

**MADISON COUNTY BOARD OF ELECTIONS
SPECIAL SESSION
Board of Elections Conference Room
Thursday, March 27, 2014
5:00 P.M.**

MINUTES

CALL TO ORDER

Chairman Andy Gibson called the meeting of the Madison County Board of Elections to order at 5:00 P.M. at the Board of Elections Office Conference Room 26. Board and staff members in attendance were Andy Gibson, Chairman; Dyatt Smathers, Secretary; Jerry Wallin, Member; Shirley Ponder, Deputy Director; Kathy Ray, Director; and Donny Laws, County Attorney.

AGENDA

Discussion of the Written Response (Hearing Order) of Challenge of Candidacy C. John Ledford, Candidate for Sheriff of Madison County by Challengers Peter Orthmann, Cindie Harman, and Timothy Malone

NEW BUSINESS

The Board discussed the written response (hearing order) to the Board of Elections hearing that commenced 24 March, 2014 regarding the Challenge of Candidacy of C. John Ledford by challengers Peter Orthmann, Cindie Harman, and Timothy Malone.

The document was reviewed for grammatical and factual accuracy and referred to as the findings of fact, conclusions of fact, and the order.

The County Attorney asked the Board to keep in mind during the review that the law requires an order that has facts to support the conclusion that a fair hearing was offered and that a preponderance of evidence was presented to support that C. John Ledford is a resident of Madison County.

The County Attorney informed the Board that Petitioner Attorney Vince Hyatt has already called and requested a copy of the hearing transcript. The Board of Elections will send a copy of the transcript to the State Board of Elections upon notification that the petitioners have requested an appeal.

There was discussion about the process for recusal of Board members and removal of Board members.

Moved, Seconded (JW, AG) and Carried (3,0) to approve the order as presented for the Candidate Challenge of Residency.

Moved, Seconded (DS, JW) and Carried (3,0) to engage the services of the County Attorney to serve the order on the appropriate individuals.

The original order and transcript will be filed at the Board of Elections and included in the meeting minutes for approval. The County Attorney will put the order in the mail on Friday, March 28th. Once it is received, the Petitioners will have two days to appeal the order.

Copies of the order will be both emailed and sent via U.S. mail to State Board of Elections General Counsel Don Wright and all parties on 25 March, 2014.

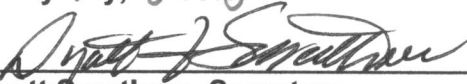
Moved, Seconded (DS, JW) and Carried (3,0) to allow the Director to communicate with the County Attorney once the final bill is available and submit a budget amendment at the 8 April, 2014 County Commissioners meeting for payment of same.

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