

MINUTES

OF THE STATE ELECTION BOARD AT ITS MEETING

September 6, 2022

The State Election Board met in a **Special** meeting on **Tuesday, September 6, 2022, at 3:30 P.M.** at the State Capitol Building, State Election Board, **Room G28**, 2300 N. Lincoln Blvd, Oklahoma City, OK 73105. Advance notice of the meeting was performed by filing a written notice with the Secretary of State on August 31, 2022, at 1:40 P.M.

Meeting was called to order by **Chairman Montgomery**

ROLL CALL: THOMAS MONTGOMERY-Present
TIM MAULDIN-Absent
HEATHER CLINE-Present
DEBI THOMPSON-Present (in for Dr. Tim Mauldin)

Also present were Secretary Paul Ziriaux, Assistant Secretary Rusty Clark, In-House Counsel Rachel Rogers, Assistant Attorney General Thomas Schneider, and Board Clerk David Dunn.

BUSINESS CONDUCTED AT THE MEETING

- BUSINESS CONDUCTED:** Discussion and possible action regarding the minutes of the Regular meeting held on August 30, 2022. **ACTION TAKEN:** Ms. Cline moved that the minutes of the meeting held on August 30, 2022, be tabled. Ms. Thompson seconded the motion. **ROLL CALL VOTE:** Mr. Montgomery-aye; Ms. Thompson-aye; Ms. Cline-aye. Motion passed, 3-0.
- BUSINESS CONDUCTED:** Report by the Secretary, discussion, and possible action regarding the certification of the results for the State Representative District 34 Republican Runoff Primary held on August 23, 2022. **ACTION TAKEN:** Ms. Cline moved to certify the results for the State Representative District 34 Republican Runoff Primary held on August 23, 2022. Ms. Thompson seconded the motion. **ROLL CALL VOTE:** Mr. Montgomery-aye; Ms. Thompson-aye; Ms. Cline-aye. Motion passed, 3-0. (Signed Official Certification Report attached)
- BUSINESS CONDUCTED:** Discussion and possible action regarding the resignation of Wanda Arnold, the Secretary of the Canadian County Election Board, effective November 30, 2022. **ACTION TAKEN:** Ms. Cline moved to acknowledge the resignation of Wanda Arnold, the Secretary of the Canadian County Election Board, effective November 30, 2022. Ms. Thompson seconded the motion. **ROLL CALL VOTE:** Mr. Montgomery-aye; Ms. Thompson-aye; Ms. Cline-aye. Motion passed, 3-0. (Resignation attached)
- BUSINESS CONDUCTED:** Discussion and possible action regarding the resignation of Courtney Menefee, the Secretary of the Cimarron County Election Board, effective September 15, 2022. **ACTION TAKEN:** Ms. Cline moved to acknowledge the resignation of Courtney Menefee, the Secretary of the Cimarron County Election Board, effective September 15, 2022. Ms. Thompson seconded the motion. **ROLL CALL VOTE:** Mr. Montgomery-aye; Ms. Thompson-aye; Ms. Cline-aye. Motion passed, 3-0. (Resignation attached)
- BUSINESS CONDUCTED:** Discussion and possible action regarding the appointment of Candice Baird, as the Secretary of the Cimarron County Election Board, effective September 16, 2022. **ACTION TAKEN:** Ms. Cline moved to appoint Candice Baird, as the Secretary of the Cimarron County Election Board, effective September 16, 2022. Ms. Thompson seconded the motion. **ROLL CALL VOTE:** Mr. Montgomery-aye; Ms. Thompson-aye; Ms. Cline-aye. Motion passed, 3-0. (Nomination attached)
- BUSINESS CONDUCTED:** Discussion and possible action regarding the resignation of Denise Graham, the Democrat Board member of the Atoka County Election Board. **ACTION TAKEN:** Ms. Thompson moved to acknowledge

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the resignation of Denise Graham, the Democrat Board member of the Atoka County Election Board. Ms. Cline seconded the motion. **ROLL CALL VOTE:** Mr. Montgomery-aye; Ms. Thompson-aye; Ms. Cline-aye. Motion passed, 3-0. (Resignation attached)

7. **BUSINESS CONDUCTED:** Discussion and possible action regarding the resignation of David Ray, the alternate Democrat Board member of the Atoka County Election Board. **ACTION TAKEN:** Ms. Thompson moved to acknowledge the resignation of David Ray, the alternate Democrat Board member of the Atoka County Election Board. Ms. Cline seconded the motion. **ROLL CALL VOTE:** Mr. Montgomery-aye; Ms. Thompson-aye; Ms. Cline-aye. Motion passed, 3-0. (Resignation attached)

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

9. **BUSINESS CONDUCTED:** Discussion and possible action regarding the appointment of Hugh W. Graham as the alternate Democrat Board member of the Atoka County Election Board. **ACTION TAKEN:** Ms. Thompson moved to appoint Hugh W. Graham as the alternate Democrat Board member of the Atoka County Election Board. Ms. Cline seconded the motion. **ROLL CALL VOTE:** Mr. Montgomery-aye; Ms. Thompson-aye; Ms. Cline-aye. Motion passed, 3-0. (Nomination attached)

10. **BUSINESS CONDUCTED:** Discussion and possible action regarding the appointment of Betsy Baker as the alternate Democrat Board member of the Woodward County Election Board. **ACTION TAKEN:** Ms. Thompson moved to appoint Betsy Baker as the alternate Democrat Board member of the Woodward County Election Board. Ms. Cline seconded the motion. **ROLL CALL VOTE:** Mr. Montgomery-aye; Ms. Thompson-aye; Ms. Cline-aye. Motion passed, 3-0. (Nomination attached)

11. **BUSINESS CONDUCTED:** Possible Executive Session, pursuant to 25 O.S. § 307(B)(4), with the advice of legal counsel, for the purpose of confidential communications between the State Election Board and its attorney concerning the following pending litigation:

- *Nichols et al. v. Ziriaux, et al.*, Case No. MA-120646, in the Supreme Court of the State of Oklahoma
- *Ratley et al. v. Ziriaux, et al.*, Case No. 0-120659, in the Supreme Court of the State of Oklahoma
- *Jones v. Stitt, et al.*, Case No. 22-6094, in the U.S. Court of Appeals, Tenth Circuit
 - i. Vote to enter Executive Session;
 - ii. Discussion in Executive Session concerning the above-captioned matter;
 - iii. Vote to exit Executive Session; and
 - iv. Possible action or vote concerning the above-captioned matter.

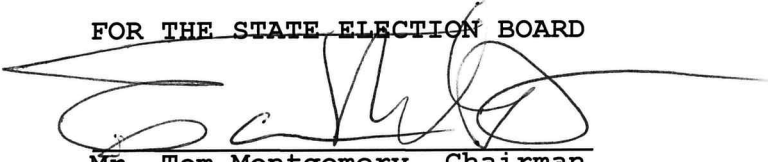
11(i.) **BUSINESS CONDUCTED:** Counsel Schneider reported that it would be appropriate to enter Executive Session. Vote to enter Executive Session. **ACTION TAKEN:** Ms. Cline moved to enter Executive Session. Ms. Thompson seconded the motion. **ROLL CALL VOTE:** Mr. Montgomery-aye; Ms. Thompson-aye; Ms. Cline-aye. Motion passed, 3-0.

11(iii.) **BUSINESS CONDUCTED:** Vote to exit Executive Session. **ACTION TAKEN:** Ms. Cline moved to exit Executive Session. Ms. Thompson seconded the motion. **ROLL CALL VOTE:** Mr. Montgomery-aye; Ms. Thompson-aye; Ms. Cline-aye. Motion passed, 3-0. **ACTION TAKEN:** None. Counsel Schneider reported that during Executive Session no matters were discussed other than what was listed on the Agenda and no actions were taken.

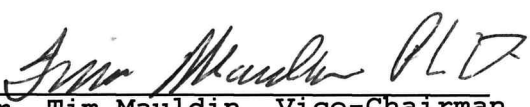
12. **BUSINESS CONDUCTED:** Discussion regarding the scheduling of future meetings and requests for items to be placed on future agendas. **DISCUSSION:** The Board may need to hold a Special meeting (or meetings) prior to the General Election to make appointments to fill any County Election Board vacancies. If needed, Mr. Dunn will be in contact with Board members regarding possible dates.

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

FOR THE STATE ELECTION BOARD



Mr. Tom Montgomery, Chairman



Dr. Tim Mauldin, Vice-Chairman

Ms. Heather Cline, Member



Mr. Gerald Buchanan, Republican Alternate

Ms. Debra Thompson, Democrat Alternate