

**HAMILTON COUNTY ELECTION COMMISSION**  
**MINUTES OF MEETING**  
**April 15, 2012**

**Call to Order:**

Upon notice duly given, Chairman Walden called to order a regularly scheduled meeting of the Hamilton County Election Commission at 9:00 am on April 15, 2013 at the office of the Hamilton County Election Commission, 700 River Terminal Road, Chattanooga, Tennessee

**Invocation:** Commissioner Braly

**Pledge of Allegiance:** Chairman Walden

**Present at Meeting:**

Commissioners Walden, Anderson, Braly, Crangle and Attorney Clem were present at the meeting, as well as staff of the Election Commission, a member of the Hazlett, Lewis & Bieter.. Secretary Summers was not in attendance due to court.

**Approval of Minutes:**

**Commissioner Braly** made a motion to accept the minutes.

**Commissioner Anderson** seconded.

Motion passed unanimously

**New Business:**

**Certification**

**Christian Bennett** stated that he recommended the election be certified based on his report.

**SEE ATTACHED**

**Commissioner Braly** made a motion to accept certification

**Commissioner Anderson** seconded

Motion passed unanimously

**Expenses**

**See Attached**

**Chairman Walden** asked where we were spending the money for legal notices.

**Administrator Mullis-Morgan** stated Chattanooga Free Press

**Chairman Walden** stated that he thought they had discussed in the past of running it in different papers.

**Administrator Mullis-Morgan** stated that several years ago it was run in another paper in the black community but she wasn't sure of the name.

**Commissioner Anderson** stated it was the Chronicle.

**Chairman Walden** asked if it had the circulation and qualified why we couldn't use it also.

**Administrator Mullis-Morgan** stated we will do that if it qualifies.

**Attorney Clem** stated that there is also the Herald

**Chairman Walden** stated that we make sure they have the requirements and maybe we could split it up between the two.

**Legal Matters**

**Attorney Clem** stated that the court of appeals got back with us on a preliminary motion with Susan Rich and the Elder Mtn issue. Frank Brown wanted everyone on Elder Mtn who had a lot that straddles the line and owned a house to be allowed to vote. Susan Rich disagreed with that and she filed a notice of appeal. Then the election came down and she actually won the election but she lost the trial. She asked the court of appeals to dismiss the appeal but to overturn the trial court. The court of appeals said no, She needed to dismiss her appeal (which means those people were allowed to vote) she can't ask that the trial court's decision be overturned without risking overturning the entire election. So who knows where this will go especially since we don't even know who the city attorney is going to be involved with this

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case. The case is still just kind of out there. I don't think it will affect us except for I'm pretty sure in two years they are going to try this all again and we need to know if Frank Brown's decision is good law or will be overturned. We just want it clear. I want either the court of appeals to uphold it or if they overturn it, they give us something just as clear. That is the only legal matter out there right now.

**Chairman Walden** asked administrator Morgan to pull how much we have billed to the city for these last issues that have come up. He then stated that he would like to have a number when they speak to Andy Berke. I think it is close to \$100,000.00

**Administrator Mullis-Morgan** stated that she thought it was closer to \$50,000.

**Chairman Walden** asked how many people voted in the city election

**Assistant Administrator Allen** stated that it was 1,770

**Chairman Walden** stated that the legal fees were \$12441.48 that is about \$7.00 a vote. We spent \$12,000 to prove to Mr. Murphy that we were right.

**Administrator Mullis-Morgan** stated that she had given a copy of the budget to the commissioners and would like them to review it and get back with her because she has to submit it to the county on May 6, 2013 and that is before our next meeting.

Adjournment

**Commissioner Anderson** made a motion to adjourn

**Commissioner Braly** seconded.

The meeting was adjourned

The next meeting is scheduled for Wednesday May 8, 2013 @8:00

APPROVED:

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Jerry Summers

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Secretary

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Michael S. Walden

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Chairman

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James Anderson

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Ruth Braly

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Tommy Crangle

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Commissioner