

**HAMILTON COUNTY ELECTION COMMISSION
MINUTES OF MEETING
JANUARY 10, 2005**

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 January 10, 2005, 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 Claude Knowles, ITS Director Brian Turner, 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 Johnson, seconded by Commissioner Kennedy, the minutes of the meeting held on November 15, 2004, were unanimously approved.

City of Chattanooga Election. Administrator Dzik advised the Commission that Mr. Dennis Clark had withdrawn his appeal of the Administrator's determination that Mr. Clark did not meet the residency requirements to have his name placed on the ballot as a candidate for District 8 in the City of Chattanooga election. A copy of Mr. Clark's letter is attached hereto and made a part of these minutes as if fully set out herein. No further action was necessary on this matter.

Early Voting Locations and Hours. Administrator Dzik presented the Commission with a proposed schedule for early voting for the March 1, 2005 election, as follows:

Date	Northgate Mall	Brainerd Recreation Center	Election Commission Office
February 9, 2005	10:00 a.m. – 6:00 p.m.	10:00 a.m. – 6:00 p.m.	8:00 a.m. – 7:00 p.m.
February 10, 2005	10:00 a.m. – 6:00 p.m.	10:00 a.m. – 6:00 p.m.	8:00 a.m. – 7:00 p.m.
February 11, 2005	10:00 a.m. – 6:00 p.m.	10:00 a.m. – 6:00 p.m.	8:00 a.m. – 7:00 p.m.
February 12, 2005	10:00 a.m. – 6:00 p.m.	10:00 a.m. – 6:00 p.m.	8:00 a.m. – 7:00 p.m.
February 14, 2005	10:00 a.m. – 6:00 p.m.	10:00 a.m. – 6:00 p.m.	8:00 a.m. – 7:00 p.m.
February 15, 2005	10:00 a.m. – 6:00 p.m.	10:00 a.m. – 6:00 p.m.	8:00 a.m. – 7:00 p.m.
February 16, 2005	10:00 a.m. – 6:00 p.m.	10:00 a.m. – 6:00 p.m.	8:00 a.m. – 7:00 p.m.
February 17, 2005	10:00 a.m. – 6:00 p.m.	10:00 a.m. – 6:00 p.m.	8:00 a.m. – 7:00 p.m.
February 18, 2005	10:00 a.m. – 6:00 p.m.	10:00 a.m. – 6:00 p.m.	8:00 a.m. – 7:00 p.m.
February 19, 2005	10:00 a.m. – 6:00 p.m.	10:00 a.m. – 6:00 p.m.	8:00 a.m. – 7:00 p.m.
February 21, 2005	10:00 a.m. – 6:00 p.m.	10:00 a.m. – 6:00 p.m.	8:00 a.m. – 7:00 p.m.
February 22, 2005	10:00 a.m. – 6:00 p.m.	10:00 a.m. – 6:00 p.m.	8:00 a.m. – 8:00 p.m.
February 23, 2005	10:00 a.m. – 6:00 p.m.	10:00 a.m. – 6:00 p.m.	8:00 a.m. – 8:00 p.m.
February 24, 2005	10:00 a.m. – 6:00 p.m.	10:00 a.m. – 6:00 p.m.	8:00 a.m. – 8:00 p.m.

City Attorney Randy Nelson had advised the Administrator that the Council was desirous of having satellite voting locations in the Northgate area and the Brainerd area, specifically at the Brainerd Recreation Center. Commissioner Johnson discussed the 6:00 p.m. closing times at the satellite locations and Administrator Dzik stated that she had discussed this issue with City Attorney Randy Nelson on several occasions and that Mr. Nelson had stated that the dates and times were acceptable to him and that he would determine if any of the Council members had issues with the schedule and, if so, he would so advise. Additionally, Councilman Franklin had been in the office and Administrator Dzik had advised him of the proposed schedule. Upon motion by Commissioner Kennedy, seconded by Commissioner DeWitt, the proposed schedule, as outlined hereinabove, was unanimously approved.

Certification of Election Expenses. Administrator Dzik presented the Certifications of Election Expenses for the State and Federal Election, the City of Chattanooga Municipal Election, the City of East Ridge Municipal Election, the City of Lakesite Municipal Election, the City of Soddy Daisy Municipal Election, the Town of Walden Municipal Election, the City of Red Bank Municipal Election, and the Town of Signal Mountain Municipal Election, which certifications were approved by the Commission members as evidenced by their signatures thereon.

On-the-Job Injury. Administrator Dzik advised the Commission that Deputy Joyce Summerrow had tripped and fallen in the kitchen on Thursday, January 6, 2005. A report was filed with the Risk Management Office of Hamilton County. Additionally, Administrator Dzik advised the Commission that Deputy Summerrow was currently hospitalized for an unrelated medical problem.

Scanning Equipment. Administrator Dzik asked ITS Director Brian Turner to discuss with the Commission the need for a T-1 connection to the county's network to provide better security, more efficient service, and more reliability in performing functions for the office. Mr. Turner stated that the T-1 connection would be more beneficial in connecting for the early voting satellite locations; the firewalls established would provide better security from hackers; the ITS department would be better able to block all uninvited traffic through the internet; and access would continue to be limited to only those individuals to whom the Administrator of Elections gave access. He stated that the cost would be approximately \$161.00 per month for the T-1 line through Bell South, as opposed to the \$120.00 per month currently being paid to Comcast. Additionally, the start-up costs would be approximately \$4,000.00, which would be a one-time charge for the ITS to purchase the necessary network cards and any related software or hardware needed for the conversion. Upon motion by Commissioner Walden, seconded by Commissioner DeWitt, the Commission unanimously approved the installation of the T-1 connection to the county's network.

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Legal Issues. Attorney Summers advised that the Chancery Court had not yet ruled on the Rosetta Tipton issue.

Attorney Summers advised that issues still existed regarding the Administrator's salary. There were three original issues: (1) the amount of compensation due Mrs. Dzik under the statute; (2) the amount of compensation due Mrs. Dzik under the statute for which she had not received compensation since receiving her certification; and (3) the amount of compensation due Mrs. Dzik prior to receiving her certification. Attorney Summers stated that the first and second issues had been resolved in that the County Finance Director had agreed that Mrs. Dzik should be receiving 90% of the Assessor of Property's salary. Mrs. Dzik salary was adjusted as of October 1, 2004, to reflect 90% of the Assessor's salary and she is now receiving that compensation. However, although Mr. Wright has agreed that Mrs. Dzik should definitely have received 90% of the Assessor's salary since May of 2003, she has not been compensated for the period from May of 2003 through September 30, 2004.

Attorney Summers stated that the third issue remains in dispute and although it is his belief that Mrs. Dzik is entitled to 90% of the Assessor's salary, even prior to receiving certification, the Finance Director disagrees with this issue. In a good faith effort to resolve this matter, Attorney Summers had offered, on behalf of Mrs. Dzik, to settle this third issue for one-half (1/2) of the amount in question. That offer has not been accepted by the County.

After discussion, the Chairman instructed Attorney Summers to address this issue to County Mayor Claude Ramsey and County Attorney Rheubin Taylor in an attempt to resolve the issue without legal action.

Attorney Summers advised that an issue had arisen regarding the voting eligibility of Howard Barnwell and this matter was being discussed with the District Attorney General.

Attorney Summers presented the Commission with an itemized statement for legal services rendered. After review, upon motion by Commissioner Johnson, seconded by Commissioner DeWitt, the statement for legal services was approved for payment.

Next Scheduled Meeting of Commission. Administrator Dzik advised the Commission that a meeting should be scheduled prior to January 31, 2005, to enable the Commission to lock the absentee ballot boxes and appoint election workers for the March 1, 2005, election. The Commission members agreed upon a meeting date of Monday, January 24, 2005, at 5:00 p.m.

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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 DeWitt Commissioner