

SHELBY COUNTY ELECTION COMMISSION
REGULAR MEETING
January 22, 2014

The Regular Meeting of the Shelby County Election Commission was held on January 22, 2014 at 4:00 PM at the Election Operations Center, 980 Nixon Drive. Meeting was called to order by Chairman Robert Meyers at 4:00 PM. All Commissioners were present.

**DISCUSSION/APPROVAL OF MINUTES NOVEMBER 21, 2013 REGULAR MEETING AND
DECEMBER 8, 2013 REGULAR COMMISSION MEETING**

November 21, 2014 Minutes

With recommendation of Commission, following revisions were made:

Attorney Carlos Bibbs asked if it would be possible to determine how many provisional would be cast and counted at polling sites 28:00 and 82:03.

Additions under Operation/Technology Report: John Halbert reported to the Committee that a statistical report will be forthcoming on completion of phase one of the redistrict project. Only 56,698 adjustments or 9.3% were made on registered voter information.

Due to delay regarding a candidate's request to be listed on the November 21st ballot as Libertarian, the auditors were required to make an additional visit to the Ops Center. Motion to add revisions listed above by Commissioner Stamson. Second by Commissioner Nollner. Motion passed with Commissioner Lester abstaining.

Voter Service and Human Resource Committee: Commissioner Stamson wanted to add statement, "Three employees out on FMLA or pregnancy leave."

Old/New Business:

Change word *disseminated* to *provided* and statement to read "Commissioner Nollner provided information for members to review regarding precinct consolidation.

Attorney Ryder read TCA 2-3-102 which gives Commission authority to consolidate precincts.

Change word *requested* to *suggested* and sentence to read "Commissioner Stamson suggested increasing staff Downtown to 2 and bring in additional staff as needed."

Commissioner Tate moved to approved revisions to Voter Service and Human Resource Committee and Old/New Business listed above. Second by Commissioner Nollner. Approved unanimously.

December 9, 2013 Minutes

Commissioner Stamson moved to approve December 9, 2013 minutes. Second by Commissioner Tate. Approved unanimously.

ATTORNEY REPORT

In absence of Attorney Ryder, Attorney Hagler stated there were no changes in current litigations. Chair advised Commission that proposal have been submitted by Attorney Hagler to become independent council for the Commission. He will present to Human Resource Committee for approval.

ADMINISTRATOR'S REPORT

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- County wide network problem occurred during submission of petitions on January 3rd. System down 1 to 1 ½ hours. Commission had initiated process to have petitions on computer but will be prepared to issue manually as back up.
- Staff trained on Election Laws, policies and procedures and new software placed on computers.
- Candidates given information on Campaign disclosure laws
- Voter Application and Registration backlog currently being eliminated. Expected to be completed within next couple of weeks. AOE will email exact number.
- Changes to website reflect separate list of petitions for May and August elections. Added link to State Election Division. Staff will scan petitions and post to web site. Improvements made to make faster. List updated daily. Addresses and phone numbers removed from short list to make more readable. Complete list emailed to both parties in Excel format.

Commissioner Lester asked if disclaimer could be placed on website or listing notifying candidates of location of complete information. Administrator to note where information can be found.

Commissioner Stamson asked Attorney to look into Commission omitting addresses and phone numbers of Judges. Attorney will report back to Commission.

- Election Expenses: Currently processing invoices for submission to County for reimbursement.
- Election Operation: Obtaining supplies for 2014 election cycle.
- Polling Sites: Stewartville needed to be moved. Alternative site Upspring Baptist Church on Goodwin road at no cost.
- Scenic Hills Elementary School and Scenic Hill United Methodist Church have voiced complaints. Meeting scheduled to discuss issues and determine best way to move forward.
- School Closings:
 - Five that are polling sites projected to close. Problem will occur following May elections. Commissioner Stamson suggested moving forward in seeking new locations.
- Budget:
 - Provided members documentation of budget for discussion in upcoming committee meeting. Stated figures inputted from County based on prior comparable year.
 - Commissioner Lester inquired as to involvement of Commission. Per AOE, Commission involved when concerns exist with particular line items.
 - Commissioner Tate asked about the 975 hr. restriction for Temporary employees. Per AOE will present challenge and need for more temporary employees.

ELECTION OPERATION/TECHNOLOGY COMMITTEE REPORT

Committee Chaired by Commissioner Nollner. Met January 8, 2014 at Operations Center. Detailed minutes of meeting to be attached.

Chairman Meyers wanted to clarify that there could be *no* moratorium on All Details Report except for special requests. Commission to provide most current information available. AOE will prepare a resolution to that effect for Commissioners to review

VOTER CANDIDATE SERVICES AND HUMAN RESOURCE COMMITTEE REPORT

Committee Chaired by Commissioner Stamson. Met January 8, 2014 at Operations Center. Status Report and Voter Data Management Reports were not available. Manager on vacation until January 24th.

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Per AOE all vacant positions will be filled and on payroll by February 15th. General discussion on issuance of judicial petitions. Per AOE staff has been trained. Without objection, Committee agreed to return to monthly meetings in May.

Guest Appearance Before Commission:

Mr. Wain Poole: Mr. Poole wanted to address voting machine malfunction at Glenview during the 2012 election. Felt some may have been human error secondary to long finger nails but majority was not. Reported to Officer on site. Not sure of outcome. Mr. Holmes asked to look into any information he may have regarding issue. Stated need for calibration could have been part of problem.

Former Senator Roscoe Dixon: Invited Commissioners to attend upcoming NAACP meeting Sunday, January 26th at First Baptist Broad.

OLD BUSINESS

Commissioner Lester wanted record to reflect in Regular Committee minutes that Commission would not consolidate precincts until after the 2014 elections.

ADJOURNMENT

Without objection, meeting adjourned at 6:00 PM.

ANNOUNCEMENTS

Election Operations and Technology Committee Meeting, February 5, 2014
Voter & Candidate Services & HR Committee Meeting, February 5, 2014
Regular Commission Meeting, February 19, 2014
February 20, 2014, Qualifying Deadline for May County Primaries

ADJOURNMENT

Without objection, meeting adjourned at 6:00 PM.

THOSE PRESENT

Richard Holden, AOE
Joe Wm Young, II, Deputy
Albert Holmes, Staff
Rosemary Barbee, Staff
Monice Hagler
Barbara Williams
Carlos Bibbs, Assistant City Attorney
Regina Newman, Assistant City Attorney
Del Gill
Dr. Joe Weinberg
Wayne Poole
Roscoe Dixon
Mickey Klensz
Judy Palmer
News Media

Attachment

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(Tape of entire meeting on file in the Election Commission Office)

_____ Chairman

_____ Secretary

Committee met January 8, on important business

TECH - Eddie Gentry County ITS reported they are holding regular meetings with Mr. Holden to discuss matters that require attention. At this time Parcel ID has no set start time.

Everything has been redistricted and double checked with the exception of the newly consolidated old Woodstock 2 (3,000 voters at MCC in Northaven) and Lucy 2 (1500 voters) with Lucy 1 at St Anne's. Work toward completion of these precincts as well as 3 precincts improperly drawn across County Commission lines will be finished within 60 days and reflect districts as presently drawn. All voters have been assigned to school board districts with the exception of the last 10 school board splits.

Attorney Bibbs indicated that Southwind and Wyndyke annexations are on appeal and are not a concern at this time since Memphis elections are not until 2015.

Dr. Weinberg inquired about methods in place to determine if voters are in the correct place. Work has been checked and signed off on. Dealing with block ranges and GEO coded voters – every voter is plotted on a map to be sure they are within the correct boundary. Dennis Boyce indicated a snapshot is taken before and after the GEO code to be sure voters are attached to the correct block range. He indicated they double check the GEO and visual check district boundaries. In response to a question regarding the length of block ranges, Mr. Boyce indicated that block ranges are adjusted as needed.

Maps used are **essentially software** – to zoom in-and-out not physical maps – to learn, ESRI has a training web site on You Tube on how to use ARC maps.

Operations - Holmes – routine processes underway include updating of election worker information; drawing up lists for the print shop. As requested, consultant Curt Wolfe, modified the payroll sheets to remove SS numbers. No Election Day problems. Payments have been mailed.

Letters are now going out to Early Voting workers and to Election Day sites, normally this would have been completed in Nov, but the 13 extra elections in 2013 delayed this process. An Absentee Operating/Procedures manual is being compiled.

Signage: recurring problem

Critiques from Officers/workers usually note the need for signs; manpower to deliver signs to sites is not available. Officers will be encouraged to pick up additional signs when they pick up their precinct bag. Different type signs are being considered, however, we can only purchase from County vendors.

Polling Sites:

Some sites are no longer suitable. Different school situations including, state schools must be dealt with for campus access. The Achievement District Schools are not familiar with Election requirements, and are sensitive to the possibility of voters interacting with students. We need to examine security measures to protect students. One plant manager is often responsible for opening more than one school, so timely entry for elections is a problem. We may have to pay overtime for 6:00 a.m. openings.

All our polling sites are ADA accessible. Because a voter sued Golden Gate Church, we are no longer welcomed at that site.

Voter cards: some cards should be replaced, approx. \$4.60 ea . Each machine should have card readers cleaned before delivery to site.

'Newish' Signature list; technical statute requirement according to Coordinator's office - voters are supposed to sign and print their names on the signature list.

Absentee – Overseas and military ballots are requested annually. We have approx. 800 permanent absentee voters – removal is when we are notified of a death or a move to a nursing home.

Comm. Lester received high compliments from East High when they used our voting machines.

AOE response to November 4 County Executive Summary Audit – as customary the County submitted their Final Report after SCEC responded to the Draft - Report no. 13-011, beginning on page 7

The follow are the items related to the Ops/Tech committee.

Item 4 - for privacy, SS numbers of temp workers have been removed from time sheets

Item 5 – As recommended by the auditor, applications of Election Day temps are now scanned and retained in their records. This is not required by HR or done by other departments, but we will include this step in written instructions. NOTE: meanwhile the temp worker policy has changed.

Temp workers can only work 975 hours per year. Elections in May, Aug, Nov will mean we have core groups of workers who will not be able to work all three elections. Now, 12 months from hire date they must be terminated.

More qualified and trained workers will be needed more comprehensive training and written instructions will be needed. We plan to have workers sign off on what they understand. We need to solve the problem of hiring temporary workers.

Item 6 - ED workers – 16 no-shows were replaced Election Day on-site, per statute - workers cannot be pay for training unless they serve on Election Day. Staff as well as Help Desk workers are utilized to fill no-show positions. The AOE will look into the possibility of hiring and training more Help Desk personnel to be available in this situation.

Item 7 – Election workers proper management review – one person underpaid by \$6; one overpaid by \$12; and overpaid \$6; one overpayment was refunded to SCEC – this is a not systemic problem. Temps now sign time sheets and manager does more review. There are only 2 pay rates and those are set by the county.

Item 8 – Evaluations of Temps - better evaluations and improved logs. Family members do not evaluate each other. After discussion the no-hire list will be reinstated and filed for reference. Comm. Lester will draft a recommended form.

Remedial training or improved logs – be sure workers know they will be evaluated.

Those who earn less than \$1K yr. do not have insurance coverage. Accidents are reported to County Risk management.

Item 9 – Municipality reimbursement for elections - the county is responsible for financial follow up.

Item 11 – Payment for polling sites should match contract. We paid \$75, contract said \$200; Al thinks \$75 is correct because he thinks the most recent amount was \$75.

Item 15 – Possible discounts from Memphis Publishing were overlooked: 2008 PR election requirements cost \$200K; 2012 PR Election was \$84K. Vendor indicated correct discounts were given.

The AOE specifically asked Comm. Lester to identify any issues and evidence that she required.

Discussion ensued regarding background checks on temp workers. Agencies do background checks on workers they place for needed criteria and background. SCEC will submit everyone, even former workers for background checks. We are automatically notified of felony convictions.

Proactive – Nollner recommended a simply publication to be distributed to the public regarding 2014 elections. Key dates of timelines on 2014 elections.

League of Women Voters was contacted and invited for an educational tour of SCEC. Suggestion was for early evening Feb or March, before we become more involved in the election cycle. Last week a consultant in house, observed that SCEC does so much more than the public appreciates or understands.

Comm. Stamson suggested a 90-day moratorium before elections on running special reports because work schedules are so heavy during that time. The equipment is used daily for other Election functions, we must schedule data updates to meet the constraints of the equipment. We cannot provide special reports when data is being updated in the system.

After the first of each month, All Detail reports in Access are available on disk. Additions, corrections, updates are processed and included as of the first of each month. No All Detail reports were issued between May and August of 2012 for this reason.

All Detail reports contains all the information political parties need to made determinations for their party. Voter names, contact info, precinct, DOB, registration number and elections voted. The disk can hold approximately the last 10 elections or so. All detail reports are readily available after the first of each month.

Candidates can specify how they are listed on the ballot and in our records. They register with their preferred name – they are listed on ballots with their preferred name. Those may not be the same – the legal name may be Charles, but the candidate wants to be listed as Charlie etc. They may have also registered using a first initial and full middle name that is their preference.

Precinct consolidation discussions will continue, however, no consolidations can be accomplished before the 2014 elections are finished. As previous stated, agreement would have been necessary by Feb 2014.

This concludes my report.