

**SUMNER COUNTY ELECTION COMMISSION
REGULAR MEETING MINUTES
THURSDAY, NOVEMBER 16, 2023, 4:00 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 P. Haw, Assistant Administrator of Elections (AAOE).

I. CALL MEETING TO ORDER

The meeting was called to order at 4:00 p.m. by Chairman Ehmling with a motion by Commissioner Fussell, seconded by Commissioner Hulse and the motion passed 5 – 0. A quorum was present.

II. APPROVE AGENDA

Commissioner Fussell made a motion to approve the agenda with an Amendment to include an Executive Session with Attorney Tom Lee following Agenda Item II. APPROVE AGENDA, seconded by Commissioner Hulse and the motion passed 5 – 0.

The Sumner County Election Commission went into Executive Session with Attorney Tom Lee at 4:03 p.m.

The Sumner County Election Commission resumed the regular meeting at 4:39 p.m.

III. PUBLIC COMMENTS

No one signed up for public comments.

IV. APPROVE MINUTES

A motion to approve the October 10, 2023, Regular Meeting minutes was made by Commissioner Fussell, seconded by Commissioner Hulse and the motion passed 5 – 0.

V. NEW BUSINESS

A. INSPECTION – APPEAL PROCESSED VOTER REGISTRATION APPLICATIONS

There were no appeals.

B. INSPECTION – NEWLY PROCESSED VOTER REGISTRATION APPLICATIONS

- Commissioners inspected 77 voter registration applications out of 762 voter applications with no discrepancies noted. Commissioners present signed the report to be submitted to the State Division of Elections.

C. REPORT FROM ADMINISTRATOR

- FACILITY UPDATE

- AOE advised the matter is still unresolved and the SCEC continues to operate in two separate locations; however, the court date with Judge Louis Oliver in Chancery Court is November 17, 2023 at 9:00 a.m. to hopefully resolve the matter.

- BUDGET UPDATE

- Status unchanged. The County Commission approved an SCEC budget (not the one approved and submitted by the SCEC, but the previous year's SCEC budget 2022 -2023) and that budget passed. AOE reiterated that the budget approved by the County Commission would not be sufficient, and that there are no funds for a permanent security system, dedicated telephone line or server at the SCEC Auxiliary Building at 1019 Union School Road.

- VOTING MACHINE CASE DELIVERY UPDATE

- AOE reported that the voting machine cases had been delivered.

- APPROVE NEW PRECINCT

- AOE requested that the SCEC approve Station Camp Middle School as the District 11 precinct, as all other suitable options had been exhausted. Motion by Commissioner Fussell, seconded by Commissioner Hulsey to approve Station Camp Middle School as the voting precinct for District 11, and the motion passed 5 – 0.

- APPROVE 2023 – 2024 MACHINE TECHNICIANS

- Motion by Commissioner Fussell and seconded by Commissioner Hulsey to approve George Samuel Holder and Linda Main as the 2023 – 2024 Machine Technicians, and the motion passed 5 – 0.

- APPROVE DECEMBER 19, 2023 MILLERSVILLE SPECIAL ELECTION CANDIDATE LIST

- AOE read the list of candidates for the City of Millersville Special Election for Commissioner, Unexpired Term, that included independent candidates Alisa Huling and Tim Lassiter. Motion by Commissioner Fussell, seconded by Commissioner Hulsey to approve the candidate list as presented and the motion passed 5 – 0.
- **APPROVE NOVEMBER 27, 2023, 4:00 P.M. SPECIAL CALL MEETING TO CERTIFY THE MILLERSVILLE SPECIAL ELECTION VOTING MACHINES**
 - Motion by Commissioner Collins, seconded by Commissioner Fussell to approve a Special Call Meeting on November 27, 2023 at 4:00 p.m. for the purpose of certifying the Early Voting and Election Day Voting Machines for the City of Millersville Special Election to be held December 19, 2023. The motion passed 5 – 0.
- **APPROVE LIST MAINTENANCE PROGRAM**
 - AOE stated that at the October 31, 2023 TACEO meeting, the State Election Commission encouraged all counties to review their current List Maintenance Program for compliance with statute. AOE stated that no procedural changes had been made to the Sumner County Election Commission List Maintenance Program, but felt it was prudent for the current commission adopt the policy, as there are members on the Election Commission at present that were not Election Commissioners at the time of the last adoption in 2019. Motion by Commissioner Fussell, seconded by Commissioner Hulsey to adopt the List Maintenance Policy as presented, and the motion passed 5 – 0.
- **OTHER**
 - AOE stated that on November 14, 2023, the City of Hendersonville passed, on second reading, a resolution to call for a referendum for a .25% sales tax increase for the City of Hendersonville. AOE stated that the Sumner County Commission has, per statute, 40 days to decide whether to request the sales tax increase county wide. Depending on notification by the County Commission, AOE stated that a special election for the City of Hendersonville and a County Wide election could be held in April or May 2024.

VI. REPORT FROM ELECTION COMMISSIONERS

A. CHAIRMAN

- No report.

B. ELECTION COMMISSIONERS

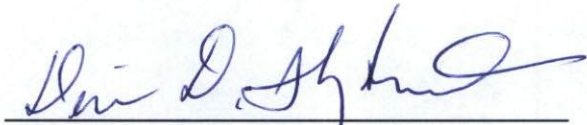
- Commissioner Collins stated that she had attended, of her own volition, the Pig Feast event in October, and was pleased by the booth manned by the Girl Scouts in tandem with the League of Women Voters. The purpose of the booth was to encourage/facilitate voter registration for event attendees. Commissioner Collins also stated that she and Commissioner Shepherd were in contact with schools and department heads regarding voter registration events in the high schools.

VII. ADJOURNMENT

- Motion by Commissioner Fussell, seconded by Commissioner Collins to adjourn the meeting and the motion passed 5 – 0. The meeting was adjourned at 5:19 p.m.



M. Allen Ehmling, Chairman



Denise D. Shepherd, Secretary



Lori D. Atchley, Administrator of Elections, AOE



SUMNER COUNTY ELECTION COMMISSION

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Gallatin, TN 37066

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VOTER REGISTRATION LIST MAINTENANCE PROGRAM

The Sumner County Election Commission voter registration list maintenance program shall consist of the following activities to be performed by the county election commission staff as described herein:

1. Mailing a Confirmation Notice to Voters
2. Purging Ineligible Voters
3. Using the Verification Card or other Non-Forwardable Mailer, such as the Voter Registration Card as needed

The program described herein of the Sumner County Election Commission shall be completed every two years. During the month of January – April of each odd numbered year, the election commission staff shall:

1. Identify each voter who has been on Inactive status for a period of (2) two November general elections since the confirmation notice was sent and Purge these voters.
2. Review the following sources to identify voters to whom a confirmation must be sent.
3. Immediately upon sending the confirmation notice, the election commission staff must change the status of the voter from active status to inactive status.
4. Staff must attach the documentation, such as, any returned mail, to the voter registration record as proof of the reason for making the voter inactive.

Throughout each month of each year, the Sumner County Election Commission staff shall perform the following duties:

1. Anytime the US Post Office returns a mailer as undeliverable, including the non-forwardable verification card, a voter registration card or non-forwardable letter, which has been mailed to a registered voter by the Sumner County Election Commission staff, the voter shall be mailed a forwardable confirmation notice as placed on inactive status. The returned mailer shall be kept with the applicable voter registration card.
2. As needed, mail the non-forwardable verification card or voter registration card to voters. If the card does not return to the Election Commission office by the US postal Service, the voter shall be presumed a resident of the address on record and shall remain on Active Status.
3. The Sumner County Election Commission shall maintain a separate total of voters on Inactive Status and not include the number of Inactive Voters in the Sumner County's total of Registered Voters.
4. The staff shall update an Inactive voters status upon any activity, including, but not limited to the following:
 - a. Response to Confirmation Notice
 - b. Change of Address Properly Filed
 - c. Voting
 - d. Request for a Replacement Card
 - e. Duplicate Voter Registration
 - f. Signing a Candidates Petition
5. The Sumner County Election Commission shall maintain records and documentation related to the list maintenance program, including, but not limited to:
 - 1) the date of the sending of the confirmation notice;
 - 2) a list of all voters and their address to which conformation notices have been sent
 - 3) any evidence supporting the reason for sending the confirmation notice must be retained with the voter's record.
6. Records shall be electronically and physically maintained.
7. The Sumner County Election Commission shall retain all purged records and documentation related to the voter for two years from the date of Purge.

The Sumner County Voter Registration List Maintenance Program per NVRA and TCA 2-2-106 (b) – (e) shall also consist of the following:

Per the attached FIVE (5) pages as outlined by Coordinator of Elections, Mark Goins, State of Tennessee Election Office.

We, the Sumner County Election Commission, adopt this policy this 16th day of November, 2023.

SUMNER COUNTY ELECTION COMMISSION



M. Allen Ehmling, Chairman



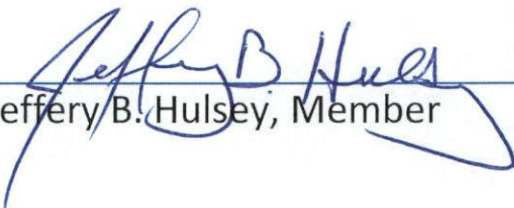
Denise D. Shepherd, Secretary



Patricia D. Collins, Member



J. Michael Fussell, Member



Jeffery B. Hulsey, Member

List Maintenance Program

A. County Election Commission Must Adopt a Written Policy

1. Must describe the details of the list maintenance program;
2. Must describe the conditions and situations in which the confirmation notices and the verification cards must be mailed;
3. Must specify the timing in which activities in the program must occur.

B. Confirmation Notice - Required Mailer

1. Forwardable mailer (Follows the voter who has filed a change of address with the post office)
2. Includes a pre-paid response card
3. Does not include the voter's SSN
4. Mailed to Address on Voter Registration Record
5. The confirmation notice must inform the voter that the confirmation notice has been sent because the election commission received information indicating that the voter's current residential address is different from the residential address listed on the voter registration record.
6. Reasons to Send the Confirmation Notice – Objective Evidence
 - a. Returned Mail which has been sent by the County Election Commission Office (**Attach any returned mail to the voter registration record as proof of its return**)
 - b. Information received through the National Change of Address (NCOA) Program
 - c. Information received from the Coordinator of Elections as a result of a comparison of voter registration addresses with the residential addresses of record with another Tennessee state agency, including, but not limited to, state welfare and public assistance agencies, and commercially available data.
 - d. Information received from the Coordinator of Elections as a result of a comparison of voter registrations with another State.
 - e. Information received from the jury coordinator serving the circuit/criminal court or the federal jury coordinator stating a registered voter is disqualified or potentially disqualified as a prospective juror from jury service due to not being a resident of this state or not being a resident of the county (Tenn. Code Ann. §§ 2-2-113 and 22-2-317)
 - f. Different Address Listed on a Petition (**Keep a copy of the signature page for your records**)

7. Consequences to Sending the Confirmation Notice

- a. Immediately Makes the Voter INACTIVE
- b. Can still vote, but must vote through the Fail-Safe process
- c. Can still sign nominating petitions
- d. Can still sign petitions for referendums
- e. Shall not be counted in the numbers of registered voters for the county
- f. If there is not any activity over a period of two (2) consecutive regular November elections from the date the voter is made inactive, the inactive voter is purged/removed

8. Activity which Makes the Inactive Voter Active

- a. Voting
- b. Response to the Confirmation Notice
- c. Change of Address
- d. Request for Replacement Card
- e. Duplicate Voter Registration Application
- f. Signing a Petition, using the Same Address of Registration (**Keep a copy of the signature page for your records**)

C. Verification Card/Inquiry Letter (Non-Forwardable Mailer) – Useable, but not required

1. Reasons for Sending the Verification Card/Inquiry Letter – Based on reasons other than a statutory basis for sending a Confirmation notice
 - a. Inactivity over a period of two (2) consecutive regular November elections
 - b. Notification from individuals other than the voter, for example, parents, former spouses, neighbors who report that the voter has moved
 - c. Information received from the jury coordinator serving the circuit/criminal court or the federal jury coordinator stating a registered voter is disqualified or potentially disqualified as a prospective juror from jury service due to having been convicted of a felony (See sample felony inquiry letter.)
 - d. *Must be based on uniform and nondiscriminatory reasons*

2. Consequences to Sending the Verification Card/ Inquiry Letter
 - a. Does NOT change the status of the voter, and the voter remains Active
 - b. Can still sign nominating petitions
 - c. Can still sign petitions for referendums
 - d. Can vote in elections like any other voter

D. Use of Jury Coordinator List

1. Send Voter a Confirmation Notice
 - a. If a registered voter appears on a jury list submitted by the federal jury coordinator or the jury coordinator that serves the circuit/criminal court in the judicial district and the county election commission cannot confirm that a registered voter on the jury list moved outside the county or has a judicial order of incompetency, the election commission may send a confirmation notice to the registered voter.
 - b. If the election commission sends a confirmation notice to the registered voter, the voter must be placed on Inactive status.
2. Send Voter an Inquiry Letter Notice
3. Remove Voter's Name from the List of Registered Voters
 - a. If the county election commission verifies using corroborating evidence that a registered voter on the jury list is deceased, moved outside the county, has a felony conviction, or has a judicial order of incompetency, the name may be removed from voter registration list
 - b. If a registered voter has reported to the federal jury coordinator or the jury coordinator that serves the circuit/criminal court in the judicial district that he/she is not a U. S. citizen, the county election commission must send a notice to the registered voter inquiring whether the individual is eligible to be registered to vote and advising the voter that proof of U. S. citizenship must be submitted to the county election commission within 30 days of receipt of the notice.

Proof of citizenship includes:

- (1) The voter's birth certificate or a legible photocopy of the birth certificate;
- (2) A United States passport, or a legible photocopy of the pertinent pages of the passport, identifying the voter and showing the passport number;
- (3) The voter's United States naturalization

E. Removing Ineligible Voters

1. Eight (8) Legal Reasons to Remove Voters

- a. Death of voter;
- b. Request of voter;
- c. Move outside the county of registration or registered in another jurisdiction;
- d. Felony Conviction;
- e. Judicial Order of Incompetency;
- f. The voter fails to respond to the confirmation notice, does not appear to vote, and does not update the voter registration between the time the notice is sent and the second regular November election held after the notice was sent;
- g. Not a U.S. citizen.
 - (1) If notified by the coordinator of elections, statutory notice requirements must be provided before removing the voter.
 - (2) If notified by another government, agency (such as the U.S. Department of Homeland Security), purge the voter and notify the coordinator of elections.
- h. Change of name for more than ninety (90) days for any reason, except by marriage or divorce;

2. Sources of Information to Remove a Voter

- a. No Voter Activity by the Inactive Voter
- b. Notice of Felony from Clerks
- c. Cancellation from another State
- d. Letter from Voter
- e. Obituary from newspaper of general circulation or funeral home website
- f. Non-citizen report
- g. State Reports
 - 1) Cancellations
 - 2) Deceased Report
 - 3) Felon Report
- h. Jury List with confirmation of basis for purge

F. Deadline to Complete Sending Confirmation Notices and Purges

1. Any mass mailing of confirmation notices must be completed no later than ninety (90) days before any federal primary or general election.
2. Any purges due to inactivity must be completed no later than ninety (90) days before any federal primary or general election.

G. Two (2) Year Record Retention Required

1. Names of voters to whom a confirmation notice was sent and information regarding whether the person responded (Kept from the date the notice was sent)
2. Purged voter registration records (Kept from the date of the purge)
3. Keep record from NCOA with the voter registration and purged record for applicable time frame
4. State reports

CITY OF MILLERSVILLE SPECIAL ELECTION

CONDENSED MACHINE SAMPLE BALLOT

SUMNER COUNTY, TENNESSEE

TUESDAY, DECEMBER 19, 2023

CITY COMMISSIONER UNEXPIRED TERM

Vote for One (1)

ALISA HULING

Independent Candidate

TIM LASSITER

Independent Candidate

WRITE-IN

SUMNER COUNTY ELECTION COMMISSION

M. Allen Ehmling, Chairman
Denise D. Shepherd, Secretary
Patricia D. Collins, Member
J. Michael Fussell, Member
Jeffery B. Hulsey, Member

ATTEST: Lori D. Atchley, Administrator of Elections

CONTACT INFORMATION

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E-Mail: elections@sumnercountytn.gov
Website: www.votsumnertn.org
Office hours Monday thru Friday 8:00 a.m. to 4:30 p.m.

Best 3 min 18 min 5 min

Summer County School District, Tennessee
 Station Camp Middle School, 281 Big Sta

Add destination

Leave now

Options

Send directions to your phone

via Bison Trl
 Fastest route now due to traffic
 0.9 mile **3 min**

via Lower Station Camp Creek Rd and Bison Trl
 0.8 mile **3 min**
 Details



**SUMNER COUNTY ELECTION COMMISSION
EXECUTIVE SESSION MINUTES
THURSDAY, NOVEMBER 16, 2023**

Members present: Chairman M. Allen Ehmling; Secretary Denise D. Shepherd; Commissioners Patricia D. Collins, J. Michael Fussell, and Jeffery B. Hulsey. Also present: Lori D. Atchley, Administrator of Elections; Annette Haw, Assistant Administrator of Elections and Election Commission Attorney, Tom Lee.

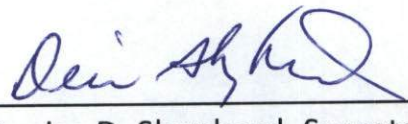
The Executive Session was called to order by Chairman Ehmling at 4:03 p.m. with a motion by Commissioner Fussell seconded by Commissioner Hulsey, and the motion passed 5 – 0.

The Commission consulted with legal counsel regarding the hearing on November 17, 2023.

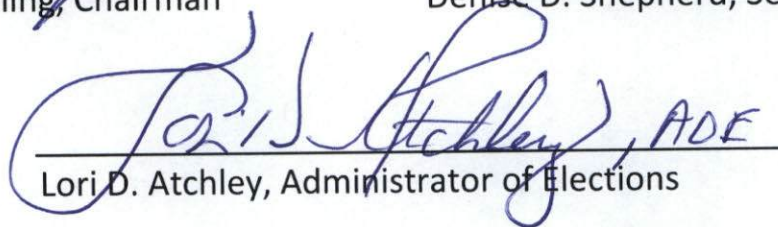
Motion by Commissioner Fussell, seconded by Commissioner Hulsey to adjourn the Executive Session, and the motion passed 5 – 0. The Executive Session adjourned at 4:38 p.m.



M. Allen Ehmling, Chairman



Denise D. Shepherd, Secretary



Lori D. Atchley, Administrator of Elections