Sumner County Election Commission
Regular Meeting Minutes
Tuesday, June 09, 2020 at 4:00 pm

Members present: Chairman M. Allen Ehmling, Secretary Patricia D. Collins and Member Jeffery B. Hulsey. Also present: Lori D. Atchley Administrator of Elections and Assistant Administrator of Elections Annette P. Haw. The meeting convened at 4:00 p.m. and a quorum was present.

I. CALL MEETING TO ORDER

The meeting was called to order, motion by Commissioner Hulsey, seconded by Commissioner Collins and the motion passed 3-0.

II. APPROVE AGENDA

The Agenda was approved with a motion by Commissioner Hulsey, seconded by Commissioner Collins, and the motion passed 3-0.

III. OLD BUSINESS

Approve minutes of March 08, 2020 Regular Meeting and May 26, 2020 Special Call Meeting. Motion by Commissioner Hulsey, seconded by Commissioner Collins and the motion passed 3-0.

IV. NEW BUSINESS

A. INSPECTION – NEW PROCESSED VOTER REGISTRATION APPLICATIONS

Commissioners present inspected 88 newly processed voter registration applications out of the total registrations of 871 as required by statute with no discretions noted. All Commissioners present signed the report.

B. INSPECTION – APPEAL PROCESSED VOTER REGISTRATION APPLICATIONS

AOE presented an appeal from a voter who had indicated on the original voter registration application (OVR) that he had been convicted of a felony. The SCEC sent the voter an appeal form which was completed and signed; whereby he indicated that he had NOT been convicted of a felony – he had marked the box "yes" in error. After inspection of the submitted forms by the Election Commissioners present, Motion by Commissioner Collins and seconded by

Commissioner Hulsey to accept the voters appeal and accept the voter registration application as valid, the motion passed 3-0.

AOE presented an appeal from a voter who had indicated on the original voter registration application (OVR) that he had been convicted of a felony. The SCEC mailed an appeal form which was completed and signed; whereby he indicated that he had NOT been convicted of a felony – the voter had marked the box "yes" in error. The voter also completed a new signed voter registration application with all declaration questions answered. After inspection by the Election Commissioners, Motion by Commissioner Hulsey and seconded by Commissioner Collins to accept the voter's appeal and accept the voter registration application, the motion passed 3-0.

C. REPORT FROM ADMINISTRATOR

- **ABSENTEE FOR ANY REASON LAWSUIT**

Administrator explained that Judge Lyle of Davidson County ruled on June 4, 2020 that COVID – 19 was a legitimate reason to vote absentee. AOE provided Commissioners a new Absentee Request Form that included a box with an available selection of "I have determined it is impossible or unreasonable to vote in person due to the COVID-19 situation, and therefore qualify as hospitalized, ill or disabled and unable to appear at my polling place." The form has now been placed on the SCEC website. AOE stated that the State Attorney General had filed a request for a "Stay" Friday night to be presented to the State of Tennessee Court of Appeals. Time frame unknown. Status of applications for ballot for COVID - 19 reason unknown. AAOE stated that applications were being processed as normal. AOE to keep Election Commissioners up to date as more information becomes available.

- **LICENSED FACILITY UPDATE**

AOE stated that SCEC had been in contact with all 26 licensed facilities in Sumner County regarding the upcoming election. Some had indicated they would not allow the SCEC into their facilities due to COVID - 19. AOE had sent two letters explaining that a part of being Licensed Facility with the State was to allow the SCEC access to the facilities to vote residents who wished to vote. SCEC had offered two options – 1) the SCEC would arrive at the facilities, use appropriate PPE and vote residents as the facility directors instructed – in an activity room or room to room OR 2) deputize two staff members of the facility to vote the residents. AOE had concern of allowing facility staff to vote residents due to lack of experience and training, and loss of control by SCEC of voting machine. AOE

suggested using Face Time to monitor the use of voting machine. Deputized staff members must consist of one Republican and one Democrat both of whom must be registered voters of Sumner County. We did not recommend this option; however, the state required it as an option. To date, 6 facilities had agreed to allow us access, 7 had submitted lists of residents wishing to vote, 0 had exercised the option of utilizing deputized staff members to vote. AOE stated that we must meet the requirements as outlined in the TCA. If the facility denies us access, the AOE would report to State Election Office who would report to Tennessee Department of Health.

- **JUNE 2ND BUDGET HEARING UPDATE**

AOE and AAOE had attended June 2 Budget Committee meeting. AOE had explained the current voting situation and budget including increased expenses for the anticipated increase in Absentee Voting per current TCA (this was prior to the judge's ruling regarding COVID – 19.). David Lawing, Finance Director, removed the full time staff position submitted by the SCEC. AOE explained to the committee that the additional employee would work more than the 29.5 hours allowed under Obamacare (DOL) before providing benefits. Law Director Leah Dennen stated that if hours were exceeded, insurance premium equivalent would be paid to employee. After general discussion, committee agreed to full time employee. Further discussion indicated that if budget adjustments were necessary for the SCEC due to legislative requirements regarding COVID -19, budget committee would be open to submittal of Purchase Orders for unforeseen expenses and budget revisions.

- **PPE GENERAL UPDATE**

AOE presented masks, gowns, gloves, face shields, alcohol swab cleaners and UV sanitizer unit that will be provided to poll workers. A disposable paper bag will be given to each voter at the registrar station that contains two food service type oversized gloves for voting the machine without physical contact, a pen and an "I voted" sticker. A "used pen" box/container will be provided for sanitization via the UV sanitizer unit, if the pen is returned. Also provided will be additional waste baskets. Not displayed were the tri-fold Plexiglas sneeze guards, as they had not yet arrived.

V. REPORT FROM ELECTION COMMISSIONERS

A. CHAIRMAN

Chairman was pleasantly surprised at receptiveness of Budget Committee to our budget requests.

B. ELECTION COMMISSIONERS

Commissioner Collins requested points of clarifications on Absentee Voting.

VI. ADJOURMENT

Motion by Commissioner Collins to adjourn the meeting, seconded by Commissioner Hulsey and the motion passed 3-0. Meeting adjourned at 5:16 p.m.

M. Allen Ehmling, Chairman

Patricia D. Collins, Secretary

Lori D. Atchley, Administrator of Elections