

Davidson County Election Commission

June 10, 2026 3:00 p.m.

The Davidson County Election Commission (DCEC) met at 3:00 p.m. at the Davidson County Election Commission Office, 3rd Floor Conference Room, 1281 Murfreesboro Pike.

Commissioners Butch Burns, Jenean Davis, Kenny Byrd, Dan Davis, and Betty Lynn Duley were present.

Nicki Eke of the Metropolitan Department of Law was also present.

DCEC staff members present included Administrator of Elections (AOE) John D. Richardson, Lisa Pierce, Elizabeth McPencow, Laurie Grafton, Rick Brown, Will French, Jeremy Greene, Alexandria Mitchell, Renee Bordelon, and Kelley Harrison.

Chairman Burns convened the meeting.

Public Comments

None

Approve Minutes from May 13, 2026 Meeting

Motion stated: Commissioner Byrd moved to approve minutes from May 13, 2026 as presented.

Seconded by: Commissioner Dan Davis

Outcome of motion: Passed unanimously

Discuss Congressional Redistricting in Davidson County

AOE Richardson reviewed the 6-step Congressional Redistricting Progress Report.

Phase 1- GIS (Geographic Information System) Data Entry - With over 17,500 street segments and 347 unique ballot styles/splits, all 471,000+ Davidson County voters have been placed in their U.S.

Congressional District. Completed May 8 - June 1

Phase 2- Accuracy Reviews - Multiple parallel accuracy checks were conducted. Completed June 1 - 8

Phase 3- Voter Registration Database Update - The DCEC Redistricting Team temporarily shut down access to the PowerProfile voter registration database to ensure accurate updating of the system information. Completed June 8 - 11

Phase 4- Print New Voter Registration Cards. Targeted Completion Date: June 30

Phase 5- Mail New Voter Registration Cards to all registered voters in Davidson County. The new card will be canary yellow. Targeted Completion Date: July 10

Phase 6- Media Outreach and Voter Education - Since Friday, May 8, 2026 (due to the changes with the Congressional Districts), AOE Richardson has been interviewed by numerous news media outlets to notify voters about the redistricting changes and help prepare them for the upcoming August and November 2026 elections.

Approve Revised List of Candidates for August 6, 2026 State and Federal Primary, County General Election

Due to the changes associated with the Congressional Redistricting and the re-opening of the candidate qualifying period, AOE Richardson presented the Commission with a revised list of candidates. Per the clarification of Chairman Burns, Independent candidates will be approved in an upcoming meeting due to their names appearing on the November ballot.

Commissioner Byrd asked questions about the authority of Coordinator of Elections Mark Goins

regarding the approval of 4th Congressional District Independent Candidate Clay Faircloth. Commissioner Byrd asked that the email correspondence between COE Goins and himself be added to the record. Without objection from the other commissioners, Chairman Burns approved Commissioner Byrd's motion.

Motion stated: Commissioner Dan Davis moved to approve the revised list of candidates for August 6, 2026 State and Federal Primary, County General Election.

Seconded by: Commissioner Duley

Outcome of motion: Passed with 4 votes and one abstention from Commissioner Byrd

Call Belle Meade, Forest Hills, and Goodlettsville Municipal Elections for November 3, 2026

Motion stated: Commissioner Dan Davis moved to call Belle Meade, Forest Hills, and Goodlettsville Municipal elections.

Seconded by: Commissioner Duley

Outcome of motion: Passed unanimously

Approve Compensation for Administrator of Elections and Machine Technicians

Motion stated: Commissioner Byrd moved to approve compensation for Administrator of Elections and both Machine Technicians.

Seconded by: Commissioner Dan Davis

Outcome of motion: Passed unanimously

AOE Report

- AOE Richardson thanked the following people for their assistance with the 2026 Redistricting process: Jeremy Greene, Lisa Pierce, Sandy Troope, Kelley Harrison, Will French, Staci Howard, James Olive, Renee Bordelon, Sheryl Settles, Sheron Robinson, Elizabeth McPencow, Matthew Hill with Tennessee Comptroller of the Treasury, Jennifer Higgs and Jason Broome with Metro GIS
- Team is busy preparing for upcoming August 6th Election
- Early Voting starts July 17th and there are 15 convenient Early Voting locations, including our 3 newest locations at our new DCEC office, the Scarritt Bennett Center, and the Community Foundation of Middle Tennessee.

Commissioner Byrd asked questions about registering voters at polling locations. AOE Richardson and Elizabeth McPencow shared how the provisional voting process helps voters register for future elections. AOE Richardson will follow up with an email with the details of the Davidson County Election Commission's provisional voting process.

Confirm Next Meeting

The next meeting is scheduled for Wednesday, August 19, 2026 at 2:00 p.m. at 1281 Murfreesboro Pike, Third Floor Conference Room.

Adjourn

With no further election business to discuss, Commissioner Byrd moved to adjourn.

Seconded by: Commissioner Dan Davis

Outcome of motion: Passed unanimously

From: Mark Goins <Mark.Goins@tnsos.gov>
Sent: Wednesday, June 10, 2026 2:23 PM
To: Byrd, Kenneth S. <kbyrd@lchb.com>
Cc: Richardson, John D. (Elections) <John.Richardson@nashville.gov>; 'John Ray Clemmons' <rep.john.ray.clemmons@capitol.tn.gov>
Subject: RE: [External]RE: [EXT] RE: Clay Faircloth/Signature Challenge

Commissioner Byrd,

Thank you for your email and your service. I apologize for not getting back to you sooner but as you know we are very busy getting prepared for the August election.

First, I want to be clear that I value the role of county election commissions, including Davidson County. As you noted, our office must rely on counties to assist with the initial verification of signatures, as voter registration records are maintained at the county level. However, for offices that file with the state—such as congressional candidates—the ultimate responsibility for determining whether a candidate has met the statutory signature requirements rests with the Coordinator of Elections.

During my 17 years as Coordinator of Elections, I can recall only six local petition challenges heard by county election commissions, three of which involved Davidson County. While these challenges are rare, the DCEC policy referenced—which former Administrator of Elections Jeff Roberts pushed for and did have input from Metro Legal and me—applies to challenges where the DCEC has authority.

While counties perform the initial verification, the final determination for petitions filed with our office has consistently remained at the state level. This reflects our responsibility to compile and certify candidate lists that affect multiple counties. An omission from or addition to the ballot impacts ballots beyond a single jurisdiction.

For petitions that are close to the required number of signatures, our office conducts a detailed review of each disqualified signature, including researching the basis for the disqualification and, when appropriate, following up with the candidate.

With respect to Mr. Faircloth's petition, our review process was consistent with this longstanding practice. Because his petition was near the statutory threshold, it underwent a thorough secondary review, which included:

- Reviewing the signatures against voter registration records (we had Davidson County send us the records)
- Reviewing prior petition records where applicable
- Having three staff members trained in signature verification, including myself, independently examine the questioned signatures

In the case of the son-in-law's signature, we compared the petition signature to the voter registration record and noted a similar pattern of strokes in both signatures. We also noted similar strokes from the son-in-law on a prior petition signature that had been counted previously. Mr. Faircloth questioned an additional signature that was not counted, though it was not necessary for the candidate to qualify.

You asked whether this approach represents a departure from past practice. As I have explained, it does not. Our office has consistently exercised final review authority when a candidate filing with the state disputes a signature determination. Although these instances are rare, they have occurred.

In 2020, a congressional candidate from Davidson County with primarily Davidson County signatures on his petition questioned disapproved signatures. In that case, I personally conducted a full review of all disqualified signatures, met with the candidate and his representatives, and walked through each determination in detail.

Finally, I want to emphasize that our intent is not to diminish the role of the county. I understand the role of each county election commission and appreciate the hard work, thoughtfulness, and professionalism in which they perform their duties. However, to ensure that petitions filed with the state are reviewed with the level of scrutiny necessary given their broader impact on multiple counties and with uniformity, my office participates in the scrutiny of any petition that is questioned.

Sincerely,
Mark Goins
Coordinator of Elections

Mark Goins | Coordinator of Elections
Division of Elections
Office of Tennessee Secretary of State Tre Hargett
Office: (615) 741-7956

From: Byrd, Kenneth S. <kbyrd@lchb.com>
Sent: Friday, June 5, 2026 9:58 AM
To: Mark Goins <Mark.Goins@tnsos.gov>
Cc: Richardson, John D. (Elections) <John.Richardson@nashville.gov>; 'John Ray Clemmons' <rep.john.ray.clemmons@capitol.tn.gov>
Subject: [External]RE: [EXT] RE: Clay Faircloth/Signature Challenge

COE Goins,

Your responses are not very informative and avoids many questions. I may be new, but I am well aware that the practice has been that your office sends congressional petitions back to county commissions to perform congressional signature verifications. Your drafts of our signature policy say no different. Our policies clearly apply to our verification process. That's why Mr. Faircloth filed a challenge with our office pursuant to our rules. You act as if we have no role in the process, yet your office sent us the petitions to verify. I am unaware of any policies you have at the state office for someone to challenge your signature decision in this matter? Please inform me if I am mistaken. Telling voters and interested parties to "get legal counsel" does not help the fact there is no process in place to challenge your unilateral decision-making process. Nor is it very helpful to the voters you serve. What did you do to verify signatures? Did you talk to any of the family or the son-in-law? Did they testify to you under oath or provide any evidence? Did you use a different database than the counties uses for every other candidate? If so, explain the reason for the disparate treatment for Mr. Faircloth. Also, did you check all the other signatures under your different database or just the son-in-laws? Furthermore, there are far more questions you did not answer:

I am unaware that prior to this situation, your office has ever stepped in to invalidate our staff's signature determination without the DCEC holding a hearing. Please confirm. Please, again, share with me any prior examples of your office cutting off a duly noticed signature challenge in any county, including Davidson County. You said the "authority rests with the Coordinator of Elections." It is clear that the petitions for Congress get filed with your office (T.C.A. 2-5-103), but please cite where authority then somehow is vested in just you to make the verification determinations or to handle challenges? If it does fall to the COE, why has your office always then ignored that authority and delegated that to the county in which the candidate resides for each and every prior congressional petition?

Thanks for your email and happy to discuss further,

Kenny Byrd

From: Mark Goins <Mark.Goins@tnsos.gov>

Sent: Thursday, June 4, 2026 4:58 PM

To: Byrd, Kenneth S. <kbyrd@lchb.com>

Cc: Richardson, John D. (Elections) <John.Richardson@nashville.gov>; 'John Ray Clemmons' <rep.john.ray.clemmons@capitol.tn.gov>

Subject: [EXT] RE: Clay Faircloth/Signature Challenge

Commissioner Byrd,

I understand you are fairly new to the election commission, and I look forward to meeting you in person soon.

The Davidson County policy does not apply in this situation. For most offices, candidates submit their petitions directly to the local election commission, which reviews the signatures and determines their validity.

However, congressional candidates follow a different procedure under state law. They submit their petitions to the Coordinator of Elections, who is responsible for compiling the official list of qualified candidates and distributing it to all counties statewide. In this instance, the authority rests with the Coordinator of Elections.

In Mr. Faircloth's case, he was initially credited with 24 verified signatures, while state law requires 25. He later informed us that his son-in-law had signed the petition and requested a reexamination. Upon review, we determined that the signature was valid, bringing his total to the required number.

Historically, when a candidate believes a signature should have been counted for an office filing with our office, we conduct the review of the signature in question. If someone wishes to challenge such a determination, I recommend they consult legal counsel regarding the appropriate course of action.

I hope this explanation is helpful.

Sincerely,
Mark

Mark Goins | Coordinator of Elections

Division of Elections

Office of Tennessee Secretary of State Tre Hargett

Office: (615) 741-7956

From: Byrd, Kenneth S. <kbyrd@lchb.com>

Sent: Thursday, June 4, 2026 11:00 AM

To: 'Mark.Goins@tn.gov' <Mark.Goins@tn.gov>

Cc: Richardson, John D. (Elections) <John.Richardson@nashville.gov>; 'John Ray Clemmons' <rep.john.ray.clemmons@capitol.tn.gov>

Subject: [EXTERNAL] Clay Faircloth/Signature Challenge

Mr. Goins,

I am a member of the Davidson County Election Commission and have some questions I need clarified to make sure we are handling the upcoming election appropriately. It was my understanding that on June 10 the DCEC would be hearing a signature challenge by Mr. Clay Faircloth, who was challenging our staff's determination that he had not obtained enough signatures to appear on the November ballot as an independent (he has run in the past as a Democrat and has voted in Democratic primaries in the past as I understand it). We were preparing to hold a hearing over Mr. Faircloth's challenge pursuant to our recently approved guidelines (attached) that your office participated in drafting.

It came to me as quite a surprise to learn your office informed the DCEC to refrain from holding a hearing pursuant to our policies and that you decided to overrule our staff and unilaterally place Mr. Faircloth on the ballot. Can you please help me understand so I can best serve the voters of Nashville and respond to their inevitable questions and concerns? Under what authority did you unilaterally place Mr. Faircloth on the ballot? And now, how does someone challenge your determination? What is the process and avenue for that to occur? Why not use the very policy you helped draft for DCEC to use for signature challenges? Finally, is there any precedence for the Coordinator of Elections to overrule a county election commission signature challenge? Thanks for your time and your work, and I look forward to hearing back from you before our June 10 meeting.

- Kenny Byrd, DCEC member