



**Pulaski County Election Commission
Meeting Minutes
February 18, 2020
5:30 p.m.**

Members Present:

Evelyn D. Gomez
Joshua A. Price
Kristi McKinnon-Stahr

Staff Present:

Bryan Poe
Betty Green
Amanda Dickens
Bart Moreland
Jodie Dildy

Visitors Present: Marc Harrison, Circuit County Clerk's Office; Joy C. Springer, Candidate for House District 34; Charles Bolden; Lawrence Walker; Claudius Johnson; Helen Davis; Various members of the public

The meeting was called to order at 5:32 p.m. by Chair Gomez. A quorum was present, with all commissioners in attendance.

The pledge of allegiance was led by Marc Harrison.

Approval of Previous Meeting Minutes

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

Business

Discussion of Freedom of Information Act Requests

Director Poe provided copies of Freedom of Information Act requests from Joy C. Springer and the American Civil Liberties Union (ACLU). Both were requesting information regarding the provisional and absentee ballots for the House District 34 Special Primary Runoff Election. Director Poe provided the commissioners with a copy of the information that was provided to Mrs. Springer and the ACLU. Chair Gomez requested that Director Poe add to the agenda for the February 21, 2020 meeting to

discuss how freedom of information act requests are handled. Chair Gomez also requested that Director Poe notify the commissioners immediately upon receiving a freedom of information act request.

Discussion of Recount Procedures

Director Poe explained the recount procedure (copy attached).

Discussion Regarding Provisional Absentee Ballot

Mr. Dildy provided a summary regarding the delivery of the letter provisional absentee ballot that notified the voter that the voter's identification needed to be provided by 12:00 p.m. on February 18, 2020 for their vote to count. Director Poe stated that after the voter failed to provide the required documentation within the allotted time frame, therefore the vote will not count. Commissioner Price thanked Director Poe and Mr. Dildy for their extra effort in alerting the voter regarding their ballot.

Discussion of Media Communications Plan

Chair Gomez requested the commissioners to revisit the media communications plan at the February 21, 2020 meeting.

Discussion of Memo Regarding Affidavits Submitted for the House District 34 Special Primary Runoff Election

Director Poe presented a memo regarding affidavits that were received in the office that pertained to House District 34 Special Primary Runoff Election. Chair Gomez requested Director Poe to submit a request to the Prosecuting Attorney instead of the County Attorney regarding the process for how to handle the affidavits. Commissioner McKinnon-Stahr suggested the request be addressed to the County Attorney and copy the Prosecuting Attorney on the letter. Chair Gomez requested Director Poe notify the commissioners when he seeks an opinion from the state board also.

Other Business

Public Comments

Mrs. Springer requested clarification regarding the absentee ballots that were not counted and expressed her concern that affidavits should be reviewed as a part of the recount process. She requested the code that reflects how absentee ballots are handled. Chair Gomez provided her with A.C.A. § 7-5-308, however that code covers provisional ballots. Mrs. Springer was presented with the following codes for absentee ballots A.C.A. § 7-5-416; 7-5-412; 7-5-409(b)(4); Amendment 51 Section 13 of the Constitution of Arkansas.

Mrs. Springer requested an update regarding the incident where the voter placed the provisional ballot in the machine on election. Director Poe will send a letter to the Prosecuting Attorney regarding this matter. Commissioner McKinnon-Stahr requested Director Poe to contact the media because there has been some incorrect information distributed regarding this matter.

Mrs. Springer requested clarification regarding the March 3, 2020 House District 34 Special General Election as to the election being held on the same day as the March 3, 2020 Preferential Primary/Nonpartisan General Election. She wanted to know when early voting would start for the House District 34 Special General Election would and if possible, could it be moved to a different date in order to not have confusion at the polling locations for the voters. She suggested that someone contact the Governor and request that he amend the proclamation changing the date of the election. Mrs. Springer requested a media campaign so that the voters in House District 34 would know that when they go to vote on March 3, 2020 there are two elections taking place for them on that day.

Schedule of Upcoming Meetings

February 19, 2020 at 5:00 p.m. to recount the ballots for the February 11, 2020 House District 34 Special Primary Runoff Election.

February 21, 2020 at 5:00 p.m. for provisional ballot hearing and certification of results for House District 34 Special Primary Runoff Election.

February 24, 2020 at 5:00 p.m. to review political practice pledges, ballot draw and certification of ballot styles for the April 14, 2020 Jacksonville Special Election.

March 3, 2020 at 9:00 p.m. to certify the unofficial election results for the March 3, 2020 Preferential Primary and the House District 34 Special General Elections.

March 9, 2020 at 5:00 p.m. for the preliminary provisional ballot review for the March 3, 2020 Preferential Primary and the House District 34 Special General Elections.

March 13, 2020 at 5:00 p.m. for provisional ballot hearing and certification of election results for the March 3, 2020 Preferential Primary and the House District 34 Special General Elections.

Meeting adjourned at 6:53 p.m.