

HAMILTON COUNTY ELECTION COMMISSION
MINUTES OF MEETING
AUGUST 5, 2004

Call to Order. Upon notice duly given, Chairman Waller called to order a regular meeting of the Hamilton County Election Commission at 7:30 p.m. on August 5, 2004, at the office of the Hamilton County Election Commission, 514 East 4th Street, Chattanooga, Tennessee.

Present at Meeting. Chairman Waller, Secretary Walden and Commissioners Kennedy, DeWitt and Johnson were present at the meeting. Chief Deputy Knowles, Administrator Dzik and attorney Jerry Summers 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 July 6, 2004, meeting were unanimously approved.

Approval of Petitions. Administrator Dzik stated that petitions for liquor referenda had been received from Lakesite, Soddy Daisy, Walden and East Ridge and the petitions met the statutory requirements to be circulated for signatures. Upon motion by Commissioner Johnson, seconded by Commissioner Kennedy, the petitions were unanimously accepted and approved.

Budget. Administrator Dzik presented the Commissioners with a copy of the budget which the County Board of Commissioners had approved for the Election Commission. The budget reflected approximately \$400,000.00 in cuts by the County Finance Department from the budget approved by the Election Commission and presented to the Board of Commissioners for funding.

Legal Matters.

Destroyed Applications. Attorney Summers advised the Commission of the findings of the TBI regarding the destroyed applications found at Booker T. Washington State Park. The TBI concluded that no criminal intent was involved in the destruction of the applications and the District Attorney was closing his file on the matter.

Elder Mountain. Attorney Summers advised the Commission that Brook Thompson had reviewed the documents submitted by Attorney Cates on behalf of the Holmbergs. Attorney Summers stated that Mr. Thompson's opinion was that the State Board of Equalization should review the matter. No further action is necessary, at this time, from the Election Commission.

Rosetta Tipton Matter. Attorney Summers advised that the lawsuit had been filed in Chancery Court and the Court was awaiting service on the defendants.

Street Segment Issue. Attorney Summers stated that an issue had arisen regarding Arlington Avenue in the Glenwood precinct. Further information is being obtained as to the change by Rita Jones in March, 2002 of this street segment from County Commission District 5 to County Commission District 4.

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Date for Certification. Administrator Dzik advised the Commission that the certification of election must be completed by August 16, 2004, and the Commission needed to determine a date for the certification. The Commissioners agreed to certify the election on Monday, August 16, 2004, at 5:00 p.m.

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