



Legislation Text

File #: 18-0329, **Version:** 1

DATE: April 4, 2018

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator

SUBJECT:

Reimbursement of attorney fees to the Williamson County Election Commission associated with the Defense of the Williamson County Election Commission in litigation for *Michael Vaughn vs. Williamson County Election Commission, Dana McLendon III* in an Amount of \$4,919.80.

Purpose

The purpose of this memo is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning the reimbursement of attorney fees in the amount of \$4,919.80.

Background

The Williamson County Election Commission was sued by Michael Vaughn contesting the most recent alderman election. Mr. Vaughn claimed, in part, that “there were numerous irregularities and election violations...” and requested that the “Ward 2 Alderman election be voided and re-run.”

State law requires that municipalities be financially responsible for the legal representation of the election commission, which states, in part:

County election commissions shall be represented in legal proceedings as follows:

(1) If the legal proceeding names the county election commissioners as defendants and the lawsuit involves a municipal election, the municipality concerned shall furnish counsel to represent the commissioners;

(3) The counsel furnished, whether by municipality or county, shall be that chosen by the election commission; and

- T.C.A. § 12-2-101(c)(1) and (3) Commissioners Appointment Removal Legal Representation.

The Williamson County Election commission chose Doug Berry to represent them in the lawsuit. On February 20, 2018, Mr. Vaughn filed a Notice of Voluntary Non-Suit in the case, and the case has been dismissed by the court. Mr. Berry submitted his invoices to the Williamson County Election Commission, and his invoices were paid. The invoices have now been submitted to the City for reimbursement.

Financial Impact

Attorney fees in the amount of \$4,919.80

Recommendation

This is a report to the Board of Mayor and Aldermen; this invoice has been paid.