

**HAMILTON COUNTY ELECTION COMMISSION  
MINUTES OF MEETING  
AUGUST 12, 2003**

**Call to Order.** Upon notice duly given, Chairman Tyrone L. Waller called to order a meeting of the Hamilton County Election Commission at 5:05 p.m. on August 12, 2003, at the office of the Hamilton County Election Commission, 514 East 4<sup>th</sup> 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 DeFriese, 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.** Chairman Waller advised that he had an issue with the minutes presented for the June 20, 2003, meeting and did not entertain a motion to approve said minutes as published. Chairman Waller requested the tape of the meeting. Discussion followed regarding the issue of the uniforms for the staff with Commissioners Walden, DeWitt, Johnson and Kennedy speaking in favor of mandatory uniforms.

**Certification of Red Bank Expenses.** Administrator Dzik presented the certification of expenses for the Red Bank, Tennessee, municipal election held on June 10, 2003. Administrator Dzik advised that the certification was not presented at the last meeting due to the fact that Attorney Summers requested that his attorney's fees relative to the recount of the Red Bank 1 precinct ballots be included as part of the expenses. Upon motion by Commissioner Walden, seconded by Commissioner Kennedy, the Commission unanimously approved the certification of expenses for the Red Bank municipal election. A copy of said certification is attached hereto and made a part of these minutes as if fully set out herein.

**Precinct Issues.** Administrator Dzik requested that Deputy DeFriese present the proposed precinct modifications recommended by State and Local Government. Deputy DeFriese presented a list of the proposed changes. After review, upon motion by Commissioner Walden, seconded by Commissioner Kennedy, the Commission unanimously approved the precinct modifications as presented. A copy of said modifications is attached hereto and made a part of these minutes as if fully set out herein.

**Election Certificates.** Administrator Dzik presented the election certificates for the newly elected Red Bank and Soddy Daisy commissioners and requested that each Commissioner affix his or her signature to same.

**Personnel Manual.** Administrator Dzik provided a draft copy of the Personnel Manual to each Commissioner for review. Chairman Waller questioned several policies and delayed a vote on the manual.

**Accu-Vote Demonstration.** Administrator Dzik advised the Commission that the Coordinator of Elections had requested Hamilton County to present a statewide

demonstration of the Accu-Vote equipment on September 12, 2003, at 1:00 p.m. at the Hamilton County Election Commission office.

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**Handicap Accessibility Issues at Polling Places.** Administrator Dzik advised the Commission that Chief Deputy Knowles and Deputy Gaston were in the process of conducting a handicap accessibility study of all polling places in compliance with ADA and HAVA. A final report of their findings will be presented at a later date.

**State Seminar.** Administrator Dzik advised that the state was conducting a seminar on September 9, 2003, in Maury County regarding the training of poll workers.

**2003 Budget.** Administrator Dzik presented a copy of the final 2003 budget analysis, a copy of which is attached hereto and made a part of these minutes as if fully set out herein.

**State Questionnaire.** Administrator Dzik presented a copy of the questionnaire completed on behalf of the Commission regarding the feasibility of central-based voting locations. A copy of said questionnaire is attached hereto and made a part of these minutes as if fully set out herein.

**Copy of Legislation Affecting Absentee-by-Mail Voting.** Administrator Dzik presented a copy of the legislation passed by the General Assembly regarding CDL operators the opportunity to vote absentee-by-mail, using their home address in lieu of an out-of-county address. Administrator Dzik advised that the Commission's absentee documents had been modified to reflect this change in the law.

**Memphis Municipal Election.** Administrator Dzik advised that the Memphis municipal election is scheduled for October 9, 2003, and it was her intent to travel to Memphis to observe this election as the Diebold DRE voting equipment would be used for that election and a proposed system for handling provisional ballots would be tested at that time.

Administrator Dzik advised that she had no further issues and requested to be excused from the meeting due to illness. Whereupon, Administrator Dzik was excused from the meeting.

**Legal Issues.**

**Attorney General's Opinion.** Attorney Jerry Summers discussed the request for the Attorney General's opinion regarding the specific date for a City of Chattanooga election for the city judgeship as well as a possible election regarding the Save Our Streets campaign. Attorney Summers stated that while he, Brook Thompson and City Attorney Randy Nelson concurred that the city election should be held on February 10, 2004, as a precautionary matter he had requested that Senator Crutchfield request an Attorney General's opinion.

**Rita Jones Issue.** Attorney Summers advised that the Chancellor had ordered both sides to file briefs in this matter and that Ms. Jones' attorney had requested an extension of time in which to file same.

**Newspaper Lawsuit.** Attorney Summers advised that the Court of Appeals had not yet entered a judgment in this matter.

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**Human Rights Complaint.** Attorney Summers advised that a response had been filed to Ms. Tipton’s complaint and his office was awaiting additional information from the Commission.

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

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Michael S. Walden                      Secretary

APPROVED:

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Tyrone L. Waller                      Chairman

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Linda Johnson                      Commissioner

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William Kennedy                      Commissioner

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Luanne H. DeWitt                      Commissioner