



**Pulaski County Election Commission  
Meeting Minutes  
November 16, 2018  
5:00 p.m.**

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Members Present

Pat Hays  
Leonard A. Boyle, Sr.  
Jason R. Davis

Staff Present

Bryan Poe  
Betty Green  
Shawn Camp  
Amanda Dickens

Visitors Present: Jason Kennedy, Circuit Clerk's Office; Barry Haas; Alex Gladden, Arkansas Democrat Gazette; Antwan Phillips, Attorney with Wright, Lindsey & Jennings LLP; Kendra Pruitt, representative for Frank Scott Jr.; Adam Fogleman, County Attorney; Amber Caffey; Judy Phillips; Valerie Jacobs; Austin Anderson; Turanza Goodwin; Oliver Thomas Jr.

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The meeting was called to order at 5:00 p.m. by Chair Pat Hays. A quorum was present, with all commissioners in attendance.

*Approval of Meeting Minutes*

Commissioner Boyle moved to accept the minutes with corrections; seconded by Commissioner Davis. Motion passed by voice vote.

**Business**

*Provisional Ballot Hearing for November 6, 2018 General Election*

The record for Michael Danaby was intermingled with Michael Donaby in Saline County, this has been corrected in the Clerk's office and his ballot will be counted. There were also three additional voters whose ballots were counted due to other counties transferring Pulaski County voters by mistake. There was a total of 1,063 provisional ballots of which 295 were determined eligible to be counted and 768 were determined to be ineligible.

After speaking with County Attorney Adam Fogleman regarding the signature by proxy ballot for Donald Scott Davidson, Mr. Fogleman's recommendation was that the ballot not be counted because there are no provisions for a voter not making a mark on the ballot in some way. Mr. Davidson's wife is the person who filled out the ballot for him due to an illness that prevents his ability to write, for this reason Commissioner Davis moved the ballot for Mr. Davidson be counted; seconded by Commissioner Boyle. Motion passed by voice vote.

After speaking with County Attorney Adam Fogleman and Daniel Schultz, State Board of Election Commissioners Attorney regarding the 38 unsigned provisional ballots. Mr. Schultz's recommendation is that the ballots that were made provisional due to failure to present ID but signed the optional verification of ID could be counted. The ballot for Raymond Zapalac met this criterion and should be counted.

Director Poe received notification from the clerk's office that Fantasy Mason was given a provisional ballot by the election official when it was not necessary. Commissioner Boyle moved for the acceptance of Ms. Mason's ballot; seconded by Commissioner Davis. Motion passed by voice vote.

Amber Caffey was in attendance because she voted a provisional ballot and wanted to know whether her ballot was counted. Director Poe informed Ms. Caffey that her ballot was counted.

Judy Phillips was in attendance because she voted a provisional ballot, she was marked incorrectly as an early voter. After the clerk's office researched this matter, it was determined that her ballot should be counted. Commissioner Boyle moved for the acceptance of Mrs. Phillips ballot; seconded by Commissioner Davis. Motion passed by voice vote.

Valerie Jacobs was in attendance because she voted a provisional ballot, due to no verification of voter registration. After researching this matter, Director Poe determined that Ms. Jacobs vote should be counted. Commissioner Boyle moved for the acceptance of Ms. Jacobs ballot; seconded by Commissioner Davis. Motion passed by voice vote.

Austin Anderson was in attendance because he voted a provisional ballot, due to his name missing from the poll book. Director Poe informed him that his vote was counted.

Turanza Goodwin was in attendance because he voted a provisional ballot, due to voter registration. Director Poe informed him that his vote will not be counted because he registered after the deadline, but he will be allowed to vote in the run-off election.

Barry Haas was in attendance because he voted a provisional ballot because he refused to show a photo ID. Mr. Haas also refused to sign the optional verification form. He was informed by the Commissioners that his vote will not be counted due to his refusal to sign the optional verification form or to show a photo ID.

Oliver Thomas Jr. was in attendance because he voted a provisional ballot, due to unregistered voter status. Mr. Thomas was told that his vote would not be counted because his voter registration had not been reestablished after a felony conviction.

Meeting recessed at 5:30 p.m.

Meeting resumed at 5:40 p.m.

The commission determined that 299 provisional ballots were eligible to be counted and 764 ballots were ineligible. Commissioner Boyle moved for the acceptance of the provisional and absentee ballots as presented by Director Poe; seconded by Commissioner Davis. Motion passed by voice vote.

Commissioner Davis moved for certification of the unopposed candidates; seconded by Commissioner Boyle. Motion passed by voice vote.

Meeting recessed at 5:44 p.m.

Meeting resumed at 6:10 p.m.

Commissioner Boyle moved for the approval of the results abstract of ballots cast in the November 6, 2018 General Election; seconded by Commissioner Davis. Motion passed by voice vote.

Commissioner Davis moved for the certification of the Pulaski County Special School District 2018 Annual School election results; seconded by Commissioner Boyle. Motion passed by voice vote.

Commissioner Davis moved for the certification of the North Little Rock School District 2018 Annual School election results; seconded by Commissioner Boyle. Motion passed by voice vote.

Commissioner Davis moved for the certification of the Little Rock School District 2018 Annual School election results; seconded by Commissioner Boyle. Motion passed by voice vote.

Commissioner Boyle moved for the approval of signature stamps for the commissioners; seconded by Commissioner Davis. Motion passed by voice vote.

*General Election Runoff to be held December 4, 2018*

There are three polling locations that will not be able to available as a polling location for December 4, 2018. Therefore, we are having to temporarily move those three precincts.

Commissioner Davis moved for the approval to temporarily move Precinct 69, First Baptist Church of Little Rock to Precinct 67, Temple B'nai Israel; seconded by Commissioner Boyle. Motion passed by voice vote.

Commissioner Davis moved for the approval to temporarily move Precinct 73, Parkway Place Baptist Church to Precinct 60 Highland Valley United Methodist Church; seconded by Commissioner Boyle. Motion passed by voice vote.

Commissioner Davis moved for the approval to temporarily move Precinct 74, Agape Church to Precinct 71, Pulaski Academy; seconded by Commissioner Boyle. Motion passed by voice vote.

Commissioner Davis moved for the approval to temporarily move Precinct 76, Parkway Place Baptist Church to Precinct 75/77 Immanuel Baptist Church; seconded by Commissioner Boyle. Motion passed by voice vote.

Commissioner Davis moved for the approval of the polling locations for the General Election Run-off to be held on December 4, 2018; seconded by Commissioner Boyle. Motion passed by voice vote.

Commissioner Davis moved for the certification of ballot styles for the General Election Run-off to be held on December 4, 2018; seconded by Commissioner Boyle. Motion passed by voice vote.

Antwan Phillips, Attorney with Wright, Lindsey and Jennings LLP addressed the Commissioner's regarding changing the time that the off-site early voting locations. Mr. Phillips would like for the off-site early voting locations to be open until 6:00 p.m. instead of 5:00 p.m., citing A.C.A § 7-5-418. County Attorney Adam Fogleman stated that we should strictly follow the language of the statute A.C.A. § 7-5-418 (2) regarding being open during the hours that the clerk's office is open. Commissioner Boyle moved to continue to follow the statute as written, the polling locations will close at 5:00 p.m.; seconded by Chair Hays. Motion passed with a majority vote; Commissioner Davis voted against this motion.

Commissioner Boyle moved for the approval of the notice of election as printed; seconded by Commissioner Davis. Motion passed by voice vote.

Commissioner Davis moved for the certification of election officials; seconded by Commissioner Boyle. Motion passed by voice vote.

Commissioner Davis moved for the approval of the letter regarding the incident at Henderson United Methodist Church on November 6, 2018; seconded by Commissioner Boyle. Motion passed by voice vote.

### **Other Business**

#### *Schedule of Upcoming Meetings*

November 21, 2018 at 4:00 p.m. for the certification of Logic and Accuracy testing results for the December 4, 2018 General Election Runoff.

December 4, 2018 at 8:30 p.m. for the certification of the unofficial election results for the General Election Runoff.

December 14, 2018 at 5:00 p.m. for the provisional ballot hearing.

Commissioner Davis moved for the adjournment of the meeting; seconded by Commissioner Boyle. Motion passed by voice vote.

Meeting adjourned at 6:48 p.m.