

MINUTES

OF THE STATE ELECTION BOARD AT ITS MEETING

September 4, 2012

The State Election Board met in a Special 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 January 11, 2012, at 4:02 p.m. A copy of the agenda is attached.

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

ROLL CALL: STEPHEN CURRY- **Present**
THOMAS MONTGOMERY- **Present**

BUSINESS CONDUCTED AT THE MEETING

- BUSINESS CONDUCTED:** Discussion and action regarding the minutes of the meeting held July 3, 2012. **ACTION TAKEN:** Mr. Montgomery moved that the minutes of the meeting held on July 3, 2012, be approved. Mr. Curry seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye. Motion passed, 2-0.
- BUSINESS CONDUCTED:** Discussion and action regarding the Certification of results of the Run-Off Primary Election held August 28, 2012. **ACTION TAKEN:** Mr. Montgomery moved that the Board certify the results of the Run-Off Primary Election held August 28, 2012 as submitted. Mr. Curry seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye. Motion passed, 2-0. (Certification on file)
- BUSINESS CONDUCTED:** Discussion and action regarding the appointment of the alternate Republican Board member of the Noble County Election Board. **ACTION TAKEN:** Mr. Montgomery moved to appoint George R. Stirman III as the alternate Republican Board member of the Noble County Election Board. Mr. Curry seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye. Motion passed, 2-0. (Nomination attached)
- BUSINESS CONDUCTED:** Discussion and action regarding the resignation of the Republican Board member of the Osage County Election Board. **ACTION TAKEN:** The Board acknowledged the resignation of Patricia J. Benson as the Republican Board member of the Osage County Election Board. (Resignation attached)
- BUSINESS CONDUCTED:** Discussion and action regarding the appointment of the Republican Board member of the Osage County Election Board. **ACTION TAKEN:** Mr. Montgomery moved to appoint Mr. Gary Lanham as the Republican Board member of the Osage County Election Board. Mr. Curry seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye. Motion passed, 2-0. (Nomination attached)
- BUSINESS CONDUCTED:** Discussion and action regarding the appointment of the alternate Republican Board member of the Osage County Election Board. **ACTION TAKEN:** Mr. Montgomery moved to appoint Patty Benson as the alternate Republican Board member of the Osage County Election Board. Mr. Curry seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye. Motion passed, 2-0. (Nomination attached)

7. **BUSINESS CONDUCTED:** Discussion and action regarding the appointment of the alternate Democrat Board member of the Pittsburg County Election Board. **ACTION TAKEN:** Mr. Montgomery moved to appoint Carri Parks as the alternate Democrat Board member of the Pittsburg County Election Board. Mr. Curry seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye. Motion passed, 2-0. (Nomination attached)

8. **BUSINESS CONDUCTED:** Discussion and action regarding the appointment of the Republican Board member of the Washington County Election Board. **ACTION TAKEN:** Mr. Montgomery moved to appoint Debra Cook as the Republican Board member of the Washington County Election Board. Mr. Curry seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye. Motion passed, 2-0. (Nomination attached)

9. **BUSINESS CONDUCTED:** Executive session for the purpose of confidential communication between the Board and its attorney relating to pending litigation, *Rex Lawhorn, State Chairman of the Americans Elect Party of Oklahoma, et al.v. Paul Ziriaux, Secretary of the State Election Board, et al.*, Case No. MA-111026, in the Oklahoma Supreme Court, State of Oklahoma, where, with the advice of its attorney, the Board determines that disclosure will seriously impair the ability of the Board to conduct litigation, pursuant to 25 O.S. 2011, 307 (B) (4). **ACTION TAKEN:** The Board determined that disclosure of the confidential communication relating to Case No. MA-111026, would seriously impair the Board's abilities to conduct litigation, Mr. Montgomery moved that the Board go into Executive session. Mr. Curry seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye. Motion passed, 2-0.

10. **BUSINESS CONDUCTED:** Discussion of possible action relating to agenda item No.9. **ACTION TAKEN:** None.

BUSINESS CONDUCTED: Vote to return to open session. **ACTION TAKEN:** Mr. Montgomery moved to return to open session. Mr. Curry seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye. Motion passed, 2-0.

11. **BUSINESS CONDUCTED:** Discussion of future meetings. **ACTION TAKEN:** The Board will meet November 13, 2012, at 5:00 p.m.

12. **BUSINESS CONDUCTED:** Motion to Adjourn. **ACTION TAKEN:** Mr. Curry moved to adjourn until the next meeting. Mr. Montgomery seconded the motion. **ROLL CALL VOTE:** Mr. Curry-aye; Mr. Montgomery-aye. Motion passed, 2-0.

State Election Board

Mr. Curry-Chairman

Mr. Montgomery, Vice-Chairman

Member

Dr. Tim Mauldin, Democrat Alternate

Mr. Gerald Buchanan, Republican Alternate