

SHELBY COUNTY ELECTION COMMISSION  
SPECIAL MEETING MINUTES  
March 15, 2017

APPROVED

The Regular Meeting of the Shelby County Election Commission was held on March 15, 2017 at 4:00 PM at the Election Operations Center, 980 Nixon Drive.

Meeting was called to order by Chairman Meyers at 4:00 PM. Commissioner Lester was excused all other commissioners were present.

**ATTORNEY'S REPORT**

Given by Attorney Pablo Varela  
Discussion followed.

- **Halbert v. SCEC**  
Finalizing a settlement
  
- **Commissioner voting by phone update**  
Attorney Hagler researched and concluded that there was nothing in the law that will allow a commissioner to vote by phone.

**CALL FOR LAKELAND SPECIAL ELECTION RESOLUTION ITEM# 2017/03-23-9-21-209**

**Motion to Approve the Amended Resolution:** Commissioner Stamson

**Seconded By:** Commissioner Nollner

**Voted Yes:** All 4

**Voted No:**

**Abstained:**

**Approved:** Unanimously

**RESOLUTION TO APPROVE EARLY VOTING FOR SPECIAL ELECTION FOR 95<sup>TH</sup> DISTRICT  
ITEM# 03-21/2017-2-3-101**

**Motion to Approve the Resolution:** Commissioner Nollner

**Seconded By:** Commissioner Tate

**Voted Yes:** All 4

**Voted No:**

**Abstained:**

**Approved:** Unanimously

**RESOLUTION TO APPROVE TEMPORARY POLLING LOCATION CHANGE FOR WARD COL, PRECINCT  
04 ITEM# 03/21/2017-2-3-107**

Temporary polling location is Collierville Church of Christ.

**Motion to Approve the Resolution:** Commissioner Nollner

**Seconded By:** Commissioner Tate

**Voted Yes:** All 4

**Voted No:**

**Abstained:**

**Approved:** Unanimously

SHELBY COUNTY ELECTION COMMISSION  
SPECIAL MEETING MINUTES  
March 15, 2017

APPROVED

**RESOLUTION TO APPROVE TEMPORARY POLLING LOCATION CHANGE FOR WARD COL, PRECINCT 06 ITEM# 2017/21/03-2-3-107**

Temporary polling location is New Shelby Missionary Baptist Church.

**Motion to Approve the Resolution:** Commissioner Stamson

**Seconded By:** Commissioner Nollner

**Voted Yes:** All 4

**Voted No:**

**Abstained:**

**Approved:** Unanimously

**OLD / NEW BUSINESS**

- **Instant Run-off Voting**  
Commissioner Nollner provided some basic information to commissioners.  
Discussion followed.
- **SCEC Quarterly Review of Voter Registration Applications**  
scheduled for April 27, 2017.
- **AOE Meeting with Know Ink**  
Poll Pads will be used for the Special 95<sup>th</sup> District Election.  
Discussion followed.

**ANNOUNCEMENTS:**

- Next Regular Election Commission Meeting scheduled for Tuesday, March 21, 2017 at 4: 00 PM.
- Voting Machines Inspection for Early Voting and Election Day scheduled for Friday, March 31, 2017 from 9:00 AM to 12 noon.

**ADJOURNMENT**

Meeting was adjourned at 4:31 PM.

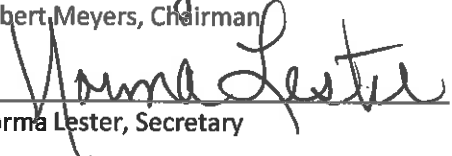
**OTHERS IN ATTENDANCE:**

Linda Phillips, Administrator  
Joe Young, Chief Deputy AOE  
Deborah Upchurch, Staff  
Leonard Hopkins, ITS  
Attorney Varela

Suzanne Thompson  
Barbara Williams  
Wain Poole  
Dell Gill

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

4/18/17  
Date

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

4/18/17  
Date

March 10, 2017

**VIA HAND DELIVERY**

Linda Phillips  
Shelby County Election Commission  
150 Washington Avenue, Ste. 205  
Memphis, TN 38103

Re: Special Election to fill vacancy on Lakeland's Board of Commissioners

Mrs. Phillips:

As you may know, Commissioners Gallick and Dial each resigned from office in January 2017 and March 2017 respectively. The vacancy left by Commissioner Gallick's resignation was filled when the Board of Commissioners ("BOC") appointed Matt Wright on February 2, 2017.


Rather than the BOC simply appointing a second Commissioner to fill the vacancy left by Commissioner Dial's resignation, Tennessee law requires a special election to fill the remainder of her term. The special election is to be held between 75 and 80 days after her resignation which puts the date somewhere between May 24<sup>th</sup> and 29<sup>th</sup>.

Please accept this letter as Lakeland's official request for a special election to be held on Thursday, May 25, 2017 to elect a new commissioner to fill the remainder of former Commissioner Dial's term. For your convenience, attached please find an executed copy of Resolution 2017/03-23 calling for this special election.

Thank you for your help throughout this process. Feel free to contact me with any questions.

Sincerely,

WISEMAN BRAY PLLC  
*Lakeland City Attorney*



Chris Patterson

CLP

Enclosure

cc: Mr. Jim Atkinson (w/o enclosure)

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MAR 10 PM 1:31

A RESOLUTION CALLING FOR A SPECIAL ELECTION TO FILL THE LAKELAND BOARD OF COMMISSIONERS VACANCY

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- WHEREAS, former Commissioner Sherri Gallick resigned from office in early January 2017; and
- WHEREAS, the Lakeland Board of Commissioners officially accepted Commissioner Gallick's resignation on January 12, 2017; and
- WHEREAS, the Lakeland Board of Commissioners appointed Commissioner Matt Wright on February 2, 2017 to fill the vacancy left by former Commissioner Gallick; and
- WHEREAS, former Commissioner Michele Dial recently tendered her resignation; and
- WHEREAS, the Lakeland Board of Commissioners ("BOC") officially accepted Commissioner Dial's resignation on March 9, 2017; and
- WHEREAS, since Commissioner Wright was appointed to serve, TENN. CODE ANN. § 6-20-110 requires the BOC to call upon the Shelby County Election Commission ("SCEC") to call a special election for the purpose of filling the vacancy left by Commissioner Dial; and
- WHEREAS, Tenn. Code Ann. § 2-14-102 requires special elections to be held not less than seventy-five (75) days nor more than eighty (80) days after the BOC received notice of Commissioner Dial's resignation; and
- WHEREAS, the Lakeland Board of Commissioners hereby instructs the City Manager, Jim Atkinson, to notify the SCEC of the need to call for a special election.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Lakeland, Tennessee that the City Manager shall notify the Shelby County Election Commission of the need to call a special election for the purpose of filling the vacancy left by former Commissioner Dial's resignation.

PASSED AND ADOPTED by the Board of Commissioners of Lakeland, Tennessee on this 09<sup>th</sup> day of March, 2017, public welfare requiring it.

  
Wyatt Bunker, Mayor

ATTEST:

  
Jessica Millspaugh  
City Recorder

COPY

MAR 10 PM 1:32

Item # : 2017/03-23 -9-21-209

Prepared by: Deborah Upchurch

Committee: Operations & Tech

Approved by: Linda Phillips

**RESOLUTION TO CALL A SPECIAL ELECTION AS REQUESTED BY THE CITY OF  
LAKELAND PER RESOLUTION 2017-03-10**

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WHEREAS, Sections 6-20-110(a) Lakeland City Manager-Commission Charter requires that in the case of any additional vacancy, the board shall by ordinance or resolution, call upon the county election commission to call a special election for the purpose of filling such additional vacancy; and

WHEREAS, The Election Commission has issued writs of election for a special election to be held on Thursday, May 25, 2017, and early voting to be held on Friday, May 5, 2017 through Saturday, May 20, 2017 except Sundays. Hours will be determined in order to fill the vacancy on The City of Lakeland Commission Board created by the resignation of Michele Dial; and

WHEREAS, The Shelby County Election Commission has determined that Early Voting will be held only within the city limits of Lakeland and not at the Election Commission office downtown building, and

WHEREAS, The City of Lakeland is under obligation to reimburse Shelby County, Tennessee for all costs of special election held for the sole purpose of choosing one (1) City of Lakeland Board Member; and

WHEREAS, An amendment to the FY 2016-17 budget of the Shelby County Election Commission is required to reflect the expenditures of a special election and the reimbursement of these costs by the City of Lakeland ; and

NOW THEREFORE BE IT RESOLVED, The Shelby County Election Commission hereby calls for the Special Election as requested by the City of Lakeland.

  
Robert D. Meyers, Chairman

  
Norma Lester, Secretary

  
Dee Noffner, Member

  
Steve Stanson, Member

  
Anthony Tate, Member

Adopted \_\_\_\_\_

Item #: 03-21/2017-2-3-101

Prepared by: Darral Brown

Committee: Election Operations

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 THE SPECIAL PRIMARY ELECTION APRIL 27, 2017**

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 April 27, 2017, Special Primary Election as follows:

**Early Voting Satellite Locations**

Beginning, Friday, April 7 through Saturday, April 22, 2017

April 7, 10, 11, 12, 13 Weekdays 11:00 AM to 3:00 PM

Saturday April 8, 2017 10:00 AM – 4:00 PM

Friday, April 14, 2017 Closed for Good Friday

April 17, 18, 19, 20, 21 Weekdays 3:00PM – 7:00 PM

Saturday, April 22, 2017 8:00am – 4:00PM

Collierville Church of Christ

575 Shelton Rd, Collierville, TN 38017

WHEREAS, Six (6) early voting personnel, four (4) computer workstations, and four (4) 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.

*New Bethel Missionary Baptist Church*

*7786 Poplar Pike Germantown TN*

WHEREAS, Seven (7) early voting personnel, Three (3) computer workstations, and three (3) 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.

  
Robert D. Meyers, Chairman

  
Norma Lester, Secretary

  
Dee Nollner, Member

  
Steve Stamson, Member

  
Anthony Tate, Member

Adopted \_\_\_\_\_

Item #: 03/21/2017-2-3-107

Prepared by: Darral Brown

Committee: Election Operations

Approved by: Linda Phillips

**RESOLUTION TO APPROVE TEMPORARY POLLING LOCATION CHANGE FOR  
WARD COL, PRECINCT 04**

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WHEREAS, The voters of Ward COL, Precinct 04, having a total of 4,283 registered active voters have been voting at Collierville Christian Church located at 707 N Byhalia Rd Collierville, Tennessee, and

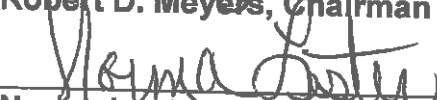
WHEREAS, The Election Commission has been informed that due to scheduling conflict Collierville Christian Church will not available for the primary and general election, and


WHEREAS, The Shelby County Election Commission has permission to use the closest polling location (COL-03) Collierville Church of Christ located 575 W. Shelton Rd, Collierville TN, as the temporary polling location for the voters of Ward COL, Precinct 03, and


NOW THEREFORE BE IT RESOLVED, By the Shelby County Election Commission that the polling location for Ward COL, Precinct 04 is temporarily changed to the Collierville Church of Christ located 575 W. Shelton Rd, Collierville TN for the primary and general election is hereby approved.

BE IT FURTHER RESOLVED, Pursuant to TCA 2-3-105, the Shelby County Election Commission shall mail to each active voter whose polling place is changed a notice of the voter's temporary polling place COL04.

  
Robert D. Meyers, Chairman

  
Norma Lester, Secretary

  
Dee Nollner, Member

  
Steve Stamson, Member

  
Anthony Tate, Member

Adopted \_\_\_\_\_

Item #: 2017/21/03 -2-3-107

Prepared by: Darral Brown

Committee: Election Operations

Approved by: Linda Phillips

**RESOLUTION TO APPROVE TEMPORARY POLLING LOCATION CHANGE FOR  
WARD COL, PRECINCT 06**

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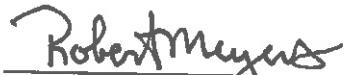
WHEREAS, The voters of Ward COL, Precinct 06, having a total of 3,518 registered active voters have been voting at Covenant Baptist Church located at 3170 S Houston Levee Rd Collierville, Tennessee, and

WHEREAS, The Election Commission has been informed that due to scheduling conflict Covenant Baptist Church will not available for the primary and general election, and

WHEREAS, The Shelby County Election Commission has permission to use the closest polling location (COL-09) New Shelby Missionary Baptist Church located 1059 Bray Station Rd, Collierville TN, as the temporary polling location for the voters of Ward COL, Precinct 06, and

NOW THEREFORE BE IT RESOLVED, By the Shelby County Election Commission that the polling location for Ward COL, Precinct 06 is temporarily changed to (COL-09) New Shelby Missionary Baptist Church located 1059 Bray Station Rd, Collierville TN for the primary and general election is hereby approved.

BE IT FURTHER RESOLVED, Pursuant to TCA 2-3-105, the Shelby County Election Commission shall mail to each active voter whose polling place is changed a notice of the voter's temporary polling place COL06.

  
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Robert D. Meyers, Chairman

  
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Norma Lester, Secretary

  
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Dee Nollner, Member

  
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Steve Stamson, Member

  
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Anthony Tate, Member

Adopted \_\_\_\_\_