

**OBION COUNTY ELECTION COMMISSION
MINUTES OF THE MEETING
JANUARY 10, 2005**

Chairman pro-tem Ray Douglas called the meeting to order at 8 a.m. Members Rob Joyner and Ethelene White were present. Members Pete Algee and Dave Frankum were absent.

Ruth Kendall announced that the office will be closed on Monday, January 17, in honor of Dr. Martin Luther King, Jr., Day. The County Court Meeting will be January 18; it was decided there was no need for us to request to be on the agenda.

Mr. Joyner moved that we call the City Election for Troy for May 26, with a qualifying deadline of February 17 at noon. Ms. White seconded the motion. It passed. The Commission will meet at 8 a.m. on Monday, April 11, to appoint election officials for the Troy election. Troy Mayor Jimmy Hart has informed the office that the city is checking into changing its charter so that city elections can be held in conjunction with an August or November election.

Discussion was held of polling locations, using population data supplied by TCAS.
MASON HALL: The old precinct had less than 200 voters but would require two machines (in case one malfunctions) and four to six workers. We will discuss this further when Mr. Algee can be present since he made the original motion to re-open this precinct.
MILES: City Ward #3 has 2,400 total population, with about 1,400 registered voters. A new Miles Precinct would include only City Ward #3, with former county voters who previously voted at Miles remaining at the Fairgrounds Precinct. Although several people have been contacted, we have not received any specific recommended locations that meet all legal requirements and commission guidelines.
CIVIC AUDITORIUM: The Obion County Public Library has not yet been contacted regarding possible use of their Community Room.
UNION CITY FIRE STATION: Ms. White has submitted a written proposal to the director of the Eddie Cox Senior Center and is to meet with their Board of Directors tomorrow afternoon.


Ms. Kendall was requested to check with ES&S about the current cost of machines, printers, HAVA add-on, and accompanying additional cost of maintenance.

Ms. Kendall was requested to prepare for our next meeting an appropriate form for the Commission to approve the "County Election Commission Records Retention Policy" and "Address Verification Process," if such are not already on file. This was in response to a directive from the State Election Office.

Mr. Joyner moved that the meeting be adjourned. Ms. White seconded the motion. It passed and the meeting was adjourned.

Approved:


Ray Douglas Chairman pro-tem


Ethelene B. White Secretary

**OBION COUNTY ELECTION COMMISSION
MINUTES OF THE MEETING - March 4, 2005**

Chairman Pete Algee called the meeting to order at 8 a.m. Members Ray Douglas, Dave Frankum, Rob Joyner and Ethelene White were present as well as Administrator Ruth Kendall.

Discussion was held concerning the State-required survey of polling places for handicapped accessibility which is to be completed by March 15. Mrs. Kendall and Mrs. Staggs will conduct the survey and commission members may assist as time permits. If a polling location does not meet the criteria, Mrs. Kendall will seek State funds to make necessary improvements.

Mr. Algee indicated that he met one Saturday with 20-25 citizens about possible voting locations for Ward 3. County Commissioner Dewayne Hensley was to get letters from three churches in Ward 3 that would be possible locations. No letters have been received to date. Mr. Algee will contact Commissioner Hensley again.

Ms. White reported that the Board of Directors of the Eddie Cox Senior Center has approved the use of the center as a polling location, to replace the Fifth Street Fire Station. Mr. Joyner reported that the Board of Directors of the Obion County Public Library has approved the use of the library as a polling location, to replace the Civic Auditorium. Mr. Algee requested that a letter be sent to each new polling location concerning the use of the facility.

After discussion, Ms. White made a motion that the Mason Hall precinct not be re-opened due to the small number of voters and the cost of additional machines and workers. Mr. Frankum seconded the motion. The motion passed unanimously.

Discussion was held concerning machine technicians, with the recent death of Jerry Hall and with Yates Scribner in Iraq. Mr. Joyner is working on finding a Republican technician to replace Mr. Hall. Alvis Daniels assisted during the last election and is willing to assist as needed. According to the State Election Office, machine technicians are Election Officials and thus cannot also work for an elected official. ES&S training would require 2½ days at a cost of \$1,800 per day (\$900 per half-day) plus travel. Mrs. Kendall is to find out if Mr. Scribner plans to continue as a technician when he returns to civilian life, which will negate the need for additional training from ES&S.

In response to our inquiry, the State Election Office has indicated that proxy votes are not allowed for Election Commission meetings.

Mrs. Kendall will attach to these minutes a copy of the process that we have been using for address verification, as required by a directive from the State Election Office.

Mrs. Kendall informed the Commission that the County is paying for \$10,000 life insurance on county employees as long as they are employed by the county. Our three Election Office staff are considered county employees and are eligible for this benefit.

The Troy City election scheduled for May will not be held if the State Legislature passes the City's request to change its elections to coincide with state-wide elections. Mrs. Kendall was asked to contact Representative Pinion's office to ask him to facilitate the passage of this bill. If the May election must be held, the Commission will meet at 8 a.m. on Friday, April 15, to appoint workers and paper ballots only will be used since no trained machine technician will be available. (This is a change from the previously selected meeting date of April 11.)

Ms. White questioned if local candidates are checked to verify that they have properly filed campaign financial reports for any previous election before they are qualified to run again. Mrs. Kendall indicated that she receives a list from the Registry of Election Finance of all reports filed which she uses to verify that a candidate is eligible to run again.

Mr. Joyner moved that the meeting be adjourned. Mr. Douglas seconded the motion. The motion passed unanimously.

VII. Sample Language of County Verification Program (Does not include references to use of Audit Notices or NCOA programs)

The address verification program of OBION County shall be conducted every two (2) years. The election commission staff shall begin identifying the voters to whom address verification cards will be sent during the month of January of each odd-numbered year.

The election commission staff shall identify each voter who has not voted or otherwise updated his or her voter registration during the most recent even-numbered election year. If the election commission has not had any contact with a voter during the previous even-numbered year election cycle, then the voter shall be mailed a **non-forwardable verification card**.

If the **non-forwardable verification card** does not return to the election commission office, the voter shall be presumed a resident of the address on record and shall remain on ACTIVE STATUS.

If the **non-forwardable verification card** returns to the election commission office, the voter shall be mailed a **forwardable confirmation notice** and placed on INACTIVE STATUS.

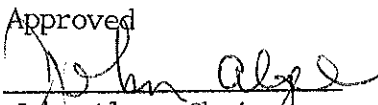
Anytime the post office returns, as undeliverable, information mailed to a registered voter by the election commission staff, the voter shall be mailed a **forwardable confirmation notice** and placed on INACTIVE STATUS. If the voter signs a petition and provides a residential address that differs from that on the permanent voter registration record, the voter shall be mailed a **forwardable confirmation notice** and placed on INACTIVE STATUS.


Generally, those **forwardable confirmation notices** mailed in response to the return of a verification card shall be mailed no later than May 1 of the same year in which the verification cards have been mailed. The date on which any **forwardable confirmation notice** has been mailed to the voter shall be recorded and maintained until the passage of two (2) November general elections, unless the voter has contact with the election commission office before that time.

If the voter contacts that election commission, either by signing and returning the mailer, through contact with an NVRA agency, by voting, or by otherwise updating his or her voter registration address, the voter shall be returned to ACTIVE STATUS.

If the voter does not have any contact with the election commission for two consecutive regular November elections, then the voter's registration shall be purged no later than ninety (90) days before the regular August election.

Both the date of sending the confirmation and any other evidence documenting such mailer shall be electronically retained in the computerized voter registration system indefinitely and physically retained with the voter's purged registration for a minimum of two (2) November general elections.

Approved

John Algee Chairman

Coordinator of Elections – Winter 2004

Ethelene B. White Secretary
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**OBION COUNTY ELECTION COMMISSION
MINUTES OF THE MEETING - April 7, 2005**

Chairman Pete Algee called the meeting to order at 8 a.m. Members Ray Douglas, Rob Joyner and Ethelene White were present as well as Administrator Ruth Kendall. Member Dave Frankum was absent.

Mrs. Kendall presented results of the handicapped accessibility survey she and Mrs. Staggs did of the polling locations, to comply with State requirements. All polling places need van accessible parking except for the Obion County Public Library. Mrs. Kendall submitted the survey report to the State, requesting handicap signage and cones as needed.

CLOVERDALE: The Community Center needs a ramp. They will split the \$500 cost for a portable ramp, which was requested from the State. Cloverdale Community is also willing to split the cost for a permanent ramp.

OBION: Needs a handicap sign and new threshold. Mrs. Kendall sent a letter to the Mayor concerning this.

HORNBEAK: The City will fix their threshold to make it accessible.

SOUTH FULTON: Mr. Algee spoke with the City Manager and they will add handicapped signs.

FAIRGROUNDS: Fair Chairman Brenda Baker said they will fix the threshold and will try again to fix the water problem due to low-lying area.

PILGRIM REST CHURCH: The outside of the building was surveyed and a ramp would be required. Mr. Algee stated that the church had indicated it would be willing to get a portable ramp. Mr. Algee will contact Rev. McCadney so that the fellowship hall can be accessed to complete the survey.

Mrs. Kendall reported we have received a letter from the Obion County Public Library approving our use of that facility as a voting location. We have not yet received a letter from the Eddie Cox Senior Center, but Mrs. Kendall said when they went to survey the center that Mrs. Cook, Director, was very cooperative. A letter has been received from Pilgrim Rest Church indicating their willingness to serve as a polling place for Ward 3 in Union City.

Mrs. Kendall has spoken with Yates Scribner's mother, who indicated that he will want to continue as a machine technician when he is discharged from the military.

The Troy City election scheduled for May has been cancelled by legislative action, upon approval of the City's request to change its charter. The next Troy City election will be in November of 2006 with the General Election. When a letter is received from the City to that effect, we will meet to officially cancel the May election and subsequently notify all candidates.

The City of Union City has Charter internet at a cost of \$59.95 per month. The State will possibly have internet for the counties by December 2005 and no later than June 2006. If a county is already on the internet, the State will pay about \$30 per month. Mr. Joyner moved to allocate \$60 per month for internet access, supplier to be determined. Mr. Douglas seconded. Motion passed unanimously.

Mrs. Kendall reported concerning the continuing need for siding to be placed on the election office building. She has been checking into various ways to have this accomplished, possibly with inmate laborers. It has been determined that the building will need to be leveled prior to being sided. It was decided there needs to be a termite inspection and treatment as necessary before siding. Mrs. Kendall will continue to work on this.

Mrs. Kendall reported that the glass in a hallway window has come loose at the top. It is to be temporarily repaired and replaced when the window arrives. She was advised to have this checked for possible termite infestation.


Mrs. Kendall reported on a situation where a citizen registered to vote in 1998 and we were notified last week that he had just had his rights to vote restored after being convicted of a felony in 1994. Mrs. Kendall was advised to check with Beth at the State Election Office about the proper procedure to follow.

Mrs. Kendall presented the proposed 2005-2006 Budget and items were discussed. Mr. Joyner moved that the budget be accepted as written. Mr. Douglas seconded. Motion passed unanimously. Chairman Algee or Mr. Joyner will attend the County Budget Committee meeting along with Mrs. Kendall.

Ms. White moved that the meeting be adjourned. Mr. Joyner seconded the motion. The motion passed unanimously.

Approved:


Ethelene White Secretary


John Algee Chairman

**OBION COUNTY ELECTION COMMISSION
MINUTES OF THE MEETING - April 22, 2005**

Chairman Pete Algee called the meeting to order at 8 a.m. Also present were members Ray Douglas, Dave Frankum, Rob Joyner and Ethelene White as well as Administrator Ruth Kendall.

A letter has been received from Mayor Jimmy Hart verifying that the Legislature has approved amending the City Charter so that the next election will be held in November 2006. Mr. Joyner moved that the Troy City Election previously called for May be cancelled. Second by Mr. Douglas. The motion passed unanimously. Mrs. Kendall will send a letter notifying the candidates and Mayor Hart and, if required, will place a notice in the newspaper.

Mayor Hart has submitted a request that the City of Troy's polling place be relocated from the Troy Fire Station to the new Senior Citizen Center on Town Square. Mr. Douglas moved that the polling place in Troy be relocated to the new Senior Citizen Center, contingent on it meeting all ADA specifications. Second by Mr. Frankum. The motion passed unanimously.

Mr. Yates Scribner called the office from Iraq where he is serving in the National Guard. He does not know when he will be home, possibly anytime from December to April. He does want to continue to be a machine technician when he returns.

Regarding the budget for 2005-2006, Mrs. Kendall reported that she had changed line items for salaries after being notified by the County that there will be a 2% pay increase. She also added a new line item for Voting Machines, to be able to account for the money to be received from the State. Mr. Joyner and Mrs. Kendall met with the County Budget Committee, which asked that we continue with the same total budget that we had this year. Presuming that we do not have a contested election after the May 2006 election, there should be money remaining. Mrs. Kendall indicated that she had reduced several line items in the current budget that had not been spent in order to allocate funds where needed. Mr. Joyner will check with Wood Communication and Bell South for cost of internet.

Mrs. Kendall reported that David Bell from Local Government came to the office on April 21 and presented a proposal for a new computer system, without vote center information, at a cost of \$25,840.93. It would include three work stations and one monitor and a printer. Mrs. Kendall is to check about transferring funds in the current budget in order to cover the cost of a new computer system.

A letter was received from the NAACP, requesting that we sponsor a table at the Freedom Fund Banquet. No action was taken.

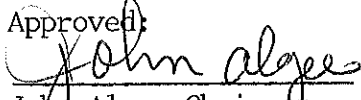
ES&S has sent a hardware and software contract which is to be signed by the County Mayor.


Mrs. Kendall reported that the building had been checked for termites and treated. She has submitted a bid for siding and painting. She is to check about having gutters repaired.

Mrs. Kendall is to send letters to the City of Union City and to the Superintendent of Union City Schools regarding the relocating of polling places from the Fire Station and the Civic Auditorium.

Mr. Douglas moved that the meeting be adjourned. Second by Mr. Joyner. The motion passed unanimously.

Approved:


John Algee Chairman


Ethelene B. White Secretary

**OBION COUNTY ELECTION COMMISSION
MINUTES OF THE MEETING - May 24, 2005**

Chairman Pete Algee called the meeting to order at 8 a.m. Also present were members Ray Douglas, Dave Frankum, Rob Joyner and Ethelene White, and Administrator Ruth Kendall.

Mr. Algee asked Mr. Joyner to attend the County Commission Budget Committee meeting on Wednesday morning, May 25, when our final budget request will be considered. Mrs. Kendall indicated that a few line items had been changed and the appropriate salary increases had been entered, but we had the same total budget amount as for the current year, as was previously requested by the Budget Committee. **Mr. Joyner moved that we accept the budget with the mentioned adjustments made by Mrs. Kendall. Second by Mr. Frankum. The motion passed unanimously.**

It was discussed and agreed that in the future Ms. White would send minutes of the meetings by e-mail to each commissioner for review. The minutes would then be approved or amended at the next meeting.

Mr. Joyner and Mrs. Kendall met with David Bell from Local Government about the proposed new computer system. Mr. Joyner explained the final proposal which will cost approximately \$20,000. When the new system is installed, current data will be transferred automatically to the new system. It will also network with the ES&S computers. There is \$10,000 available in the current budget which we can transfer to cover half of the expense. The final \$10,000 will be included in the 2005-2006 budget.

Mrs. Kendall reported that the Troy Senior Citizens Building has been checked according to the survey for handicap accessibility. She will make another visit when the sidewalk has been completed, but otherwise it appears satisfactory.

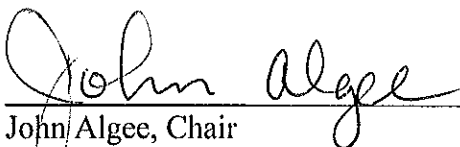
Mrs. Kendall reported that the County will sell the old voting machines for scrap at \$56 per machine. Some of the machines had been purchased for \$10, some for \$20, and some at higher rates.

Mrs. Kendall reported that the back portion of the building has been painted. The front will be sided.

A discussion of personnel matters was held.

Since it is required by State Law that every two years the Commission must elect officers once everyone has been appointed or reappointed, **Mr. Joyner moved that the current slate of officers be reappointed. Second by Mr. Douglas. The motion passed unanimously. Chair is Mr. Algee and Secretary is Ms. White.**

Mr. Douglas moved that the meeting be adjourned. Second by Ms. White. The motion passed unanimously.



John Algee, Chair



Ethelene B. White, Secretary

**OBION COUNTY ELECTION COMMISSION
MINUTES OF THE MEETING - June 23, 2005**

Chairman Pete Algee called the meeting to order at 8 a.m. Also present were members Ray Douglas, Rob Joyner and Ethelene White, and Administrator Ruth Kendall. Member Dave Frankum was absent.

Mr. Joyner moved that we accept the minutes of the last meeting as written and previously distributed to the members. Second by Mr. Douglas. The motion passed unanimously.

The new computer system can be ordered as of July 1 as funds will be available then.

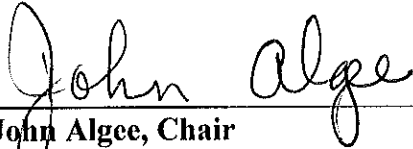
Ms. White gave a report of the annual TACEO Election Law Seminar she attended in Memphis last week. Mrs. Kendall, Mrs. Guess and Mrs. Staggs also attended. Ms. White requested Mrs. Kendall to submit the appropriate forms so that Mr. Joyner and Ms. White could receive their 5-year pins at next year's seminar; they were eligible to receive them in 2004.

Mr. Algee reported that he, Mr. Joyner and Mrs. Kendall had attended a County Commission Budget Committee meeting to request a 5% increase in the Election Administrator's salary in our 2005-2006 budget. This is due to the recent change in State law which stipulates that the Administrator's salary in counties where the Election Office is open five days per week will be 90% of the salary of the Property Assessor, factored in over two years. This increase was approved. The Budget Committee also approved an additional \$500 for installation of wires for the new computer system.

Personnel matters were discussed.

- 1) Job Descriptions: In view of the anticipated retirement of Mrs. Kendall, it was decided we need to prepare job descriptions for both Administrator and Deputy. The descriptions should indicate who is supervisor of each position. Mr. Joyner will e-mail other Tennessee county Election Offices to see if they have job descriptions which they would share with us.
- 2) Employee Communication: It was agreed that in the future, when appropriate, we should have a written record of verbal and/or written communication between Election Office employees and Commission members that would be placed in an employee's personnel file.
- 3) Annual Evaluations: It was also agreed to begin annual evaluations of employees that would be signed by a Commissioner and by the employee, the original to be filed in the employee's personnel file and a copy given to the employee. Mrs. Guess and Mrs. Staggs were individually invited into the meeting for their first Annual Evaluations.

Mr. Joyner moved that the meeting be adjourned. Second by Mr. Douglas. The motion passed unanimously.



John Algee, Chair



Ethelene B. White, Secretary

**OBION COUNTY ELECTION COMMISSION
MINUTES OF THE MEETING - July 29, 2005**

County Mayor Gaylon Long came to the meeting to request that Mrs. Krista Staggs be allowed to continue working part-time for the county on the GASB project while working for the Election Commission. Due to another appointment in Weakley County, he made his comments before the meeting officially opened and then left for his other meeting.

Chairman Pete Algee called the meeting to order at 8:06 a.m. Also present were members Ray Douglas, Rob Joyner and Ethelene White, and Administrator Ruth Kendall. Member Dave Frankum was absent. Invited guest was David Bell of Local Government.

Mr. Douglas moved that we accept the minutes of the last meeting as written and previously distributed to the members. Second by Mr. Joyner. The motion passed unanimously.

Discussion was held concerning a letter from County Lawyer Steve Conley, prepared at the request of Mayor Long, and a letter received from Brook Thompson, Coordinator of Elections, in response to the Election Commission's request for clarification concerning an Election Office employee working outside of the Election Commission office. A copy of each letter is attached to these minutes.

Ms. White moved to add to the current personnel policies two paragraphs concerning Additional Employment, as follows:

"Should an employee, full-time or part-time, choose to have additional employment outside of assigned Election Office work hours, such employment is permitted as long as it does not reflect negatively on nor conflict with the work of the Election Office. A Deputy shall notify the Administrator prior to accepting any such additional employment. The Administrator shall notify the Election Commission prior to accepting any such additional employment.

"However, under no circumstances shall any employee of the Election Office be an elected government official nor perform any compensated work for any elected government official nor be an employee of a state, county, municipal or federal governmental body or agency. Such restrictions do not apply to school teachers, members of the National Guard, or others as exempted by statute. [T.C.A. 2-1-112]"

Second by Mr. Joyner. The motion passed unanimously.

Mr. Joyner moved that the Election Commission notify Mrs. Krista Staggs by letter that she has until August 31 to complete training a replacement on the GASB system, on her own time. After that date, the new work policy will be enforced as follows: "Should an employee, full-time or part-time, choose to have additional employment outside of assigned Election Office work hours, such employment is permitted as long as it does not reflect negatively on nor conflict with the work of the Election Office. A Deputy shall notify the Administrator prior to accepting any such additional employment. The Administrator shall notify the Election Commission prior to accepting any such additional employment. However, under no circumstances shall any employee of the Election Office be an elected government official nor perform any compensated work for any elected government official nor be an employee of a state, county, municipal or federal governmental body or agency. Such restrictions do not apply to school teachers, members of the National Guard, or others as exempted by statute. [T.C.A. 2-1-112]" Second by Mr. Douglas. The motion passed unanimously.

Mrs. Kendall reported that a letter had been received from the Obion County Senior Citizens Board confirming the use of the center for voting.

Mrs. Kendall reported on her survey of the Pilgrim Rest Church Fellowship Hall as a possible voting location for Ward 3. There is a need for a handicap accessible ramp. Mr. Algee understood that the church would provide a temporary ramp on Election Day. He will ask Mr. Dewayne Hensley to attend a future meeting to verify an understanding between the church and the Election Commission.

Mrs. Kendall reported on her survey of the Troy Senior Center, that the handicap ramp is not yet satisfactory. She will check the location again as they complete pavement work.

Mrs. Kendall reported that the salary items for the 2005-2006 budget need to be signed by Mr. Algee; however, the employee titles and full-time status are still not listed accurately. Mrs. Kendall will make necessary corrections to these line items before returning the form to the County Mayor's office.

Mrs. Kendall reported there will be a retirement party for Administrator Sally White in Jackson on August 12 which our office personnel plans to attend. It will require closing the office for the day.

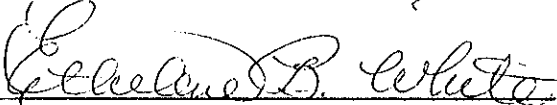
Mrs. Kendall reported that the budget has been approved by the County Commission. The county has a new contract with Servall to inspect for termites, ants and spiders. We had budgeted \$135 and the new cost will be \$360. Mrs. Kendall has notified Mrs. Laura Thomason, Purchasing Agent, that there is not sufficient money in our approved budget for this increased cost. Mrs. Thomason indicated that when the bill becomes due, it will be taken care of by transfer of funds from another account.

A discussion was held of various personnel issues. Mr. Algee called a meeting for Monday, August 1, at 8 a.m., to discuss such issues, especially the job description for Administrator of Elections as prepared by Ms. White and distributed to Commissioners.

Mr. David Bell of Local Government made a presentation of his recommendations concerning our printer needs as part of the already-approved purchase of computer equipment and peripherals. His current recommendation is to purchase an HP 4300 laser printer at an approximate cost of \$2,213. He will delete the two dot matrix printers from the original proposal. He indicated that the new software should be available by late August. He recommended that we purchase from a retail store bubble jet or laser printers for the counters, at a lower cost than through the Local Government, and to avoid the service contract charge. He will have the revised proposal in writing to us on Monday, August 1. He recommended that we issue our purchase order today to transfer the funds approved from last year's budget for this purchase, which had been previously approved by the County Budget Committee. The Commission accepted his recommendations and Mr. Algee and Mr. Joyner will relay that information to Mrs. Thomason.

Mr. Joyner moved that the meeting be adjourned. Second by Mr. Douglas. The motion passed unanimously.

John Algee, Chair


Ethelene B. White, Secretary

**VIA FACSIMILE**

State of Tennessee
Department of State
Division of Elections
312 Eighth Avenue North
9th Floor, William R. Snodgrass Tower
Nashville, Tennessee 37243
Phone: (615) 741-7956 Fax: (615) 741-1278

July 18, 2005

Ruth C. Kendall, Administrator of Elections
Obion County Election Commission
P. O. Box 52
Union City, TN 38281

RE: Employee Working Outside of Election Commission Office

Dear Ruth:

Based upon your letter, a county election commission employee also works for Obion County in the GASPY program. The Obion County Election Commission asks whether the law permits this dual employment.

According to T. C. A. § 2-1-112(a) "neither an elected official nor an employee of a state, county, municipal or federal governmental body or agency or of an elected official may serve as a member of a county election commission or as a member of a county primary board or as an election official." T. C. A. § 2-1-104(a)(8) defines "election officials" as "the officers of elections, judges, voting machine operators, precinct and assistant precinct registrars, and inspectors appointed under this title." Technically, a staff member of the election commission does not meet the statutory definition of "election officials."

Even though the statute does not prohibit the practice of county election commission employees working for another governmental office, the Obion County Election Commission would be prudent to consider the implications of permitting such a practice. Realize the election commission has a crucial responsibility in assuring the public's sense of trust in the election commission office. Actual and/or perceived loyalties to other county officials could lead to actual and/or perceived conflicts.

I hope that this proves helpful to the election commission in making a policy that governs the employment practices of its staff members.

Sincerely,

A handwritten signature in black ink, appearing to read "B. K. Thompson".

Brook K. Thompson
Coordinator of Elections

The Department of State is an equal opportunity, equal access, affirmative action employer

CONLEY CAMPBELL MOSS SMITH

ATTORNEYS AT LAW

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BRUCE CONLEY
DAMON E. CAMPBELL
BRUCE MOSS
JIMMY C. SMITH
ROGER T. FISHER
STEVE CONLEY

MAILING ADDRESS:
Post Office Box 427
Union City, Tennessee 38281

July 19, 2005

Mr. Gaylon Long
County Mayor
Post Office Box 236
Union City, TN 38281

RE: Election Office Employees

Dear Gaylon:

I have researched your recent inquiry regarding the ability of Krista Staggs to work four days each week for the Election Office and one day for your office on GASB entries.

Tennessee Code §2-1-112 states that:

Neither an elected official nor an employee of a state, county, municipal or federal governmental body or agency or an elected official may serve as a member of a county election commission or as a member of a county primary board or as an election official.

Tennessee Code §2-1-104(a)(8) defines "election officials" as:

Officers of elections, judges, voting machine operators, precinct and assistant precinct registrars, and inspectors appointed under this title.

Therefore, if Krista is not a member of the County Election Commission, County Primary Board or an election official, as defined by the above statute, then it appears that she would not be prohibited from continuing with her regular duties at both offices.

Please feel free to contact me if you have any questions.

Yours truly,

CONLEY CAMPBELL MOSS SMITH

BY: 
Steve Conley

**OBION COUNTY ELECTION COMMISSION
MINUTES OF THE MEETING - August 1, 2005**

Chairman Pete Algee called the meeting to order at 8:50 a.m. Also present were members Ray Douglas, Dave Frankum, Rob Joyner and Ethelene White.

Mr. Douglas moved that we accept the minutes of the last meeting as read. Second by Mr. Frankum. The motion passed unanimously.

Mr. David Bell of Local Government was on the agenda but did not attend. In his stead, the revised proposal concerning new computer equipment and peripherals that he had recommended at the last meeting was received via fax. Mr. Joyner reviewed it and it was accepted. Mr. Algee reported that immediately following our last meeting, he and Mr. Joyner had spoken to Mrs. Laura Thomason, Purchasing Agent, concerning the need to pay \$10,000 of the total cost from last year's budget, as previously approved. She had indicated that all equipment and peripherals must be installed prior to releasing such funds, with a deadline of September 30. Upon reviewing the revised proposal, it was decided that we should purchase the laser printers for the counter from last year's budget and pay the balance for the new equipment from the current year's budget. This is possible because the revised proposal was about \$10,000 less than the original proposal.

Mr. Algee reported that he had verified with Mrs. Kay Calhoun in the Mayor's Office that the official budget document indicates the correct term of "Deputy" rather than "Secretary" and "full-time" rather than "part-time," so he had approved the salary items that had been submitted at the last meeting.

Discussion was held concerning the Job Description and Employee Evaluation for Administrator of Elections, as compiled by Ms. White. **Mr. Joyner moved that the Job Description for Administrator of Elections and Employee Evaluation form for Administrator of Elections be approved as amended. Second by Mr. Frankum. The motion passed unanimously.**

Mr. Joyner reported that he has been unable to locate a Republican to serve as machine technician. He asked for members' recommendations.

Mr. Algee called a meeting for 10:30 a.m. Friday, August 5, concerning personnel matters.

Mr. Joyner moved that the meeting be adjourned. Second by Mr. Douglas. The motion passed unanimously.

John Algee, Chair


Ethelene B. White, Secretary

**OBION COUNTY ELECTION COMMISSION
MINUTES OF THE MEETING - August 1, 2005**

Chairman Pete Algee called the meeting to order at 8:50 a.m. Also present were members Ray Douglas, Dave Frankum, Rob Joyner and Ethelene White.

Mr. Douglas moved that we accept the minutes of the last meeting as read. Second by Mr. Frankum. The motion passed unanimously.

Mr. David Bell of Local Government was on the agenda but did not attend. In his stead, the revised proposal concerning new computer equipment and peripherals that he had recommended at the last meeting was received via fax. Mr. Joyner reviewed it and it was accepted. Mr. Algee reported that immediately following our last meeting, he and Mr. Joyner had spoken to Mrs. Laura Thomason, Purchasing Agent, concerning the need to pay \$10,000 of the total cost from last year's budget, as previously approved. She had indicated that all equipment and peripherals must be installed prior to releasing such funds, with a deadline of September 30. Upon reviewing the revised proposal, it was decided that we should purchase the laser printers for the counter from last year's budget and pay the balance for the new equipment from the current year's budget. This is possible because the revised proposal was about \$10,000 less than the original proposal.

Mr. Algee reported that he had verified with Mrs. Kay Calhoun in the Mayor's Office that the official budget document indicates the correct term of "Deputy" rather than "Secretary" and "full-time" rather than "part-time," so he had approved the salary items that had been submitted at the last meeting.


Discussion was held concerning the Job Description and Employee Evaluation for Administrator of Elections, as compiled by Ms. White. **Mr. Joyner moved that the Job Description for Administrator of Elections and Employee Evaluation form for Administrator of Elections be approved as amended. Second by Mr. Frankum. The motion passed unanimously.**

Mr. Joyner reported that he has been unable to locate a Republican to serve as machine technician. He asked for members' recommendations.

Mr. Algee called a meeting for 10:30 a.m. Friday, August 5, concerning personnel matters.

Mr. Joyner moved that the meeting be adjourned. Second by Mr. Douglas. The motion passed unanimously.

John Algee, Chair


Ethelene B. White, Secretary

**OBION COUNTY ELECTION COMMISSION
MINUTES OF THE MEETING - August 5, 2005**

Chairman Pro-Tem Ray Douglas called the meeting to order at 10:30 a.m. Also present were members Dave Frankum, Rob Joyner and Ethelene White. Member John Algee was absent due to a family death.

Mr. Joyner moved that the minutes of the last meeting be accepted as written and previously distributed to the members. Second by Mr. Frankum. The motion passed unanimously.

Mr. Joyner reported that Administrator Kendall had notified him that Stoney Orton from Local Government had indicated that we need internet connection before he runs wires for the new computer system. Mr. Joyner will work on this.

The members conducted interviews for the position of Administrator of Elections, in anticipation of Mrs. Kendall's retirement. Interviewed were Mrs. Katie Guess, Mrs. Leigh Bloebaum Schlager, and Mrs. Krista Staggs.

Ms. White moved that the meeting be adjourned. Second by Mr. Joyner. The motion passed unanimously.

Ray Douglas, Chairman Pro-Tem

Ethelene B. White, Secretary

**OBION COUNTY ELECTION COMMISSION
MINUTES OF THE MEETING - August 18, 2005**

Chairman John Algee called the meeting to order at 8:00 a.m. Also present were members Ray Douglas, Dave Frankum, Rob Joyner and Ethelene White, and Administrator Ruth Kendall.

Mrs. Kendall reported that \$55 was transferred from line item #334 to #317 for Internet. Letter for approval was sent to Mayor Long.

Mrs. Kendall reported information received at a recent meeting in Jackson: the State will be making a decision in the next two weeks on voting machines to be approved. The decision will be between DRE's and Optical Scan.

Mrs. Kendall reported that Yates Scribner has reported via his mother that he will not be home from Iraq until April, if then. He will continue to be on active duty and possibly be at Fort Bragg, North Carolina

Mr. Douglas recapped interviews at the last meeting for the position of Administrator of Elections. Discussion followed.

Mr. Douglas moved that Mrs. Katie Guess be hired to be the Obion County Election Commission Administrator of Elections due to the retirement of Mrs. Ruth Kendall; date to be determined. Second by Ms. White. The motion passed unanimously, including the Chairman.

Ms. White moved that the meeting be adjourned. Second by Mr. Douglas. The motion passed unanimously.

John Algee, Chairman

Ethelene B. White, Secretary