



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

**July 25, 2022**

The regular meeting of the Shelby County Election Commission was held on July 25, 2022 at the O.C. Pleasant, Jr. Election Operations Center, 980 Nixon Drive, at 4:00pm. This meeting was recorded on Facebook live.

**MEETING CALLED TO ORDER:** By Chairman Luttrell at 4:04pm.

**PLEDGE OF ALLEGIANCE**

**COMMISSIONERS PRESENT CONSTITUTING A QUORUM:** Commissioners Luttrell, Smith, Kimbrow, Stamson, and Uhlhorn

**OTHERS IN ATTENDANCE:**

Linda Phillips, AOE	Caede Van Vessen
Joe Young, DAOE	Grace Uhlhorn
Jacob Swatley, Attorney	Michael Wright
Deborah Upchurch, staff	Nancy Tapp
Sherry Hewlett, staff	Sandra Norris
Mike Hewlett, staff	Sandra Oates
Suzanne Thompson, KQ Communications	Gabby Salinas
Barbara Williams	Erika Sugarmon

**PUBLIC COMMENTS ON NON-AGENDA ITEMS:**

Michael Wright

**APPROVAL OF JUNE 27, 2022 REGULAR MEETING MINUTES (AMENDED):**

**MOTION STATED:** Commissioner Stamson motion to approve the minutes as amended.

**SECONDED BY:** Commissioner Uhlhorn

**ROLL CALL VOTE:** Motion Carried Unanimously

Amended by Commissioner Kimbrow to reflect actual time of attendance (4:06pm).

**RESOLUTION 2022-14 - TO APPROVE ELECTION DAY POLLING LOCATION CHANGES FOR THE AUGUST 4, 2022, FEDERAL/STATE PRIMARY AND SHELBY COUNTY GENERAL ELECTION:**

**MOTION STATED:** Commissioner Uhlhorn motion to approve.

SECONDED BY: Commissioner Stamson  
ROLL CALL VOTE: Motion Carried Unanimously

AOE Phillips presented information on item, location changes for two (2) election day polling locations due to construction and permit issues.

Commissioner Kimbrow raised the question of voter notification. AOE Phillips confirmed location signage will be at the old locations and letters have been mailed to voters affected by these changes.

**CHAIRMAN'S REMARKS:**

The Chairman has visited some early voting sites and has received feedback that voting time per voter is varied, but the average is about eight (8) minutes. Extended appreciation for the poll workers.

New voting equipment is beginning to arrive.

There have been a few problems reported during voting and staff has responded.

**ATTORNEY'S REPORT:**

Attorney Swatley reported that the commission has one active litigation matter, a lawsuit filed by Marion Latroy Alexander-Williams, Jr. Filed a motion to dismiss and is currently waiting on decision.

Chairman Luttrell asked that the SCEC attend an Executive Session directly after this meeting.

**ADMINISTRATOR'S REPORT:**

AOE Phillips presented her report. Report is attached.

Chairman Luttrell asked about poll worker recruitment. AOE Phillips confirmed we are recruiting and additional Republican poll workers are needed.

Commissioner Kimbrow asked if there was an updated listed of poll worker assignments. AOE Phillips said that one should be run today. Commissioner Kimbrow asked for a copy to be forwarded.

Commissioner Kimbrow asked what the timeline is for poll worker training. AOE Phillips discussed timeline and specifics.

**OLD BUSINESS:**

Commissioner Smith asked for update on request for correspondence on server failure and information regarding vendor support of old equipment. Chairman Luttrell asked that request




**RESOLUTION TO APPROVE POLLING LOCATION CHANGES FOR  
THE AUGUST 4, 2022, FED/STATE PRIMARY & SHELBY COUNTY GENERAL ELECTION**

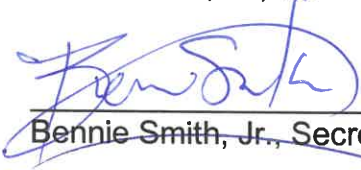
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WHEREAS, the Election Commission has been informed that the polling locations for **08-12, Riverview Community Center**, located at **1891 Kansas St., Memphis, TN 38109** and **13-05, Compass Community School – Berclair**, located at **3880 Forrest Ave., Memphis, TN 38122**, are not useable for the August 4, 2022 Fed/State Primary and Shelby County General Election, and

WHEREAS, the replacement polling location, **08-12, Vision Preparatory Elementary School**, located at **260 Joubert Ave., Memphis, TN 38109** and **13-05, Grahamwood Elementary School**, located at **3950 Summer Ave., Memphis, TN 38122**, have consented to the use of their facilities as an election day polling location and meets the Election Commission site standards,

NOW THEREFORE BE IT RESOLVED BY THE SHELBY COUNTY ELECTION COMMISSION, that **08-12, Riverview Community Center**, located at **1891 Kansas St., Memphis, TN 38109** and **13-05, Compass Community School – Berclair**, located at **3880 Forrest Ave., Memphis, TN 38122** are not usable for the August 4, 2022 Fed/State Primary and Shelby County General Election, and will be replaced with **08-12, Vision Preparatory Elementary School**, located at **260 Joubert Ave., Memphis, TN 38109** and **13-05, Grahamwood Elementary School**, located at **3950 Summer Ave., Memphis, TN 38122**, as replacement polling locations, is hereby approved.

  
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Mark Luttrell, Jr., Chairman

  
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Bennie Smith, Jr., Secretary

  
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Vanecia Kimbrow, Member



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Steve Stamson, Member



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Frank Uhlhorn, Member

Adopted: July 25, 2022



# Shelby County Election Commission

## Administrator of Elections Monthly Report July, 2022

### Voter and Candidate Services

- **Absentee Ballots** – We had received 2,338 requests as this morning. 228 are UOCAVA; the rest are regular or permanent requests. 818 Ballots have been returned. A ballot has been sent for every request that has been received. Requests must be received by Thursday, July 28. (Note that is received – not postmarked.) Realistically, though a request received on Thursday is probably going to require the voter to return it via an express service. Ballots must be received by mail by 7pm on Election Day.
- **Overdue CFD** – The list of candidates who failed to file their 2<sup>nd</sup> quarter CFD is in your folder. The next report for candidates on the August ballot is the Pre-General Report. It covers the period of July 1, 2022 through July 25, 2022 and it is due on July 28, 2022. Reminders have been sent.

### Operations Department

- Early voting is going remarkably well. We sent some additional machines to these locations:
  - Anointed Temple of Praise – 3
  - Baker Community Center – 1
  - Glenview Community Center – 2
  - Harmony Church – 2
  - Mississippi Blvd. Christian Church – 1
  - New Bethel Baptist Church – 2
  - Raleigh UMC – 2
  - Riverside Baptist Church – 2
  - Second Baptist Church – 2
  - White Station COC – 2
- Poll worker classes are occurring now.

## Administrator

- **New Election Equipment** – is starting to be delivered. We expect large shipments to start after the warehouse is emptied next week. The old equipment will not be returning to the warehouse. After Election Day, it is going to a bonded warehouse. Once the impound period is over, the company that will be destroying it will collect it from the bonded warehouse.
- **Good News!** - The governor's budget included additional funding for the election equipment – about \$2 millions. This is good because the building modifications are going to be more expensive than initially estimated.
- **Voter Ready Expo** - The Shelby County Voter Alliance partnered with us on Saturday, July 16<sup>th</sup> at all 26 EV sites to demonstrate the new equipment. Voter and poll worker comments were very favorable; there will be many more opportunities for voters to see a demonstration after Labor Day.
- **New Electronic Pollbooks** – the County Commission approved the purchase of 600 KNOWiNK poll pads; delivery will occur in early October.
- **Petitions** - As of close of business on Friday, 66 petitions had been issued for municipal races and 28 had been returned. The deadline to file petitions is NOON on August 18<sup>th</sup>.
- **Free Bus Day** - We are again partnering with MATA and the Shelby County Voter Alliance to have a free bus day on Friday, July 29<sup>th</sup>. All MATA services will be free that day – Fixed Route, On Demand, Trolley, MATA Plus. A copy of the Fixed Routes that serve EV sites is in your packet. There will be signage on six buses that will remain through November. These signs have a QR code that links to the on-line VR system.
- **New Districts** - Voters are sometimes confused. Voters are represented by their “old” district until the new elected officials are seated – which may be as far away as January, 2023.
- **Outreach**
  - We didn't have any deputy registrar training in July but we did have some renewals so we currently have 239 active deputy registrars.
  - Three deputy registrar classes have been scheduled for August - Saturday, 8/13 at 10:00am, Thursday 8/25 at 5:30pm and Saturday, 8/27 at 10:00am
  - Supported 6 voter registration events with our Deputy Registers.
  - Attended the following events:

- Benjamin Hooks Library Summer Teen Program – spoke to the group about voter registration and why their vote is important. They had a favorites mock election with a voting machine.
- Glenview Community Center Summer Camp – Spoke with school age youth on how voting affects our community and the importance of participating. They had a mock election to elect the Mayor of Stuffed Animal Land. Squeaker the Puppy won followed closely by Rowler the Dinosaur. Then the kids enjoyed popsicles.
- Naturalization Ceremony – Two ceremonies were held at the Benjamin Hooks Library. 22 new citizens registered on paper and more used the QR code to register on line.

- **Days to Upcoming Events:**

- Early Voting Ends – 5 Days, July 30, 2022
- County General/ State Federal Primary Election – 10 Days, August 4, 2022
- November General Election – 106 Days, November 8, 2022



## Phillips, Linda

**From:** Taylor, Genine  
**Sent:** Monday, July 25, 2022 3:15 PM  
**To:** Phillips, Linda  
**Subject:** RE: 2nd Quarter Reports NOT Received as 7-25-22

Total 54

Name	Office	2nd Q	Comments
Hinders, Jordan	Arlington Alderman, Pos. 4		AofT Only
Blount, Rod	Assessor of Property		Outstanding Loan
Norman, Jimmy	Bartlett Alderman, Pos. 1		AofT Only
Read, Victor Michael	Bartlett Alderman, Pos. 1		AofT Only
Swearengen, Jamita E.	Circuit Court Clerk		
Halbert, Wanda	County Clerk		
Gipson, Arriell	County Clerk		
Smith, Harold C.	County Clerk		AofT Only
Stovall, William	County Clerk		
Ford, Shelandra	County Register		Year-End 2021-2-3-22
Faulkner, Wanda R	County Register		
Ford, Roderic	County School Bd., Dist. 6		AofT Only
Perry, Tiffani	County School Bd., Dist. 6		
Coleman, Joyce Dorse	County School Bd., Dist. 9		
Ford, Roderic	County Trustee		
Stotts, Carla Jean	Criminal Court Clerk		
Harris, Darrick	District 29 - Committeeman- Dem.		AofT Only
Roland, Terry	District 29 - Committeeman- Rep.		AofT Only
McElravey, Tina	District 29 - Committeewoman- Rep.		AofT Only
Creasy, Allan	District 30 - Committeeman- Dem.		AofT Only
Wilson, Jasmine	District 30 - Committeewoman- Dem.		AofT Only
Weiner, Arnold	District 31 - Committeeman- Rep.		
Simpson, Melanie	District 33 - Committeewoman- Dem		
Gardner, Phyllis B.	Gen. Sess. Civil Ct. Judge, Div. 2		AofT Only
Henderson, Deborah Anne Means	Gen. Sess. Civil Ct. Judge, Div. 4		AofT Only
Thompson, Lonnie	Gen. Sess. Civil Ct. Judge, Div. 6		AofT Only
Reed, Kevin	Gen. Sess. Crim. Ct. Judge, Div. 10		Year-End 2021-7/6/22
Massey, Karen	Gen. Sess. Crim. Ct. Judge, Div. 11		
Lucchesi, Ronald	Gen. Sess. Crim. Ct. Judge, Div. 12		
Tatum, Terrance	Gen. Sess. Crim. Ct. Judge, Div. 13		AofT Only
Burks, Addie M.	Gen. Sess. Crim. Ct. Judge, Div. 14		
Dandridge, Patrick	Gen. Sess. Crim. Ct. Judge, Div. 14		AofT Only
Anderson, Bill	Gen. Sess. Crim. Ct. Judge, Div. 7		
Hayes, Perry S.	Gen. Sess. Crim. Ct. Judge, Div. 8		
Memula, Sanjeev	Gen. Sess. Crim. Ct. Judge, Div. 8		
Wilson, Lee	Gen. Sess. Crim. Ct. Judge, Div. 8		
Bruce-Renfroe, Sheila	Gen. Sess. Crim. Ct. Judge, Div. 9		
Gatewood, Stephanie	Juvenile Court Clerk		
Mitchell, Marcus	Juvenile Court Clerk		
McCarter, Connie	Lakeland Commissioner		
Jones, Eddie	Probate Court Clerk		
Bibbs, Miska Clay	Shelby County Commissioner, Dist. 11		AofT Only

Winston, Eric	Shelby County Commissioner, Dist. 11		
Frazier, William	Shelby County Commissioner, Dist. 11		
Jones, Candice	Shelby County Commissioner, Dist. 11		
Boyce, Reginald	Shelby County Commissioner, Dist. 12		Year-End 2021-2-22-22
Chauncey, Britney	Shelby County Commissioner, Dist. 4		
French, Reginald	Shelby County Commissioner, Dist. 5		
Boulton, Alex	Shelby County Commissioner, Dist. 6		AofT Only
Caswell, Charlie	Shelby County Commissioner, Dist. 6		
Greene, Althea	Shelby County Commissioner, Dist. 7		
Temple, Kathy	Shelby County Commissioner, Dist. 7		Year-End 2021-1-31-22
Ford, Jr., Edmund	Shelby County Commissioner, Dist. 9		
Moody, Ken	Shelby County Mayor		Year-End 2021-2-22-22

**From:** John Ryder <[jryder@harrisselton.com](mailto:jryder@harrisselton.com)>

**Sent:** Thursday, August 27, 2020 2:52 PM

**To:** Bennie Smith

**Cc:** Commissioner Steve Stamson; Anthony Tate; Brent Taylor ([btaylor@brentwoodcentral.net](mailto:btaylor@brentwoodcentral.net)); 'Frank Uhlhorn'; 'Phillips, Linda'; Young, Joe; 'Monice Hagler'; Pablo Varela

**Subject:** Response to list of requested documents

Dear Commissioner Smith:

Following the July meeting of the Shelby County Election Commission ("SCEC"), you provided counsel to the SCEC a list of documents which you are requesting from the SCEC for our review to determine if there is any legal reason that these documents could not be provided to you. After review of the files we have determined the following for each of your requests:

1. A copy of the audit logs for the election.

While it is unclear to which election this request refers, provided the Audit log is redacted to remove any IP addresses or other confidential information which could potentially compromise security, the SCEC can provide this. The SCEC will need time to review the audit log and redact any IP addresses or other sensitive information it may contain.

2. GEMS .mdb and .gbf files.

These documents cannot be provided pursuant to Tenn. Code Ann. § 10-7-504(i)(1) as they would be considered confidential computer programs used to protect electronic information and could potentially allow someone to find a way to obtain unauthorized access to confidential information.

3. Technicians reports.

We have determined these reports should be provided by the SCEC; however, the SCEC may require you to specify which technician reports you are requesting or from which election you are requesting technician reports.

4. All SOP's regarding election day and the chain of custody.

We have determined that these should be provided by the SCEC.

5. A printout of the GEMS Audit Log before the election begins, which would be preferably before noon 10/3/2019. The steps to perform (below) are reasonably simple and take less than a minute or 2 to complete.

As with the request for audit logs in #1 above, these can be provided they are redacted to remove any IP addresses or other confidential information which they may contain.

6. A list of all the Technicians working the election (vendors included) and whether or not they have VPN capabilities (remote access of any kind).

We have determined that these should be provided by the SCEC.

7. The machine Technicians report in excel format as well as a pdf of the signed ones.

We have determined that these documents should be provided by the SCEC in whatever format they currently exist or are kept.

8. Logic and Accuracy results and a .gbf backup of the election database as programmed.

Logic and Accuracy results should be provided. The .gbf file cannot be provided pursuant to Tenn. Code Ann. § 10-7-504 (See response to #2 above).

9. The Log of the seals for the early voting and poll TSX machines.

We have determined that these should be provided by the SCEC.

10. Procedures for transferring the text S1-0, S2-0, S3-0 reports to the new web reporting site.

We have determined that these should be provided by the SCEC.

11. If there is more than one version of GEMS running for a different database.

We determined that the SCEC should provide a Yes or No response to this question.

12. Security procedure for dealing ensuring that GEMS is not running a weighted election.

We have determined that the SCEC should provide a response to this request.

13. Reconciliation procedure correct votes being dropped in GEMS but reporting as uploaded.

We have determined that the SCEC should provide these documents.

14. How many users are in the Central tabulator database a list of their names?

We have determined that the SCEC should provide these documents.

15. Who will be running the Central tabulator and their employee designation?

We have determined that the SCEC should provide these documents.

16. A list of individuals who participate in the chain of custody and their roles.

We have determined that the SCEC should provide these documents.

As we have indicated above, other than the .gbf and .mdb files and confidential information in the audit logs which can be redacted, there is no legal reason why the SCEC should not provide the documents requested or provide answers to the questions asked. Should you have any further questions, please let us know.

Sincerely,

**John L. Ryder** | Attorney at Law

**harris|shelton**

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