

HAMILTON COUNTY ELECTION COMMISSION
MINUTES OF MEETING
MARCH 29, 2004

Call to Order. Upon notice duly given, Chairman Tyrone L. Waller called to order a meeting of the Hamilton County Election Commission at 5:00 p.m. on March 29, 2004, at the office of the Hamilton County Election Commission, 514 East 4th Street, Chattanooga, Tennessee.

Present at Meeting. Chairman Waller, Secretary Walden and Commissioner Johnson were present at the meeting. Attorney Jerry Summers, Deputy Knowles, Deputy Woods, Deputy DeFriese and Administrator 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 February 23, 2004, meeting were unanimously approved.

Certification of Expenses. Administrator Dzik presented the Commission with the Statement of Expenses for the Presidential Preference Primary Election of February 10, 2004. Upon motion by Commissioner Walden, seconded by Commissioner Johnson, the Statement of Expenses was unanimously approved.

Budget. Administrator Dzik presented the Commission with a proposed budget for the 2004-2005 fiscal year. After discussion, upon motion by Commissioner Walden, seconded by Commissioner Johnson, the proposed budget was unanimously approved.

Building and Parking Lot Issue. Administrator Dzik advised the Commission that she had spoken with County Mayor Ramsey and had met with representatives for the County Mayor to discuss the building and parking situation. A proposal is being developed which would relocate the Commission offices to a larger facility, with adequate parking for early voting and election night, as well as additional space for the on-site warehousing of election files.

Signal Mountain Election. Administrator Dzik advised the Commission that the Town of Signal Mountain had submitted a Resolution requesting the Commission to schedule an election for the Town for May 18, 2004, regarding a general bond referendum. Upon motion by Commissioner Walden, seconded by Commissioner Johnson, the Commission unanimously accepted the Resolution and scheduled an election for May 18, 2004, for the Town of Signal Mountain.

Walden Election. Administrator Dzik advised the Commission that the Town of Walden had scheduled a special meeting for March 31, 2004, regarding the general bond referendum election which Signal Mountain had requested. Administrator Dzik advised that representatives of the Town of Walden had indicated that the Town of Walden was also proposing a Resolution for an election to be held on the same date as the Signal Mountain election. Upon motion by Commissioner Walden, seconded by Commissioner Johnson, the Commission unanimously approved the scheduling of an election for the Town of Walden for May 18, 2004, to be held in conjunction with the Signal Mountain election, upon the proper filing of an Election Resolution from the Town of Walden.

Early Voting Schedule. Administrator Dzik stated that Phil Noblett, the attorney for the Town of Signal Mountain, had advised her that the Town did not desire to have an early voting location in Signal Mountain. Therefore, Administrator Dzik stated that, pursuant to the Code, only one early voting location, at the Election Commission offices, would be scheduled for the May 18, 2004, election. Upon motion by Commissioner Walden, seconded by Commissioner Johnson, the Commission unanimously approved the early voting schedule as follows: Beginning April 28, 2004, and ending on May 13, 2004, with the Monday through Friday hours to be 8:00 a.m. until 6:00 p.m. and the Saturday schedule to be 8:00 a.m. until 4:00 p.m.

Election Day Schedule. Upon motion by Commissioner Walden, seconded by Commissioner Johnson, the Commission unanimously set the May 18, 2004, election day polling hours to be 8:00 a.m. until 8:00 p.m.

The Election Center. Administrator Dzik advised the Commission that The Election Center HAVA Seminar was scheduled for April 14-19 in Nashville and that Brook Thompson was recommending that she attend. Chairman Waller stated that as this seminar expense were included in the budget, no further action was necessary.

TACEO. Administrator Dzik reminded the Commissioners of the annual TACEO Conference in Nashville, scheduled for June 6-9, 2004. None of the Commissioners present plan to attend the conference.

High School Voter Registration. Administrator Dzik advised the Commission that the office was in the process of conducting high school voter registration drives. She also advised the Commission that Charles Love had requested a list of all Brainerd High School registrants. After discussion, the Chairman stated that the request should be granted and the Commission should charge the usual fee for copies of documents.

Legal Issues. Attorney Summers discussed the following legal issues:

Rosetta Tipton's Claim for Unemployment Benefits. Attorney Summers stated that Ms. Tipton had applied for unemployment benefits and a hearing was scheduled for April 13, 2004.

Rosetta Tipton's Civil Suit. Attorney Summers stated that Ms. Tipton had filed suit in Circuit Court and that his office had filed various motions, which were scheduled for argument on April 5, 2004.

East Ridge Judicial Election. Attorney Summers stated that an issue had arisen relative to the term of office for the City Judge for the City of East Ridge. He stated that Cris Helton, city attorney for East Ridge, had determined that an election for City Judge should be held in November, 2004, in conjunction with the City of East Ridge's regular election for a term to expire in August, 2006, and future elections for the City Judge will be held every eight years thereafter. Attorney Summers stated that this change was necessary in order to meet the statutory requirements for elections for municipal judges.

Elder Mountain Residency Issue. Attorney Summers stated that he had received an opinion from Brook Thompson regarding the residency status of the Holmbergs. Attorney Summers advised the Commission that the opinion was that the Holmbergs were legal residents of Marion County and should be registered voters in that county. The opinion is attached hereto and made a part of these minutes as if fully set out herein. Attorney Summers was directed to notify the individuals of the State Coordinator's opinion.

Redistricting. Attorney Summers stated that he had been asked to meet with the Redistricting Committee of the Board of Commissioners to discuss the request to redistrict the county commission districts. Attorney Summers stated that his statement for legal services reflects charges for providing this service to the County. He further stated that an additional meeting was scheduled for April 1, 2004, and the Board of Commissioners had requested that he attend that meeting, as well, in the absence of the county attorney.

Financial Disclosure. Attorney Summers advised the Commission that certain individuals had not properly filed their annual Statement of Interests report and it was his recommendation that the Administrator send letters to the individuals advising them that any reports past due must be filed within five days or sanctions of \$25.00 per day would be imposed until the required report is filed. Upon motion by Commissioner Walden, seconded by Commissioner Johnson, attorney Summers' recommendation was unanimously approved.

Attorney Summers' Statement for Legal Services. Attorney Summers presented the Commission with an itemized statement for legal services for the first quarter of 2004. After review and discussion, upon motion by Commissioner Johnson, seconded by Commissioner Walden, the Commission unanimously accepted the statement for legal services. Administrator Dzik advised the Commission that she would immediately submit the summary sheet invoice for payment.

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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