

DAVIDSON COUNTY ELECTION COMMISSION

APRIL 20, 2015

The Davidson County Election Commission (DCEC) met on April 21, 2015 at 4:00 p.m. in the Bordeaux Conference Room at Metro Southeast. Commissioners Ron Buchanan, Jennifer Lawson, A J Starling, Jim DeLanis and Tricia Herzfeld were present. DCEC staff members included Administrator of Elections (AOE) Kent Wall, Joan Nixon, Bill Hyden, Bobby Medley, Carlatina Hampton, Courtney Mott, Nancy DeKalb, Reid Lovell, Meredith McKay, John Hite and Kelley Harrison. Lora Fox of the Metropolitan Department of Law, District Attorney General Glenn Funk and Assistant Attorney General Nathan McGregor were also in attendance.

Chairman Buchanan convened the meeting.

Elect Chairman

Motion stated: Commissioner Starling made a motion to nominate Ron Buchanan as Chairman of the Davidson County Election Commission.

Seconded by: Commissioner Lawson

Outcome of motion: Passed 4-0 (Chairman Buchanan abstained from the vote)

Elect Secretary

Motion stated: Commissioner Starling made a motion to nominate Tricia Herzfeld as Secretary of the Davidson County Election Commission.

Seconded by: Commissioner Lawson

Outcome of motion: Passed 4-0 (Commissioner Herzfeld abstained from the vote)

Approve Minutes from March 26, 2015 Meeting

Motion stated: Commissioner Lawson made a motion to approve the minutes from March 26, 2015 meeting as presented.

Seconded by: Commissioner Herzfeld

Outcome of motion: Passed unanimously

Amend Hours of Early Voting for the August and September Elections

Joan Nixon referenced a portion of statute TCA 2-6-103 (b)1 & 2 which states during the early voting period and for at least three (3) days, the hours of operation must be until 7:00 p.m. and on one (1) Saturday the hours of operations must be 8:00 a.m. – 4:00 p.m. Below is the staff recommendation for an amended early voting schedule.

Early Voting for the August Election

<i>Saturday, July 18</i>	<i>8:00 a.m. – 4:00 p.m.</i>
<i>Tuesday, July 21</i>	<i>8:00 a.m. – 7:00 p.m.</i>
<i>Thursday, July 23</i>	<i>8:00 a.m. – 7:00 p.m.</i>
<i>Saturday, July 25</i>	<i>8:00 a.m. – 4:00 p.m.</i>
<i>Tuesday, July 28</i>	<i>8:00 a.m. – 7:00 p.m.</i>
<i>Thursday, July 30</i>	<i>8:00 a.m. – 7:00 p.m.</i>
<i>Saturday, August 1</i>	<i>8:00 a.m. – 4:00 p.m.</i>

Early Voting for the September Election (If needed)

Saturday, August 22 8:00 a.m. – 4:00 p.m.

Tuesday, August 25 8:00 a.m. – 7:00 p.m.

Thursday, August 27 8:00 a.m. – 7:00 p.m.

Saturday, August 29 8:00 a.m. – 4:00 p.m.

Tuesday, September 1 8:00 a.m. – 7:00 p.m.

Thursday, September 3 8:00 a.m. – 7:00 p.m.

Saturday, September 5 8:00 a.m. – 4:00 p.m.

Motion stated: Commissioner Herzfeld made a motion to accept the amended early voting hours for both August and September elections.

Seconded by: Commissioner DeLanis

Outcome of motion: Passed unanimously

District Attorney General Glenn Funk-Report on Issues Surrounding May Election

District Attorney General Glenn Funk stated there were six (6) individuals identified as having voted twice in the May 2014 Primary Election which were brought to his attention by AOE Wall. A follow-up investigation was conducted by Assistant Attorney General McGregor to re-examine the circumstances. Of the six (6) voters, one (1) has subsequently passed away. A letter was sent to the remaining five (5) voters asking them to contact Assistant Attorney General McGregor directly. Assistant Attorney General McGregor presented the board with his findings:

Voter #1 (Last name: Sanders)- Age 73; Documents reflect he voted early at Bordeaux Library on April 29, 2014 and on May 6, 2014. He asked a poll official if he could leave to retrieve his reading glasses and does not recall pushing the “vote” button and does not recall voting again on Election Day (May 6, 2014). He was very apologetic and assured Assistant Attorney General McGregor he had no intention of voting twice.

Voter #2 (Last name: Martin)- Age 80 ;Documents reflect she voted early at Edmondson Library on April 30, 2014 and again on May 6, 2014. Ms. Martin’s son phoned Mr. McGregor and stated his mother has dementia and unable to live on her own and how resides with him. According to her son, Ms. Martin went to vote on May 6, 2014 with a friend and had no intention of voting twice.

Voter #3 (Last name: Green)- Age 67; Documents reflect he voted early at Bordeaux Library on April 28 2014 and again on May 6, 2014. Mr. Green denies voting twice and expressed his displeasure that someone may have voted for him. He assured Assistant Attorney General McGregor that he voted only once.

Voter #4 (Last name: Grindon)-Age 47; Documents reflect he voted early at Howard Office Building on April 23, 2014 and again on May 6, 2014. He attempted to vote for a friend in the Oak Hill Municipal Election and was confident he did not vote the primary ballot. He stated if he did vote improperly, that was not his intention.

Voter #5 (Last name: Hill)- Age 64; Documents reflect she voted early at Bordeaux Library on April 28, 2014 and again on May 6, 2014. She was initially unable to be located. The Assistant Attorney General’s letter was mailed to the address on file which was forwarded to her current address in Indianapolis, Indiana. She phoned Mr. McGregor and stated she does not recall voting twice and had no idea how her name appeared on the sets of documents.

Discussion ensued among the board and with District Attorney General Funk.

Conclusion: District Attorney General Funk has decided not to prosecute those voters who voted twice because there was “*no intent to defraud the system*”.

Administrator’s Report

- FY’16 Budget Process – AOE Wall met with Talia Lomax, Deputy Finance Director, at her request on April 9, 2015 to re-visit DCEC submission of the Budget modifications.
- In the past weeks, AOE Wall and Joan Nixon and Bill Hyden conducted a number of individual meetings with Councilmembers regarding DCEC FY’16 budget request.
- **Important Events/Dates:**
 - April 1, 2015 – Mayor’s Hearing
 - May 4, 2015 – Meeting with Rich Riebeling at 2:00 p.m.
 - May 20, 2015 – Council Hearing at 5:00 pm
- Absentee Voting by College Students– Joan Nixon met with Courtney Mott, Nancy DeKalb, and Lisa Pierce to determine what more could be done to clarify the process. Joan Nixon recommended creating a brochure with relevant information on this subject. (i.e. explaining difference in registering to vote “by mail” or “in-person”); posting absentee voting procedures on DCEC website; and sending a letter to organizations/individuals who host voter registration drives explaining voter registration procedures.
- Candidates refunding money from Run-Off election–Joan Nixon sent a letter to those candidates who raised monies for the September Run-Off election. The letter stated any monies raised for the Run-Off election must be refunded to the contributor and an amended financial disclosure submitted to the DCEC by April 24, 2015.
- High School Supplemental Registration–During April 13th and April 14th, Carlatina Hampton and her volunteers registered 1,022 high school students (589-Public Schools; 433-Private Schools). Another high school supplemental registration will be scheduled for mid-January 2016 prior to the March ‘16 Presidential Primary.
- Electronic Devices in Polling Locations–AOE Wall reported that both the State House and State Senate passed a law permitting the use of electronic devices in polling locations for “informational purposes only”. The effective date is January 1, 2016.
The staff will develop a recommendation to be presented at the next scheduled meeting regarding whether or not to keep the current policy for the August/September 2015 cycle or whether to begin implementation of the new law.

Old/New Business

Motion stated: Commissioner DeLanis made a motion to maintain the status quo regarding Chairman Buchanan and Commissioner Starling continuing their duties as custodians of the ballot box keys.

Seconded by: Commissioner Herzfeld

Outcome of motion: Passed unanimously

Set Date and Time for Next Meeting

The next meeting will be called at the discretion of the Chairman.

Adjourn

With no further business to be discussed, Chairman Buchanan called for a motion to adjourn.

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

Seconded by: Commissioner Lawson

Outcome of motion: Passed unanimously

Tricia Herzfeld, Secretary