



**SHELBY COUNTY ELECTION COMMISSION
REGULAR COMMISSION MEETING MINUTES**

February 28, 2022

The regular meeting of the Shelby County Election Commission was held on February 28, 2022, at the Shelby County Election Commission, O.C. Pleasant, Jr. Operations Center, 980 Nixon Drive, at 4pm. This meeting was recorded on Facebook live.

MEETING CALLED TO ORDER: By Chairman Taylor at 4:00pm.

PLEDGE OF ALLEGIANCE

COMMISSIONERS PRESENT: Commissioners Lee, Smith, Stamson, and Uhlhorn

OTHERS IN ATTENDANCE:

Linda Phillips, AOE	Joan Thomas
Joe Young, DAOE	Rose Ann Bradley
Jacob Swatley, Attorney	Barbara Williams
Ron Boozer, staff	Aerris Newton
Sherry Hewlett, staff	Jeffrey Lichtenstein
Michael Hewlett, staff	Jeff Etheridge
Abigail Warren, Media	Theryn Bond
Jackson Baker, Media	Meggan Kiel
Nancy Tapp	Cherie Pyron
George Boyington	Jina Sanders
Joseph Weinberg	Michael Fletcher
Erika Sugarmon	Sandra Oats
Javier Bailey	

APPROVAL OF JANUARY 24, 2022 REGULAR MEETING MINUTES:

MOTION STATED: Commissioner Smith made a motion to approve the minutes.

SECONDED BY: Commissioner Uhlhorn

OUTCOME OF MOTION: Passed Unanimously.

APPROVAL OF JANUARY 31, 2022 SPECIAL MEETING MINUTES:

MOTION STATED: Commissioner Smith made a motion to approve the minutes.

SECONDED BY: Commissioner Lee

OUTCOME OF MOTION: Passed Unanimously.

PUBLIC COMMENT ON NON-AGENDA ITEMS:

No Public Comments on Non-Agenda Items.

RESOLUTION 2022-4 – RESOLUTION TO APPROVE POLLING LOCATIONS FOR MAY 3, 2022 ELECTION

MOTION STATED: Commissioner Smith

SECONDED BY: Commissioner Lee

OUTCOME OF MOTION: Passed Unanimously

AOE Phillips presented process and difficulties in securing proposed polling locations.

Commissioner's comments/questions on process to arrive at final proposed list of locations.

Commissioner Smith asked about number of locations that would fall outside of precinct boundaries. AOE Phillips stated that there are six polling locations that are outside precinct boundaries, but within the three-mile limit that the law allows. Further discussion and explanation on the process and resulting location decisions.

Commissioner Lee asked if there was voter data/demographics for new precinct areas and if it was used to consider new poll location equitability. AOE Phillips confirmed that it was available and considered.

Public Comments:

Joseph Weinberg

Erika Sugarmon

RESOLUTION 2022-8 – RESOLUTION TO CERTIFY CANDIDATES FOR THE MAY 3, 2022 PRIMARY - AMENDED

MOTION STATED: Commissioner Uhlhorn

SECONDED BY: Commissioner Stamson

OUTCOME OF MOTION: Passed unanimously as amended.

AMENDMENT MOTION: Commissioner Uhlhorn

AMENDMENT SECONDED BY: Commissioner Stamson

OUTCOME OF MOTION: Passed unanimously.

RESOLUTION 2022-8 AMENDED to remove R. Bount from list of candidates until challenge is resolved. If resolved in favor of his appeal his name will be added to certified candidates.

AOE Phillips presented list of candidates for certification. Democratic candidates L. Williams and M. Alexander-Williams, Jr. were removed after notice from Bureau of Campaign Ethics and Finance that they were not eligible. Sheriff candidate F. Bonner was approved by POST. Notified

by Tennessee Coordinator of Elections, Republican candidate J. Carpenter has been challenged, awaiting appeal decision.

Public question came to the floor regarding candidate names and the process of determining how the names appear on the ballot. Resolved, SCEC will send a letter to candidates to verify name information as it appears on the ballot.

Public Comments:

George Boyington

Javier Bailey: Burgess Campaign challenge candidacy of R. Blount.

Theryn Bond

RESOLUTION 2022-5 – RESOLUTION TO APPROVE EARLY VOTING LOCATIONS, DATES, TIMES, NUMBER OF PERSONNEL AND NUMBER OF VOTING MACHINES ASSIGNED TO EACH EARLY VOTING LOCATION FOR MAY 3, 2022, SHELBY COUNTY PRIMARY ELECTION - AMENDED

MOTION STATED: Commissioner Smith

SECONDED BY: Commissioner Lee

OUTCOME OF MOTION: Passed unanimously as amended.

AMENDMENT MOTION: Commissioner Stamson

AMENDMENT SECONDED: Commissioner Smith

VOTE TALLY: Taylor – Nay; Smith – Yea; Lee – Yea; Stamson – Yea; Uhlhorn - Nay

OUTCOME OF MOTION: Passed

RESOLUTION 2022-5 AMENDED to have SCEC staff research the proposed non-church locations for availability and if available to add these locations to the early voting schedule on Saturday, April 16, 2022.

AOE Phillips presented Early Voting Schedule and discussed the calendar holidays that fall within early voting in 2022 with supporting data.

Commission questions and comments on location availability, voter accessibility and trends. Commission discussion on location availability and possibility of available locations on Saturday, April 16, 2022.

Public Comments:

Jina Sanders

Meggan Kiel

Jeffrey Lichtenstein

Aerris Newton

Jeff Etheridge

Joseph Weinberg

RESOLUTION 2022-7 – RESOLUTION TO ELIMINATE ZONE TRANSMISSION OF UNOFFICIAL RESULTS FOR THE MAY 3, 2022 ELECTION

MOTION STATED: Commissioner Smith

SECONDED BY: Commissioner Lee

OUTCOME OF MOTION: Passed unanimously.

AOE Phillips presented the history and process of zone transmission of unofficial results. She also added that new technology has made zone transmission unnecessary and this would be an opportunity to test the new process for this one election before a much larger election.

Commission discussion on new process and differences from zone transmission process.

Public Comment:

Joseph Weinberg

RESOLUTION 2022-6 – RESOLUTION TO ADOPT CONFLICT OF INTEREST POLICY

MOTION STATED: Commissioner Uhlhorn

SECONDED BY: Commissioner Stamson

OUTCOME OF MOTION: Passed unanimously.

AOE Phillips presented proposed policy. She explained the possibility of employee conflict with candidates and the voting process and how this would be resolved in the proposed policy.

Commissioner Lee questioned poll worker and staff contingency plans. AOE Phillips confirmed plans in place.

OLD BUSINESS:

- A. Chairman Taylor opened old business with discussion on press briefing earlier today, February 28, 2022, on the subject of a compromise with the Shelby County Commission regarding voting machine lawsuit. He stated that Shelby County Commission Chairman, Willie Brooks, initiated discussion of a compromise. Chairman Taylor recommended Resolution 2022-09 and explained how this would communicate to the County Commission the particulars of a compromise. A quick resolution by March 21, 2022 would provide time for implementation of new voting machines for the August and November 2022 elections. Upon approval, Resolution 2022-09 would be forwarded to Shelby County Commission.

RESOLUTION 2202-09 – RESOLUTION OF UNDERSTANDING REGARDING ELECTION EQUIPMENT

MOTION STATED: Commissioner Smith

SECONDED BY: Commissioner Lee

VOTE TALLY: Taylor – Yea; Smith – Abstain; Lee – Nay; Stamson – Yea; Uhlhorn – Yea

OUTCOME OF MOTION: Passed.

Commission discussed lawsuit status and result of a compromise; possible requests from SCEC and County Commission; Pros and cons of lawsuit versus compromise.

Public Comments:

Jina Sanders
Erika Sugarmon
Joan Thomas
Joseph Weinberg

- B. Further old business brought to floor by Commissioner Smith asking status of letter from current voting machine vendor regarding machine support. AOE Phillips stated that TN State Election Commission has promise of vendor support in public minutes.

ATTORNEY'S REPORT:

Attorney Swatley stated we are in litigation with Shelby County Commission re: purchase of new voting equipment.

ADMINISTRATOR'S REPORT:

Due to the lateness of the hour, AOE Phillips will distribute her report. Copy attached for the record.

CHAIRMAN'S REMARKS:

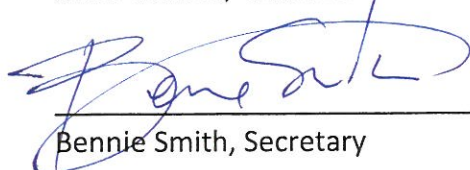
Chairman Taylor read in to record his letter of resignation that was submitted to Judy Blackburn, Chairwoman, TN State Election Commission on February 28, 2022. Copy attached for the record.

Sharing of best wishes to the Chairman followed statement.

ADJOURNMENT:

Motion made to adjourn by Commissioner Smith, seconded by Commissioner Lee.
Meeting adjourned at 7:18pm.

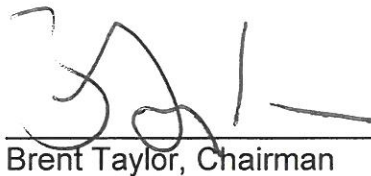

Mark Luttrell, Chairman Date 3.28.22


Bennie Smith, Secretary Date 3/28/22

RESOLUTION TO APPROVE POLLING LOCATION FOR MAY 3, 2022 ELECTION

WHEREAS, these polling locations (see Appendix) have consented to the use of their facilities as an election day polling locations, have passed the ADA checklist, and meet the Election Commission site standards and,

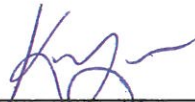
NOW, THEREFORE, BE IT RESOLVED BY THE SHELBY COUNTY ELECTION COMMISSION that Pursuant to TCA § 2-3-101, the county election commission shall mail to each active voter whose polling place is changed a notice of the voter's new polling place and precinct number. Each active voter will be mailed a notice of his or her polling place location change no later than April 3, 2022.



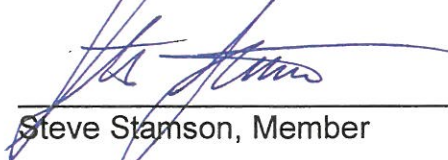
Brent Taylor, Chairman



Bennie Smith, Jr, Secretary



Kendra Lee, Member



Steve Stamson, Member



Frank Uhlhorn, Member

Adopted: February 28, 2022

ITEM #: 2022-8

PREPARED BY: Linda Phillips

APPROVED BY: Linda Phillips

**RESOLUTION TO CERTIFY CANDIDATES FOR THE
MAY 3, 2022 PRIMARY - AMENDED**

WHEREAS, TCA §2-5-204 requires the Election Commission to place names of all qualified candidates on the ballot; and

WHEREAS, the Election Commission has been notified that the Republican Party wishes to have the name of Jordan Carpenter removed from the primary ballot; and

WHEREAS, TCA § 2-2-5-204 (b)(2)(B) describes the process by which a candidate may appeal the determination of a political party and that appeal is still undergoing; and

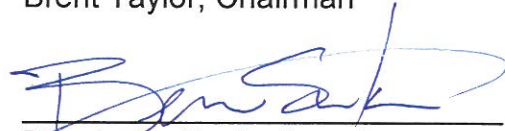
NOW, THEREFORE, BE IT RESOLVED BY THE SHELBY COUNTY ELECTION COMMISSION, that the list of candidates attached as Appendix A is certified for inclusion on the May 3, 2022 ballot; and

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE SHELBY COUNTY ELECTION COMMISSION, that if the notification is received from the State Republican Party that the appeal of Jordan Carpenter was successful, his name will be placed on the ballot.


AMENDED by the Election Commission during the SCEC Regular meeting, February 28, 2022, to reflect the challenge by the Melvin Burgess Campaign regarding eligibility of candidate, Roderic Blount. Candidate, Roderic Blount, will not at this time be

certified as a candidate for the May 3, 2022 primary election. Candidate, Roderic Blount, may be certified if challenged is resolved in favor of Roderic Blount.

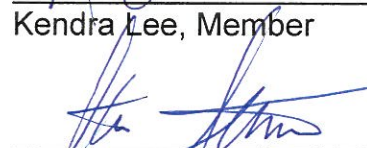
Brent Taylor, Chairman



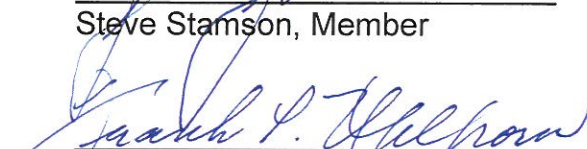
Bennie Smith, Jr, Secretary



Kendra Lee, Member



Steve Stamson, Member



Frank Uhlhorn, Member

Adopted: February 28, 2022

Item # 2022-05

Prepared by Carla Lytle

Approved by: Linda Phillips

RESOLUTION TO APPROVE EARLY VOTING LOCATIONS, DATES, TIMES, NUMBER OF PERSONNEL AND NUMBER OF VOTING MACHINES ASSIGNED TO EACH EARLY VOTING LOCATION FOR MAY 3, 2022, SHELBY COUNTY PRIMARY ELECTION - AMENDED

WHEREAS, the Shelby County Election Commission, pursuant to TCA § 2-6-102 (a) (1), TCA § 2-6-103(a)(1), and TCA 2-6-104, must establish locations, dates, times, personnel and number of voting machines for Early Voting for the May 3, 2022, Shelby County Primary Election as follows:

Downtown Location:

James Meredith Building (SCOB) 157 Poplar Avenue, 38103

Beginning, Wednesday, April 13, 2022 through Thursday, April 28, 2022

Closed Good Friday, April 15, 2022

Weekdays 9:00 AM to 5:00 PM

Sat., April 16, 2022, 10:00 AM to 4:00 PM and Sat., April 23, 2022, 8:00 AM to 4:00 PM

All Other Early Voting Locations:

Beginning, Monday, April 18, 2022 through Thursday, April 28, 2022

Weekdays 11:00 AM to 7:00 PM and Saturday 8:00 AM to 4:00 PM

Arlington Safe Room	11842 Otto Lane, 38002
Compassion Church	3505 S Houston Levee Rd, 38139
Dave Wells Community Center	915 Chelsea Ave., 38107
James Meredith Building (SCOB)	157 Poplar Avenue, 38103
Mt. Pisgah Missionary Baptist Church	1234 Pisgah Rd., 38016
Mt. Zion Baptist Church	60 S. Parkway E., 38106
Pursuit of God Church	3759 N. Watkins, 38127
Solomon Temple MB Church	1460 Winchester Rd., 38116

WHEREAS, five (5) early voting personnel, two (2) workstations, five (5) voting machines, and one (1) card burner voting machine are hereby approved to staff each satellite location listed above, appointed as prescribed in TCA Sections § 2-4-102 and § 2-4-105 and,

Baker Community Center	7942 Church Rd., 38053
Berclair Church of Christ	4536 Summer Ave., 38122
Briarwood Church	1900 N. Germantown Pkwy., 38016
Christian Life Church Memphis	9375 Davies Plantation Rd., 38133
Collierville Church of Christ	575 Shelton Dr., 38017
Glenview Community Center	1141 S. Barksdale St., 38114
Greater Lewis Street Church	152 E. Parkway N., 38104
Greater Middle Baptist Church	4982 Knight Arnold Rd., 38118
Mississippi Blvd. Church	70 N. Bellevue Blvd., 38106
New Bethel Baptist Church	7786 Poplar Pike, 38138
Raleigh United Methodist Church	3295 Powers Rd., 38128
Riverside Baptist Church	3560 S. Third St., 38109
Second Baptist Church	4680 Walnut Grove Rd., 38117

WHEREAS, six (6) early voting personnel, two (2) workstations, six (6) voting machines, and one (1) card burner voting machine are hereby approved to staff each satellite location listed above, appointed as prescribed in TCA Sections § 2-4-102 and § 2-4-105 and,

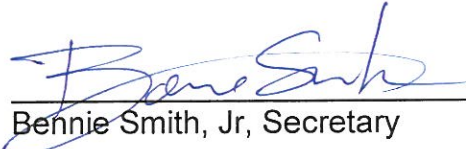
Abundant Grace Fellowship Church	1574 E. Shelby Dr., 38116
AgriCenter	7777 Walnut Grove Rd., 38120
Anointed Temple of Praise	3939 Riverdale Rd., 38141
Harmony Church	6740 St. Elmo Rd., 38135
White Station Church of Christ	1106 Colonial Rd., 38117

WHEREAS, seven (7) early voting personnel, three (3) workstations, seven (7) voting machines, and one (1) card burner voting machine are hereby approved to staff each satellite location listed above, appointed as prescribed in TCA Sections § 2-4-102 and § 2-4-105 and,


NOW, THEREFORE, BE IT RESOLVED BY THE SHELBY COUNTY ELECTION COMMISSION, that the Shelby County Election Commission hereby approves the early voting locations, dates, times, and number of voting machines, and appoints the number of personnel needed to staff each early voting location.

AMENDED by the Election Commission at the SCEC Regular Meeting, February 28, 2022, to have SCEC staff research the proposed non-church locations for availability and if available to add these locations to the early voting schedule on Saturday, April 16, 2022.

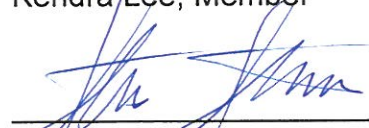
Brent Taylor, Chairman



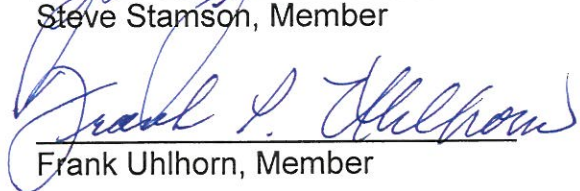
Bennie Smith, Jr, Secretary



Kendra Lee, Member



Steve Stamson, Member



Frank Uhlhorn, Member

Adopted: February 28, 2022

ITEM #: 2022-7

PREPARED BY: Linda Phillips

APPROVED BY: Linda Phillips

**RESOLUTION TO ELIMINATE ZONE TRANSMISSION OF UNOFFICIAL RESULTS FOR THE
MAY 3, 2022 ELECTION**

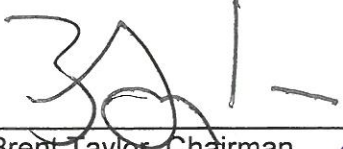
WHEREAS, the Election Commission decided in 2004 to transmit unofficial election night results from various locations around the county via secure virtual private network technology in order to speed up tabulations of results and,

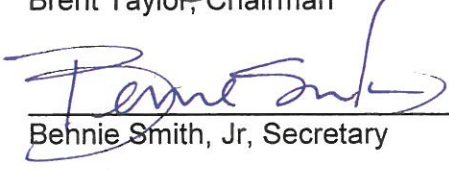
WHEREAS, the public perception of the safety of this practice has changed and,

WHEREAS, the increase in early voting has greatly reduced the number of ballots cast on Election Day so that a slight increase in the time required to get the results to the Operations Center is outweighed by the perception of increased security and,

WHEREAS, we would like to take this opportunity to see what refinements might be made to the transfer of unofficial results process during the May 3, 2022 election.

NOW, THEREFORE, BE IT RESOLVED BY THE SHELBY COUNTY ELECTION COMMISSION, that the memory devices from the May 3, 2022 election day machines will be returned to the Operations Center.


Brent Taylor, Chairman


Bennie Smith, Jr, Secretary


Kendra Lee, Member



Steve Stamson, Member



Frank Uhlhorn, Member

Adopted February 28, 2022

ITEM #: 2022-6

PREPARED BY: Linda Phillips

APPROVED BY: Linda Phillips

RESOLUTION TO ADOPT CONFLICT OF INTEREST POLICY

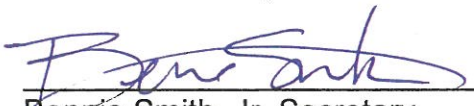
WHEREAS, the members of the Election Commission and employees of the Election Commission may have potential conflicts that differ from those covered by the Shelby County Code of Ethics,

WHEREAS, TCA § 2-1-112 and TCA § 2-12-102 address some but not all potential conflicts,


WHEREAS, a policy is required to address conflicts that may arise with Commissioners, Employees, and Election Officials

NOW, THEREFORE, BE IT RESOLVED BY THE SHELBY COUNTY ELECTION COMMISSION, that Conflict of Interest Policy attached a Appendix A be adopted, effective immediately.


Brent Taylor, Chairman


Bennie Smith, Jr, Secretary


Kendra Lee, Member


Steve Stamson, Member


Frank Uhlhorn, Member

Adopted February 28, 2022

ITEM #: 2022-9

PREPARED BY: Linda Phillips

APPROVED BY: Linda Phillips

RESOLUTION OF UNDERSTANDING REGARDING ELECTION EQUIPMENT

WHEREAS, the Shelby County Commission has informally expressed an interest in ending the impasse regarding the purchase of new voting equipment and indicated the possibility of funding the election equipment and accessories selected by the Election Commission with certain conditions; and

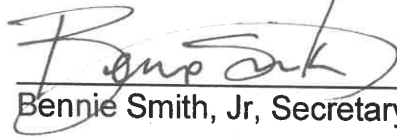
WHEREAS, the Election Commission is willing to continue with the litigation now in the courts but is willing to reach a compromise if the following conditions are part of this compromise:

- 1) The County Commission will act no later than March 21, 2022.
- 2) The voter may choose a hand marked or a machine marked ballot; neither option is a default.
- 3) Quantities of ballot on demand printers and other accessories may need to be increased to accommodate the needs of early voting.
- 4) The County Commission will increase the Election Commission budget in an amount sufficient to cover the attorney's fees.

NOW, THEREFORE, BE IT RESOLVED BY THE SHELBY COUNTY ELECTION COMMISSION, that the Administrator of Elections is authorized to take all necessary actions to execute the purchase of new election equipment including adjusting quantities of items to be purchased.



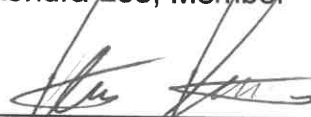
Brent Taylor, Chairman



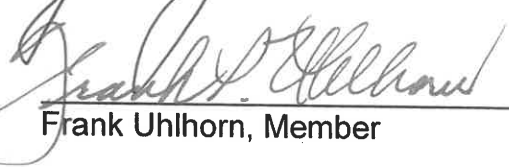
Bennie Smith, Jr, Secretary



Kendra Lee, Member



Steve Stamson, Member



Frank Uhlhorn, Member

Adopted February 28, 2022



Shelby County Election Commission

Administrator of Elections Monthly Report February, 2022

Voter and Candidate Services

- **Signatures** - We are just about finished with this project and have updated nearly 40,000 records with electronic signatures. The microfiche book and page has been added to the voter registration records, so in the worst case, we can find the original application.
- **Petitions** – 156 petitions have been pulled for the August election.

Operations Department

- **Polling Locations** – We finished up the polling place locations. It felt substantially more difficult to find polling locations this time – many, many locations turned us down.

Administrator

- **Candidate Class** - We had a virtual candidate class on February 10th. 21 potential candidates and 14 staff members participated in this class. We will be scheduling an in person class in March.
- **Deputy Registrar Training** - Three classes in February trained 44 volunteers. We have three meetings scheduled in March and these are almost full, so we will schedule some additional ones soon.
- **Campaign Finance Training** - We will be holding a virtual training class for campaign treasurers and will delve into the details of filing campaign finance forms.

- **Speaking** – I spoke to the Exchange Club last week. It was a nice group and they asked good questions.
- **High School Registration** – Sherry went to the Memphis Business Academy and Central High School in February. So far, we have registered 677 high school seniors.
- **Redistricting** – Obviously this has taken most of my recent focus but it is nearly complete. The all details list now includes a voter's precinct and split as of December 1, 2021. Deborah Upchurch is at the Shelby County Commission meeting now, seeking funding for the mailing to the entire county. This has proven to be a very challenging process as the card stock of the appropriate weight has major supply chain issues.
- **Maps** – The interactive maps referenced on our website are now updated. (www.ElectionsShelbyTN.gov/voter/Maps)
- **New Maps and Lists** – The new maps and lists are now available. There will be an update to the all-details list tomorrow; it will likely be ready on Wednesday. It will again list a voter's precinct as of December 2, 2021. This will be the list that we use to do the county wide mailing.
- **Election Center Special Conference** – Carla and I attended this meeting in Atlanta last week. It was an excellent meeting.
- **Roof Leaks** - The roof is again leaking at the Operations Center. Building Services believes that they know why the roof has continued to leak and have a way to correct this.
- **Days to Upcoming Events:**
 - Voter Registration Deadline for the May Primary –35 Days
 - Early Voting Begins – 44 Days
 - County Primary Election – 64 Days