

## MINUTES

### OF THE STATE ELECTION BOARD AT ITS MEETING

July 1, 2014

The State Election Board met in a Regular meeting at 5:00 p.m. in Room B-6 of the State Capitol Building. Advance notice of the meeting was performed by filing a written notice with the Secretary of State on December 9, 2013, at 8:55 a.m. A copy of the agenda is attached.

Meeting was called to order by **Stephen Curry**

<b>ROLL CALL:</b>	STEPHEN CURRY-	<b>Present</b>
	THOMAS MONTGOMERY-	<b>Present</b>
	DIANA SPURLOCK-	<b>Present</b>

#### BUSINESS CONDUCTED AT THE MEETING

- BUSINESS CONDUCTED:** Discussion and action regarding the minutes of the meeting held April 21, 2014. **ACTION TAKEN:** Mr. Montgomery moved that the minutes of the meeting held on April 21, 2014, be approved. Ms. Spurlock seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye; Ms. Spurlock-aye. Motion passed, 3-0.
- BUSINESS CONDUCTED:** Report by the Secretary and discussion and action regarding Certification of results of the Regular Primary Election held June 24, 2014. **ACTION TAKEN:** Mr. Montgomery moved to certify the results of the Regular Primary Election held June 24, 2014, as submitted, except for the results for District Judge, District 4, Office 1. Ms. Spurlock seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye; Ms. Spurlock-aye. Motion passed, 3-0. (Signed Certification Report attached)
- BUSINESS CONDUCTED:** Discussion and action regarding the appointment of the Secretary of the Garfield County Election Board. **ACTION TAKEN:** Mr. Montgomery moved to appoint Cheryl Patterson as the Secretary of the Garfield County Election Board. Ms. Spurlock seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye; Ms. Spurlock-aye. Motion passed, 3-0. (Nomination and resume attached)
- BUSINESS CONDUCTED:** Discussion and action regarding the existing vacancy and appointment of the alternate Republican Board member of the Custer County Election Board. The Board acknowledged the death of Reuben Leroy Livesay on March 21, 2014. **ACTION TAKEN:** Mr. Montgomery moved to appoint Jerry Schmidt as the alternate Republican Board member of the Custer County Election Board. Ms. Spurlock seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye; Ms. Spurlock-aye. Motion passed, 3-0. (Letter and nomination attached)
- BUSINESS CONDUCTED:** Discussion and action regarding the resignation of the alternate Democrat Board member of the Custer County Election Board. The Board acknowledged the resignation of Tommy Joe Jaworsky, the alternate Democrat Board member of the Custer County Election Board. **ACTION TAKEN:** None.
- BUSINESS CONDUCTED:** Discussion and action regarding the appointment of the alternate Democrat Board member of the Custer County Election Board. **ACTION TAKEN:** Ms. Spurlock moved to appoint Connie June Harris as the alternate Democrat Board

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member of the Custer County Election Board. Mr. Montgomery seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye; Ms. Spurlock-aye. Motion passed, 3-0. (Nomination attached)

7. **BUSINESS CONDUCTED:** Discussion and action regarding the resignation of the Democrat Board member of the Garfield County Election Board. The Board acknowledged the resignation of Ryan Schaller as the Democrat Board member of the Garfield County Election Board. **ACTION TAKEN:** None. (Letter from Garfield County Election Board Secretary attached)

8. **BUSINESS CONDUCTED:** Discussion and action regarding the appointment of the Democrat Board member of the Garfield County Election Board. **ACTION TAKEN:** Ms. Spurlock moved to appoint Nancy Jewell as the Democrat Board member of the Garfield County Election Board. Mr. Montgomery seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye; Ms. Spurlock-aye. Motion passed, 3-0. (Nomination attached)

9. **BUSINESS CONDUCTED:** Discussion and action regarding the resignation and appointment of the alternate Democrat Board member of the Garfield County Election Board. The Board acknowledged that Vivian Atchinson will remain as alternate Democrat Board member of the Garfield County Election Board. **ACTION TAKEN:** None. (Nomination form and explanatory e-mail communications attached)

10. **BUSINESS CONDUCTED:** Discussion and action regarding the existing vacancy of the Republican Board member of the Grant County Election Board. The Board acknowledged the existing vacancy of the Republican Board member of the Grant County Election Board. **ACTION TAKEN:** None. (Letter from Grant County Election Board Secretary attached)

11. **BUSINESS CONDUCTED:** Discussion and action regarding the appointment of the Republican Board member of the Grant County Election Board. **ACTION TAKEN:** Mr. Montgomery moved to appoint Vickey F. Wirtz as the Republican Board member of the Grant County Election Board. Ms. Spurlock seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye; Ms. Spurlock-aye. Motion passed, 3-0. (Nomination attached)

12. **BUSINESS CONDUCTED:** Discussion and action regarding the existing vacancy of the alternate Republican Board member of the Grant County Election Board. The Board acknowledged the existing vacancy of the alternate Republican Board member of the Grant County Election Board. **ACTION TAKEN:** None. (Letter from Grant County Election Board Secretary attached)

13. **BUSINESS CONDUCTED:** Discussion and action regarding the appointment of the alternate Republican Board member of the Grant County Election Board. **ACTION TAKEN:** Mr. Montgomery moved to appoint Alexandra Henry as the alternate Republican Board member of the Grant County Election Board. Ms. Spurlock seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye; Ms. Spurlock-aye. Motion passed, 3-0. (Nomination attached)

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14. **BUSINESS CONDUCTED:** Discussion and action regarding the existing vacancy and appointment of the Republican Board member of the McClain County Election Board. The Board previously, on January 10, 2014, had acknowledged the death of Gloria Jean Fuller, the Republican Board member of the McClain County Election Board. **ACTION TAKEN:** Mr. Montgomery moved to appoint Gordon Harness as the Republican Board member of the McClain County Election Board. Ms. Spurlock seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye; Ms. Spurlock-aye. Motion passed, 3-0. (Nomination attached)

15. **BUSINESS CONDUCTED:** Discussion and action regarding the appointment of the alternate Republican Board member of the McClain County Election Board. The Board previously, on January 10, 2014, had acknowledged the resignation of Chas. David Gentry, the alternate Republican Board member of the McClain County Election Board. **ACTION TAKEN:** Mr. Montgomery moved to appoint Monty Strickland as the alternate Republican Board member of the McClain County Election Board. Ms. Spurlock seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye; Ms. Spurlock-aye. Motion passed, 3-0. (Nomination and letter from McClain County Election Board Secretary attached)

16. **BUSINESS CONDUCTED:** Discussion and action regarding the appointment of the alternate Democrat Board member of the Muskogee County Election Board. The Board previously, on January 10, 2014, had acknowledged the resignation of Ivory Vann, the alternate Democrat Board member of the Muskogee County Election Board. **ACTION TAKEN:** Ms. Spurlock moved to appoint Evelyn Hibbs as the alternate Democrat Board member of the Muskogee County Election Board. Mr. Montgomery seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye; Ms. Spurlock-aye. Motion passed, 3-0. (Nomination attached)

17. **BUSINESS CONDUCTED:** Discussion and action regarding the existing vacancy and appointment of the alternate Republican Board member of the Muskogee County Election Board. The Board acknowledged the vacancy that occurred when the former alternate Republican Board member became the Republican Board member of the Muskogee County Election Board. **ACTION TAKEN:** Mr. Montgomery moved to appoint Michelle Green as the alternate Republican Board member of the Muskogee County Election Board. Ms. Spurlock seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye; Ms. Spurlock-aye. Motion passed, 3-0. (Nomination and letter from Muskogee County Election Board Secretary attached)

18. **BUSINESS CONDUCTED:** Discussion and action regarding the resignation of the Democrat Board member of the Washington County Election Board. The Board acknowledged the resignation of Vivian G. Schmidt, the Democrat Board member of the Washington County Election Board. **ACTION TAKEN:** None. (Resignation attached)

19. **BUSINESS CONDUCTED:** Discussion and action regarding the appointment of the Democrat Board member of the Washington County Election Board. **ACTION TAKEN:** Ms. Spurlock moved to appoint Harry Compton as the Democrat Board member of the Washington County Election Board. Mr. Montgomery seconded the

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motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye; Ms. Spurlock-aye. Motion passed, 3-0. (Nomination attached)

20. **BUSINESS CONDUCTED:** Discussion and action regarding the appointment of the alternate Democrat Board member of the Washington County Election Board. **ACTION TAKEN:** Ms. Spurlock moved to appoint Julayne Trimble as the alternate Democrat Board member of the Washington County Election Board. Mr. Montgomery seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye; Ms. Spurlock-aye. Motion passed, 3-0. (Nomination attached)

21. **BUSINESS CONDUCTED:** Discussion and action regarding the petition by Osage County Election Board to locate the Precinct 570203 polling place in Precinct 570201, outside the precinct boundaries. **ACTION TAKEN:** Mr. Montgomery moved to locate the Precinct 570203 polling place at the church location inside Precinct 570201, outside the precinct boundaries, as per the petition of the Osage County Election Board. Ms. Spurlock seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye; Ms. Spurlock-aye. Motion passed, 3-0. (Petition and documentation attached)

22A. **BUSINESS CONDUCTED:** Discussion and possible vote to enter Executive Session for the purpose of confidential communications between the Board and its attorney concerning the cases styled *Donald L. Deason v. State Election Board, State of Oklahoma*, Case No. 112887, in the Supreme Court of the State of Oklahoma; *Kunzweiler v. State Election Board, et al.*, Case No. CV-14-1055, in the District Court of Oklahoma County, State of Oklahoma; and *Awad, et al. v. Ziriaux, et al.*, Case No. CIV-10-1186-M, in the United States District Court for the Western District of Oklahoma; pursuant to 25 O.S. § 307-(B)-(4). **ACTION TAKEN:** Mr. Montgomery moved to enter into Executive Session for the purposes described. Ms. Spurlock seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye; Ms. Spurlock-aye. Motion passed, 3-0.

22B. **BUSINESS CONDUCTED:** Discussion in Executive Session. **ACTION TAKEN:** None.

22C. **BUSINESS CONDUCTED:** Discussion and possible vote to return to Open Session. **ACTION TAKEN:** Mr. Montgomery moved to return to Open Session. Ms. Spurlock seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye; Ms. Spurlock-aye. Motion passed, 3-0.

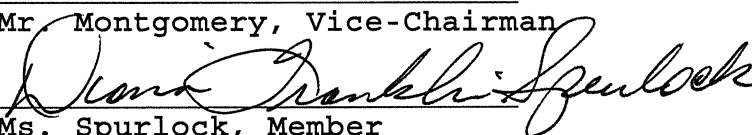
22D. **BUSINESS CONDUCTED:** Discussion in Open Session, possible action and vote, if any, on matters discussed in Executive Session. **ACTION TAKEN:** None.

23. **BUSINESS CONDUCTED:** Discussion regarding the scheduling of future meetings and selection of the items to be placed on future agendas. **ACTION TAKEN:** The next Regular meeting will be September 2, 2014, at 5:00 p.m., in Room B-6 of the State Capitol. However, the next Special meeting will be July 11, 2014, at 3:00 p.m., in Room B-6 of the State Capitol. The purpose of the Special meeting is to certify Primary election results from June 24, 2014, in the District Judge, District 4, Office 1 race.

24. BUSINESS CONDUCTED: Motion to Adjourn. ACTION TAKEN: Mr. Montgomery moved to adjourn until the next meeting. Ms. Spurlock seconded the motion. ROLL CALL VOTE: Mr. Curry-aye; Mr. Montgomery-aye; Ms. Spurlock-aye. Motion passed, 3-0.

State Election Board

  
Mr. Curry, Chairman

Mr. Montgomery, Vice-Chairman  
  
Ms. Spurlock, Member

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Mr. Gerald Buchanan, Republican Alternate

Dr. Tim Mauldin, Democrat Alternate