doug Pardue, Lonnell Matthews, Erica Gilmore and Ronnie Steine. Councilman Steine suggested AOE Wall meet with Jon Cooper to explain the FY'16 Budget request. AOE Wall solicited help from the commissioners to reach out to other council members. Chairman Buchanan, AOE Wall, Bill Hyden and Joan Nixon met with Rich Reibel, Director of Metro Finance and Talia Lomax, Assistant Director of Metro Finance on March 25, 2015. The Mayor's Hearing for DCEC is April 1, 2015 at 1:30 p.m. and the Council Hearing for DCEC is May 20, 2015 at 5:30 p.m.
- b. **Pending Legislation:** There is pending legislation: (1) to change the voter registration deadline prior to an election from thirty (30) days (which it is currently) to fifteen (15) days. Estimated cost per election to Davidson is, \$48,000; (2) "No Excuse Absentee Voting" which would allow any voter to vote by absentee ballot. In the beginning, the cost to Davidson would be \$21,000 per election but as the word spread the work load and cost would increase; (3) "Electronic Devices in Polling Locations". This specifically limits the use of how an electronic device is used inside a polling location. The issue is how would the DCEC enforce this law (if passed)? If this legislation passes, DCEC will seek guidance from the State Election Commission.
- c. **FYI Petition Activity:** The board was issued a courtesy copy of an active petition being circulated, "Our Local Tax Dollars Should Hire Davidson County Residents First!" Councilwoman Emily Evans has once again indicated her intention to push forward a petition dealing with the size of the Metro Council.
- d. **Poll Official Open House:** Over 500 people were in attendance including five (5) council members and one (1) Mayoral candidate.
- e. **Rollow Mickle Lawsuit:** AOE Wall and Chairman Buchanan received an email on March 26, 2015 from Metro Legal stating Rollow Mickle's attorney is filing a motion to withdraw as Mr. Mickle's counsel.

- f. **Staying in Contact with Poll Officials:** A roundtable discussion took place on March 24 and March 25 with selected Change of Address (COA) clerks. A briefing for all Poll Officers is scheduled for April 30 and May 1 (1 day each group).
- g. **High School Supplemental Voter Registration Program:** In 2014, DCEC decided to handle High School Registration in a different way. As a result, DCEC set a record in terms the number of high school students that registered to vote. For 2015, this effort will be ramped up. Carlatina Hampton distributed a list of the high schools where DCEC staff and volunteers will be conducting high school voter registration drives. She will conduct a training session for the volunteers on April 9 from 9:00 a.m. – 11:00 a.m. at Metro Southeast. The public high schools are scheduled for registration on April 14 and the private schools on April 15. Hillsboro High School will launch the 2015 drive on April 2 to include local media.

Old/New Business

- DCEC Policy, Electronic Devices in Polling Locations: Addressed in Administrator’s Report
- Early Voting Site Decision: Coleman Park Community Center or Casa Azafran: This agenda item was deferred from the previous meeting. AOE Wall stated a major complaint from voters was inadequate parking and voters being threatened to have their cars towed. Therefore, the staff’s recommendation is to use Coleman Park Community Center. Renata Soto, Director of Casa Azafran, addressed the board regarding the parking concern at Casa Azafran. She stated there are multiple tenants at Casa Azafran and she’s reached out to them. The other tenants have agreed to park elsewhere to free up 74 parking spaces for voters. Council Member, Sandra Moore, also emailed the board requesting Casa Azafran be retained as an early voting location. Discussion ensued among the board.
Motion stated: Commissioner Herzfeld made a motion for DCEC to use Casa Azafran as an early voting site for both August and September elections.
Seconded by: Commissioner Starling
Outcome of motion: Passed unanimously
- May Voters Referred to District Attorney General: In the last meeting, the commissioners voted to re-refer the names of those May voters to the District Attorney General’s office. DAG Glen Funk met with AOE Wall on March 4 and asked to be placed on the agenda for next month’s meeting (April). Another meeting is scheduled for March 27.

Review Registration Cards

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

Set Date for Next Meeting

The next meeting was set for Monday, April 20, 2015 at 4:00 p.m.

Adjourn

With no further business to be discussed, Chairman Buchanan asked for a motion to adjourn the meeting.

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

Seconded by: Commissioner DeLanis

Outcome of motion: Passed unanimously

Tricia Herzfeld, Secretary