



**Pulaski County Election Commission  
Meeting Minutes  
November 13, 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  
Shawn Camp  
Amanda Dickens  
Bart Moreland

Visitors Present: Adam Fogleman, County Attorney; Various poll watchers; Jason Kennedy, Circuit County Clerk's Office; Camille Bennett; Anna Leigh; Various members of the public; Jamie Clemmer, Saline County Election Commission; Doug House

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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.

The pledge of allegiance was led by Mrs. Dickens.

*Approval of Previous Meeting Minutes*

Commissioner Price moved to approve the minutes for the November 6, 2020 meeting as amended; seconded by Commissioner Stahr. Motion passed by voice vote.

**Business**

*Assistance from Jamie Clemmer, Saline County Election Commission*

Chair Gomez reached out to Mr. Clemmer for assistance with the tabulation process, should the need arise. She acknowledged that although he is not an election official for Pulaski County, she feels that he would be able to instruct the commissioners on the tabulation process. Commissioner Stahr suggested that Mr. Clemmer be appointed

as an election official. Commissioner Price requested clarification as to whether that would be possible. Mr. Fogleman stated that he has not had the opportunity to research this matter. It was determined that Mr. Clemmer can not be appointed as an election official for Pulaski County because he is not a resident of this county. Commissioner Stahr and Chair Gomez removed their masks because the members of the public were having a difficult time hearing them.

Commissioner Stahr requested clarification from Director Poe regarding the utilization of an election official from another county in the event of a runoff. Director Poe's response was that they could be utilized for administrative purposes. Chair Gomez clarified that she was seeking the assistance of Mr. Clemmer for the night of November 13, 2020. After some discussion, Commissioner Stahr moved to accept the assistance of Jamie Clemmer. Commissioner Price suggested the motion be amended to have Mr. Clemmer to serve as an expert consultant. Commissioner Stahr moved to have Jamie Clemmer from Saline County to act as an expert consultant on election matters as a commissioner; seconded by Commissioner Price. Motion passed by voice vote. Chair Gomez sent a notification to Mr. Clemmer requesting his assistance as an expert consultant on election matters. Mr. Clemmer arrived at the meeting at 6:00 p.m.

#### *Provisional Ballot Hearing for the November 3, 2020 General Election*

The commissioners reviewed the provisional ballots presented at the provisional ballot hearing. It was determined that the following ballots would be counted: Betty Ann Henry, Rita Ritchie, Les McSwain, and Dygaryen Brown. It was determined that the following ballots would not be counted because they were not registered voters: Kristen Powell, Aundra Boeckman, and Casey McClara.

Meeting recessed at 7:10 p.m.

Meeting resumed at 7:39 p.m.

There were 30 Uniformed Overseas Citizens Absentee Voting Act (UOCAVA) ballots received. During the recess, the UOCAVA ballots, 115 remake ballots, and some provisional ballots were tabulated. Director Poe provided an update regarding the 327 mislabeled ballots that were counted by mistake. Of the 327 mislabeled ballots, 32 affected House District 32 and 37 affected House District 38. There were four poll workers that compared the list of voters during the tabulation process to the list of disqualified absentee voters to determine the number of votes cast that affected House Districts 32 and 38.

The commissioners reviewed five provisional ballots that the clerk's office was not able to decide about. Of these ballots it was determined that two of the provisional ballots will be counted and three of them will not be counted.

On November 12, 2020, there were 229 provisional ballots with question marks on the spreadsheet. The clerk's office reviewed these and determined that 166 ballots should be counted. Commissioner Price moved to accept 168 provisional ballots based upon the clerk's recommendation, reject 46 provisional ballots based upon the clerk's recommendation, accept four from the provisional ballot hearing for the November 3, 2020 General Election; seconded by Commissioner Stahr. Motion passed by voice vote.

Meeting recessed at 9:03 p.m.

Meeting resumed at 9:33 p.m.

The commissioners with the assistance of Mrs. Dickens pulled 132 ballots that were approved by the commissioners on November 12, 2020 to be counted from boxes that were labeled not to be counted. The commissioners reviewed these ballots with the Mr. Kennedy during the meeting held on November 12, 2020.

*Approval of Polling Location Order for the December 1, 2020 Annual School/General Election Runoff*

Commissioner Stahr moved to approve the polling location order for the December 1, 2020 Annual School/General Election Runoff; seconded by Commissioner Price. Motion passed by voice vote.

*Certification of Ballot Styles for the December 1, 2020 Annual School/General Election Runoff*

Commissioner Stahr moved to certify the ballot styles for the December 1, 2020 Annual School/General Election Runoff; seconded by Commissioner Price. Motion passed by voice vote.

*Certification of Election Officials for the December 1, 2020 Annual School/General Election Runoff*

Commissioner Stahr moved to certify the election officials for the December 1, 2020 General Election Runoff; seconded by Commissioner Price. Motion passed by voice vote. This does include the restriction of duties for Assistant Director Camp and the decertified poll worker. Assistant Director Camp is not allowed to handle open ballots for the remainder of the 2020 elections.

*Approval of Notice of Election for the December 1, 2020 Annual School/General Election Runoff*

Commissioner Stahr moved to approve the notice of election for the December 1, 2020 Annual School/General Election Runoff; seconded by Commissioner Price. Motion passed by voice vote.

*Amendment to the Provisional Ballot Count for the November 3, 2020 General Election*

Commissioner Stahr moved to amend the number of provisional ballots to be counted to include one additional ballot; seconded by Commissioner Price. Motion passed by voice vote.

Meeting recessed at 2:35 a.m. on November 14, 2020 to switch rooms for tabulation.

Meeting resumed at 2:39 a.m. on November 14, 2020 on Facebook. The tabulation process was live streamed on Facebook. There were two ballots that needed to be remade. These were remade by the commissioners with the assistance of Mrs. Dickens.

Meeting recessed at 3:00 a.m. on November 14, 2020 for Mrs. Dickens to upload the data from the thumb drive.

Meeting resumed at 3:34 a.m. on November 14, 2020.

*Uploading Results of the November 3, 2020 General Election*

During the tabulation process, an unsealed box containing irregular absentee ballots that the commissioners gave to Director Poe on November 3, 2020 to review with the clerk's office was found. Director Poe was supposed to provide follow up information to the commissioners at the next meeting for their review. There were also 3 or 4 irregular absentee ballots in an unsealed envelope under the box that were marked as irregular that needed to be reviewed by the commissioners. The box was in the server room/tabulation room. The commissioners expressed their dissatisfaction at these ballots being kept in that room and that Director Poe failed to complete the requested task. Commissioner Stahr moved to have an election monitor assigned to the runoff election starting with early voting through the duration of the election; seconded by Commissioner Price. Motion passed by voice vote.

Chair Gomez and Commissioner Stahr expressed their distrust in Director Poe to perform his job. The commissioners reviewed the irregular absentee ballots. During the process of reviewing the ballots it was discovered that Director Poe had wrote

information on a copy of one of the absentee ballot applications. After reviewing the irregular absentee ballots, the commissioners determined that 12 of the ballots should be counted, 25 should be rejected and nine should be sent to the clerk's office for further review. The commissioners verified that the 12 ballots that were approved were not on the provisional ballot list. Commissioner Price moved to approve 12 absentee ballots, reject 25 absentee ballots that are missing various pieces of information and to send nine absentee ballots to the clerk's office for further review; seconded by Commissioner Stahr. Motion passed by voice vote.

### **Other Business**

#### *Schedule of Upcoming Meetings*

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 5:11 a.m., November 14, 2020