

**PULASKI COUNTY ELECTION COMMISSION
BOARD MEETING
MARCH 11, 2010
4:00 P.M.**

COMMISSIONERS PRESENT

Kent Walker, Chairman
Ozell Snider, Commissioner
Phil Wyrick, Commissioner

STAFF PRESENT

Melinda Allen
Tonya Washington
Bryan Poe

VISITORS: Tim Bryant, Amanda Dickens, Bobbi Cox County Clerk's Office

The meeting was called to order by Chairman Kent Walker. A quorum was determined; all commissioners present.

BALLOT POSITION DRAWING

Chairman Walker explained the procedures for ballot drawing. The lower the number draw would represent the highest position on the ballot and the higher the number drawn would represent the lower position on the ballot.

Please see the attached ballot position drawings for the May 18, 2010 Preferential Primary/Nonpartisan Judicial Election in Pulaski County.

OTHER BUSINESS

The City of Alexander has approached the Saline and Pulaski County Election Commission with a proclamation to conduct an election. Upon initial review, there were concerns about the language in the proclamation and procedures in how it was handled. Also contained with the proclamation is an opinion by the Pulaski County Attorney. There are some procedures noted in the opinion by Ms. Burnett that do not meet statutory requirement. She also outlines areas where she sees deficiencies. As it stands, Chairman Walker could not see where the commission could accept the proclamation as is. Commissioner Wyrick agreed with the legal advice submitted by the county attorney. Chairman Walker asked Mrs. Allen to explain the history of the election proclamation with the City of Alexander.

Mrs. Allen explained that the Election Commission had been aware of an impending election by the City of Alexander about a month ago. When time approached to begin preparing the ballots, Mrs. Allen called the mayor of Alexander, Shirley Johnson, to inquire about it. Mayor Johnson stated that she had filed a proclamation in Saline County. Mrs. Allen called Saline County and the proclamation has been filed with the circuit clerk's office when in fact it should have been filed with the county clerk. Ms. Allen called the Saline County Clerk's office and the proclamation had not been filed. At that point, Mayor Johnson stated that she was not going to include the Special Election on the Pulaski County ballots. Pulaski County voters residing in Alexander would have to vote in Pulaski County for the May Primary and, if they want to participate in the Alexander Special Election, they would have to vote at another location in Saline County.

Mayor Johnson changed her mind and decided to include the Alexander Special Election on the Pulaski County ballots for the voters who live in that part of the city. She filed new paperwork with Saline and Pulaski County. The new paperwork did not have anybody calling the election. It appeared that Saline and Pulaski County were calling the election. There was wording attached for the measure but should have been placed in the proclamation because it would need to be published. The election was supposed to be for a detachment and the city council has to present the measure in an ordinance which would be filed with the county clerk and the election commission. All of the deficiencies are spelled out in the opinion issued by the county attorney and the election commission could not accept the filing as presented. The deadline for filing a special election is Friday, March 12, 2010.

Commissioner Wyrick asked if Saline County has acted on this proclamation. Chairman Walker stated that Saline County did not accept the filing as Pulaski County has not accepted it. Mrs. Allen stated that it was not filed because it had been discovered at the Saline County Clerk's office to be deficient. Ms. Burnett has contacted Mayor Johnson and informed her that the filing would not be accepted.

Motion to decline placement on the May Primary ballot the city of Alexander election proclamation as presented made by Commissioner Wyrick; seconded by Commissioner Snider. All in favor; motion passed unanimously.

Chairman Walker requested that the county attorney's opinion along with the proposal be attached to the minutes for record.

Next meeting is Monday, March 15, 2010 to proof ballots the ballots and set up the Preferential Primary/Nonpartisan Judicial Election for May 18th.

Motion to adjourn by Commissioner Wyrick; seconded by Commissioner Snider. Meeting adjourned.