

Minutes
State Election Commission Meeting
April 14, 2014

The State Election Commission meeting was called to order by Chairman Jimmy Wallace at 12:05 p.m., Central Standard Time April 14, 2014. The following members and staff were present: Commissioners Blackburn, Head, and Younce; Coordinator of Elections Mark Goins and Kathy Summers, Elections Specialist.

Commissioner Younce made a motion to adopt the minutes from December 30, 2013, telephonic meeting, and Commissioner Blackburn seconded the motion and the minutes were unanimously approved.

Commissioner Younce made a motion to adopt the minutes from January 13, 2014, and Commissioner Blackburn seconded the motion and the minutes were unanimously approved.

Commissioner Blackburn made a motion to adopt the minutes from January 28, 2014, telephonic meeting, and Commissioner Younce seconded the motion and the minutes were unanimously approved.

Commissioner Blackburn made a motion to adopt the minutes from March 5, 2014, telephonic meeting, and Commissioner Younce seconded the motion and the minutes were unanimously approved.

Commissioner Head made a motion pursuant to T.C.A. § § 2-12-101 and 2-12-106, seconded by Commissioner Blackburn and unanimously approved the acceptance of nomination for county election commission appointments as submitted, and to leave the nomination process open until 4:30 p.m. Central Standard Time Monday, April 14, 2014. **(See attached list of appointments made.)**

Old Business

- **No old business.**

New Business

- **Hamilton County** - State Election members discussed the request made by the Hamilton County Election Commission for permanent use of the Intab ballot bag.

A motion was made by Commissioner Head and seconded by Commissioner Younce to allow Hamilton County Election Commission

to use Intab ballot bags for the May county primary. The commission asked for a sample of the Intab bag for further discussion.

- **Unisyn – Todd Mullen of RBM Consulting** – spoke regarding the 1.2 version of the OpenElect System. Eric Champlain of Unisyn went over additional de minimis changes to OpenElect 1.1 with the State Election Commission.

The State Election Commission policy requires viewing of the software upgrade in another state or in lieu of viewing in another state, at the discretion of the State Election Commission, letters of recommendation from users in other jurisdictions may be used as support for approval. Four letters were received in recommendation of the 1.2 version. (Letters are attached to the minutes.)

Commissioner Blackburn made a motion, seconded by Commissioner Younce, and unanimously approved by the commission to certify the use of the 1.2 version of Unisyn – OpenElect System.

- **Voting Machines** – The commission discussed voting machines and de minimis changes.

Commissioner Younce made a motion, seconded by Commissioner Blackburn, to update the State Election Commission policy to allow automatic certification of voting machines when the change is de minimis and the voting machine receives EAC certification for the change. All members present voted in favor of the change to the State Election Commission voting machine certification policy.

- **Benton County** – State Election Commission discussed Benton County Election Commission and the inability for the Administrator of Elections and County Election Commission to obtain liability insurance. The State Election Commission would like for there to be an easy solution to this matter but does not see a quick solution to this issue. The commission suggested something needs to be done legislatively in order for the county AOE and commissioners to obtain liability insurance.
- **Crockett County** – On November 4th, 2013, the Crockett County Republican Party requested a county primary election to be held in May for county offices. Only a few candidates filed to run in the Republican primary with no races contested. On January 23, 2014, the Crockett County Republican Party requested the Crockett County Election Commission to withdraw their call for election. The Crockett County Election Commission met and canceled the primary. Coordinator Goins advised the Crockett County Election Commission

that there is no state law which allows a county election commission to withdraw the call for a primary and that the commission must hold the election.

Chairman Wallace requested the State Election Commission censure the Crockett County Election Commission and that a letter be sent advising them of the censure.

Commissioner Head made a motion to censure the Crockett County Election Commission and Commissioner Blackburn seconded the motion. The State Election Commission members voted unanimously to censure the Crockett County Election Commission.

Coordinator Update

- The State Election Commission may need to meet in May, as the General Assembly has not named a replacement for Tom DuBois. If no replacement is named by the time the General Assembly adjourns then the State Election Commission has thirty (30) days to name a replacement. Should the State Election Commission not name a replacement within thirty (30) days then the Constitutional officers will fill the vacancy.

The State Election Commission plans to meet on May 12, 2014, should the General Assembly not make an appointment to fill the vacancy on the State Election Commission.

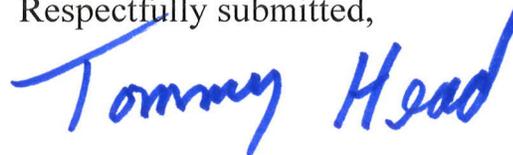
- The General Assembly has passed legislation which requires the Coordinator of Elections and the State Election Commission to certify each voter registration system for purchase and use in the state beginning January 1, 2015. This legislation also provides that the voter registration list is the property of the county election commission and the state and further provides penalties for any unauthorized use of voter information. The legislation is currently waiting for the signature of the Governor.

Commissioner Blackburn advised that Dyer County Election Commissioner, Jerry Jackson, passed away.

The next regularly scheduled meeting is July 14, 2014. The meeting will be held in the William R. Snodgrass – Tennessee Tower, Nashville Room - 3rd floor at 12:00 Noon Central Standard Time.

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,

A handwritten signature in blue ink that reads "Tommy Head". The signature is written in a cursive style with a large, sweeping initial 'T'.

Tommy Head, Acting - Secretary
State Election Commission

Vacant Status

14-Apr-14

Campbell

D Tom Wheeler
R Kent Younce

R

Crockett

D Greg Duckett
R Jimmy Wallace

R

Madison

D Greg Duckett
R Jimmy Wallace

R

Moore

D Tommy Head
R Tom DuBois

D

Obion

D Greg Duckett
R Jimmy Wallace

D

Van Buren

D Tommy Head
R Kent Younce

R

Total Vacancies: 6

Holdover Status

14-Apr-14

		Appointment	Reappointment	
Benton				
D	Greg Duckett			
R	Jimmy Wallace			
	D	Ronnie Pruiett	6/17/2008	4/11/2011
	D	Dinah S. (Diane) Latimer	10/8/2012	10/8/2012
Gibson				
D	Greg Duckett			
R	Jimmy Wallace			
	D	Kathleen Smith	6/22/2007	5/27/2009
	D	Robert S. Phelan	4/3/1995	5/27/2009
Obion				
D	Greg Duckett			
R	Jimmy Wallace			
	D	John Algee	2/19/2003	8/8/2011
Total Holdovers: 5				

New Appointment Status

14-Apr-14

		Appointment
Campbell	D Tom Wheeler / R Kent Younce R Jerry L. Sharp	4/14/2014
Crockett	D Greg Duckett / R Jimmy Wallace R Anthony W. Stallings	4/14/2014
Madison	D Greg Duckett / R Jimmy Wallace R William M. Bledsoe	4/14/2014
Obion	D Greg Duckett / R Jimmy Wallace D Paige Burcham Dennis D John Algee	4/14/2014 4/14/2014
Van Buren	D Tommy Head / R Kent Younce R Kurt Powers	4/14/2014
Total New Commissioners: 6		

Judy H. Blackburn
1011 Heykoop Drive
Morristown, TN 37814
(423) 586-5828

State of Tennessee



Jimmy Wallace
428 Wiley Parker Road
Jackson, TN 38305
(731) 668-2700

Tom Dubois
810 South Garden Street
Columbia, TN 38401
(931) 388-2526

State Election Commission
312 Rosa L. Parks Avenue, 7th Floor
Nashville, Tennessee 37243-1102

Tom Wheeler
1196 Blockhouse Valley Road
Clinton, TN 37716
(865) 457-8758

Greg Duckett
9435 Forest Wind Cove
Collierville, TN 38017
(901) 227-5233

Kent D. Younce
423 Fairway Drive
Lafollette, TN 37766
(423) 871-0245

Tommy Head
1026 Hazel Drive
Clarksville, TN 37043
(931) 362-3229

February 25, 2014

Commissioner Jimmy Wallace, Chairman
428 Wiley Parker Rd.
Jackson, TN 38305

Commissioner Judy Blackburn
1011 Heykoop Dr.
Morristown, TN 37814

Commissioner Tommy Head
1026 Hazel Drive
Clarksville, TN 37043

Commissioner Tom Wheeler
1196 Blockhouse Valley Road
Clinton, TN 37716

Commissioner Greg Duckett
9435 Forest Wind Cove
Collierville, TN 38017

Mark Goins, State Election Coordinator
312 Rosa Parks Blvd.
9th Floor, William Snodgrass Tower
Nashville, TN 37423

Commissioner Kent D. Younce
423 Fairway Drive
Lafollette, TN 37766

Kathy Summers, State Election Specialist
312 Rosa Parks Blvd.
Nashville, TN 37423

**Re: Resignation as
State Election Commissioner**

Dear Jimmy, Tommy, Greg, Kent, Judy, Tom, Mark, and Kathy:

It is with a heavy heart that I have tendered my resignation as a State Election Commissioner. On February 20th, I qualified as a judicial candidate for the 22nd Judicial District Circuit Court Judge, Division I seat, which is to be decided in the Republican Primary in April and the General Election in August. Although I am excited about this opportunity, I regret that I will not be able to continue serving with all of you on the State Election Commission.

Commissioners Wallace, Head, Duckett, Younce,
Blackburn, Wheeler, Mr. Goins, and Ms. Summers
February 25, 2014
Page 2 of 2

Without question, the best part of having served on the Commission is being able to work with folks like you who are committed to improving our state and serving our citizens. Over the last four and a half years, it has been a privilege to call you a colleague on the State Election Commission. More importantly, however, you have been my friend and I will always have the upmost respect and appreciation for each of you.

I wish all of you the very best as you continue to serve the Great State of Tennessee, and I look forward to our next visit, which I hope will be soon. With warmest and kindest regards, I remain...

Sincerely yours,



Tom DuBois

TD/cr

Encl: February 25, 2014 Letter to Hon. Lt. Governor Ramsey, Hon. Speaker Beth Harwell, and Hon. Secretary of State Tré Hargett

Judy H. Blackburn
1011 Heykoop Drive
Morristown, TN 37814
(423) 586-5828

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810 South Garden Street
Columbia, TN 38401
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(865) 457-8758

Kent D. Younce
423 Fairway Drive
Lafollette, TN 37766
(423) 871-0245

February 25, 2014

Hon. Lieutenant Governor Ron Ramsey
Tennessee State Senate
1 Legislative Plaza
Nashville, TN 37423

Hon. Secretary Tré Hargett
Tennessee Secretary of State
312 Rosa Parks Avenue
6th Floor, William Snodgrass Tower
Nashville, TN 37243

Hon. Speaker Beth Harwell
Tennessee House of Representatives
301 6th Avenue North
Suite 19 Legislative Plaza
Nashville, TN 37243

**Re: Resignation as a State
Election Commissioner**

Dear Governor Ramsey, Speaker Harwell, and Secretary Hargett:

It is with sadness that I tender my resignation as a Commissioner on the State Election Commission. On February 20th, I qualified as a judicial candidate for the 22nd Judicial District Circuit Court Judge, Division I seat, which will be decided in the local Republican Primary in April and the General Election in August. Although I am excited about this new opportunity, I will greatly miss serving as one of the four Republicans on the State Election Commission, where I have served since March of 2008.

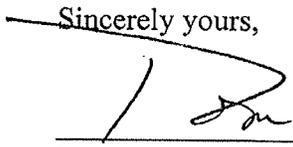
I am also grateful for the confidence that you and the legislative members have expressed in allowing me to serve the citizens of Tennessee as a State Election Commissioner. I would be remiss if I did not also express how fortunate the State of Tennessee is to have such highly

Governor Ramsey, Speaker Harwell, and Secretary Hargett
February 25, 2014
Page 2 of 2

committed and professional employees as we do in the Division of Elections. I am thankful to have worked with such a dedicated staff who works tirelessly to maintain the integrity of our elections in Tennessee.

Thank you again for allowing me to serve as a State Election Commissioner for the Great State of Tennessee. I look forward to our next visit, and with kindest regards, I remain...

Sincerely yours,



Tom DuBois

TD/cr

cc: Mark Goins, State Election Coordinator (Via Email)
Commissioner Jimmy Wallace (Via Email)
Commissioner Kent Younce (Via Email)
Commissioner Judy Blackburn (Via Email)
Commissioner Tommy Head (Via Email)
Commissioner Greg Duckett (Via Email)
Commissioner Tom Wheeler (Via Email)



September 11, 2012

Kathy Summers
Tennessee State Elections
Wm R. Snodgrass -Tennessee Tower, 9th Floor
312 Rosa L. Parks Ave
Nashville, TN 37243

Re: ECO Review

Dear Kathy Summers,

Below is a list of recently EAC approved Engineering Change Orders (ECO's) and their supporting documentation for your review. These ECO's are part of the OpenElect system currently certified in the State of Tennessee. Please notify Unisyn Voting Solutions upon receipt of this email and when these ECO's have been approved.

ECO/EAC	Description
16878	2000-60456, PRINTER, 58MM, CITIZEN, OVO--- NEW AC-DC POWER SUPPLY
16879	1703-10457, ASSY M.B., 1.5 GHZ VIA, VOTING----- NEW CLOCK CHIP
16880	Documentation update and alternate arrangement of castors
16881	Dell Latitude E5520 equivalency
16890	Change to main control board. Remove 3 resistors: R120, R142, and R152
CFAC1102	OVO config. File change to the sync option to the udev rules for the TM and CF USB storage drives to enforce synchronized I/O for the storage media.
60463	Change in COTS PC from the Dell Optiplex 790 as an equivalent system to the certified Dell Optiplex 755 which is no longer available
16883	Multiple BOM and Drawing changes for the plastic ballot box. Repositioning of the casters.
16886	Changed the screw slot in the mounting plate for the scanner.
16887	Labeling and packaging update.
16889	New J/O panel for motherboard.
16891	Repositioned rear caster for improved stability.
16892	Reference line added to help align the OVO over the ballot box lock.
16894	Remove the REV number from labeling to allow for and revision level assembly.
16895	BOM corrections, improved scanner support, corrected screw callout.
16896	Incorrect screw call out in BOM.
16897	Change in drawings, eliminating unused parts from shipping box and transistor change.

Sincerely,
Sean Fitzgerald
Election Services Representative
Unisyn Voting Solutions



U. S. ELECTION ASSISTANCE COMMISSION
VOTING SYSTEM TESTING AND CERTIFICATION PROGRAM
1335 East West Highway, Suite 4300
Silver Spring, MD 20910

December 23, 2013

Mr. Chris Ortiz
Unisyn Voting Solutions
2310 Cousteau Court
Vista, CA 92081

Sent via e-mail

Re: Agency Decision – Grant of Certification

Dear Mr. Chris Ortiz,

As required under §5.9 of the EAC's Voting System Testing and Certification Program Manual, Unisyn Voting Solutions and Wyle Laboratories have provided the necessary documentation for the OpenElect 1.2 voting system verifying that 1) the trusted build has been performed, 2) software has been deposited in an approved repository, 3) system identification tools are available to election officials, and 4) signed a letter stating, under penalty of law, that you have:

1. Performed a trusted build consistent with the requirements of §5.6 of the EAC's Certification Manual;
2. Deposited software consistent with §5.7 of the EAC's Certification Manual;
3. Created and made available system identification tools consistent with §5.8 of the EAC's Certification Manual (a copy and description of the system identification tool developed must be provided with the letter); and
4. Upon a final decision to grant certification, the manufacturer accepts the certification and all conditions placed on the certification.

Based on the review of the documentation above and the fact that Unisyn OpenElect Voting System 1.2 successfully completed conformance testing to the 2005 Voluntary Voting System Guidelines (2005 VVSG), the Voting System Testing & Certification Program Director has recommended EAC certification of this system.

I have reviewed all of the documentation and concur with the Program Director's recommendation. As such, I hereby grant EAC Certification to Unisyn OpenElect Voting System 1.2 to the 2005 Voluntary Voting System Guidelines.

The EAC certification number issued for this system is: UNS10121966-OE-1.2. In addition, a Certificate of Conformance shall be provided to Unisyn as evidence of the EAC certification of the OpenElect Voting System 1.2. The Certificate of Conformance shall be

provided to Unisyn no later than five business day from the date of this letter, and it shall be posted on the EAC's Web site.

As stated in §5.11 of the EAC's Certification Manual, the EAC certification and certificate apply only to the specific voting system configuration(s) identified, submitted, and evaluated under the Certification Program. Any modification to the system not authorized by the EAC shall void the certificate.

If you have any questions or need further information, please do not hesitate to contact Brian Hancock or Megan Dillon at your earliest convenience. I thank you in advance for your time and attention to this matter and congratulate on this achievement.

Sincerely,

A handwritten signature in cursive script, appearing to read "Alice Miller".

Alice Miller
Chief Operating Officer and Acting Executive Director
Decision Authority

Cc: Brian Hancock, U.S. Election Assistance Commission
Mr. Frank Padilla, Wyle Laboratories



United States Election Assistance Commission



Certificate of Conformance

**Unisyn OpenElect 1.2
(Modification)**

The voting system identified on this certificate has been evaluated at an accredited voting system testing laboratory for conformance to the 2005 *Voluntary Voting System Guidelines (2005 VVSG)*. Components evaluated for this certification are detailed in the attached Scope of Certification document. This certificate applies only to the specific version and release of the product in its evaluated configuration. The evaluation has been verified by the EAC in accordance with the provisions of the *EAC Voting System Testing and Certification Program Manual* and the conclusions of the testing laboratory in the test report are consistent with the evidence adduced. This certificate is not an endorsement of the product by any agency of the U.S. Government and no warranty of the product is either expressed or implied.

Product Name: OpenElect

Model or Version: Version 1.2 (Modification)

Name of VSTL: Wyle Laboratories

EAC Certification Number: UNS10121966-OE-1.2

Date Issued: 12/23/2013

Chief Operating Officer & Acting Executive Director
U.S. Election Assistance Commission

Scope of Certification Attached

Manufacturer: Unisyn Voting Solutions, Inc.
System Name: OpenElect Voting System 1.2
Certificate: UNS 10121966-OE-1.2

Laboratory: Wyle Laboratories
Standard: VVSG 1.0 (2005)
Date: 12/23/2013



Scope of Certification

This document describes the scope of the validation and certification of the system defined above. Any use, configuration changes, revision changes, additions or subtractions from the described system are not included in this evaluation.

Significance of EAC Certification

An EAC certification is an official recognition that a voting system (in a specific configuration or configurations) has been tested to and has met an identified set of Federal voting system standards. An EAC certification is **not**:

- An endorsement of a Manufacturer, voting system, or any of the system's components.
- A Federal warranty of the voting system or any of its components.
- A determination that a voting system, when fielded, will be operated in a manner that meets all HAVA requirements.
- A substitute for State or local certification and testing.
- A determination that the system is ready for use in an election.
- A determination that any particular component of a certified system is itself certified for use outside the certified configuration.

Representation of EAC Certification

Manufacturers may not represent or imply that a voting system is certified unless it has received a Certificate of Conformance for that system. Statements regarding EAC certification in brochures, on Web sites, on displays, and in advertising/sales literature must be made solely in reference to specific systems. Any action by a Manufacturer to suggest EAC endorsement of its product or organization is strictly prohibited and may result in a Manufacturer's suspension or other action pursuant to Federal civil and criminal law.

System Overview:

The OpenElect Voting System 1.2, herein referred to as OVS 1.2, is a modification to the certified OVS 1.1, which is a modification to the certified OVS 1.0. The OVS 1.2 is a paper precinct voting system that uses touch screen and scan technology to scan and validate ballots, provides voter assisted ballots for special needs voters, and tabulates precinct results. The OVS 1.2 consists of:

1. OpenElect Central Suite (OCS)
2. OpenElect Voting Optical (OVO)
3. OpenElect Voting Interface (OVI-7)

4. OpenElect Voting Interface (OVI-VC)
5. OpenElect Voting Central Scan (OVCS)

The Unisyn Voting Solutions, Inc. Technical Data Package was the source for much of the information in this document.

OpenElect Central Suite

The OCS consists of the following components running as either a front-end/client application or as a back-end/server application: Ballot Layout Manager (BLM), Election Manager (EM), Election Server (ES), Tabulator Client (TC), Tabulator Server (TS), Adjudicator, Tabulator Reports (TR) and Software Server (SS).

OpenElect Voting Optical

The OVO is a full-page dual-sided optical scan system that scans and validates voter ballot pages and provides a summary of all ballot pages cast. The election is loaded from the OVS Election Server over a secure local network or Via a USB Thumb Drive. On Election Day, an OVO at each poll location scans and validates voters' ballots, and provides precinct tabulation and reporting. The OVO runs Logic Tests and Training Elections in addition to General and Primary Elections. A software Server utility is provided to update the OVO and OVI with the current level of certificated software.

The OVO unit is also paired with the OVI for early voting to scan and tabulate early voting ballots.

OVO units can also be used at election headquarters to read absentee, provisional or recount ballots in smaller jurisdictions.

OpenElect Voting Interface (OVI- VC)

The OVI-VC is a ballot marking device that supports Multiple Ballot Styles within a single election and supports both ADA and Early Voting requirements. The OVI is a small, innovative solution that enables voters during early voting to cast regional ballots and voters with special needs to prepare their ballots independently and privately on Election Day. The OpenElect Voter Interface unit features a 15-inch-full-color touch screen display that is easy to read making voting simple and error free. The OVI will present each contest on the correct ballot to the voter in visual and (optionally) audio formats. The voter with limited vision navigates through the ballot using the audio ballot and the ADA keypad or touchscreen input to make their selections. The voter validates his/her selections by listening to the audio summary, printing the ballot and inserting it into the OVO.

The OVI facilitates special needs voters through a variety of methods including wheelchair access, sip-n-puff, zoom-in ballot function and audio assistance for the visually impaired. The

OVI provides for write-in candidates when authorizes. Voters input candidates' names via the ADA keypad, touchscreen or Sip & Puff device. Each OVI can support multiple languages for both visual and audio ballots, allowing the voter to choose their preferred language.

OpenElect Voting Interface (OVI- 7)

The OVI-7 is a ballot marking device that supports Multiple Ballot Styles within a single election and supports both ADA and Early Voting requirements. The OVI is a small, innovative solution that enables voters during early voting to cast regional ballots and voters with special needs to prepare their ballots independently and privately on Election Day. The OpenElect Voter Interface unit features a 7-inch-full-color touch screen display that is easy to read making voting simple and error free. The OVI will present each contest on the correct ballot to the voter in visual and (optionally) audio formats. The voter with limited vision navigates through the ballot using the audio ballot and the ADA keypad or touchscreen input to make their selections. The voter validates his/her selections by listening to the audio summary, printing the ballot and inserting it into the OVO.

The OVI facilitates special needs voters through a variety of methods including wheelchair access, sip-n-puff, zoom-in ballot function and audio assistance for the visually impaired. The OVI provides for write-in candidates when authorizes. Voters input candidates' names via the ADA keypad, touchscreen or Sip & Puff device. Each OVI can support multiple languages for both visual and audio ballots, allowing the voter to choose their preferred language.

OpenElect Voting Central Scan

The OVCS units reside at election headquarters designated to read absentee, provisional or recount ballots in large jurisdictions or read the entire election's ballots at a central count location in smaller jurisdictions. The OVCS also captures Write-In data images and produces a Write-In image report for manual processing upon request.

Certified System before Modification:

Unisyn Voting Solutions OpenElect 1.0
Certificate ID: UNS10121966-OE

Unisyn Voting Solutions OpenElect 1.0.1
Certificate ID: UNS10121966-OE-WI

Unisyn Voting Solutions OpenElect 1.1
Certificate ID: UNS10121966-OE-1.1

Anomalies and/or Additions addressed in OpenElect 1.2:

The OpenElect 1.2 provides enhancements from the OVS 1.1 to the OVS 1.2 system. This update includes both hardware and software upgrades from the previously certified system, including:

1. OpenElect Central Suite (OCS) Election Management System (EMS) – Software and Hardware upgrades
2. OpenElect Voting Optical (OVO) – Software upgrades and introduction of the portable ballot box
3. OpenElect Voting Interface (OVI-7) –Software Upgrades
4. OpenElect Voting Interface (OVI-VC)- Software and Hardware Upgrades
5. OpenElect Voting Central Scan (OVCS) – Software Upgrades

This update includes the addition of key items to base level functionality that improve the general usability of the system for both current and potential customers. Customer feedback and Election Day observations were used to enhance the usability throughout the system.

Mark definition:

The Unisyn Open Elect system will consistently recognize a 1mm wide line across the full length of the target area. Marks must be made with a marking device with sufficiently low reflectance in the visible red band and is of sufficient density/color such that the scanner registers it as black. Most blue, black and green ballpoint pens and markers also meet necessary reflectance requirements and may be used.

Tested Marking Devices:

- BIC Grip Roller
- EF Felt Tip Pen

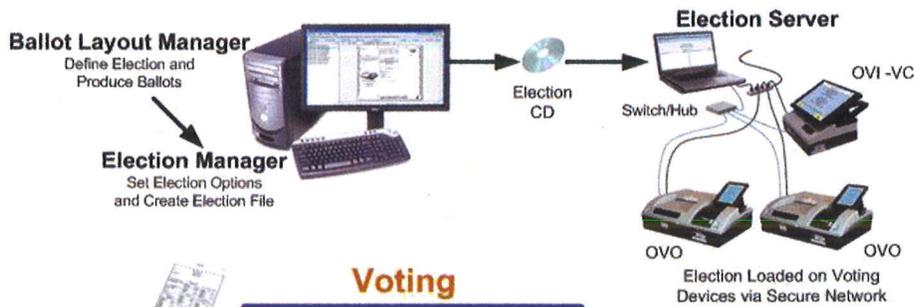
Language capability:

System supports Armenian, Cambodian, Chinese (Cantonese and Mandarin dialects), English, Japanese, Korean, Russian, Spanish, Tagalog, and Vietnamese.

Components Included:

This section provides information describing the components and revision level of the primary components included in this Certification.

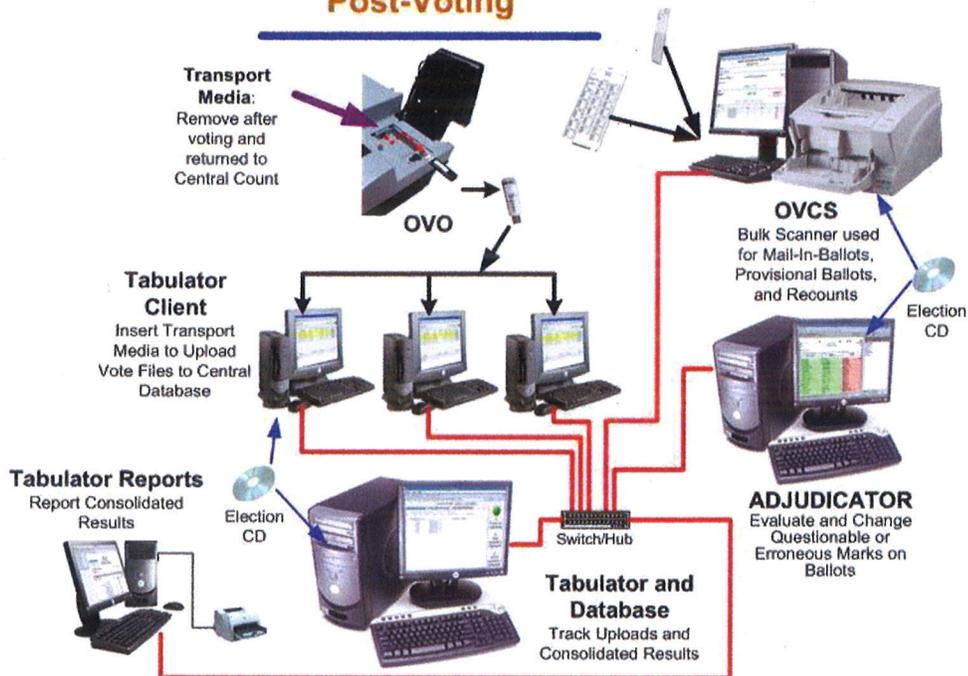
Pre-Voting



Voting



Post-Voting



System Component	Software or Firmware Version	Hardware Version	Operating System or COTS	Comments
OpenElect Central Suite (OCS)	1.2	1.2	CentOS Linux 5.7	
OpenElect Voting Optical (OVO)	1.2	1.1	CentOS Linux 5.0	
OpenElect Voting	1.2	1.1	CentOS Linux 5.0	

System Component	Software or Firmware Version	Hardware Version	Operating System or COTS	Comments
Interface (OVI) 7"				
OpenElect Voting Interface (OVI-VC)	1.2	1.1	CentOS Linux 5.0	
OpenElect Voting Interface (OVI-VC)	1.2	1.2	CentOS Linux 6.3	
OpenElect Voting Central Scan (OVCS)	1.2	1.2	CentOS Linux 5.7	
Ballot Layout Manager (BLM)	1.2.0			
Election Manager (EM)	1.2.0			
Election Server (ES)	1.2.0			
Tabulator Client (TC)	1.2.0			
Tabulator	1.2.0			
Adjudicator	1.2.0			
Tabulator Reports (TR)	1.2.0			
Software Server (SS)	1.2.0			
Scripter	1.2.0			
Validator	1.2.0			
Logger	1.2.0			
COTS Components				
OVS Laptop Platform				2.0 GHz (or higher) processor, Minimum of 120 GB Hard Drive, Network Interface (Ethernet), Minimum of 2 GB RAM, CDRW/DVD
OVS PC Platform				1.8GHz Processor, 2 GB RAM, 250 GB (or larger) Hard Drive, USB Ports, Network Interface Port (Ethernet), DCRW/DVD. Video Port, 16:9 LCD, Keyboard and Mouse

System Component	Software or Firmware Version	Hardware Version	Operating System or COTS	Comments
Desktop for non-redundant solutions		Dell Optiplex	Dell	
Desktop for redundant solutions		Dell Precision	Dell	
Canon Scanner		Canon DR-X10C	Canon	
Transport Media		STEC-Industrial Grade		
Laptop		Dell Latitude	Dell	
OVO Client Platform				1.5 or 2 GHz Processor, 512 MB RAM, 320 GB Hard Disk, 1 GB or larger Flash Memory (Thumb Drive), 5 USB Ports, 2 Serial Ports, 1 Video Port (SVGA), Network Interface Port (Ethernet)
Second 1GB or larger Flash Memory Device (Thumb Drive)				Configured with OVO Client Platform
OVI Client Platform				1 GHz Processor, 512 MB RAM, 320 GB Hard Disk, 3 USB Ports, 2 Serial Ports, 1 Video Port (SVGA), Network Interface Port (Ethernet)
Linux	CentOS 5.0//5.7/6.3			
Java JRE + Unlimited Cryptographic Extension	1.6.0_02			
Apache Tomcat Application Server	6.0.13		Apache	
MySQL Database	5.0.45-7			
JasperReports	2.0.5			

System Limitations

This table depicts the limits the system has been tested and certified to meet.

Characteristic	Limiting Component	Limit	Comment
Maximum Elections	BLM	8	
Maximum Precincts	BLM	2000	
Maximum Splits per Precinct	BLM	9	
Maximum Districts	BLM	400	
Maximum Contests per District	BLM	20	
Maximum Parties	BLM	24	
Maximum Parties in primary	BLM	12	
Maximum Parties w/ Straight Ticket	BLM	12	
Maximum District types	BLM	25	
Maximum Languages	BLM	15	
Maximum Ballot styles per Election	BLM	400	
Maximum Contests per Election	BLM	150	
Maximum Measures per Election	BLM	30	
Maximum Instruction Blocks per Election	BLM	5	
Maximum Headers per Election	BLM	50	
Maximum Candidates per Contest	BLM	120	
Maximum Ballot Pages	BLM	3	
Maximum Votes for N of M	BLM	25	
Maximum Ballot sheets per OVO	BLM	5000	
Maximum Units simultaneously loading	BLM	20	
Maximum Precincts initialized per OVO on Election Day	BLM	30	
Maximum Precincts initialized per OVI-7/OVI-VC on Election Day	BLM	2000	
Maximum Precincts initialized per OVO/OVI-7/OVI-VC in early voting	BLM	2000	
Maximum 11" Ballot positions	BLM	38 x 3	Limit
Maximum 14" Ballot positions	BLM	50 x 3	Limit
Maximum 17" Ballot positions	BLM	62 x 3	Limit
Maximum 19" Ballot positions	BLM	70 x 3	Limit

Functionality

2005 VVSG Supported Functionality Declaration

Feature/Characteristic	Yes/No	Comment
Voter Verified Paper Audit Trails		
VVPAT	No	Not applicable
Accessibility		
Forward Approach	No	

Feature/Characteristic	Yes/No	Comment
Parallel (Side) Approach	No	
Closed Primary		
Primary: Closed	Yes	
Open Primary		
Primary: Open Standard (provide definition of how supported)	Yes	A registered voter may vote in any <i>party primary</i> regardless of his own party affiliation
Primary: Open Blanket (provide definition of how supported)	No	
Partisan & Non-Partisan:		
Partisan & Non-Partisan: Vote for 1 of N race	Yes	
Partisan & Non-Partisan: Multi-member ("vote for N of M") board races	Yes	
Partisan & Non-Partisan: "vote for 1" race with a single candidate and write-in voting	Yes	
Partisan & Non-Partisan "vote for 1" race with no declared candidates and write-in voting	Yes	
Write-In Voting:		
Write-in Voting: System default is a voting position identified for write-ins.	Yes	
Write-in Voting: Without selecting a write in position.	No	
Write-in: With No Declared Candidates	Yes	
Write-in: Identification of write-ins for resolution at central count	Yes	
Primary Presidential Delegation Nominations & Slates:		
Primary Presidential Delegation Nominations: Displayed delegate slates for each presidential party	Yes	
Slate & Group Voting: one selection votes the slate.	No	
Ballot Rotation:		
Rotation of Names within an Office; define all supported rotation methods for location on the ballot and vote tabulation/reporting	Yes	Top to Bottom By Precinct grouping
Straight Party Voting:		
Straight Party: A single selection for partisan races in a general election	Yes	
Straight Party: Vote for each candidate individually	Yes	
Straight Party: Modify straight party selections with crossover votes	Yes	
Straight Party: A race without a candidate for one party	Yes	
Straight Party: "N of M race (where "N">1)	Yes	
Straight Party: Excludes a partisan contest from the straight party selection	Yes	
Cross-Party Endorsement:		
Cross party endorsements, multiple parties endorse one candidate.	No	

Feature/Characteristic	Yes/No	Comment
Split Precincts:		
Split Precincts: Multiple ballot styles	Yes	
Split Precincts: P & M system support splits with correct contests and ballot identification of each split	Yes	
Split Precincts: DRE matches voter to all applicable races.	No	
Split Precincts: Reporting of voter counts (# of voters) to the precinct split level; Reporting of vote totals is to the precinct level	Yes	
Vote N of M:		
Vote for N of M: Counts each selected candidate, if the maximum is not exceeded.	Yes	
Vote for N of M: Invalidates all candidates in an overvote (paper)	Yes	
Recall Issues, with options:		
Recall Issues with Options: Simple Yes/No with separate race/election. (Vote Yes or No Question)	Yes	
Recall Issues with Options: Retain is the first option, Replacement candidate for the second or more options (Vote 1 of M)	Yes	
Recall Issues with Options: Two contests with access to a second contest conditional upon a specific vote in contest one. (Must vote Yes to vote in 2 nd contest.)	No	
Recall Issues with Options: Two contests with access to a second contest conditional upon any vote in contest one. (Must vote Yes to vote in 2 nd contest.)	No	
Cumulative Voting		
Cumulative Voting: Voters are permitted to cast, as many votes as there are seats to be filled for one or more candidates. Voters are not limited to giving only one vote to a candidate. Instead, they can put multiple votes on one or more candidate.	No	
Ranked Order Voting		
Ranked Order Voting: Voters can write in a ranked vote.	Yes	
Ranked Order Voting: A ballot stops being counting when all ranked choices have been eliminated	Yes	
Ranked Order Voting: A ballot with a skipped rank counts the vote for the next rank.	Yes	
Ranked Order Voting: Voters rank candidates in a contest in order of choice. A candidate receiving a majority of the first choice votes wins. If no candidate receives a majority of first choice votes, the last place candidate is deleted, each ballot cast for the deleted candidate counts for the second choice candidate listed on the ballot. The process of eliminating the last place candidate and recounting the ballots continues until one candidate receives a majority of the vote	Yes	

Feature/Characteristic	Yes/No	Comment
Ranked Order Voting: A ballot with two choices ranked the same, stops being counted at the point of two similarly ranked choices.	Yes	
Ranked Order Voting: The total number of votes for two or more candidates with the least votes is less than the votes of the candidate with the next highest number of votes, the candidates with the least votes are eliminated simultaneously and their votes transferred to the next-ranked continuing candidate.	Yes	
Provisional or Challenged Ballots		
Provisional/Challenged Ballots: A voted provisional ballots is identified but not included in the tabulation, but can be added in the central count.	Yes	
Provisional/Challenged Ballots: A voted provisional ballots is included in the tabulation, but is identified and can be subtracted in the central count	No	
Provisional/Challenged Ballots: Provisional ballots maintain the secrecy of the ballot.	Yes	
Overvotes (must support for specific type of voting system)		
Overvotes: P & M: Overvote invalidates the vote. Define how overvotes are counted.	Yes	Supported. Overvotes are tabulated for each office as an Over / Under Vote report in Vote Tabulation
Overvotes: DRE: Prevented from or requires correction of overvoting.	No	
Overvotes: If a system does not prevent overvotes, it must count them. Define how overvotes are counted.	No	
Overvotes: DRE systems that provide a method to data enter absentee votes must account for overvotes.	No	
Undervotes		
Undervotes: System counts undervotes cast for accounting purposes	Yes	Supported. Undervotes are tabulated for each office as an Over / Under Vote report in Vote Tabulation
Blank Ballots		
Totally Blank Ballots: Any blank ballot alert is tested.	Yes	
Totally Blank Ballots: If blank ballots are not immediately processed, there must be a provision to recognize and accept them	Yes	
Totally Blank Ballots: If operators can access a blank ballot, there must be a provision for resolution.	Yes	
Display/Printing Multi-Lingual Ballots		

Feature/Characteristic	Yes/No	Comment
Spanish	Yes	
Alaska Native (Other Group specified)	No	
Aleut	No	
Athabaskan	No	
Eskimo	No	
Native (Other Group Specified)	No	
Chinese	Yes	
Filipino	Yes	
Japanese	Yes	
Korean	Yes	
Vietnamese	Yes	
Apache	No	
Cent/So American	No	
Cheyenne	No	
Chickasaw	No	
Choctaw	No	
Navajo	No	
Other Tribe-Specified	No	
Paiute	No	
Pueblo	No	
Seminole	No	
Shoshone	No	
Sioux	No	
Tohono O'Odham	No	
Tribe not specified	No	
Ute	No	
Yaqui	No	
Yuman	No	
Demonstrates the voting system capability to handle the designated language groups		
Default language (English)	Yes	
Secondary language using a Western European font	Yes	
Ideographic language (such as Chinese or Korean),	Yes	
Non-written languages requiring audio support	Yes	

Baseline Certification Engineering Change Order's (ECO)

This table depicts the ECO's certified with the voting system:

Change ID	Date	Component	Description	Inclusion
EAC# 16912	12/12/2013	OVI/OVI-VC	Provide more positive electrical grounding for printer	Mandatory

FRANKLIN COUNTY

COUNTY CLERK



400 EAST LOCUST STREET
ROOM 201
UNION, MISSOURI 63084
CLERK: (636) 583-6355
VOTER REGISTRATION: (636) 583-6364
FAX: (636) 583-7320
www.franklinmo.org

DEBBIE DOOR
County Clerk
ddoor@franklinmo.net

April 14, 2014

KATHY HAWKINS
Chief Deputy
khawkins@franklinmo.net

Chris Ortiz
Unisyn Voting Solutions
2310 Cousteau Court
Vista, CA 92081

Dear Mr. Ortiz,

JANE LUECHTEFELD
Director of Elections
jluechtefeld@franklinmo.net

We recently purchased the Unisyn Openelect voting equipment and used it for the first time at the April 8, 2014 General Municipal Election. I am happy to say that the equipment was wonderful and we were quite pleased with how user-friendly it was. Not only was it easy for us to get programmed and prepared for Election Day, it was also easy for the judges to get them up and running that morning. The judges loved the new equipment and were very complimentary of it. We look forward to using it again in August.

Sincerely,

Debbie Door
Franklin County Clerk
And Election Authority

DD/jml



– Marshall County Courthouse –
1 East Main Street – Marshalltown, Iowa 50158

MARSHALL COUNTY AUDITOR / COMMISSIONER OF ELECTIONS

Dawn Williams, County Auditor
Phone (641) 754-6323
FAX (641) 754-6321

Tennessee State Election Commission
312 Rosa L. Parks Avenue
9th Floor, William R. Snodgrass Tennessee Tower
Nashville, TN 37243

To Whom It May Concern:

Marshall County, Iowa recently switched from Election Systems and Software (ES&S) hardware and software to the Unisyn Voting system. We are using version 1.2 and are very happy with it.

Since Marshall County is a new user, we have only used version 1.2. The upgrade was certified by the Iowa State Election Board of Examiners earlier this year. I serve as a Commissioner on the Board of Examiners; therefore I had the opportunity to compare the upgrade to the old version in great detail.

The upgrade was software only and provided the following enhancements:

- The OVI interface now handles more characters per name and does not truncate the name in any way.
- The OVI graphics are enhanced, easier for the voter to read.
- Improved logic and accuracy testing
- Gives the user the ability to load new elections easier through a thumb drive instead of a laptop.
- Improved ballot layout options and capabilities. Easier for the voter to read and follow.
- Easier opening and closing procedures for the poll workers.

We are happy with the changes 1.2 provides and the training and service provided by RBM Consulting.

Respectfully,

A handwritten signature in cursive script that reads "Dawn Williams".

Dawn Williams
Marshall County Auditor / Commissioner of Elections

Dawn Williams, County Auditor/Commissioner of Elections
Assistant Auditors: Whitney Hunt, Mary Stubbs and Travis Case



HENRY M. ADKINS & SON INC.

Election Services / Move "N" Mow Signs
County Government Forms, Books & Supplies

331 Independence Avenue • BOX 104 • CLINTON, MO 64735 • 800-633-5503 • Fax: 660-885-4019 • E-Mail : hmadkins@adkins-printing.com

Tennessee State Election Commission
312 Rosa L. Parks Avenue
9th Floor, William R. Snodgrass Tennessee Tower
Nashville, TN 37243

To Whom It May Concern:

Henry M. Adkins and Son, Inc. is a licensed hardware and software seller for Unisyn Voting. We sell and support Unisyn equipment in Iowa, Missouri and Kansas. We currently have over 150 counties that we code, print, and support for each election.

We recently upgraded all of our customers in Iowa and Missouri from version 1.1 to 1.2. This upgrade was a software only update and did not change the hardware at all. We just finished our first complete election in Missouri last Tuesday and we were very happy with the results.

As I said, the upgrade was software only. The upgrade did the following for us:

- The OVI interface now handles more characters per name and does not truncate the name in any way.
- The OVI graphics are enhanced, easier for the voter to read.
- Improved logic and accuracy testing
- Gives the user the ability to load new elections easier through a thumb drive instead of a laptop.
- Improved ballot layout options and capabilities. Easier for the voter to read and follow.
- Easier opening and closing procedures for the poll workers.

The upgrade also cleaned up many other minor flaws in the code that ultimately make everything easier. I would highly recommend that the new version be used in the future.

Sincerely,

Dustin Vanderburg, Vice-President
Henry M. Adkins and Son, Inc.

Office of the General Registrar

THE COUNTY OF
POWHATAN
VIRGINIA

3910 Old Buckingham Road, Suite E
Powhatan, Virginia 23139

Tel 804.598.5604

Fax 804.598.5607

Email: kalexander@powhatanva.gov

www.powhatanva.gov

 Karen B. Alexander
Voter Registrar

February 10, 2014

Chris Ortiz
Unisyn Voting Solutions
2310 Cousteau Ct.
Vista, CA 92081

Dear Mr. Ortiz,

I am writing you to let you know about the wonderful experience we had using the OVO digital scanner, with the 1.2 software upgrade for a Special Election that we had in Powhatan County last Tuesday, February 4th. We were incredibly pleased with the exceptional quality of the equipment, its software, and the outstanding technical assistance that we received from the ESO staff who trained me and my Election Officials on using the scanner. It was extremely user-friendly, fast, accurate and easy to maneuver. My Electoral Board, staff and Election Officials were thrilled by the experience we had on Tuesday using this new equipment and we look forward to using the OVO in future elections.

Warmest Regards,



Karen B. Alexander



BENTON COUNTY ELECTION COMMISSION

MARK WARD
ADMINISTRATOR OF ELECTIONS
113 Maple Avenue, Suite 1
Camden, Tennessee 38320

TEL: (731) 584-6144

EMAIL: becoelections@gmail.com

FAX: (731) 584-5956

March 11, 2014

State of Tennessee Election Commission Member:

Benton County has been having trouble getting insurance coverage for our Election Commission, as you can see in the included documents. Additionally, from the response from the provider, it seems that this could affect most county Election Commissions in the State of Tennessee.

We have attempted to obtain insurance many times, but have thus far been unsuccessful. I am asking for your help in getting us insured.

Sincerely,

Mark Ward
Administrator of Elections



April 11, 2011

Mr. Barry Barnett
Benton County Mayor
1 East Court Square, Room 102
Camden, TN 37320

Phillip Hollis ✓
Benton County Attorney
PO Box 208
Camden, TN 38320

Re: Claim #: GC-030362
Member: Benton County
Plaintiff: Anthony Walker

Dear Sirs:

I am in receipt of the Complaint styled Anthony Walker v. Mark Ward and Tim Cunningham, in their related capacities.

I am handling this claim on behalf of the Tennessee Risk Management Trust and have reviewed the complaint and the allegations contained therein.

I regret to inform you that I find no coverage for this matter under the TNRMT coverage document. The coverage document provides coverage to the County and its various officers subject to the terms and conditions contained therein. Coverage under the coverage document is extended to the "MEMBER" or "NAMED MEMBER" as defined in the document. The NAMED MEMBER is Benton County Government. The term "MEMBER" is defined as follows:

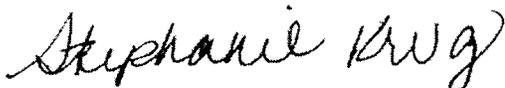
MEMBER means not only the NAMED MEMBER as accepted by TNRMT for coverage, but also includes any past, present or future officials, MEMBERS of boards or commissions, trustees, directors, officers, partners, volunteers, student teachers or employees of the MEMBER while acting within the scope of their duties as such, and any person, organization, trustee or estate to whom the MEMBER is obligated by virtue of a written contract or agreement to provide coverage such as is offered by this coverage document, but only in respect of operations by or on behalf of the MEMBER.

Based upon the decisions of the Supreme Court of Tennessee, two federal district courts and the United States Court of Appeals for the Sixth Circuit in the cases of *Abercrombie v. City of Chattanooga*, 313 S.W. 2d (Tenn. 1958) *Peterson v. Dean*, 2010 WL 5184794 (M.D. Tenn. Dec. 14, 2010) and *Ellis v. Bradley County* 2007 WL 1830756 (E.D. Tenn. June 22, 2007) *aff'd*, 2008 WL 8013030 (6th Cir. Jun 06, 2008) the Administrator of Elections is not a county employee for purposes of the allegations contained in the complaint but is a state employee or state agent and the policy definitions would not extend to them as a "MEMBER" as that term is defined in the coverage document.

Based upon these decisions and my determination that there is no coverage, I recommend that you immediately contact the State of Tennessee's Administrator of Elections Mark Goins or the Office of the Attorney General as they represent state employees in matter such as that alleged in the complaint.

I value our relationship with Benton County and regret that I am unable to assist in this matter. In the event that there is an amendment to the pleadings in the future, please timely provide me a copy of any amendment if you believe that such a change could give rise to a covered loss.

Sincerely

A handwritten signature in cursive script that reads "Stephanie Krug".

Stephanie Krug, Claim Representative

Peeler & Hollis

Lawyers

O. L. Peeler (1898-1961)
Frank L. Hollis (1909-1992)

39 North Court Square
P.O. Box 218
Camden, Tennessee 38320-0218

Telephone (731) 584-6191
Fax (731) 584-1349
E-Mail peelerandhollis@MSN.com

Phillip G. Hollis

April 15, 2011

BY CERTIFIED MAIL

Honorable Robert E. Cooper, Jr.
Attorney General
P.O. Box 20207
Nashville, TN 37202

Re: Walker v. Ward and Cunningham
United States District Court
Western District of Tennessee, Eastern Division
Case No. 1:10-cv-1330 Jury Demand

Dear General Cooper:

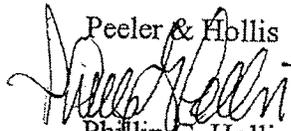
I am writing to you as County Attorney for Benton County regarding the referenced matter. I became County Attorney on March 21, 2011, and became aware of the case primarily through Heather Ross, Senior Counsel, in your office. Apparently, no effective management of the case had been undertaken for defendant Mark Ward.

We are enclosing a copy of a letter from Stephanie Krug, Claims Representative with a company related to Tennessee Risk Management Trust, the liability insurance carrier for Benton County. We made a claim and demand for defense and coverage from the carrier. We also understand that TNRMT had obtained counsel for Mr. Ward, but will now attempt to withdraw its defense.

Benton County now requests that the State of Tennessee assume the defense and liability, if any, for defendant Mark Ward, the Elections Administrator for Benton County. Please advise the State's position on this request at your earliest convenience.

Thank you for your courtesy and assistance.

Sincerely,

Peeler & Hollis

Phillip G. Hollis

Copy: Hon. Barry Barnett
Benton County Mayor

Peeler & Hollis
Lawyers

39 North Court Square
P.O. Box 218
Camden, Tennessee 38320-0218

Telephone (731) 584-6191
Fax (731) 584-1349
E-Mail peelerandhollis@MSN.com

O. L. Peeler (1898-1961)
Frank L. Hollis (1909-1992)

Phillip G. Hollis

August 1, 2011

BY CERTIFIED MAIL

Honorable Robert E. Cooper, Jr.
Attorney General and Reporter
P.O. Box 20207
Nashville, TN 37202

Re: Walker v. Ward and Cunningham
United States District Court
Western District of Tennessee, Eastern Division
Case No. 1:10-cv-1330 Jury Demand

Dear General Cooper:

I am writing to you as County Attorney for Benton County regarding the referenced matter. Since your office did not reply to my letter of April 15, 2011, I assume the State of Tennessee does not intend to make any effort to defend Mr. Ward.

Tennessee Risk Management Trust withdrew its defense of Mr. Ward and Benton County, Tennessee asked his counsel to continue its defense until a determination could be made as to whom, if anyone, is obligated to defend Mr. Ward.

Benton County temporarily extended a defense, but now intends to terminate this matter. Benton County, Tennessee is not a defendant in the referenced litigation. Mr. Ward is not an elected official, employee or agent of Benton County. He was appointed to this office by officials of the State of Tennessee. Benton County has no supervision or direction over his operations or activities. As we understand it, all election administration functions are directed by the State Elections Coordinator.

We believe that the State of Tennessee is obligated to defend Mr. Ward. I am advised that Benton County, Tennessee, intends to terminate its contribution to his defense effective September 1, 2011. This letter constitutes a demand on the State of Tennessee for indemnification and reimbursement of all monies, costs and expenses advanced by Benton County, Tennessee, in the defense of Mr. Ward in the referenced matter.

Thank you for your courtesy and assistance.

Sincerely,

Peeler & Hollis

Phillip G. Hollis

Copy: Hon. Barry Barnett
Benton County Mayor



Subject FW: insurance for county election commission
Sender barry barnett <barry.barnett@benton.tn.org>
Recipient klynch@benton.tn.org <klynch@benton.tn.org>
Date Dec 18, 2013

From: Galey, Mike [mailto:mgaley1@utk.edu]
Sent: Tuesday, December 17, 2013 10:07 PM
To: barry barnett
Subject: RE: insurance for county election commission

Barry,

I spoke with someone at LGIP and they cannot just insure your election commission. I did ask if they had any suggestions and they suggested you ask Porch for a solution since they are your insurer.

If I get something more meaningful, I'll let you know.

Respectfully,

Mike Galey
County Government Consultant
Cell - (731) 514-5499
Office - (731) 881-7056
Email: mike.galey@tennessee.edu

THE UNIVERSITY OF TENNESSEE 
COUNTY TECHNICAL ASSISTANCE SERVICE

CTAS Mission:
Promoting better county government through direct assistance to county officials and their associations

From: barry barnett [mailto:barry.barnett@benton.tn.org]
Sent: Monday, December 16, 2013 2:44 PM
To: Galey, Mike
Subject: insurance for county election commission

Mike

When it comes to liability insurance for our election administrator, I am confused on whether this person is a state or county employee. Our insurance (Porch Stribling) has refused to cover this office because they say this office is the responsibility of the state when it comes to liability coverage. The state says it is the responsibility of county. Does the LGIP cover other county election commissions? Any ideas on how we can provide coverage for this office? The past lawsuit cost the county 40,000 dollars because of the confusion over who is responsible. If you have any suggestions on what we need to do it would be greatly appreciated.

'ANKS Barry



Subject FW: Election Commission
Sender barry barnett <barry.barnett@benton.tn.org>
Recipient klynch@benton.tn.org <klynch@benton.tn.org>
Date Dec 03, 2013

-
- R153 Memorandum Opinion.pdf (131 KB)
 - _Certification_.htm (252 B)

From: Andy Porch [mailto:aporch@pswins.com]
Sent: Tuesday, December 03, 2013 3:01 PM
To: barry.barnett@benton.tn.org
Subject: Election Commission
Importance: High

Karen and Barry,

Attached is some information that I received from the Trust that pertains to the election commission. Please review Tom's comments below and review the legal opinion attached (particularly page 6).

It appears to me that the Election Commission is definitely a state agent based on this information and it should not be Benton County's responsibility to cover them. Also, as Tom mentions below, we know the other Insurance Pool (LGIP) is of the same opinion so they are also not able to provide coverage for them.

Please review this and let me know what you think and if there is anything further that we need to do. We are always glad to help in any way that we can.

Thanks.

Andy Porch
Porch-Stribling-Webb, Inc.
132 East Main St. | Waverly, TN 37185
P: 931.296.4271 | F: 931.296.4811
www.pswins.com



A Proud Partner of:



From: Tom Montgomery [mailto:tmontgomery@sectn.com]
Sent: Tuesday, December 03, 2013 2:42 PM



December 12, 2013

Andrew D. Porch, CIC
aporch@pswins.com

Mr. Barry Barnett
Benton County Government
1 East Court Square; Room 102
Camden, TN 38320

Re: Election Commission

Dear Mr. Barnett,

Per our conversation, attached is a letter from Tom Montgomery on behalf of the Tennessee Risk Management Trust that states they are not able to provide liability coverage for the Election Commission due to Tennessee Statute and case law, which have established these entities as being "state actors." According to Tom, this has already been discussed with the County Attorney and he is aware of the situation. We still contend that the state is ultimately responsible in this situation since the election commission is a "state actor."

Please review this and let me know if you have any other questions or need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andy Porch', is written over a white background.

Andy Porch



P.O. Box 549 • 132 East Main Street • Waverly, TN 37185
931-296-4271 • fax 931-296-4811
www.pswins.com





A Tradition of Strength and Trust.

December 12, 2013

Andy Porch

Porch, Stribling and Webb

Re: Election Commissions

TNRMT cannot provide coverage to an election commission or election administrator as state statute and case law have established these entities are and their members are "state actors".

(I previously forwarded you one such legal order, that being Peterson v Dean, 3:09-cv-628.)

I trust this information is sufficient.

Crockett County Election Commission

228 East Church St. ■ Alamo, Tennessee 38001

Phone 731-696-5465 ■ Fax 731-696-4977

crockettvote@crockett.net

John Copeland, Administrator
Charley Jerman, Chairman
Jo Ann Hughes, Secretary

Commissioners
Danny Moore
Ann Strong
Fred Powers

To: State of Tennessee Election Commission

04-07-2014

From: John Copeland, Administrator of Elections, Crockett County, TN

Dear State Election Commission,

This letter is to serve as an estimate of the costs for Primary Election in Crockett County, Tennessee.

Poll workers for 12 precincts, and early voting approximately \$9,500.00.

Design the ballot, program voting machines, audit the machines/ballot, election day support approximately \$8,500.

Print poll books, ballots, and other forms for precincts. Extra office staff, election commission meetings, approximately \$6,000.00

The total cost would be somewhere between \$23,000 and \$25,000.00. This amount is over 20% of our annual budget for the 2013-2014 Fiscal Year.

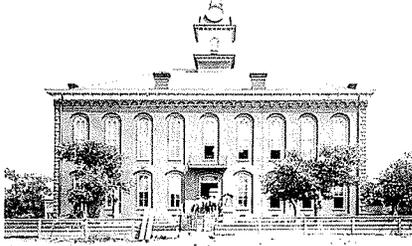
Respectfully,



John A. Copeland, ABD
Administrator of Elections,
Crockett County, TN

*Gary Spraggins
Crockett County Trustee*

*13 North Court
Alamo, Tn. 38001
(731) 696-5454 Phone
(731) 696-5821 Fax
trustee@crockett.net.com*



*Deputy Trustee's
Kay Tims
Connie Hardin*

April 9, 2014

Crockett County's Current Property Assessments:

Real & Personal Property	\$200,874,395
Ad Valorem	<u>15,046,813</u>
Total Assessments	\$215,921,208

Based on the assessments above 1 penny will generate \$21,592.00.

Figuring in a 7% delinquency, the net amount generated by 1 penny is \$20,081.00.

Crockett County will use net \$20,081.00, amount for the upcoming 2014-15 Budget process.

Gary Spraggins
Crockett County Trustee



January 23, 2014

Crockett Co Election Commission

Mr. John Copeland

Administrator of Elections

228 East Church St.

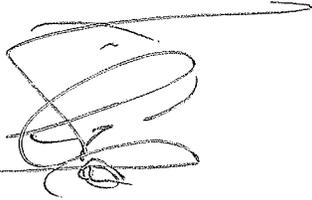
Alamo, TN 38001

The following is in response to letter from the Crockett Co Election Commission, dated July 01, 2013, concerning the 2014 election process choices and resulting decision due to only one Republican candidate per office as of this date and no more seem forth coming..

The Crockett County Republican Executive Committee, listed below, has considered the selections and voted to not enter into having a Republican county primary and will caucus the candidates.

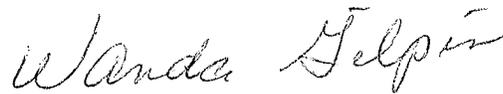
The new decision to forego a primary election and only seek a general election would result in saving Crockett County taxpayers approximately \$20,000.00-\$25,000.00.

Ruste Via



Chairman

Crockett Co Young Republicans



Wanda Gilpin

Secretary/Treasurer

Crockett Co Republican Party

William R. Austin



Immediate Past Chairman

Crockett Co Republican Party

Shannon Haynes

Vice Chairman

Crockett Co Republican Party



John N. Yearwood

Chairman

Crockett Co Republican Party

COPY


COPY

Rec. 11/14/13
10:20 A.M. DM

November 14, 2013

Crockett Co Election Commission

Mr. John Copeland

Administrator of Elections

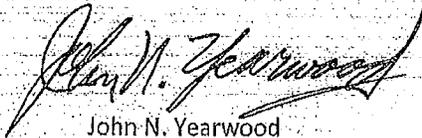
228 East Church St.

Alamo, TN 38001

The following is in response to letter from the Crockett Co Election Commission, dated July 01, 2013, concerning the 2014 election process choices.

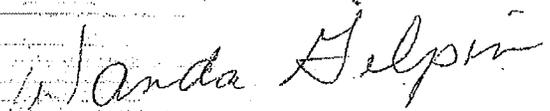
The Crockett County Republican Executive Committee has voted to hold a Republican county primary.

The primary process will be for the following county offices: County Mayor, County Trustee, Circuit Court Clerk, County Court Clerk, Register of Deeds and Sheriff.



John N. Yearwood

Chairman



Wanda Gilpin

Secretary



HAMILTON COUNTY ELECTION COMMISSION

700 RIVER TERMINAL ROAD
CHATTANOOGA, TENNESSEE 37406
TELEPHONE (423) 493-5100 • FAX (423) 493-5101
TTY (423) 493-5100, EXT. 254
Website: elect.hamiltontn.gov

Mr. Mark Goins
Coordinator of Elections
William R. Snodgrass
Tennessee Tower, 7th Floor
312 Rosa L. Parks Avenue
Nashville, TN 37243

RE: Non-metal Security Ballot Bags

Commissioner Goins,

This letter is to advise the Tennessee State Election Commission of Hamilton County's intent with respect to usage of the non-metal ballot bags previously authorized by the Commission for the 2012 election cycle.

It is the intent of the Hamilton County Election Commission to make permanent the implementation of non-metal ballot bags for provisional ballots. I respectfully request the Tennessee State Election Commission grant permanent authorization for the Hamilton County Election Commission's usage of non-metal ballot bags.

Thank you for your consideration.

Respectfully,

A handwritten signature in blue ink, appearing to read "Kerry B. Steelman".

Kerry B. Steelman
Administrator of Elections

RECEIVED
2014 APR 10 AM 10:17
SECRETARY OF STATE
ELECTIONS