

SHELBY COUNTY ELECTION COMMISSION  
SPECIAL MEETING  
March 5, 2014

A Special Meeting of the Shelby County Election Commission was held on March 5, 2014 at 3:00 PM at the Election Operations Center, 980 Nixon Drive. Meeting was called to order at 3:00 PM by Chairman Robert Meyers. Commissioners Lester, Nollner, Stamson and Tate were in attendance.

**DISCUSSION/APPROVAL OF CANDIDATES TO APPEAR ON THE MAY 6, 2014 BALLOTS**

Chairman Meyers stated that the Special meeting was called to further discuss the eligibility of three candidates that were challenged at the February 27, 2014 Certification meeting.

**E. Jefferson Jones, County Commissioner – District 11**

Eddie Jones, 1980 Prado, was present to challenge candidate residency. He stated that the candidate name was Ethelene Jones and did not reside at address that she had on her nominating petition. Ms. Jones used the address of 3183 Winchester which is a vacant commercial building. Mr. Jones stated that he contacted the property management company and was advised that the building had been vacant for 6 to 7 months. Therefore, when Ms. Jones filed her petition she was not a resident of District 11 and did not meet the qualifications and standards to be certified as a candidate in District 11.

Paul Robinson, Attorney, representing Ms. E. Jefferson Jones was present. Attorney Robinson stated that Ms. Jones response is based mainly on the statute TCA 2-2-122(6). A person may be a resident of a place regardless of the nature of the person's habitation, whether house or apartment, mobile home or public institution, owned or rent; however, a commercial address may not be used for residential purposes, unless the applicant provides evidence of such applicant's residential use of such address. He further stated that Ms. Jones could use that address as long as she shows evidence or proof of a residence of such address. When Ms. Jones presented her petition for candidacy it was her attention to live at the address she provided. The lease did not follow through and she has never lived at the Winchester address but has changed her address at this time.

Mr. Holden stated that our records show that Ms. Jones filed her petition using the Winchester address but changed her address on February 26<sup>th</sup> after the qualifying deadline from the 3183 Winchester to 3503 Southland.

Attorney Ryder stated that according to Section 2-03-C of the Shelby County Home Rule Charter, to be eligible to run for office of county commission, a candidate must be 18 years of age, a registered voter in that district on the date that the nominating petition is filed and have been a resident of the county for 1 year prior to the election. Ms. Jones pulled a petition based on her intention to reside at the address in question and therefore was not a resident of that district at the time she filed her petition. Commissioner Nollner moved that Ms. E. Jefferson Jones could not be certified as a candidate based on opinion from attorney. Second by Commissioner Tate. Motion approved unanimously.

**Edith A. Moore, Candidate for County Commission District 6**

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Commissioner Lester stated that she resided in District 6 and based on the advice from attorney that she was recusing herself from this matter. There were not any challengers present speaking against Ms. Moore.

Cedric Wooten, Attorney representing Ms. Moore was present. He stated that Ms. Moore has a valid voter registration card designating District 6 as her district, resides at the property at Gladstone as evidence by a valid MLGW bill, currently living on this property and rehabbing this property at the time, she continues ongoing mail drop off service as evidence by letter sent by this commission and received by Ms. Moore. Attorney Wooten stated that Ms. Moore had received some threats because of gang activity and her property was vandalized and as a security measure she boarded up some windows on the back side of the property. Attorney Wooten further stated that Ms. Moore had a gas leak in January therefore forcing her to leave the property. She has sought out a contractor and is making repairs on the property. Stated that this matter is in regard to TCA 2-2-122(a), an intent to return to her residents.

Ms. Moore was asked to come before the Commission to give her sworn testimony of where she resides. Ms. Edith A. Moore stated that she lives at 4307 Gladstone, Memphis, TN but was staying with friends until the gas leak could be fixed, final inspection from Code and plans to return to the home.

Attorney Hagler stated that in this matter based on the information from the candidate and attorney that the facts are consistent with the concept of fixed habitation and the intent to return. In addition, no one appeared for the purpose of offering any proof to the contrary. Therefore, a motion to certify would be in order.

Commissioner Stamson moved to certify Ms. Moore as a candidate. Second by Commissioner Nollner. Motion approved. Commissioner Lester abstained.

**M. Latroy Williams, candidate for County Trustee**

Samantha Rajapakse, 5261 Algiers Drive, Memphis, TN, was present to challenge candidate residency.

She opposes the fact that he is using a false address to obtain residency in a commercial building to become the County Trustee. Stated that the Commission should ask for documentation from Mr. Williams showing his current residency such as phone bill, MLGW, rental agreement, etc. She stated that he have used an address of where the former Draughon's Business College was located. She provided pictures of the building for the Commission to view.

M. Latroy Williams was present and addressed the accusations from Ms. Rajapakse. He was sworn in and stated that he resides at 3693 Hermitage Drive, Memphis, TN. He denied the fact that he has used the address that Ms. Rajapakse referred to of Draughon's Business College. He stated that he did until very recently reside at 3187 Winchester Road, with his wife and daughter. He asked to see the pictures that were given to the Commission by Ms. Rajapakse. He stated that he has always lived in the back of his buildings at 3250 Commercial Parkway, Suite 3258.

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Commissioner Stamson asked attorneys weren't it a fact that to run for the County Trustee you just had to live within the County? Attorney Hagler stated that based on the information before them that he lived within the county and when he filed his nominating petition he was a registered voter at 3187 Winchester Road but changed his residence after filing his petition. He may have been in some type of code violation by staying in commercial property but that issue is not within the election commission jurisdiction to determine. Commissioner Stamson moved to certify M. Latroy Williams as a candidate for County Trustee. Second by Commissioner Lester. Motion approved unanimously.

Chairman Meyers thanked the attorneys, challengers and candidates for attending the meeting.

Without objection, meeting adjourned at 4:08PM.

**THOSE PRESENT**

Richard Holden, AOE  
Joe Wm Young, II, Deputy  
Monice Hagler, Attorney  
John Ryder, Assistant County Attorney  
Albert Holmes, Staff  
Rosemary Barbee, Staff  
Edith A. Moore  
Eugene Toy  
Mickey Klenz  
Barbara Williams  
Eddie Jones  
Judy Palmer  
Paul Robinson  
M. Latroy Williams  
Virgie Banks

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

\_\_\_\_\_ Chairman  
\_\_\_\_\_ Secretary