

MINUTES OF THE DAVIDSON COUNTY ELECTION COMMISSION
January 15, 2008

The Davidson County Election Commission (DCEC) met for a special called meeting at 3:00 p.m. on January 15, 2008 in the Metro Office Building. The purpose of the meeting was to receive an update concerning the break-in at the DCEC offices over the Christmas holiday. Commissioners Eddie Bryan, Ana Escobar-Burchwell, A. J. Starling, Lynn Greer, and Patricia Heim were present. DCEC staff members present included Administrator of Elections (AOE) Ray Barrett; and staff members Joan Nixon, Lionel Barrett, and Kelley Harrison. Also present was Nicki Eke of the Metro Department of Law.

Chairman Eddie Bryan convened the meeting.

Motion to Hire Independent Counsel: Commissioner Greer made a motion to hire independent legal counsel to represent the DCEC as it relates to the recently filed lawsuit naming the Metropolitan Government of Nashville and Wackenhut Security as named defendants since the legal action alleges negligence on the part of the DCEC throughout the complaint. Commissioner Heim seconded the motion. The Commissioners discussed the need for legal counsel and whether the DCEC should even discuss information related to the break-in since most of them had not even been provided a copy of the legal proceeding. Commissioners Greer and Heim voted in favor of the motion while Commissioners Bryan, Escobar-Burchwell, and Starling voted against it. Motion failed.

Brief Recess: Administrator Barrett requested a brief recess to confer with Metro Legal Counsel; Chairman Bryan granted a 5-minute recess.

Overview of Timeline: Upon resumption of the meeting, Administrator Barrett reviewed the timeline of events as he knew them either through personal knowledge or review of documents provided to him by others such as Metro IT, Metro General Services, or Wackenhut Security. The Commissioners were offered an opportunity to question Mr. Barrett or others present from Metro government.

Actions Taken Since Break-In: Administrator Barrett reported that a complete inventory of DCEC laptops indicated that no other laptops were missing other than the two reported stolen as a result of the December 2007 break-in; he indicated that all remaining laptop hard drives had been wiped clean of all prior stored data with operating systems now re-installed; no SSNs will appear on any laptops deployed for election day look-up purposes; and the DCEC will conduct an internal audit and develop its own data and equipment security policy.

There being no further business the meeting adjourned.

Eddie Bryan, Chairman

Ana Escobar-Burchwell, Member

A. J. Starling, Member

Patricia Heim, Secretary

Lynn Greer, Member