

Minutes
State Election Commission Meeting
August 18, 2009

The State Election Commission meeting was called to order by Chairman Wallace at 1:05 p.m. with Commissioners Blackburn, DuBois, Head, Wheeler and Younce present. Election staff members present were Mark Goins - Coordinator of Elections and Kathy Summers - Elections Specialist.

Motion was made, seconded and unanimously approved to adopt the minutes from July 21, 2009.

Motion was made, seconded and unanimously approved to accept the resignations of Charles Apple and Richard Parshall from the Unicoi County Election Commission.

Coordinator Goins discussed the resignations of the Unicoi County Election Commissioners and indicated that a copy of the formal complaints will be sent to the commissioners for discussion at the next State Election Commission meeting.

Pursuant to T.C.A. § 2-12-101 and 2-12-106, motion was made, seconded and unanimously approved to accept the nominations for county election commission appointments as submitted and to leave the nomination process open until 4:30 p.m. central time August 18, 2009. (*See attached: New Appointment Status Report for appointments made.*)

Coordinator Goins - Update:

- ⇒ Coordinator Goins advised that the Elections Division should issue a RFP sometime in September for new voting machines. The EAC does not have any VVSG machines certified to the 2005 standards. Machines that have been certified have been certified to the 2002 Voter Systems Standards guidelines. The EAC is looking at ways to streamline the certification process. Major voting machine vendors plan to seek certification to the 2005 standards and do not see the potential for new machines until 2012.

State Election Commissioners reviewed procedures for certifying voting machines. After discussion a motion was made, seconded and unanimously approved to adopt the procedures for certifying voting machines as amended. (*See attached outline: Procedures for Certifying Voting Machines by the State Election Commission.*)

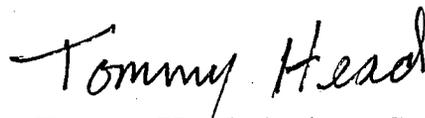
- ⇒ Federal auditors have been auditing HAVA funds for compliance. The State of Tennessee will have at least one violation. The violation occurred in 2004 and dealt with interest not being paid.
- ⇒ Paul Stanley resigned from the Senate. A writ of election is to be issued for a special election.
- ⇒ A writ of elections was issued to fill the vacancy in House District 62 (Representative Curt Cobb). The special primary will be held August 27, 2009 and the General Election will be held October 13, 2009.

Kate Georgen with the Disability Law and Advocacy Center of Tennessee (DLAC - TN) spoke about how her group has successfully worked with the Coordinator's office over the past several years. Ms. Georgen advised the commission that she will not be the state contact for DLAC - TN as she is getting married and will be moving to Arizona. Over the past several years, Kate has worked with Cara Harr, HAVA Attorney, and county election commissions to adequately survey and make polling places accessible for disabled voters. However, she has concerns with the participation of voters who are deaf or hard of hearing. Many times an interpreter is required at the polls and during the election process, and no county currently provides this service to the deaf or hard of hearing. Ms. Georgen stated it is the position of the DLAC-TN that the State of Tennessee is required to provide interpreters under the ADA law and hopes the State will integrate interpreters in future elections. Ms. Georgen also indicated the State should work with the counties to make sure their websites are accessible to all users and that all poll official training is uniform.

The next meeting will be held on September 15, 2009 at 11:00 a.m. in the Robertson Room of the William R. Snodgrass-Tennessee Tower.

Motion was made to adjourn, and there being no further business to come before the commission at this time, the meeting was adjourned.

Respectfully submitted,



Tommy Head, Acting - Secretary
State Election Commission

PROCEDURES FOR CERTIFYING VOTING MACHINES BY THE TENNESSEE STATE ELECTION COMMISSION

All voting machines/vendors must receive certification from the state election commission and the coordinator of elections before any voting machines or systems may be sold in the State of Tennessee.

First Step:

Any interested vendor should submit a written request to the coordinator of elections and the state election commission requesting certification of your company together with the EAC certification number, a financial report and a list of all states that have already bought your voting machines or systems. If you would like to demonstrate your product at a meeting of the state election commission, please make that request in your letter. You will be notified of the date, time, and place of the meeting where you may make your presentation.

Second Step:

A. Voting Machine Procedure

Following verification of EAC certification and an initial presentation of your product and/or services, you would need to arrange for at least two (2) State Election Commissioners (of opposite parties) and the coordinator of elections (or designee) to view your machines or system in use in an election of a substantial size in another state. An election of a substantial size involves at the minimum the following characteristics:

- The jurisdiction has a population of at least 25,000 persons;
- The jurisdiction has at least two (2) or more district races on the ballots; and
- There are at least two (2) contested races involving both at large and district races on the ballot.

B. Voting Machine Software Systems Upgrade

- EAC Certification;
- Presentation of software upgrade before State Election Commission at a monthly meeting; and
- Viewing of upgrade in another state (In lieu of viewing machine in another state, at the discretion of the State Election Commission, letters of recommendation from users in other jurisdiction may be used as support for approval.)

Third Step:

The State Election Commission must vote to certify the machine in order for the machines to be used in an election in Tennessee.

You may send any correspondence for both the state election commission and the coordinator of elections to the following address:

312 Rosa L.Parks Avenue, 9th Floor
William R. Snodgrass Tower
Nashville, Tennessee 37243
(615) 741-7956

If you have any further questions regarding certification of your company, please feel free to contact the office of the state election coordinator at the phone number listed above.

Vacant Status

18-Aug-09

Benton

D Greg Duckett
R Jimmy Wallace

D

Chester

D Greg Duckett
R Jimmy Wallace

D

Fayette

D Greg Duckett
R Jimmy Wallace

R

Hamilton

D Tom Wheeler
R Judy Blackburn

R

Jackson

D Tommy Head
R Kent Younce

D

Lincoln

D Tommy Head
R Tom DuBois

D

Moore

D Tommy Head
R Tom DuBois

D

Unicoi

D Tom Wheeler
R Judy Blackburn

R

R

Total Vacancies: 9

New Appointment Status

18-Aug-09

		Appointment
Chester	D Greg Duckett / R Jimmy Wallace D Carolyn Thomas	8/18/2009
Fayette	D Greg Duckett / R Jimmy Wallace R Sylvan Meyer	8/18/2009
Hamilton	D Tom Wheeler / R Judy Blackburn R Ruth H. Braly	8/18/2009
Lincoln	D Tommy Head / R Tom DuBois D Joan Massey	8/18/2009
Moore	D Tommy Head / R Tom DuBois D LeEllen Bedford Carter	8/18/2009
Unicoi	D Tom Wheeler / R Judy Blackburn R Roland Bailey R Paul Monk	8/18/2009 8/18/2009

Total New Commissioners: 7