

**HAMILTON COUNTY ELECTION COMMISSION
MINUTES OF MEETING
JUNE 10, 2003**

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 7:37 p.m. on June 10, 2003, 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 DeWitt were present at the meeting. Attorney Jerry Summers, Deputy Woods, Deputy Knowles and Administrator of Elections Fran Dzik were present by invitation. Also present were members of the community as shown on the attached sheet.

Approval of Minutes. Upon motion by Commissioner Walden, seconded by Commissioner Johnson, the minutes of the meetings held on April 29, 2003, were unanimously approved.

Certification of Administrator. Commissioner Johnson announced that Administrator Dzik had successfully completed the state certification examination and extended her congratulations to Administrator Dzik for attaining the highest score on the examination given on May 19, 2003, to six administrators. Commissioners Walden, Kennedy, DeWitt and Chairman Waller also congratulated Administrator Dzik for receiving her certification.

Ten-Year Certificate. Administrator Dzik presented Chairman Waller with his ten-year certificate and pin from TACEO for his ten years of membership and dedicated service to the Hamilton County Election Commission.

Verification. Administrator Dzik advised the Commission that the address verification/confirmation/audit process had been completed with 5,110 pieces of mail forwarded to voters. Administrator Dzik advised that the costs incurred in this process included postage of \$1,175.30; printing costs for the cards of \$230.00; Industrial Services, Inc. for the NCOA verification costs of \$487.20; and two (2) dot matrix printers purchased to process the cards more efficiently at a cost of \$270.00 per printer, for a total of \$2,532.50 to date.

Municipal Elections. Administrator Dzik advised that the polls for Red Bank and Soddy-Daisy would be closing at 8:00 p.m. and that she and Mr. Knowles had both visited all the polling locations at various times throughout the day and no problems were reported by either the poll officials or candidates and/or their workers at the polling sites.

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Reorganization/Status of the Office. Administrator Dzik presented the Commissioners with a memo outlining the reorganization steps she had taken during the past year and to provide the Commissioners with a status report of pending matters. Upon motion by Commissioner Johnson, seconded by Commissioner Walden, the Commission unanimously authorized Chairman Waller to provide a copy of the memorandum to County Executive Claude Ramsey and the Hamilton County Board of Commissioners for their review.

Budget. Administrator Dzik advised that the current budget figures indicate the Commission will come in under budget by approximately \$300,000.00.

Legal Issues. Attorney Summers discussed the pending legal issues with the Commission, as follows:

Litigation. Attorney Summers advised the Commission that he had appeared before the Court of Appeals in Knoxville for oral argument relative to the public records lawsuit and the Court had not yet ruled on the matter.

TBI Investigation. Attorney Summers advised the Commission that the TBI investigation is continuing.

Rita Jones Personnel Matter. Attorney Summers advised the Commission that he had appeared before Chancery Court regarding motions filed by Ms. Jones' attorney and that the Chancellor had ruled in favor of the Commission. No further action has been taken in this matter.

Personnel Matter. Attorney Summers advised that his office was responding to the Human Rights Commission complaint filed by Ms. Tipton.

William Cotton Lawsuit. Attorney Summers stated that newspaper reports indicated William Cotton had attempted to file a lawsuit against him and several other individuals. However, no lawsuit has been filed.

Legal Fees. Attorney Summers provided the Commission with a letter regarding his representation of the Commission. Commissioner Walden suggested increasing Mr. Summers' hourly rate from \$150.00 per hour to a reasonable rate based upon the average hourly rate charged by attorneys for other Hamilton County agencies. Mr. Summers stated that he considered his representation as a civic responsibility and public service and he was not inclined to increase his hourly rate.

Administrator's Salary. Attorney Summers stated that the Hamilton County General Government's finance department had raised questions regarding the Administrator's salary due to her successful completion of the state certification exam. Mr. Summers discussed the various sections of the Code pertaining to this issue. After discussion, the Commission advised Mr. Summers to work with the Administrator in determining the salary based upon

the language in the Code which sets forth that the Administrator's salary shall be at least 90% of the salary of the Assessor of Property for the county.

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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

Luanne H. DeWitt Commissioner