



Crawford County Board of Election Commissioners

Agenda – Friday, March 3, 2023, 9:00 AM

CCBEC Headquarters – 405 S Third St., Van Buren, AR

- Call to Order – Chairman Moxley
- Review February 22nd Meeting Minutes
- Public Comment
- Information Items
- Ballot Positioning Draw
- Notice of Employment
- FOIA Request – Scott Gray
- Proposed Rules for Public Comment Section
- Consultation With School Boards
- Budget Transfer Request
- Commission Website Kickoff – Matchstick Studio
- Adjourn



Crawford County Board of Election Commissioners

Meeting Minutes – Wednesday, February 22, 2023, 9:00 AM

CCBEC Headquarters – 405 S Third St., Van Buren, AR

Call to order by Chairman Moxley at 9:03 AM

In attendance:

- Chairman Moxley
 - Commissioner Boucher
 - Commissioner Williams
 - Coordinator Walker
 - Attorney Wahlmeier
 - Others (see attached)
-
- Motion to approve January 27th Meeting Minutes by Commissioner Boucher, Second by Commissioner Williams
 - In favor: All
 - Motion to approve February 15th Regional Meeting Minutes by Commissioner Williams, Second by Commissioner Boucher.
 - In favor: All
 - Coordinator Position
 - Attorney Wahlmeier inquired with Coordinator Walker about the details of his employment with the county.
 - Attorney Wahlmeier answered questions from the commissioners about the legality of using the commissions salaries – full time line item (01090100) to hire someone to fill the role of Election Coordinator after Coordinator Walker's retirement.
 - Information items:
 - SBEC Complaint: Cedarville municipal races

- Responses are due to the SBEC by Monday, February 27th.
 - Coordinator Walker said he can reproduce the ballots that were requested by SBEC.
 - Attorney Wahlmeier is confident that this issue is outside the purview of the CCBEC.
- SBEC Complaint: Chester Mayor Race
 - No update
- County Email
 - No update
- Public Comment:
 - John Riordan – River Valley City Elders
 - Mr. Riordan expressed his concerns with the electronic voting equipment in use by the CCBEC and his support for the use of hand marked hand counted paper ballots.
 - Mr. Riordan provided the commissioners with a copy of a resolution passed by the Cleburne County Quorum Court mandating the use of hand marked hand counted paper ballots in that county (see attached).
 - Mr. Riordan and the commissioners engaged in discussion about barcodes and methods for verifying that the barcodes on the ballot summary cards match voter intent.
 - Mr. Riordan and the commissioners engaged in discussion about SB 250.
- Commission Website – Matchstick Studio
 - Jill and Jordan from Matchstick Studio gave a brief presentation about their website construction and maintenance product, Modular Orange.
 - Commissioners were provided with informational cards (see attached).
 - Commissioners engaged in discussion about possible website features, effects of upcoming legislation (HB 1399), and costs associated with Modular Orange.
 - Expected costs:
 1. Website maintenance: \$95 / month
 2. Domain maintenance: \$12 / year

- Motion to schedule a kickoff meeting with Matchstick Studio Friday, March 3rd immediately following Ballot Position Draw made by Commissioner Williams, Second by Commissioner Boucher.

- In favor: All

- Motion to reschedule Ballot Position Draw to Friday, March 3rd at 9:00 AM made by Commissioner Williams, Second by Commissioner Boucher.

- In favor: All

- Motion to reschedule Logic and Accuracy Testing to Friday, April 14th at 3:00 PM made by Commissioner Williams, Second by Commissioner Boucher.

- In favor: All

- Motion to adjourn made by Commissioner Williams.

- In favor: All

There being no further business, the meeting was adjourned by Chairman Moxley at 10:21 AM.

Respectfully submitted,

John Paul Williams, Secretary, Crawford County Board of Election Commissioners



Crawford County Board of Election Commissioners

Meeting Attendance – Wednesday, February 22, 2023, 10:00 AM

CCBEC Headquarters – 405 S Third St. Van Buren, AR

Print Name	Email Address
Please include an email address to receive a copy of this meetings minutes	
P Chairman Mike Moxley	mikemoxley@hotmail.com
P Commissioner Memory Boucher MB	mboucher1204@gmail.com
P Commissioner John Paul Williams	johnpaulwilliams01@gmail.com
P Coordinator Tim Walker	twalker@crawford-county.org
P Attorney Gentry Wahlmeier	gentry@wahlmeierlaw.com
1 John Riordan	cornerstonejr@gmail.com
2 JILL & JORDAN w/ MATCHSTICK	
3	
4	NONE
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JPW

RESOLUTION NO. 2023-

**BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF _____,
STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED: A RESOLUTION
PROVIDING FOR THE REDUCTION OF VOTER FRAUD AND INCREASE IN
ELECTION INTEGRITY BY USE OF PAPER BALLOTS.**

WHEREAS, recent elections have cast doubt on or otherwise called into question the accuracy of the use of electronic voting and vote tabulation equipment; and,

WHEREAS, electronic voting and electronic vote tabulation by machines or computer programs do not appear to be fair, open, honest, or transparent to the electorate; and

WHEREAS, many voters no longer trust election results in which the votes are cast or tabulated electronically; and,

WHEREAS, manually counted paper ballots have been used for decades without voters distrusting the results; and,

WHEREAS, observers can easily observe the counting of paper ballots ensuring the accuracy of the tabulations; and

WHEREAS, early or delayed counts of absentee ballots is subject to fraudulent tabulation or manipulation;

NOW, THEREFORE BE IT RESOLVED by the duly elected Quorum Court of _____ County, Arkansas, that, pursuant to Ark. Code Ann. § 7-5-301(a)(3), all casting and counting of votes in future elections in this county shall be by paper ballots counted by hand. However, those voters with disabilities may, if they so choose, vote by a machine selected by the Secretary of State that is accessible to voters with disabilities.

BE IT FURTHER RESOLVED, that all ballots be secured and guarded by a sworn and certified law enforcement officer with a chain of custody log to be maintained with the ballots for the required preservation period and that all votes, in-person and absentee be tabulated in a manner consistent with Arkansas law.

PASSED AND APPROVED this _____ DAY of _____ (Year)

Sponsored By: (list names)

APPROVED:

COUNTY JUDGE _____

Dated: _____



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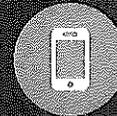


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Crawford County Board of Election Commissioners

405 S Third Street, Van Buren, AR 72956 | (479) 471-3222

Please publish the following public notice in the Press Argus-Courier on March 8th and March 15th.

Please send the invoice and proof of publication to the Crawford County Board of Election Commissioners, 405 S Third St, Van Buren, AR 72956.

Thank you,

Mike Moxley, Chairman, CCBE

This correspondence was approved by majority vote of the Crawford County Board of Election Commissioners on Friday, March 3rd, 2023.

Notice of Employment

The Crawford County Board of Election Commissioners (CCBE) is accepting applications for the position of Election Coordinator. The duties of this position include, but are not limited to, programming & preparing voting equipment, training poll workers, advising the CCBE, and managing public relations.

Please email resumes to ccecparttimeposition@gmail.com. Viable candidates will be contacted with more information about the position and an opportunity to interview.

For questions regarding this position please contact Chairman Moxley at mmoxley@crawford-county.org.

The deadline for applications to be considered is March 24th at 5:00PM.



Crawford County Board of Election Commissioners

405 S Third Street, Van Buren, AR 72956 | (479) 471-3222

March 3rd, 2023

To: Scott Gray
1031 Hickory Creek Drive
Alexander, AR 72002
(501) 454 – 7675

From: Crawford County Board of Election Commissioners

Subject: FOIA Request Dated Monday, February 27th, 2023

Mr. Gray,

We received the request for documentation that you submitted to the Crawford County Clerk on Monday, February 27th, 2023. The complete email chain is attached. Unfortunately, we must inform you that the documentation you have requested does not exist as the audit of the 2022 general election has not yet been conducted. Auditors from the State Board of Election Commissioners will be conducting the audit at 1:30 PM on Tuesday, March 7th, 2023, at the CCBEC office, 405 S Third St., Van Buren, AR. Your request is therefore denied at this time. Please resubmit your request to the State Board of Election Commissioners after the audit has been conducted.

Thank you for your understanding,

Mike Moxley

Chairman, Crawford County Board of Election Commissioners

CC: Crawford County Clerk

This response was approved by majority vote of the Crawford County Board of Election Commissioners on Friday, March 3rd, 2023.

Tim Walker <TWalker@crawford-county.org>
To: John Paul Williams <johnpaulwilliams01@gmail.com>
Cc: mike moxley <mikemoxley@hotmail.com>, Memory Boucher
<mboucher1204@gmail.com>

Mon, Feb 27, 2023 at 12:32 PM

-----Original Message-----

From: Stacey Shelly <SShelly@crawford-county.org>
Sent: Monday, February 27, 2023 12:24 PM
To: Tim Walker <TWalker@crawford-county.org>; mikemoxley@hotmail.com
Subject: FW: FOIA request

I received this email this morning and I don't believe its something I can help with. Do you have this information to pass along to this gentleman? Let me know!

-----Original Message-----

From: Scott Gray <scott@graymediacorp.com>
Sent: Monday, February 27, 2023 10:28 AM
To: Stacey Shelly <SShelly@crawford-county.org>
Cc: Robert Steinbuch <resteinbuch@gmail.com>; Alison Gray
<alison@graymediacorp.com>
Subject: FOIA request

CAUTION: This email originated outside of crawford-county.org. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Pursuant to the Arkansas Freedom of Information Act, I hereby request the following:

- 1.) All documents related to the just-completed 2022 general election audit, including, but not limited to:
 - a.) audit procedures,
 - b.) results,
 - c.) internal notes and working papers.

Please submit electronically and acknowledge receipt.

Thank you,

Scott Gray
1031 Hickory Creek Drive
Alexander, AR 72002
501-454-7675



Crawford County Board of Election Commissioners

405 S Third Street, Van Buren, AR 72956 | (479) 471-3222

Rules for Public Comment at Meetings of the CCBEC

Adopted March 3, 2023

Authority: A.C.A. § 14-14-109 (b)

“In any meeting required to be open to the public, the county quorum court, committee, board, or other entity shall adopt rules for conducting the meeting which afford citizens a reasonable opportunity to participate prior to the final decision.”

Definitions:

- CCBEC: Crawford County Board of Election Commissioners
- Qualified Elector: Any person duly registered and qualified to vote pursuant to the provisions of Arkansas Constitution, Amendment 51.

Rules:

1. There shall be a period for public comment at each meeting of the CCBEC. The period for public comment shall follow the approval of the previous meeting minutes but shall come before the conduct of any other business of the CCBEC.
2. For an individual to be recognized by the Chair to speak at a meeting of the CCBEC, the individual must:
 - a. Be an elected official or candidate for public office or,
 - b. Be a qualified elector of Crawford County and,
 - i. Be invited to speak by a member of the CCBEC or,
 - ii. Submit a request to be recognized to the Chair, via email, prior to the start of the meeting or,
 - iii. Sign their name to the provided sign-up sheet prior to the start of the meeting.

3. Speakers that are properly recognized by the Chair shall be afforded two (2) minutes to offer their remarks.
 - a. Candidates for public office, elected officials, and employees of the county or state shall be afforded five (5) minutes.
 - b. Speakers may be afforded more than the above specified time by a majority vote of the CCBEC.
4. Speakers may submit written remarks to the CCBEC in place of or in addition to speaking before the CCBEC.
 - a. Written remarks shall be included in the official minutes for the meeting.
 - b. Any written or visual aid materials provided to the CCBEC by a speaker shall constitute written remarks for the purposes of this rule.
5. Speakers shall only address the CCBEC, never the audience.
6. Speakers shall begin their remarks by identifying themselves and, if applicable, the organization they represent.
7. Speakers shall return to their seat or leave the meeting room at the conclusion of their remarks.
8. Speakers shall refrain from unduly repetitious commentary.
9. Speakers shall not employ profane or threatening language.
10. Speakers shall not engage in personal attacks against the commissioners, candidates for public office, or any other individuals.
11. Speakers shall respect both the decorum of the public meeting and the authority of the Chair as the CCBEC's presiding officer.
12. Violations of any of these rules may result in the speaker's recognition being discontinued or being removed from the meeting room, at the discretion of the Chair.
13. These rules must be adopted by unanimous vote of the CCBEC.
14. These rules may be amended by unanimous vote of the CCBEC.
15. Any of these rules may be waived by majority vote of the CCBEC on a case-by-case basis.



Crawford County Board of Election Commissioners

405 S Third Street, Van Buren, AR 72956 | (479) 471-3222

March 3rd, 2023

To: Mountainburg School District Board of Directors

From: Crawford County Board of Election Commissioners

Subject: Election by Candidate Procedures for the May 2023 Annual School Election

Directors,

We wanted to bring to your attention a change made to Arkansas law in 2021. Act 448 permits that if there is no more than one candidate for school director and no change in millage rate, as is the case for the upcoming election, you are faced with a choice. First, the election may be conducted by absentee ballot and early voting only, this is not new. The second option is to request the county board of election commissioners to declare an election by candidate to be held. This would mean that no polling places would be opened for early vote or on election day. Instead, the candidate would cast a ballot for himself or herself at a meeting of the CCBEC on election day or during the period that would otherwise be designated for early voting. This second option is a change in the law from 2021. The relevant section of the Arkansas Code is attached. We will make a member of the CCBEC available at your next meeting to answer any questions you may have regarding this election.

Thank you for your attention to this matter,

Mike Moxley

Chairman, Crawford County Board of Election Commissioners

This correspondence was approved by majority vote of the Crawford County Board of Election Commissioners on Friday, March 3rd, 2023.

A.C.A. § 6-14-102 (c) (1)

When the annual school election is not held at the same time as a preferential primary or general election, if no more than one (1) candidate for a school district director position presents a petition or notice as required by § 6-14-111 and if there are no other ballot issues to be submitted to school district electors for consideration, with the exception of the local tax rate if that rate is not being changed or restructured, the board of directors of a school district, by resolution, may request the county board of election commissioners to:

- A. Reduce the number of polling places;
- B. Open no polling places on election day so that the election can be conducted by absentee ballot and early voting only; or
- C.
 - i. Declare an election by candidate to be held;
 - ii. Open no polling places; and
 - iii. Allow the candidate to cast a ballot for himself or herself at a designated time and location on election day or during the period that would otherwise be designated for early voting.

Election by Candidate Resolution

WHEREAS no more than one (1) candidate for the _____ School District Board of Directors has presented a petition or notice in writing to the Crawford County Clerk as required by A.C.A. §6-14-111 for the Annual School Election to be held on May 9th, 2023, and,

WHEREAS this board is presenting no change in the school district's millage rate or other ballot issues to be submitted to the district electors for consideration,

BE IT THEREFORE RESOLVED that the _____ School District Board of Directors requests the Crawford County Board of Election Commissioners to declare an election by candidate to be held, open no polling places, and allow the lone candidate to cast a ballot for himself or herself at a designated time and location on election day or during the period that would otherwise be designated for early voting.

Early & Absentee Resolution

WHEREAS no more than one (1) candidate for the _____ School District Board of Directors has presented a petition or notice in writing to the Crawford County Clerk as required by A.C.A. §6-14-111 for the Annual School Election to be held on May 9th, 2023, and,

WHEREAS this board is presenting no change in the school district's millage rate or other ballot issues to be submitted to the district electors for consideration,

BE IT THEREFORE RESOLVED that the _____ School District Board of Directors requests the Crawford County Board of Election Commissioners open no polling places on the date of the election so that the election can be conducted by absentee ballot and early voting only.



Crawford County Board of Election Commissioners

405 S Third Street, Van Buren, AR 72956 | (479) 471-3222

March 3, 2023

To: Crawford County Quorum Court

From: Crawford County Board of Election Commissioners

Subject: Budget Request for the March 13, 2023, meeting.

We respectfully request that the following funds be transferred in the County Election Commission Budget.

Amount: \$6500.00

Transfer from 1000-0109-4003: Improvements (Other Than Building)

Amount: \$6500.00

Transfer to 1000-0109-3009: Other Professional Services

Thank you for your attention to this matter,

Mike Moxley

Chairman, Crawford County Board of Election Commissioners

CC: Crawford County Clerk

This correspondence was approved by majority vote of the Crawford County Board of Election Commissioners on Friday, March 3rd, 2023.