

SHELBY COUNTY ELECTION COMMISSION  
REGULAR MEETING MINUTES  
FEBRUARY 19, 2019

APPROVED

Regular Meeting of the Shelby County Election Commission that was held on February 19, 2019, at 4:00 pm at the Election Operations Center, 980 Nixon Drive.

**CALLED TO ORDER:** Chairman Meyers      **Time:** 4:01 pm

**COMMISSIONERS PRESENT:** Commissioner Lester, Commissioner Nollner, Commissioner Stamson and Commissioner Tate arrived late.

**APPROVAL OF NOVEMBER 26, 2018 MINUTES**

**MOTION STATED:** Commissioner Nollner made motion to approve November 26, 2018 minutes as presented

**SECONDED BY** Commissioner Stamson

**OUTCOME OF MOTION:** Passed 4-0 (Commissioner Tate was absent)

**APPROVAL OF JANUARY 15, 2019 MINUTES**

**MOTION STATED:** Commissioner Stamson made motion to approve January 15, 2019 minutes as presented

**SECONDED BY** Commissioner Nollner

**OUTCOME OF MOTION:** Passed 4-0 (Commissioner Tate was absent)

**APPROVAL OF FEBRUARY 4, 2019 MINUTES**

**MOTION STATED:** Commissioner Stamson made motion to approve February 4, 2019 minutes as presented

**SECONDED BY** Commissioner Nollner

**OUTCOME OF MOTION:** Passed 4-0 (Commissioner Tate was absent)

**TN SENATE DISTRICT 32 SPECIAL GENERAL ELECTION RESOLUTIONS**

Item# 2019-02 Resolution to approve polling location change.

Due to construction, COL02, YMCA at Schilling Farms is not useable for the March 12, 2019 Special District 32 General Election. Therefore, COL02 will change from YMCA At Schilling Farms, located at 1185 Schilling Blvd E, Collierville, TN 38017 to Central Church, located at 2005 E. Winchester Blvd., Collierville, TN 38017

**MOTION TO APPROVE RESOLUTION ITEM # 2019-02:** Commissioner Stamson made motion to approve item# 2019-02 as presented.

**SECONDED BY** Commissioner Lester

**OUTCOME OF MOTION:** Passed 4-0 (Commissioner Tate was absent)

**ATTORNEY'S REPORT:**

Litigation update given by Attorney Ryder

- **M. Latroy Alexandria-Williams vs SCEC**  
Second lawsuit: Still waiting for Chairwoman Mary Mancini, the chairwoman of the TN Democratic Party counsel to request a hearing date for motion to dismiss.
- **Lowry vs SCEC**  
Motion to dismiss hearing is scheduled for May 9<sup>th</sup>.
- **Shelby Advocates for Valid Elections(S.A.V.E.) vs Tre Hargett and SCEC**  
This lawsuit is in the United States District Court. The State and the Election Commission reviewed their motion to dismiss. Customarily in District Court, there is generally not a hearing on a motion to dismiss. The Judge will consider the pleadings and rule on the basics of the motions.
- **John Barzizza vs SCEC**  
Currently two separate motions to dismiss which have yet to be set. We are negotiating an agreed order with counsel on the inspection of the absentee ballots.
- **SCEC vs TN Coordinator of Elections**

SHELBY COUNTY ELECTION COMMISSION  
REGULAR MEETING MINUTES  
FEBRUARY 19, 2019

APPROVED

On February 15, 2019 the Coordinator of Elections, Mark Goins filed his decision that Instant Runoff Voting cannot to be legally implemented in Memphis by the Shelby County Election Commission.

**Shelby County School Board District 2 vacancy:** Since this is a Shelby County position, the Shelby County Commissioners will fill the position. Once filled, that person will serve until the Shelby County General Election in 2020.

*Discussion followed.*

**ADMINISTRATOR'S REPORT (SEE ATTACHMENT):**

Given by AOE, Linda Phillips

The following items were discussed:

- Voter Application in District 32
- 127 UOCAVA ballots were emailed and 28 were mailed by the deadline
- Annual school registration activities
- State Reports
- The City of Memphis Police Association petitions
- Ballot printer setup
- Voting Machines programmed
- Private and school elections
- Early voting and election day staffed
- O.C. Pleasant Dedication Ceremony
- District Maps
- SB 1356 / HB 1355
- HB 145 / SB 193
- HB 195 / SB 74
- HB 312 / SB 240
- HB 554 / SB 825
- HB 1432 / SB 1012
- HB 46 / SB 761
- HB 206
- Outreach update
- Geocoding issue update
- Shelby County School Board, District 2 vacancy
- Western TACEO meeting
- Upcoming Events

*Discussion followed.*

**OLD / NEW BUSINESS:**

**Old:** Commissioner Nollner inquired about an update on extending the parking lot at Nixon.

Commissioner Lester inquired about the Application Review.

*Discussion followed.*

**New:** Commissioner Lester announced that she was not reappointed. She expressed that Mr. Bennie Smith; the new Democratic appointee would be a great asset to the Election Commission.

**PUBLIC COMMENTS:**

Each visitor was given 3 minutes to speak

- Aaron Fowley
- Steve Mulroy

SHELBY COUNTY ELECTION COMMISSION  
REGULAR MEETING MINUTES  
FEBRUARY 19, 2019

APPROVED

**ANNOUNCEMENTS:**

- Regular Commission Meeting scheduled for March 19, 2019 at 4:00 p.m.

**EXECUTIVE SESSION**

The Commission recessed the public meeting at 4:53pm for an Executive Session to meet with legal Counsel concerning pending litigation. Chairman Meyers, Commissioner Lester, Commissioner Nollner, Commissioner Stamson, Commissioner Tate, AOE, Linda Phillips, Attorney Ryder, and Attorney Varela, Attorney Hagler, and Attorney Bibbs went into a private executive session. Public meeting resumed at 5:18pm.

A plan of action discussion about the Coordinator of Elections, Mark Goins decision followed. Commissioner Nollner made motion to accept the Coordinator of Elections, Mark Goins, decision.

**SECONDED BY** Commissioner Stamson

**OUTCOME OF MOTION:** Passed 4-1 (Yes- Meyers, Nollner, Stamson, Tate; No- Lester)

**ADJOURNMENT:**

Meeting adjourned at 5:21pm.

**OTHERS IN ATTENDANCE:**

Linda Phillips, Administrator  
Deborah Upchurch, Staff  
Leonard Hopkins, ITS  
Attorney Ryder  
Attorney Varela  
Attorney Bibbs  
Attorney Hagler  
Steve Mulroy

Rose Ann Bradley  
Barbara Williams  
Suzanne Thompson- Cozza  
Brent Taylor  
Aaron Fowley  
Doug Sims  
Bennie Smith

\_\_\_\_\_  
Robert Meyers, Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Norma Lester, Secretary

\_\_\_\_\_  
Date