

**HAMILTON COUNTY ELECTION COMMISSION
MINUTES OF MEETING
NOVEMBER 14, 2002**

Call to Order. Upon notice duly given, Chairman Tyrone L. Waller called to order a regularly scheduled meeting of the Hamilton County Election Commission at 5:00 p.m. on November 14, 2002, at the office of the Hamilton County Election Commission, 514 East 4th Street, Chattanooga, Tennessee.

Present at Meeting. Chairman Waller, Secretary Walden and Commissioners Johnson, Kennedy and Kliner were present at the meeting. Attorney Jerry Summers, Deputy Claude Knowles and Administrator of Elections Fran Dzik were present by invitation. Also present were members of the community as shown on the attached sheet.

Minutes Approved. Upon motion by Commissioner Kliner, seconded by Commissioner Johnson, the minutes of the meetings held on October 8, 2002, November 5, 2002, and November 7, 2002, were unanimously approved.

Auditor's Report. Administrator Dzik provided the Commissioners with copies of the Auditor's Report stating that the results of the election were accurate. Upon motion by Commissioner Johnson, seconded by Commissioner Walden, the auditor's report was unanimously approved. A copy of said report is attached hereto and made a part of these minutes as if fully set out herein.

Certification of Election Results – State and Federal Election. Administrator Dzik presented the Certification of Election for the State and Federal Election. Upon motion by Commissioner Walden, seconded by Commissioner Kennedy, the Certification of Election was approved, with Commissioners Johnson, Kennedy and Walden voting to accept the Certification. Commissioner Kliner abstained from the vote. A copy of said Certification is attached hereto and made a part of these minutes as if fully set out herein.

Certification of Election Results – City of Chattanooga Referenda Election. Administrator Dzik presented the Certification of Election for the City of Chattanooga Referenda Election. Upon motion by Commissioner Walden, seconded by Commissioner Kennedy, the Certification of Election was approved, with Commissioners Johnson, Kennedy, Kliner and Walden voting to accept the Certification. A copy of said Certification is attached hereto and made a part of these minutes as if fully set out herein.

Certification of Election Results – City of East Ridge Municipal Election. Administrator Dzik presented the Certification of Election for the City of East Ridge Municipal Election. Upon motion by Commissioner Walden, seconded by Commissioner Johnson, the Certification of Election was approved, with Commissioners Johnson, Kennedy, Kliner and Walden voting to accept the Certification. A copy of said Certification is attached hereto and made a part of these minutes as if fully set out herein.

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Certification of Election Results – City of Ridgeside Municipal Election.

Administrator Dzik presented the Certification of Election for the City of Ridgeside Municipal Election. Upon motion by Commissioner Walden, seconded by Commissioner Johnson, the Certification of Election was approved, with Commissioners Johnson, Kennedy, Kliner and Walden voting to accept the Certification. A copy of said Certification is attached hereto and made a part of these minutes as if fully set out herein.

Certification of Election Results – Town of Signal Mountain Municipal Election. Administrator Dzik presented the Certification of Election for the Town of Signal Mountain Municipal Election. Upon motion by Commissioner Walden, seconded by Commissioner Johnson, the Certification of Election was approved, with Commissioners Johnson, Kennedy, Kliner and Walden voting to accept the Certification. A copy of said Certification is attached hereto and made a part of these minutes as if fully set out herein.

Certification of Election Results – Town of Walden Municipal Election.

Administrator Dzik presented the Certification of Election for the Town of Walden Municipal Election. Upon motion by Commissioner Walden, seconded by Commissioner Johnson, the Certification of Election was approved, with Commissioners Johnson, Kennedy, Kliner and Walden voting to accept the Certification. A copy of said Certification is attached hereto and made a part of these minutes as if fully set out herein.

Certification of Absentee and Early Voting Results. Administrator Dzik presented the Certification of Absentee and Early Voting Results. Upon motion by Commissioner Johnson, seconded by Commissioner Walden, the Certification of Absentee and Early Voting Results was approved, with Commissioners Johnson, Kennedy, Kliner and Walden voting to accept the Certification. Chairman Waller signed the Certification in his official capacity as Chairman. A copy of said Certification is attached hereto and made a part of these minutes as if fully set out herein.

Plumbers and Steamfitters Union Election. Administrator Dzik advised the Commission that the Business Manager for the Plumbers and Steamfitters Local #43 had contacted the office requesting assistance with their union election. Upon motion by Commissioner Walden, seconded by Commissioner Johnson, the Commission unanimously agreed to provide assistance to the Union for its election, with costs to be paid by the Union.

Appointment of Inspectors for Elections. Administrator Dzik advised the Commission that Commissioner Kliner had raised questions regarding the appointment of Election Inspectors. Administrator Dzik advised the Commission that during the current election cycle (May, August, November), the inspectors had included eight Republican inspectors and four Democrat inspectors.

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Certifications of Expenses. Administrator Dzik presented the Certifications of Expenses for the elections, including the Certifications of Expenses for the State and Federal Election, the City of East Ridge, the City of Ridgeside, the City of Chattanooga, the Town of Signal Mountain and the Town of Walden. Upon motion by Commissioner Walden, seconded by Commissioner Johnson, the Certifications of Expenses were unanimously approved.

Payroll Issue. Administrator Dzik advised the Commission that the Payroll Department had notified her that Commissioner Kliner had questioned his salary. A review of the payroll records indicated that Commissioner Kliner was receiving six cents per paycheck less than Commissioners Kennedy and Walden and that Commissioner Johnson was receiving one cent per paycheck less than Commissioners Kennedy and Walden. The Payroll Department has corrected Commissioner Kliner's paycheck.

Certification of Absentee and Early Voting for August 1, 2002 Election. Administrator Dzik advised the Commission that the Division of Elections had returned the August 1, 2002, Certification of Absentee and Early Voting due to errors in the computations. Administrator Dzik advised that Ms. Jones had been instructed to correct the Certification but had failed to do so prior to her termination. Therefore, Deputy DeFriese had made the necessary corrections and Administrator Dzik presented the corrected Certification to Chairman Waller for approval.

TACEO. Administrator Dzik advised the Commission that TACEO would be holding its winter conference and seminar in Gatlinburg on January 12 through January 14, 2003. Administrator Dzik advised the Commission that she had distributed a memo to the staff asking each one to advise her if they had attended TACEO conferences in the past. Further, that it was her intent to allow those deputies who had never attended a state conference to attend the winter conference and then put the deputies on a rotation for future conferences. Commissioner Kliner advised that his intent was to attend at least part of the conference for the Legal and Legislative Committee meeting.

Comcast. Administrator Dzik advised that ITS had recommended that we switch to Comcast for our internet/e-mail service in order to provide our office with better, faster, and more reliable access. Upon motion by Commissioner Walden, seconded by Commissioner Johnson, the Commission authorized the Administrator to contract with Comcast for cabling service for the office.

Open Records. Attorney Summers advised the Commission that both he and Administrator Dzik had been contacted by various news agencies requesting information under the open records act and that he was researching the issue to determine what documents could and could not be released.

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Personnel Manual. Attorney Summers advised the Commission that he and members of his office were reviewing the Personnel Manual prepared by the Administrator and he would present the revised edition to the Commission at a later date.

Save Our Streets Committee. Attorney Summers advised the Commission that he had received a letter from the Chairman of the “Save our Streets” Committee regarding a petition that committee was circulating pertaining to a referendum on that issue. Attorney Summers requested permission to respond to the chairman of the SOS committee that, in his opinion, the petition was adequate.

Attorney Summers also advised the Commission that he did sign the petition as a resident of Missionary Ridge. He stated that if it appeared that a conflict existed which would require him to make a legal recommendation to the Commission, he would recuse himself and ask that another attorney be retained relative to this issue.

Chairman Waller advised attorney Summers to proceed and get back with the Commission if any additional issues occurred regarding this matter.

Adjournment. There being no further business to come before the meeting, the meeting was adjourned.

Michael S. Walden Secretary

APPROVED:

Tyrone L. Waller Chairman

Linda Johnson Commissioner

William Kennedy Commissioner

Wesley Kliner Commissioner

