

**HAMILTON COUNTY ELECTION COMMISSION
MINUTES OF MEETING
Friday, March 10, 2017**

Call to Order:

Upon notice duly given, Chairman Walden called to order a meeting of the Hamilton County Election Commission at 8 a.m. on March 10, 2017 at the office of the Hamilton County Election Commission, 700 River Terminal Road, Chattanooga, Tennessee.

Invocation: **Commissioner Braly**

Pledge of Allegiance: **Commissioner Scott**

Present at Meeting:

Commissioners Walden, Summers, Braly, Clem, and Scott were present at the meeting, as well as auditor Christian Bennett from Mauldin & Jenkins, staff of the Election Commission, members of the media, and members of the public.

Approval of Minutes:

Commissioner Clem made a motion to approve the minutes.

Commissioner Braly seconded the motion.

All were in favor.

New Business:

Certification of 03-07-2017 City of Chattanooga Election
Audit Report – Christian Bennett (Mauldin & Jenkins, CPAs)
Certification of Election Results

Administrator Steelman said before Christian Bennett presents his certification report, I would like to point out the exceptional effort of the staff to finish the certification preparation process so quickly. They were able to accomplish in roughly a day and a half what usually takes two weeks. I would also like to thank Mauldin & Jenkins for the time they spent to complete the certification report.

Christian Bennett said what made it possible this time was the speed of clearing the provisional ballots. That can always be the big hold up.

Administrator Steelman said Kathy Summers with the State Election Office was an exceptional partner in helping us meet this deadline.

Christian Bennett said during our testing we noted no significant differences in counts between the voting machines' tapes, in comparison with the ballot stubs, poll books, and ballot applications. We compared all of those across the board for consistency and we had consistent counts in the precincts we selected for audit. Based on our procedures and testing, we recommend the commission certify the Election results as presented.

Hamilton County Election Commission – Minutes of Meeting March 10, 2017

Commissioner Clem made a motion to certify the results.

Commission Braly seconded the motion.

All approved.

City of Chattanooga Run-off Election 04-11-2017

Approval of Ballot

Administrator Steelman said there will be two offices on the ballot for the run-off election on April 11. The two offices are District 7 with candidates Chris Anderson and Erskine Oglesby, and District 9 with candidates Demetrus Coonrod and Yusuf Hakeem.

Commissioner Braly made a motion to approve the ballot.

Secretary Summers seconded the motion.

All approved.

Poll Workers: Carryovers from 03-07-17

Administrator Steelman said when we recruited poll workers for the March 7 election, we received a commitment from each of them that they would stay on and work for a run-off election if necessary. All the poll workers for April 11 are poll workers who were approved for March 7 and are returning.

Early Voting: Wednesday 03/22/17 – Thursday 04/6/17

Proposed Locations/Times: Election Commission (Mon – Fri 8 am – 4 pm, Sat 9 am – 12 pm)

Administrator Steelman said Election Day hours will be 8 a.m. to 7 p.m. on April 11. Early Voting will be Wednesday, March 22 through Thursday, April 6. We kept the hours consistent with previous city run-off elections.

Chairman Walden said Early Voting will be at the Election Commission office Monday through Friday from 8 a.m. to 4 p.m. and Saturday from 9 a.m. to 12 noon.

Commissioner Scott asked how is that consistent with the previous election?

Administrator Steelman said in previous Chattanooga municipal run-off elections Early Voting is operated at one location – here at the Election Commission – and the hours are shortened in the evening to coincide with Election Commission business hours from 8 a.m. to 4 p.m. Saturday hours are shorted to 9 a.m. to 12 noon.

Commissioner Braly asked that's just here?

Administrator Steelman said yes, just here. There are no satellite locations. We are maintaining consistency with what the city has done from election to election and this is consistent with previous city run-off elections.

Deputy Nathan Foster said those are the hours and the location approved by the Election Commission for the 2013 Chattanooga run-off election.

Commissioner Scott said you know people are going to complain about this. Number one, there's only one location. Number two, the hours are shorter. I understand we did it in 2013, but it doesn't always have to be done that way. With there being only one location, we need to have longer hours. I'm totally against this.

Commissioner Braly asked if this was the city's decision or our decision to have one location.

Chairman Walden said the law only mandates one location.

Commissioner Scott said his problem isn't with the site, but with the hours. When you're talking about 8 a.m. – 4 p.m. Monday through Friday, a lot of people get off work at 4. The time needs to be 7 p.m. It needs to be the time we had during regular Early Voting.

Hamilton County Election Commission – Minutes of Meeting March 10, 2017

Commissioner Scott made a motion to extend weekday hours to 7 p.m.

Secretary Summers seconded the motion.

Commissioners Scott and **Summers** voted to approve.

Commissioners Braly and **Clem** passed.

Commissioner Clem said he's not voting no; he'd like more discussion.

Chairman Walden voted yes, the motion carried.

Commissioners Braly and **Clem** amended their votes to yes.

All approved.

Administrator Steelman said he'd like to confirm that the Saturday Early Voting hours are different than Saturday hours in the March municipal election.

Chairman Walden said our actions are meant to increase voter turnout, regardless of how candidates feel about it. There was already a historically low turnout in the last election. Anything that's reasonable that we can do to increase turnout, that's something we want to support. This includes recommending that the city move their election both for the savings to the taxpayers and to increase the voter turnout.

Secretary Summers said I suggest you make a concerted effort to make the media outlets fully aware of the hours, take a proactive position.

Chairman Walden asked the cost for the additional hours is 100% passed through to the city?

Administrator Steelman said yes.

Chairman Walden said then the hours are changed, Monday – Friday, 8 a.m. – 7 p.m., Saturday 9 a.m. – 12 noon.

Certification of Election Expenses

Chairman Walden said for the record the total expenses for the city election were \$124,261.

Administrator Steelman said the expenses were consistent with previous city election expenses.

Secretary Summers made a motion to approve the expenses.

Commissioner Braly seconded the motion.

All approved.

Scheduling

Administration of Oath/Organization Meeting

Certification of Run-off Election

Chairman Walden said, for the record, 100% of us were reappointed for another two year term.

Administrator Steelman said your appointments to the Election Commission will be effective April 3rd.

We have 20 days following the appointment for you to complete your oaths and have the reorganization meeting.

The commission will meet on Tuesday, April 11 at 6:30 p.m. to select the precincts to audit for the run-off election.

The commission will meet April 19 at 8 a.m. to certify the run-off election results. At that time we will administer oaths of office and organize by selecting a chairman and secretary of different parties.

Hamilton County Election Commission – Minutes of Meeting March 10, 2017

FY18 Budget Proposal

Administrator Steelman said, as you know, in FY17 the county kept all department funding requests at FY16 levels in order to balance the budget. We have operated on a “single election” budget during a Presidential Election cycle that includes three elections and a runoff. In FY18 I have proposed an increase in office supplies to get us back in line with comparable election year funding levels in preparation for the gubernatorial election in 2018. The primary increases in this budget proposal are related to computer hardware and a potential election official pay increase. Our poll workers have not received a pay increase since 2007. At that time poll worker pay was increased from \$70 to \$100 and poll officer pay was increased from \$100 to \$160. Those rates are below the average rates for the four major counties in Tennessee. The average is \$121 for poll workers and \$171 for poll offices.

Chairman Walden said we want to be in the median.

Administrator Steelman said Knox County is close to the median with \$135 and \$175. We are proposing to raise our pay to \$135 for poll workers and \$175 for poll officers.

Chairman Walden said that would require action from the county commission.

Administrator Steelman said yes, Tennessee Code Annotated stipulates only the county commission may increase the pay for poll officials. It is my recommendation that you consider requesting the county commission approve that increase.

Commissioner Clem made a motion to ask the county commission for a pay increase for Election Day workers.

Commissioner Braly seconded the motion.

All approved.

Administrator Steelman said on a separate budget issue, a couple of you have expressed concerns with the campaign financial disclosure portion of our website. Specifically, how disclosures filed prior to 2014 were scanned using a high-resolution format...

Chairman Walden asked were they scanned in as a JPEG?

Deputy Foster said they were scanned in as an uncompressed TIFF file creating a very large file size.

Administrator Steelman said the large file size causes extensive delays when someone is viewing the file on the website. That is an issue we want to solve. The state recently granted approval for local candidates to begin filing their financial disclosures electronically. Currently, our platform does not enable that. Sullivan County’s AOE Jason Booher, who is also the legislative chairman for TACEO, has contracted with a company by the name of Easy Vote. Easy Vote Solutions has 150 election offices that they service in 10 states. They provide a platform to accept electronic filing of campaign financial disclosures. Additionally, their platform hosts the public reporting of all of the disclosures. Our proposal is to contract with Easy Vote to provide this service for us. We would be buying their software; it is an annual subscription of \$4,500. It would allow us to provide a service to local candidates that state and federal candidates already have. Additionally, they provide the hosting. When members of the public want to look at a financial disclosure, they will be able to do so without the extreme delays in loading it.

Chairman Walden asked but the landing page will look like Hamilton County?

Administrator Steelman said yes, it will be a seamless transition when voters visit our website to view disclosures. It will be a seamless link to the Easy Vote server, and not appear that they have left the Election Commission website.

Chairman Walden asked and they will have no access to any sort of voter records?

Administrator Steelman said they will merely be hosting financial disclosures.

Chairman Walden said I just wanted to clarify that to make sure everyone was comfortable with it. I think it’s a great idea.

Hamilton County Election Commission – Minutes of Meeting March 10, 2017

Commissioner Clem made a motion to contract with Easy Vote.

Commissioner Braly seconded.

All were in favor.

Commissioner Scott said I have a question about this budget. I know in the past we said we were going to do some open bids that I have yet to see. For example, with the newspaper, we were going to get the Times Free Press to adjust some of their cost.

Administrator Steelman said working with the paper this time around, we did substantially lower the cost with for the ads.

Chairman Walden said we also reached out to minority papers and ran some ads.

Commissioner Scott asked also, why are we going from \$0 to \$40,000 in the line item for part time employees?

Administrator Steelman said in the line item for Election Officials and clerks, there is a reduction of \$50,000. That \$50,000 has been moved to salaries-part time and salaries-part time (overtime). That was created to account for election officials who work more than just one day per election. We needed a better accounting of those employees and to do so I have separated them from the Election Official line item.

Chairman Walden said that makes sense to me.

Commissioner Clem asked you said we had a reduction in the cost to the paper?

Administrator Steelman said much of that was simply being more proactive in working with the paper concerning how much space they used for our ads. In the past we've given them an ad and they would often run it using more space than we required. This election we've really held their feet to the fire.

Commissioner Braly asked we are not approving the budget today, just discussing it?

Commissioner Clem asked so we have time to look this over?

Administrator Steelman said yes, my intent was to provide this proposal for you to review it.

Commissioner Clem said the county gave us a lower amount last year. How has that worked out? Did they ever increase it? Do we need it increased?

Administrator Steelman said yes, we will need to have an increase.

Chairman Walden said our role is to advise and it is the administrator's job to propose the budget for his office. We're going to let you propose your budget and then hold you accountable for managing within your budget.

Commissioner Scott asked so we aren't supposed to ask any questions?

Chairman Walden said you're more than welcome to ask questions. We just can't tell him what the budget is.

Commissioner Scott said I understand that, but as proper stewards, it's not autonomous. We have a right to question where the funding is going and when we pass these...

Chairman Walden said right, we just can't direct him what to fund...

Commissioner Scott said I understand, but we passed things such as these open bids that are not coming before this board.

Chairman Walden said we don't bid anything directly from this office. Everything we bid goes through the county. If you have a concern about bidding, direct it to the county.

Commissioner Scott said I didn't say that we as a body did an open bid, I said we put in the minutes, in the past, that we would have the county do an open bid. And we have not seen that.

Chairman Walden said it is not our responsibility to see that the county does the open bid...

Commissioner Scott said they came for the equipment.

Chairman Walden said they do the bidding for the Election Commission. We do not have the resources to conduct a bid. The same thing about the personnel staffing, as well, we're under the county there—

Hamilton County Election Commission – Minutes of Meeting March 10, 2017

the hiring, the firing, the benefits, the purchasing, the building—everything is done by the county and will continue to be.

Commissioner Scott said all I'm asking is that we see the bid. I'm not saying we do it—I know that the county does it. The county accounting firm that does the bidding came in here when we bought the election machines.

Administrator Steelman asked are you talking about Gail Roppo with the County Purchasing Department?

Commissioner Scott said yes, and I'm saying we could ask them to come in here for this other thing. It's inaccurate when you are saying we can't request that, when we can.

Administrator Steelman said the issue with the paper is that the law requires publication in a paper of general circulation and we have one paper of general circulation in this county.

Commissioner Scott said there's two.

Administrator Steelman said I'm not familiar with the other one.

Commissioner Scott said The Chronicle.

Administrator Steelman said we advertise in the Chronicle but they aren't considered the paper of general circulation.

Commissioner Scott said let's talk about something else, I'm not talking about the paper.

Commissioner Clem said the bidding process is public record.

Chairman Walden said that's the county purchasing department. File a Freedom of Information Act and you can look at anything that's not classified.

Commissioner Clem said I think some of the bids are sealed, but other than the sealed part, you can look at anything.

Chairman Walden said the administrator has done a good job with this budget. I don't think this requires any action on our part.

Secretary Summers said if we thought there was some irregularity in the bidding we could make an inquiry for them to produce information, could we not?

Chairman Walden said we can ask them, but any public person in Hamilton County can ask for information on the purchasing procedures of the county.

Commissioner Clem said it's all public record.

Chairman Walden said and it doesn't necessarily have to be the low bid, it has to be the best value. There's half a dozen different ways procurements are handled. Historically, we have said we don't like sole source contracts. I know at one time we were looking at printing and encouraged the administrator to look for minority-owned or small businesses to bid on printing and there are none that will bid. There's not even one in Tennessee that we could get to bid.

Secretary Summers asked is that not subject to review by the County Commission, as well? If we saw an irregularity and we present it to them then they have the authority to look at a bid and accept it or reject it?

Chairman Walden said yes, and anything that goes through County Purchasing has to be approved by the County Commission. They make regular reports on the bids and the recommendations from Purchasing.

Administrator Steelman said any expenditure over \$10,000 requires a resolution to the County Commission.

Chairman Walden said but we really don't buy much that meets that threshold, other than printing ballots and machines. Do you think there would be anything else that would exceed that?

Administrator Steelman said no.

Hamilton County Election Commission – Minutes of Meeting March 10, 2017

Adjournment:

Commissioner Clem made a motion to adjourn.

Commissioner Braly seconded the motion.

All approved.

APPROVED:

Jerry Summers Secretary

Michael S. Walden Chairman

Ruth Braly Commissioner

Chris Clem Commissioner

Kelvin Scott Commissioner