



**Pulaski County Election Commission  
Meeting Minutes  
November 6, 2020  
5:00 p.m.**

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Members Present:

Evelyn D. Gomez  
Joshua A. Price  
Kristi M. Stahr

Staff Present:

Bryan Poe  
Betty Green  
Jodie Dildy  
Amanda Dickens  
Bart Moreland

Visitors Present: Adam Fogleman, County Attorney; Various members of the media;  
Various poll watchers; Various members of the public

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The meeting was called to order at 5:00 p.m. by Chair Gomez. A quorum was present, with all commissioners in attendance. Ms. Green was present via Facetime.

The pledge of allegiance was omitted.

*Approval of Previous Meeting Minutes*

The minutes for the previous meeting (November 3, 2020) were not complete, therefore the commissioners were unable to approve or make corrections regarding the previous meeting.

**Business**

*Cease and Desist Letter from Doyle Webb, Chairman of the Republican Party of Arkansas*

Chair Gomez read a copy of the cease and desist letter from the chairman of the Republican party. A copy of the letter is attached. The letter addresses the decertification of Assistant Director Shawn Camp and Catherine Dunlap, an absentee poll worker. As well the process of spoiling, duplicating or recreating ballots. County Attorney Adam Fogleman reminded the board that they are not a fact-finding board, he recommended their comments be limited to refining the process for spoiling,

duplicating, or recreating the ballots. Commissioner Stahr requested clarification regarding their comments. Commissioner Stahr said that she observed a member of the staff and an election official leave the room for a considerable amount of time with a stack of ballots, return to the room with ballots and place the ballots in a box with other ballots. A poll watcher stated that she observed the same things as Commissioner Stahr. When the poll watcher questioned the actions, she stated that she was made to feel as though her question did not matter. Director Poe requested clarification as to what time the event took place. The poll watchers response was 4:50 p.m. on Thursday, November 5, 2020.

Commissioner Price requested clarification from Director Poe regarding the events of the previous day. Director Poe explained that the election official was acting upon his instructions. He explained that preparation of ballots for tabulation as ordered the commissioners was taking place. When Commissioner Price requested further clarification, Mr. Fogleman again reminded the commissioners that they are not a fact-finding body. Chair Gomez thanked Mr. Fogleman for his comments and instructed Director Poe to continue. Chair Gomez and Commissioner Stahr requested clarification as to whether Director Poe can speak to the commissioners. Mr. Fogleman stated that he had not instructed Director Poe not to speak to them, he is simply stating that the board is not an investigating body, so their comments should focus on the processes in question as opposed to going on a fact-finding mission.

Commissioner Price requested Director Poe to explain the process regarding the need for remaking the ballots. Director Poe explained the process. Commissioner Stahr requested clarification regarding when the duplication process is done. Director Poe stated that it is typically done during the process. In this instance the duplication process was already taking place so the ballots in question were added to the others.

Commissioner Price requested clarification as to whether the duplication process is a separate process, for example if the ballot is damaged what would be done. Director Poe stated we would automatically duplicate the ballot as outlined in Arkansas statutes.

Commissioner Stahr requested clarification as to where was the public viewing of the tabulation process. Director Poe stated that it took place in the office, and members of the public are allowed in the office at this time. After much discussion regarding the tabulation process and the process for duplicating, spoiling or recreating ballots, and the commissioners appointing of election officials, Commissioner Stahr shared her opinions regarding the treatment of herself and Chair Gomez during this voting process. She stated that she is tired of the division between the staff and the

commissioners. Commissioner Price shared his viewpoints regarding unifying the staff and the commissioners.

Commissioner Price requested Commissioner Stahr to share her thoughts regarding improvements that can be made to the best practices and procedures. Her suggestion is a better tracking system, have an accurate number of ballots that is started with, number that have been processed, know how many are in a box so that at the end of the day an accurate number can be provided when requested. Director Poe apologized for not having an accurate account, in hindsight more workers should have been assigned to help with keeping count of the numbers.

After further discussion, Chair Gomez recommended that Mr. Camp be decertified on a temporary basis. Commissioner Stahr expressed her concerns regarding the decertification of Mr. Camp. Director Poe provided a summary of Mr. Camp's duties. Director Poe extended an invitation to commissioners to come to the office on Saturday, November 7, 2020 to assist with completing the list of provisional ballots so that it can be turned over to the county clerk's office. He explained that Mr. Camp is an essential part of the staff to be able to perform the statutory duties of the office.

Commissioner Stahr requested clarification from Mrs. Dickens regarding whether the absence of Mr. Camp from the office would be a hardship on the staff. She stated yes. Mrs. Dickens was requested to describe her duties at the Election Commission. She provided a summary of her duties. Commissioner Price shared viewpoints regarding this matter also.

Chair Gomez suggested that Mr. Camp be placed on limited duties. Commissioner Price suggested making sure additional staff members are present when Mr. Camp is handling ballots. After further discussion it was decided that Mr. Camp would not be allowed to open ballots, not allowed to handle ballots, not allowed to have any interaction with open ballots. He will be allowed to handle a box of ballots but only if the box is sealed. He can be in the presence of open, voted ballots, but not allowed to handle them unless they are in a seal box.

The commissioners requested Mr. Dildy to share his thoughts regarding the limited duties of Mr. Camp. Mr. Dildy shared his viewpoints. Mr. Moreland also provided his viewpoints regarding this matter. Commissioner Stahr requested that negative comments made by staff members regarding the commissioners be addressed by Director Poe. After further discussion, Commissioner Stahr moved for the sake of the integrity of the election on a temporary basis to take away the ability for Shawn

Camp to touch open absentee ballots for the duration of the general election or the runoff election; seconded by Commissioner Price. Motion passed by voice vote.

#### *Discussion Regarding the Gavel and Signature Stamps*

Chair Gomez requested Director Poe to locate the gavel. Director Poe stated that it has been lost and that he did not know where it is. Chair Gomez stated that it is hard to gavel in a meeting without it. Director Poe shared that for over a decade the commissioners conducted meetings without a gavel. Chair Gomez also requested that Director Poe locate the signature stamps for Commissioner Price and herself because she noticed they were not in their mailboxes. Director Poe stated that he knew where those were located.

#### *Discussion Regarding Chair Gomez Admittance to the Office*

Chair Gomez stated that when she tried to gain entry to the office, she had to push Mr. Camp out of the way. Director Poe requested clarification regarding this statement. At which point she said that yes, she had pushed him because he was barring her from entering the door. She stated that she pushed him aside and went in anyway.

#### *Absentee Ballot Report*

Chair Gomez shared that Ms. Samantha Heck of Sherwood never received her absentee ballot, but when her father went to vote he was informed that the records showed that she had already voted. She requested that Director Poe investigate why she did not receive her ballot and why the system showed she had voted when she had not. Director Poe explained that when you request an absentee ballot the system will reflect that you have already voted.

### **Other Business**

#### *Schedule of Upcoming Meetings*

November 9, 2020 at 5:30 p.m. for the preliminary review of provisional ballots for the November 3, 2020 General Election.

November 13, 2020 at 5:00 p.m. for the provisional ballot hearing, and certification of election results for the November 3, 2020 General Election. Setup for possible runoff on December 1, 2020.

November 18, 2020 at 5:30 p.m. for the certification of logic and accuracy testing results for the December 1, 2020 General Election Runoff.

December 1, 2020 at 9:00 p.m. for the certification of unofficial results for the December 1, 2020 General Election Runoff.

December 4, 2020 at 5:00 p.m. for the preliminary review of provisional ballots for the December 1, 2020 General Election Runoff.

December 14, 2020 at 5:00 p.m. for the certification of official results for the December 1, 2020 General Election Runoff.

Meeting adjourned at 6:30 p.m.