

**SUMNER COUNTY ELECTION COMMISSION
SPECIAL CALL MEETING MINUTES
WEDNESDAY, FEBRUARY 28 2024, 3:00 P.M.**

Members present: Chairman M. Allen Ehmling; Secretary Denise D. Shepherd; Commissioner Patricia D. Collins; Commissioner J. Michael Fussell; and Commissioner Jeffery B. Hulse. Also present: Lori D. Atchley, Administrator of Elections (AOE) and Annette Haw, Assistant Administrator of Elections (AAOE).

I. CALL MEETING TO ORDER

The meeting was called to order at 3:01 p.m. by Acting Chairman Fussell. A quorum was present.

II. APPROVE AGENDA

Commissioner Collins made a motion to approve the agenda, seconded by Commissioner Hulse and the motion passed 4 – 0.

III. PUBLIC COMMENTS

No one signed up for public comments.

IV. NEW BUSINESS

A. INSPECTION – APPEAL PROCESSED VOTER REGISTRATION APPLICATIONS

There were two appeals. CMB and BK both inadvertently marked “Yes” to “Have you been convicted of a felony?” on their voter registration applications. An appeal form was mailed to each voter who completed the form and advised that they had not, in fact, been convicted of a felony. After the Commissioners reviewed the documentation for both applicants, a motion was made by Commissioner Fussell and seconded by Commissioner Hulse to accept both voter registration applications and appropriately register the voters to vote. The motion passed 5 – 0, Chairman M. Allen Ehmling having arrived at 3:03 p.m.

B. INSPECTION – NEWLY PROCESSED VOTER REGISTRATION APPLICATIONS

Commissioners inspected 51 voter registration applications out of 509 new registration applications with no discrepancies noted. Commissioners present signed the report to be submitted to the State Division of Elections.

C. REVIEW AND APPROVE THE 2024-2025 SUMNER COUNTY ELECTION COMMISSION BUDGET TO BE SUBMITTED

After presentation of the budget by the AOE, a motion by Commissioner Fussell,

Commissioner Hulsey, seconded by Commissioner Collins and the motion passed 5 – 0. Motion by Commissioner Fussell, seconded by Commissioner Collins to approve the February 6, 2024, Regular Meeting Minutes, and the motion passed 3-0-2, with Chairman Ehmling and Commissioner Hulsey abstaining.

AOE requested, due to a recent inquiry by the AOE and AAOE to the State Election Commission for a point of clarification regarding voters who wished to vote on “paper” ballots due to distrust of voting machines, that the Election Commission formalize a policy regarding the matter. AOE stated that over the course of several years and election cycles, various information and direction regarding the matter had been received by the AOE from the State Election Office. AOE and AAOE reached out for a definitive response regarding the matter. AOE clarified that Sumner County does not utilize paper ballots for voting. It is not an available or approved method of voting; however, provisional ballots may be cast via a ballot card for a variety of legitimate reasons. Andrew Dodd, senior attorney for the State Election Office advised the following: The Sumner County Election Commission must determine a formal policy regarding the use of provisional (not paper) ballots for voting solely based on voter distrust of voting machines. Attorney Dodd advised that if the Election Commission issued provisional ballots to voters solely based on distrust of voting machines, and the voter was otherwise qualified to vote, the vote should be counted. AOE expressed concerns that if a large volume of these requests were allowed, the resources would not be available at the precincts or in the counting board to process these requests. AOE and Commissioners discussed the August 2022 election; whereby, receipt of approximately 500 ballots for a write-in candidate caused a significant delay in reporting due to the processing time required at the counting board level. AAOE added that there would be a significant delay at the precincts due to the time required to process provisional ballots by the Officer of Elections or the Special Registrar. After general discussion, the Commissioners agreed that the introduction of the VVPAT printers allowed voters to confirm, in print, their selections for candidates prior to finalizing their vote. Motion by Commissioner Fussell to not allow provisional voting for the sole reason of voting machine distrust, seconded by Commissioner Collins, and the motion passed 5 – 0.

VI. ADJOURNMENT

Motion by Commissioner Collins, seconded by Commissioner Hulsey to adjourn the meeting and the motion passed 5 – 0. The meeting was adjourned at 4:25 p.m.


Chairman, A. Allen Ehmling


Denise D. Shepherd, Secretary