

DAVIDSON COUNTY ELECTION COMMISSION

“SPECIAL CALLED” MEETING

February 12, 2016

The Davidson County Election Commission (DCEC) met on February 12, 2016 at 3:00 p.m. in the Antioch Conference room at Metro Southeast. Commissioners AJ Starling, Jim DeLanis, Jennifer Lawson, Tricia Herzfeld and Jesse Neil were present. DCEC Staff present included: AOE Wall, Joan Nixon, Meredith McKay, Nancy DeKalb, Bobby Medley, John Hite, Courtney Mott, Jeremy Greene, Reid Lovell, Lisa Pierce, Bill Hyden and Kelley Harrison. Lora Fox and Nicki Eke of the Metropolitan Department of Law were in attendance as was Jane Madden of Metro Human Resources Department.

Acting Chairman Starling convened the meeting and decided to take agenda items out of order. He welcomed newly appointed board member, Commissioner Jesse Neil, to the Commission.

Chairman Starling entertained a motion to elect a chairman to fill the vacancy.

Stated motion: Commissioner Lawson made a motion to nominate Commissioner Jim DeLanis as chairman. With no further nominations, a vote was taken.

Outcome of motion: Passed unanimously

Chairman DeLanis thanked Commissioner Starling for his service as interim chair. He then proceeded with the business at hand.

Call the election for Metro Council District 1 to fill a vacancy

AOE Wall received a letter dated February 3, 2016 from Shannon Hall, Metropolitan Clerk, which notified DCEC of the vacancy in Council District 1 due to the resignation of Loniel Greene. With Council District 1 being vacant, an election has to be called to fill the office and be placed on the August 4, 2016 ballot.

Attorney Jamie Hollin asked to be recognized by the chair to make a presentation. Mr. Hollin cited Tennessee statutes and the Metro charter questioning the date of the election to fill the vacancy of Council District 1. He suggested a stand-alone “special election” be held in April 2016.

Discussion ensued among the board.

Stated motion: Commissioner Starling made a motion to call the election to fill the vacancy in Council District 1 and be placed on the August 4, 2016 ballot.

Seconded by: Commissioner Lawson

Outcome of motion: Passed unanimously

Review of assistance available from Metro HR for AOE search

Jane Madden of Metro Human Resources Department expressed her willingness to work with the DCEC regarding the AOE search. Once the posting has been approved, HR will post and coordinate online applications/resumes.

Chairman DeLanis stated the AOE position has been posted on the Center for Non-Profit Management's website and the posting fee was \$150.00.

Stated motion: Commissioner Lawson made a motion to incur the expense necessary to post the AOE vacancy with the Center for Non-Profit Management.

Seconded by: Commissioner Starling

Outcome of motion: Passed unanimously

Continuation of discussion of Weather Emergency Policy

AOE Wall has spoken several times with Mark Goins, State Coordinator of Elections, and regardless if significant adverse weather occurs on Election Day, Mr. Goins' position is that the March 1, 2016 election will be held as scheduled. This will require additional planning and coordination with other agencies, such as Public Works.

Chairman DeLanis called up for discussion the topic of Internal Financial Controls. A discussion of the need to look at internal financial control procedures including the need to seek more clarity from Metro Finance regarding such procedures ensued. Commissioner Herzfeld identified areas where changes could be made so the board will be more aware and informed of internal financial matters and requested the following:

- Board receive line item breakdown of proposed budget that is presented to the Mayor and Metro Council
- Quarterly or once a month, Board receive and review credit card charges accompanied with supporting documentation
- Board receive a report of any expenditures of credit card charges exceeding \$100.00.

Commissioner Starling stated his view of the need for the Commission to have its own controls in light of what he had learned recently. Commissioner Lawson asked whether the Commission could pass its own controls.

The Commission requested the guidance of attorney Eke on the issue of what type of financial control policies or guidelines Metro would accept. She stated that the Commission could adopt policies so long as they were more stringent than Metro's policies and were not inconsistent with Metro's policies.

Chairman DeLanis distributed to the Commissioners a copy of the Metro guidelines for credit card usage and other pertinent guidelines.

The Commission reached a consensus to review those materials and to consider adopting its own financial control guidelines at its next meeting.

Commission Herzfeld asked Mr. Wall if he had written any checks to Metro following the controversy. Mr. Wall reported that he had tendered a check to Metro in the range of \$200.00 in connection with the credit card issue.

Commissioner DeLanis identified a series of potential topics for financial control guidelines: in-house training on the guidelines for the use of the credit cards; a specific limit on the amount per person per meal; only the Commissioners as a body could waive that monetary limit; and a review of State policies governing the State Election Commission.

Stated motion: Commissioner Lawson made a motion to request a copy of the audit performed by the Crosslin accounting firm of Metro credit card usage in 2015.

Seconded by: Commissioner Herzfeld

Outcome of motion: Passed unanimously

Chairman DeLanis acknowledged his receipt of one set of the ballot box keys and Mr. Starling acknowledged his continued possession of the other set of ballot box keys.

Upon motion made, duly seconded, the Commission set its next meeting for February 19, 2016 at 3:00 p.m. to further consider financial control guidelines and the AOE search, among other issues to be noticed.

With no further business to discuss, the meeting adjourned.

Tricia Herzfeld, Secretary