



Pulaski County Election Commission
Meeting Minutes
April 22, 2014
5:00 p.m.

Members Present

Leonard A. Boyle, Sr.
Chris Burks
Alex Reed

Staff Present

Bryan Poe
Tonya Washington

Visitors Present: Karla Burnett Hutchens, Pulaski County Attorney

The meeting was called to order by Chairman Leonard A. Boyle, Sr. A quorum was determined; all members present.

Approval of Meeting Minutes, March 13, 2014

Motion to table meeting minutes until next scheduled meeting made by Chairman Boyle. It was moved by Commissioner Reed and seconded by Commissioner Burks. All in favor; motion passed unanimously by voice vote.

Poll Worker Training Dates are as follows:

- 4/22/14 5:00 p.m. - Election Day Training
- 4/24/14 5:00 p.m. - Election Day Training
- 4/29/14 5:00 p.m. - Election Day Training
- 4/30/14 5:00 p.m. - Early Voting Training
- 5/1/14 5:00 p.m. - Early Voting Training
- 5/17/14 11:00 a.m. - Absentee Training
- 5/17/14 2:00 p.m. - Last Chance Training

Other Business

Karla Burnett Hutchens stated that several lawsuits are pending. Summary judgment responses are due on Wednesday, April 23, 2013 in the *PCEC v. SBEC* case. The ACLU of Arkansas has requested an injunction against Secretary of State Mark Martin and the State Board of Election Commissioners. The county board is not named in that case. In the case, *Kristin Hall v. Valerie Bailey*, they have filed for a stay on Friday, April 11, 2014 at the Arkansas Supreme Court requesting that the county board create special ballots. Mrs. Hutchens said she has not heard anything further on this case since Friday. In the case, *John Kelley v. Mark Martin*, Secretary of State, an appeal to the Arkansas Supreme Court has been

filed as well. The county's stance in both of these cases is that ballots can't be changed. They have been printed and mailed; ballots have been mailed back.

Mrs. Hutchens stated that the board would not have to take further action in these cases. In the *PCEC v SBEC* case, if the judge strikes down the board rules, the board would not have to take action to establish policies. In the ACLU case, if there is an injunction granted, the board would follow the order and not implement Act 595 of 2013.

Commissioner Burks requested that Mrs. Hutchens inform the board of the judge's ruling in the *PCEC v. SBEC* case as soon as the ruling is rendered. She stated that she would do that. She also noted that the requested have been made to the court cooperatively to move swiftly in order to give the case time to move to the appellate level, if necessary. If we are not successful at the circuit court level, it will be up to the commission to appeal to the Supreme Court. If we are successful, then it is up to the other side and that is out of her control.

Commissioner Burks asked if it would be necessary to state that the staff is available to provide information in regards to the cases. Mr. Poe stated that he has signed an affidavit and that if anyone calls needing information, he would provide it. Commissioner Boyle stated that he did not feel it would be necessary for the commission to allow access to information. Mr. Poe has an open door policy in place. Mrs. Hutchens also noted that attorneys have called her asking if they could approach her client and she let them know it was fine to do so. She does not see any reason why they could not. She also has made her office available in the event that Mr. Poe is called as a witness in either case. Her office is available to accompany him to court if he chooses to have them to attend. Commissioner Burks stated he asked the question because he wants Mr. Poe to testify in the ACLU case so that he can provide information on how the election process is implemented in Pulaski County.

The next scheduled meeting is Thursday, April 24, 2014 at 5:00 p.m.

Meeting adjourned.