MADISON COUNTY BOARD OF ELECTIONS
REGULAR SESSION
Board of Elections Conference Room
Wednesday, February 19, 2014
4:30 P.M.

MINUTES

CALL TO ORDER

Chairman Andy Gibson called the meeting of the Madison County Board of Elections to order at 4:30 P.M. at the Board of Elections Office Conference Room. Board and staff members in attendance were Andy Gibson, Chairman; Dyatt Smathers, Secretary; Jerry Wallin, Member; Shirley Ponder, Deputy Director; Donnie Roberts, Office Assistant; and Kathy Ray, Director.

AGENDA

Moved, Seconded (DS, JW) and Carried (3,0) to set the agenda and add a discussion of candidate challenges to the end of the regular agenda. Following the motion and second, Chairman Gibson requested that a closed session be added to the agenda to discuss potential challenges to candidacy. The request died for lack of a second from other board members.

APPROVAL OF MINUTES

Moved, Seconded (DS, JW) and Carried (3,0) to approve as presented the regular meeting minutes from the January 8, 2014 meeting.

Moved, Seconded (DS, JW) and Carried (3,0) to approve the closed meeting minutes from the January 8, 2014 meeting.

CHAIRMAN'S REPORT

Chairman Gibson welcomed Office Assistant Donnie Roberts to the election staff.

Chairman Gibson informed those present at the meeting that proper voter education and protocols and procedures are being put in place for the upcoming elections by the Board of Elections.

MEMBERS' REPORT

Secretary Smathers remarked that lots of people are interested in the May Primary election, particularly with regard to candidate filing.

DIRECTOR'S REPORT

The News Record and Sentinel will be requested to publish the State Board of Elections important dates calendar to assist with educating voters regarding important election dates and deadlines.

A report of the county level candidates that have filed was presented. There was clarification that the filing fees paid to the Board of Elections are deposited directly into the county's general fund.

The January 31, 2014 Budget Revenue and Expenditure Report was presented for review. The current budget report does not reflect the line item amendments as approved by the county commissioners at the Tuesday,

February 11, 2014 county commissioner meeting. Line items approval by the county commissioners were as follows: salaries .1210 $3,200; salaries temporary .1260 $6,350 ($3,550 for one-stop poll workers, $1,000 for temporary office assistant, and $1,800 is for training for staff); Board Member Expense .1700 $2,000; FICA .1810 $2362.25; Professional Services – Legal .1920 $450; Travel .3110 $1,000; Travel Subsistence .3120 $1,500; Training: Employee .3950 $250.00; Software/Coding for Elections .4000 $4,000. The total budget amendment request was $21,112.25. The travel items are increases for Board of Elections members and office staff trainings.

The Director indicated that the line item for postage is almost depleted by a recent invoice for the postage meter. The invoice for $1568.00 covers the period beginning April 2013 until the current time. A discussion ensued about receiving more frequent and timely invoices. Funds will have to be moved from other line items into the postage line item to cover postage costs for the remainder of the fiscal year.

The Director informed the Board that other county boards of elections indicated they are not including return postage on mailings to voters.

Moved, Seconded (DS, AG) and Carried (2,0) that the Board of Elections no longer place return postage with germane mailings to voters. JW opposed the motion and indicated the action was not voter friendly.

The Director informed the Board that the county manager will be contacting all county directors soon to begin budget proposal development for the upcoming fiscal year. The Board needs to prepare a document for presentation to the county commissioners regarding the requirement to purchase new voting equipment by January 2018. The document needs to include a projected cost of purchasing new voting equipment and the need to set aside capital funds each year beginning in 2014-2015 so the county can have adequate funds for the purchase in the 2017-2018 fiscal year. The Director will prepare a proposal that will provide commissioners with a ballpark figure for the purchase of new voting equipment. The proposal will be based upon estimated figures for machines that are comparable in price and capacity to our current M100 machines or the updated DS200 machines to give us an idea of the number of machines the Board of Elections will need and the projected cost for purchase. The purchase proposal document for generic machines (not specific brands) will be presented to the Board of Elections at the next regularly scheduled meeting.

OLD BUSINESS

Moved, Seconded (JW, DS) and Carried (3,0) to approve Diana Arrowood as the replacement Democratic Judge for the North Marshall Precinct.

A need continues for replacement Republican Judges at the Spring Creek and Sandy Mush Precincts.

The Director requested that the Board of Elections clarify that the increase in the Director's salary is for the remainder of the current fiscal year and future budget cycles. She requested that the Board of Elections formally address, with a motion, to increase the monthly salary of the Director as if the Director's base salary is $43,000.00 annually ($3,583.33 per month / $1,653.85 per 26 pay periods) and a motion to increase the board members' monthly salary to $300.00 per month. The increases were discussed and approved by the Board of Elections during the December 23, 2013 meeting, and the budget amendments were approved by the Board of County Commissioners at the February 11, 2014 regular meeting. The approved budget amendment of $3,200 will cover the increase in the Director's salary through the remainder of the current fiscal year. The approved budget amendment of $2,000 will cover the increase in Board member compensation through the remainder of the current fiscal year. The salary increase for the Board of Elections members will be in effect for the month of February.

Moved, Seconded (AG, JW) and Carried (3,0) to increase the director's salary to $43,000.00 annually.

Moved, Seconded (AG, DS) and Carried (2,0) to increase the Board of Elections members' monthly salary to $300.00 per month as suggested by the county commissioners. (JW) opposed the motion. He indicated that he performed the service because he enjoyed it.

Secretary Smathers requested a recess to review the December 23, 2013 meeting minutes. He indicated that the original motion to recommend the increase in the director's salary and board members' salary was voted upon by the Board of Elections at the December 23, 2013 meeting by a unanimous vote. Chairman Gibson informed those present that there was also a discussion June 2014 with the county manager to increase the director's salary within this budget year and that the Director must be paid a salary comparable to that of Directors in Boards of Elections of comparable size and numbers of voters.

The Director presented the number of poll worker assistants that are needed at each precinct for the upcoming primary election.

The Director requested that the process for opening the voting machines on Election Day be changed to utilize the same process that is used for opening machines each morning during one-stop. The one-stop machines are locked at the end of each day and a pass code is used to unlock the machines each morning of voting. The door seals and public count are verified each morning prior to unlocking the machines. The process of preparing the voting machines to "unlock" rather than "open" could greatly expedite pre-election day preparations on Election Day and reduce the chance of opening errors. Secretary Smathers indicated he was opposed to changing protocols for opening the machines for the upcoming Primary. The proposed change died for lack of a motion to change the "opening" protocol on Election Day.

Chairman Gibson indicated there were rumors that candidate challenges may be presented. The Chairman charged the Director to contact the county attorney and inform him that the Board of Elections will contact him to assist with any candidate challenges and to contact the county attorney that additional funds may have to be requested if there are candidacy challenges. Secretary Smathers informed Board members that he had been in contact with the State Board of Elections General Counsel Don Wright and received materials regarding candidate challenges, protocols, and similar hearings from across the state. Secretary Smathers will email the materials to all Board members and the Director.

PUBLIC COMMENT

A representative for the newly formed "Madison Votes" non-partisan group provided information that its goal is to conduct voter education in regard to the recent changes in election laws. The first meeting is Monday, February 24th at the Marshall Library at 1:00 p.m. The Director asked the group to direct voters to the County Board of Elections website for current information and to utilize the State Board of Elections "Candidate Guide to Important Dates and Summary of Election Laws Changes" document.

The Director complimented Elizabeth Tilley for providing a list of questions that were asked during the Director's radio interview regarding election laws and Board of Elections activities.

ANNOUNCEMENTS

Next Regular Meeting: Wednesday, March 12, 2014.

ADJOURNMENT

Moved, Seconded (DS, AG) and Carried (3,0) to adjourn at 6:10 P.M.

Kathy Ray, Director

Dyatt Smathers, Secretary

Andy Gibson, Chairman