



**Pulaski County Election Commission  
Meeting Minutes  
September 8, 2020  
5:30 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

Visitors Present:

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The meeting was called to order at 5:30 p.m. by Chair Gomez. A quorum was present, with all commissioners present via Zoom. The staff was present via Zoom also. The commissioners gave Director Poe permission to use their signature stamp as necessary during the meeting.

The pledge of allegiance was led by Mr. Dildy.

*Approval of Previous Meeting Minutes*

Commissioner Price moved to accept the minutes as written; seconded by Commissioner Stahr. Motion passed by voice vote.

**Business**

*November 3, 2020 General Election Ballot Error*

The Secretary of States Office certified the incorrect information regarding issue number one. The election commission was notified of this matter September 1, 2020. Director Poe consulted with the county attorney regarding this matter, and learned A.C.A. § 7-5-209 which states “Whenever it shall appear by affidavit that an error or omission has occurred in the publication of the names or description of candidates nominated for office or in the preparation of ballots, the county board of election commissioners shall in a public meeting announce the error or omission and

immediately correct the error or omission or show cause why the correction should not be done”, would be the best course of action. The commissioners would be able to correct the ballot or not correct the ballot and provide an explanation as to why it will not be corrected.

The Secretary of States Office will cover the cost of all ballots that were printed before the email was received. Any ballots printed after the email was received will be charged to the county.

Director Poe shared that under advice of the county attorney Issue numbers four and five were placed back on the ballot because those issues are still under litigation. He also shared that he had spoken with the Secretary of States Office regarding these issues and was verbally told to put these back on the ballot. The commissioners requested clarification regarding putting these issues back on the ballot after the Secretary of States Office had sent an email on August 27, 2020 stating the issues could be removed. Director Poe stated he did not have anything in writing from the Secretary of States Office that said for the issues to be added back to the ballot.

Director Poe presented an affidavit to the commissioners regarding the chain of events regarding the error on issue one. Director Poe reviewed the chain of events contained in the affidavit regarding issue one at the request of Commissioner Price. Upon reviewing the affidavit, the commissioners requested some changes to the affidavit. Those changes include adding to the chain of events the certification of ballot styles by the commissioners on August 28, 2020 and adding citation of A.C.A. § 7-5-204(c)(1) which states “If the Secretary of State has not determined the sufficiency of a petition for an amendment or a measure by the seventy-fifth day before the general election or if an amendment or a measure has been challenged for any reason in a court of competent jurisdiction, the Secretary of State shall nonetheless transmit the amendment or measure and the ballot title of each amendment and measure to the county election commissions to make any required posting and to place the amendment or measure on the ballot.”

The commissioners requested Director Poe reach out to the Secretary of States Office to obtain all information regarding these matters be provided in writing. After much discussion regarding the issues, the commissioners agreed to allow issues four and five to be added back to the ballot since they are still under litigation. They also agreed to make the correction to the wording of issue one. Commissioner Stahr moved to approve the amended certification of ballot styles for the November 3, 2020 Nonpartisan General/Annual School Election, amended affidavit, and contacting the

Secretary of States Office to obtain written documentation regarding the issues; seconded by Commissioner Price. Motion passed by voice vote.

#### *Approval of 2021 Election Commission Budget*

After much discussion regarding the 2021 budget for the election commission, the commissioners requested changes to the following line items:

- Small Equipment change from \$30,000 to \$50,000.
- Food change from \$500 to \$200.
- Building Materials and Supplies change from \$1,500 to \$10,000.
- Paint and Metals change from \$1,000 to \$100.
- Building Repairs/Improvements change from \$2,000 to \$500.
- Common Carrier change from \$3,000 to \$100.
- Other Miscellaneous change from \$500 to \$100.
- Computer Software, Support, and Maintenance Agreement change from \$20,000 to \$5,000.
- Machinery and Equipment (Other than Vehicles) change from \$15,000 to \$100,000.

Commissioner Price moved to approve the 2021 budget as amended; seconded by Commissioner Stahr. Motion passed by voice vote.

#### *Approval of Training Materials*

Director Poe provided an overview of the training materials for the advanced training classes with regards to the election judges and election sheriffs. After some discussion, Commissioner Stahr moved to approve the 2020 fall training materials for the November 3, 2020 General Election with edits; seconded by Commissioner Price. Motion passed by voice vote.

#### **Other Business**

##### *Additional Comments from Commissioners*

Chair Gomez shared a letter that she received from the State Board of Election Commissioners regarding a checklist for American with Disabilities Act that can be found on the State Board of Election Commissioners website (<http://www.arkansas.gov/sbec/>).

Chair Gomez shared a message from a voter that stated she received a ballot in the mail. But it turned out to be an unrequested absentee ballot application sent to her.

Commissioner Stahr requested the Circuit County Clerk's office provide a response to any questions that the commissioners have directly to the commissioners instead of to the media. She also requested for Director Poe to provide updates regarding the number of election officials, applicants, and absentee ballot applications at each meeting. Director Poe provided an update regarding the election officials, applicants, and absentee ballot applications.

*Schedule of Upcoming Meetings*

September 30, 2020 at 5:30 p.m. for certification of the notice of election for the November 3, 2020 General Election.

Meeting adjourned at 9:02 p.m.