

MINUTES OF THE DAVIDSON COUNTY ELECTION COMMISSION
February 19, 2008

The Davidson County Election Commission (DCEC) met at 8:00 a.m. on February 19, 2008 in the Metro Office Building. Commissioners Eddie Bryan, Ana Escobar-Burchwell, A. J. Starling, Lynn Greer, and Patricia Heim were present. DCEC staff members present included Administrator of Elections (AOE) Ray Barrett; and staff members Joan Nixon, Lionel Barrett, and Kelley Harrison. Also present was Ted Morrissey of the Metropolitan Department of Law.

Chairman Eddie Bryan convened the meeting.

Approve December 19, 2007 Meeting Minutes: Commissioner Starling made a motion to approve the minutes of the December 19, 2007 regular meeting as presented. Commissioner Escobar-Burchwell seconded the motion and it was approved unanimously.

Approve January 15, 2008 Meeting Minutes: Commissioner Starling made a motion to approve the minutes of the January 15, 2008 special meeting as presented. Commissioner Escobar-Burchwell seconded the motion and it was approved unanimously.

Call City Of Oak Hill Municipal Election: Based upon a letter received from the Oak Hill City Manager, Commissioner Greer made a motion to hold an election on June 10, 2008 for the purpose of electing one (1) commissioner for the City of Oak Hill and to hold such election from 7:00 a.m. until 7:00 p.m. at a single voting precinct. Commissioner Starling seconded the motion and it was approved unanimously.

Complaint from Jeanette Coke: The Chairman recognized Jeanette Coke, a candidate in the City of Berry Hill Commissioner election held on February 5, 2008. Ms. Coke lost her election to Polly Haskins by three (3) votes and presented to the Commissioners a list of voters who cast ballots in the City of Berry Hill election indicating that at least 8 of those ballots cast were by voters who were not residents of the City and should not have been issued ballots that included the City of Berry Hill election on them. She acknowledged that she missed the deadline to file a contest of election, but asked to appear before the Commissioners in an effort to stress better and more careful administration on the part of poll workers, especially those at Early Voting locations, in the issuance of ballots and/or selection of ballot face on a voting machine. The Commissioners agreed that the number of different ballot faces presents challenges and will continue to stress attention to detail to its poll workers.

Certify City of Berry Hill Election Results: Commissioner Heim made a motion to certify the results of the City of Berry Hill Election as presented. Commissioner Starling seconded the motion and it was approved unanimously.

Certify Presidential Preference and Democrat County Primary Election Results: Commissioner Heim made a motion to certify the results of the Presidential Preference and Democrat County Primary Election as presented. Commissioner Starling seconded the motion and it was approved unanimously.

Purged Voter Registration of William Krauss: Lionel Barrett provided the Commissioners background information concerning the voter registration of William Krauss that ultimately led to the purging of his registration in December 2007 based on failure to disclose a previous federal felony conviction while a resident of California. Mr. Barrett reported that Mr. Krauss is taking steps to have his voting rights restored. The Commission was informed that Mr. Krauss should not have been added to the voter registration rolls by the DCEC in October 2003 without requiring him to complete all required information. Commissioner Greer made a motion to take no further action on this matter. Commissioner Escobar-Burchwell seconded the motion and it was approved unanimously.

Prosecution of Election Worker for Voting Twice: Lionel Barrett reported that the prosecution of Ms. Vancey Voorhies for voting twice in the August 2, 2007 election was settled by the District Attorney General's office by means of an Agreed Order on January 23, 2008. That Agreed Order did not result in any loss of voting rights for Ms. Voorhies nor include any guilty plea by the defendant, but placed her under a pre-trial diversion requiring good conduct for a period of time and the payment of all court costs. Ms. Voorhies' record will be expunged upon satisfactory completion of the diversionary period.

A motion was made by Commissioner Greer and seconded by Commissioner Escobar-Burchwell to send a letter to the District Attorney General expressing our dissatisfaction with the action of, and lack of consultation by, the ADA assigned to the case, Tammy Meade, in negotiating a resolution of the matter given the degree of public trust granted to Ms. Voorhies in her position as a public school teacher and election worker. The motion was approved unanimously.

Administrator's Report: Ray Barrett reported that he will contact Commissioners with date and time information about the budget hearing with the Mayor concerning the 2008-09 budget for the DCEC. He continues to make plans for the remaining elections in August and November along with City Municipal Elections in 2008.

Next Meeting: There being no urgent need at present, Commissioners agreed the next meeting will be subject to the call of the Chairman.

There being no further business the meeting adjourned.

Eddie Bryan, Chairman

Ana Escobar-Burchwell, Member

A. J. Starling, Member

Patricia Heim, Secretary

Lynn Greer, Member