

**SUMNER COUNTY ELECTION COMMISSION  
REGULAR MONTHLY MEETING MINUTES  
Tuesday, January 14, 2025, 4:00 p.m.**

**Members present:** Chairman M. Allen Ehmling (arrived at 4:05 p.m.); Secretary Denise D. Shepherd; Commissioners Patricia D. Collins, J. Michael Fussell and Jeffery B. Hulsey. Also present: Lori D. Atchley, Administrator of Elections and Annette Haw, Assistant Administrator of Elections.

**I. CALL MEETING TO ORDER**

The meeting was called to order at 4:00 p.m. by acting Chairman Fussell. A quorum was present.

**II. APPROVE AGENDA**

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

**III. PUBLIC COMMENTS**

None.

**IV. APPROVE MINUTES**

Motion by Commissioner Hulsey, seconded by Commissioner Collins to approve the December 10, 2024, Regular Meeting Minutes and the motion passed 4 – 0.

**V. NEW BUSINESS**

**NEW BUSINESS INSPECTION – APPEAL PROCESSED VOTER REGISTRATION APPLICATIONS**

- A.** There were two appeals. JMG and DM inadvertently marked “Yes” to “Have you been convicted of a felony?” An appeal form was mailed to the voters who completed the form that they had not been convicted of a felony. After the Commissioners reviewed the documentation, a motion was made by Commissioner Hulsey, seconded by Commissioner Shepherd to accept the voter registration application of JMG and the motion passed 4 – 0 to appropriately register the voter to vote. A motion was made by Commissioner Hulsey, seconded

by Commissioner Fussell to accept the voter registration application of DM and the motion passed 5 – 0 to appropriately register the voter to vote.

## **B. INSPECTION – NEWLY PROCESSED VOTER REGISTRATION APPLICATIONS**

Commissioners inspected 62 voter registration applications out of 615 new registration 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 stated that Commissioner Klein from the ad hoc committee had revised a report regarding footage and the garage door in the archives where they are proposing the Election Commission equipment relocation and then referred the recommendation to the Legislative Committee for consideration. The archives staff indicated that the space that would be allocated to the Election Commission would remove the current storage for the archive items. They are not in agreement to move their storage to an alternate location. Chairman Ehmling is to contact Attorney Tom Lee regarding the matter.

### **- BUDGET UPDATE**

Finance Department has continued to request correction of negative account balances via funds transfers between SCEC budget account lines. AOE reiterated that the Budget Committee meeting issued instructions that no appropriations or other monies shall be appropriated unless an “emergency,” which was not defined. AAOE transferred funds to cover negative balances in order to pay for statutorily required legal notices, which was one of the line items significantly reduced by the CC without explanation. AOE added that there will be a point where there will not be sufficient funds to transfer monies within existing account lines for expenditures that will be due by the end of the fiscal year June 30, 2025. Chairman Ehmling is going to confer with Attorney Tom Lee regarding the matter.



- **APPROVE 2025 LIST MAINTENANCE PROGRAM**

AOE distributed the List Maintenance Program in advance for the Commissioners to review. A motion was made by Commissioner Hulseley to approve the 2025 List Maintenance Program, seconded by Commissioner Shepherd and the motion passed 5 – 0.

- **ANNUAL WORKPLACE AND SEXUAL HARASSMENT TRAINING**

AOE distributed the Power Point presentation provided by the State Division of Elections in advance for the Commissioners to review. All Commissioners and the AOE signed the State provided form verifying completion of the Workplace and Harassment training.

**VI. REPORT FROM ELECTION COMMISSIONERS**

**A. CHAIRMAN**

Chairman Ehmling stated that the lawsuit regarding a person filming in the Hendersonville Early Voting location during July 2024 had resulted in a conviction on three (3) charges of four (4) misdemeanor Class C charges at the bench trial held on January 13, 2025.

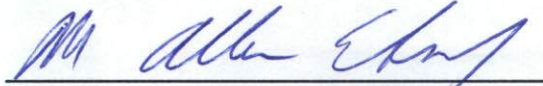
**B. ELECTION COMMISSIONERS**


Commissioner Shepherd inquired about the recently implemented policy from the State Division of Elections to require individual counties to process citizen inquiry letters after receiving notifications through daily updates with through the State system. AOE provided a copy of the State provided letter customized with Sumner County letterhead and the State provided appeal form in advance. AOE stated that this would place an incredible burden on the staff, which is already overworked and underpaid. The Secretary of State initiated the program and will review the Appeal Forms, while the counties must expend the labor, materials and postage to send the notification letters. Furthermore, the counties must correspond and receive documentation provided by voters, scan their records, input the data into the system, provide the documentation to the State, and track each voter for a 30-day period. The State made no accommodation to the counties for funding of the mandate. Commissioner Shepherd made a motion to send a letter to the State Division of Elections objecting to the “unfunded mandate.” The motion was seconded by Commissioner Collins and the motion passed 4-0-1 with Commissioner Hulseley abstaining. Chairman Ehmling instructed AOE to pen the initial letter, distribute to the Commissioners for review, then


advised a special call meeting would be held to vote on the final version to be submitted to the State Division of Elections.

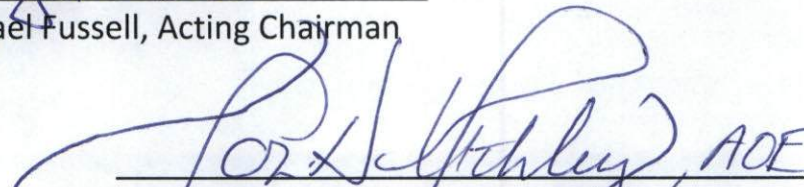
**VII. ADJOURNMENT**

Motion by Commissioner Fussell, seconded by Commissioner Hulsey to adjourn the meeting and the motion passed 5 – 0. The meeting was adjourned at 4:58 p.m.

  
M. Allen Ehmling, Chairman

  
Denise D. Shepherd, Secretary

  
J. Michael Fussell, Acting Chairman

  
Lori D. Atchley, Administrator of Elections

**ABBREVIATION LEGEND:**

SCEC: Sumner County Election Commission  
AOE: Administrator of Elections  
AAOE: Assistant Administrator of Elections

SCC: Sumner County Commission  
SCM: Sumner County Mayor



4. The staff shall update an inactive voter's status upon any activity, including, but not limited to the following:
  - a. Response to the Confirmation Notice
  - b. Change of Address Properly Filed
  - c. Voting
  - d. Request for Replacement Card
  - e. Duplicate Voter Registration Application
  - f. Signing a Petition, using the same address of registration
5. The election commission staff shall maintain records and documentation related to the list maintenance program, including, but not limited to:
  - a. The date of sending the confirmation notices;
  - b. A list of all voters and their addresses to which confirmation notices have been sent;
  - c. Any evidence supporting the reason for sending the confirmation notice must be maintained with the voter's records.
6. Records shall be electronically and physically retained.
7. The election commission staff shall maintain all purged records and documentation related to the reason for purge for two (2) years.

Adopted this 14<sup>th</sup> day January 2025:


SUMNER COUNTY ELECTION COMMISSION

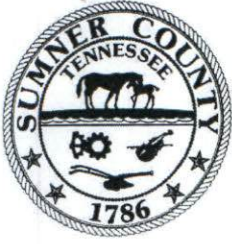
  
M. Allen Ehmling, Chairman

  
Denise D. Shepherd, Secretary

  
Patricia D. Collins, Member

  
J. Michael Fussell, Member

  
Jeffery B. Hulse, Member



## **SUMNER COUNTY ELECTION COMMISSION**

355 N. Belvedere Drive, Room 106  
Gallatin, TN 37066  
Office (615) 452-1456 \* Fax (615) 230-6147  
[elections@sumnertn.org](mailto:elections@sumnertn.org) \* [www.votessumnertn.org](http://www.votessumnertn.org)



### **VOTER REGISTRATION LIST MAINTENANCE PROGRAM JANUARY 2025**

The Sumner County Voter Registration List Maintenance Program per NVRA and TCA 2-2-106 (b) – (e) shall consist of the following activities to be performed by the Sumner County Election Commission staff as described herein:

1. Mailing 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

Per new legislation May 2017, any Tennessee County Election Commission can no longer include in the confirmation process the NON ACTIVITY DUE TO VOTING HISTORY for two November generals as the trigger for the Confirmation process.

During the months of January – April of each odd numbered year, the Sumner County Election Commission staff shall:

1. Identify each voter who has been on Inactive Status for a period of two (2) November general elections since the Confirmation Notice was sent and Purge those voters.
2. Review the following sources to identify voters to whom a confirmation notice must be sent.
  - a. Returned Mail that has been sent by the Sumner County Election Commission.
  - b. Information received through the National Change of Address (NCOA) Program.
  - c. Information from the Coordinator of Elections as a result of a comparison of voter registration addresses with the residential addresses on record with the Department of Safety.
3. Immediately upon sending the confirmation notice, the 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 U.S. 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 election commission staff, the voter shall be mailed a forwardable confirmation notice and placed on inactive status. The returned mailer shall be kept with the applicable voter registration record.
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, the voter shall be presumed a resident of the address on record and shall remain on active status.
3. The Sumner County Election Commission staff 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.



## SUMNER COUNTY ELECTION COMMISSION

355 N. Belvedere Drive, Room 106

1019 Union School Road

Gallatin, TN 37066

Office (615) 452-1456 \* Fax (615) 230-6147

[elections@sumnercountyttn.gov](mailto:elections@sumnercountyttn.gov) \* [www.votesumnerntn.org](http://www.votesumnerntn.org)



Date

[Voter Name]

[Voter Address]

[Voter Address]

Voter:

Our office has received notice that your voter registration information matches with an individual who may not be a United States citizen. As a result, our office must verify that you are eligible to be registered to vote under T.C.A. § 2-2-141.

You **MUST TAKE ACTION WITHIN THIRTY (30) DAYS** of receiving this letter. If you are unable to provide proof of citizenship using one of the documents below, or **if you fail to respond to this letter**, your voter registration will be purged.

### **For a person who is a U. S. citizen:**

In order to verify that you are eligible, you must provide a legible photocopy of one of the following forms of proof of citizenship within the next thirty (30) days:

- Your birth certificate;
- A United States passport with your name and passport number;
- Your United States naturalization documentation, or the number of your certificate of naturalization;  
or
- A document or method of proof of citizenship established by the federal Immigration Reform and Control Act of 1986, P.L 99-603.

You may provide proof in person at our office, or you may submit it by mail, fax, or email using the contact information above in this correspondence.

If you cannot provide any of the documents listed above but have other documentation of your citizenship, you may present that documentation to the State Election Commission by completing the enclosed appeal form.

**For a person who is NOT a U. S. citizen:**

If you are not a United States citizen and would like your name removed from the voter rolls at this time, you can use the enclosed form to make the request.

You are receiving this notice based on a comparison of the voter registration list to records maintained by the Tennessee Department of Safety and Homeland Security. If you have become a citizen, your record has not yet been updated with the Tennessee Department of Safety.

Again, you **MUST TAKE ACTION** within thirty (30) days, or your voter registration will be purged. If you have any questions, please contact our office.

Sincerely,



Lori D. Atchley  
Administrator of Elections  
Sumner County, Tennessee

Enclosure: State of Tennessee Division of Elections Citizen Appeal SS-3088 Form





# APPEAL REQUEST FORM

Pursuant to T.C.A. §2-2-141

If you are unable to produce the requested documentation to your local county election commission regarding your citizenship, but you are a United States citizen and have other documentation of citizenship you may present such documentation to the State Election Commission by completing this appeal form.

**Please print name, mark appropriate line and sign below:**

I, \_\_\_\_\_, understand that in order to be eligible to vote I must be a  
(print name)

United States citizen and by checking the below question, I am swearing (or affirming) that the information I have provided is true. I further understand that any information provided will be reviewed by the State Election Commission and any finding regarding my citizenship will be made by the State Election Commission. Any documentation provided to show proof of citizenship shall be confidential and shall not be available for inspection to the public.

\_\_\_\_\_ I am a citizen of the United States. Enclosed is a legible copy of the documentation showing my United States citizenship.

Your appearance is not required, however, if you would like to appear before the State Election Commission check the box provided.

**or**

\_\_\_\_\_ I am not a citizen of the United States and want my name removed from the voter registration list.

**WARNING: Giving false information to register to vote or attempting to register when not qualified is a felony punishable by not less than two (2) years nor more than twelve (12) years imprisonment or a fine of \$5,000 or both.**

**X** \_\_\_\_\_ Date \_\_\_\_\_  
Signature of Applicant

*If applicant is unable to sign, provide signature of person who signed for applicant.*

\_\_\_\_\_  
Signature of Person Assisting


\_\_\_\_\_  
Address of Person Assisting

**BELOW INFORMATION FOR STATE ELECTION COMMISSION USE ONLY.**

Application ID: \_\_\_\_\_

The members of the State Election Commission met in an open meeting on \_\_\_\_\_, 20\_\_\_\_ and by a majority vote have found this appeal to be sufficient to allow the applicant to remain a registered voter of \_\_\_\_\_ county.

The members of the State Election Commission met in an open meeting on \_\_\_\_\_, 20\_\_\_\_ and by a majority vote have NOT found this appeal to be sufficient to allow the applicant to remain a registered voter of \_\_\_\_\_ county.



# Tennessee State Election Commission

SEXUAL AND WORKPLACE HARASSMENT TRAINING  
ADMINISTRATORS OF ELECTIONS  
AND COUNTY ELECTION COMMISSIONERS



# Objectives of Training

- 
- ▶ What is discrimination, abusive conduct, sexual harassment & workplace harassment
  - ▶ Applicable laws
  - ▶ Employer & Employee Responsibilities
  - ▶ How to report a claim

# Equal Employment Opportunity

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- ▶ Federal Law that prohibits discrimination or harassment towards a protected class of individuals.
- ▶ Protect Classes are:
  - ▶ race, color, religion, sex, national origin, age, disability, status as a Vietnam-era veteran or special disabled veteran or any other group protected by law.
- ▶ Prohibits discrimination in all terms of employment.
  - ▶ Hiring, placement, promotion, termination, layoff, recall transfer, leave of absence, compensation and training.



# Laws that Prohibit Discrimination



## Workplace Harassment/Abusive Conduct Policy

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It is the policy of State Election Commission to maintain a respectful work and public service environment. The State Election Commission prohibits and will not tolerate any form of unlawful harassment by or toward any employee, official or voter on the basis of race, color, religion, sex, national origin, age, disability, or status in any other group protected by law.



Responsibilities  
Administrators  
of Elections,  
County Election  
Commissioners  
& Employees

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# Administrator and County Election Commissioners are expected to:

Provide	Provide a harassment free working environment
Set	Set a good example by treating all with courtesy & respect
Ensure	Ensure employees are aware of policy
Be	Be vigilant in looking for signs of inappropriate behavior
Respond	Respond promptly

## Employees are expected to:

Treat	Treat others with dignity and respect
Do not engage	Employees shall not engage in sexual harassment, threatening, violent, intimidating, or other abusive conduct or behaviors
Take Responsibility	Assume personal responsibility to promote fairness and equity in the workplace
Report	Report an incident of abusive conduct



# Sexual Harassment Policy

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The State Election Commission is opposed to sexual harassment and maintains a zero-tolerance policy regarding sexual harassment of its election commissioners, Administrators and employees in the workplace. The State Election Commission wants to ensure that all election commissioners, Administrators and employees have a workplace free from intimidation, hostility, or offensive behavior by supervisors/department heads, co-workers, and visitors. All Administrators, election commissioners and employees are expected to consider and respect the rights of others and refrain from any behavior or conduct that could be interpreted as sexual harassment.

# Workplace Violence

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County Election Commissioners, Administrators of Elections and Employees are expected to perform their duties in a safe and productive manner, without violence or threats of violence toward other co-workers or voters.

The State Election Commission does not tolerate workplace violence, threats of workplace violence or intimidation toward a co-worker or voter.

# What is Workplace Violence

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- ▶ OSHA defines workplace violence as “any act or threat of physical violence, harassment, intimidation or other threatening disruptive behavior that occurs at the work site.”

Workplace Violence can include, but is not limited to:

- ▶ Causing physical injury to another person.
- ▶ Making threatening remarks.
- ▶ Displaying aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
- ▶ Intentionally damaging employer property or property of another employee.
- ▶ Committing acts motivated by, or related to, sexual harassment or domestic violence.

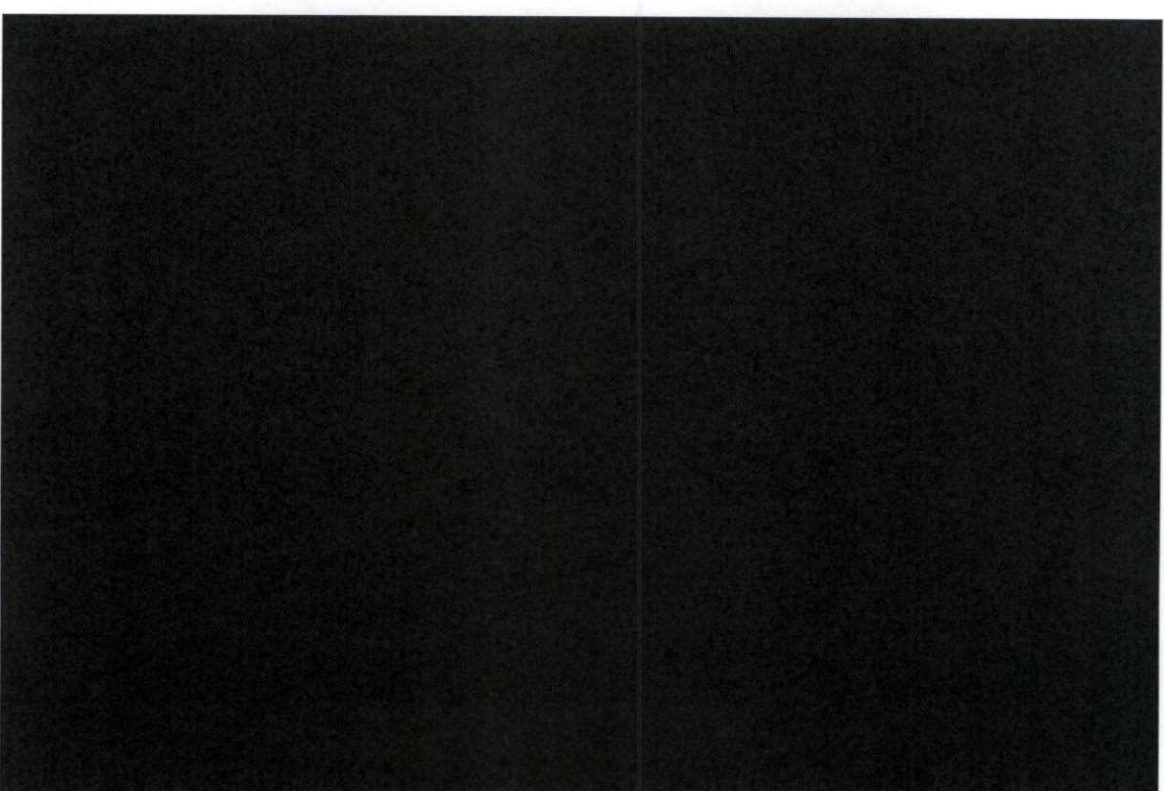


# PREVENTION IS EVERYONE RESPONSIBILITY

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The State Election Commission cannot prevent or remedy abusive conduct, harassment, sexual harassment or workplace violence, unless it knows about it.

Reporting,  
Investigation  
& Corrective  
Action



## Reporting an Incident Employee/Witness

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▶ Any employee, who has been subjected to behavior that may constitute abusive conduct, harassment, sexual harassment and/or workplace violence or anyone who witness's such behavior is encouraged to report such behavior to the Administrators of Elections and County Election Commissioners, or to their local Human Resource Office or State Election Commission.

- ▶ Reports may be verbal or written.
  - ▶ Preferred method is in writing using your county complaint form or sending a letter of complaint to the State Election Commission.
  - ▶ If reporting for someone else, note that on complaint form.
  - ▶ Anonymous reporting is allowed, although it is not the preferred method.
    - ▶ Please identify all individuals with knowledge of incident for through investigation.



Reporting an Incident  
Administrator of Elections  
and County Election  
Commission

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Administrators of Elections and County Election Commissioners must report any incident that they know of or complaint that they receive of abusive conduct, harassment, sexual harassment and /or workplace violence to their local Human Resource Director and to the State Election Commission.

Administrators of Elections and County Election Commissioners must take reasonable and timely steps to ensure that the complainant feels safe and protected.

# Notification of the Accused

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The employee/person who has been accused will be notified that an allegation has been made against them and they will be informed of the investigative process.

# Investigation

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- ▶ The purpose of an investigation is to ascertain whether the behaviors reported occurred and will be conducted as soon as practicable and in accordance with the policies and practices of your county Human Resources and State Election Commission.
- ▶ Process
  - ▶ Interview all parties with knowledge of the alleged behaviors.
  - ▶ Interviews will be conducted thoroughly, objectively, with sensitivity, and with due respect for all parties.
  - ▶ Interviews will be appropriately documented.
  - ▶ Investigator will provide an investigative report to the appointing authority.
- ▶ All affected parties will be notified of the outcome.



# False Allegations

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Individuals falsely accusing another of violations of this policy will be disciplined in accordance with the disciplinary policy of your county Human Resources and State Election Commission.

# Corrective Action

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- ▶ Decision of action will be based upon the severity and frequency of the incidences and in accordance with your county and State Election Commission Policy.
- ▶ Any employee, Administrator of Elections or County Election Commissioner who engages in conduct that violates this policy or who encourages such conduct by others will be subject to corrective action.
- ▶ Any Administrator or County Election Commissioner who allows abusive conduct, discrimination, harassment including sexual harassment or workplace violence to continue or fails to take appropriate action upon learning of such conduct will be subject to corrective action.
- ▶ Corrective action may include but is not limited to:
  - ▶ participation in training,
  - ▶ disciplinary action up to and including termination

# Confidentiality

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- ▶ All complaints and investigations are treated confidentially to the extent possible, and information is disclosed strictly on a need-to-know basis.
- ▶ The identity of the complainant is usually revealed to the parties involved during the investigation
- ▶ Steps are taken to ensure that the person making the complaint is protected from retaliation during and after the investigation.



FILING A CLAIM IS  
CONSIDERED A  
PROTECTIVE ACTIVITY

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Employees can raise concerns and make complaints without fear of reprisal and with the assurance of protection from harassment or retaliation.

Objective  
Activity

occurs when

someone

has

made a complaint of sexual harassment,

testified or assisted in a proceeding involving sexual harassment,

opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment,

reported that another employee has been sexually harassed; or

encouraged a fellow employee to report harassment.

# State Election Commission



- ▶ Complete Training Signoff Form
- ▶ Mail Completed Training Signoff Form to:
  - ▶ Division of Elections
  - 312 Rosa L. Parks Ave, 7<sup>th</sup> Floor
  - Nashville, TN 37243