

MICROSOFT

FAYETTE COUNTY JOINT PRIMARY ELECTION

Central Counting Station Plan

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**FAYETTE COUNTY ELECTIONS DEPARTMENT
CENTRAL COUNTING STATION PLAN-PRIMARY ELECTION**

A. PURPOSE:

Section 127.007 of the Texas Election Code requires the Central Counting Station (CCS) manager to “establish and implement a written plan for the orderly operation of the CCS.” This plan will be made available to the public on request not later than 5 p.m. on the fifth day (February 28) before the election date.

Section 127.007(b) provides that a CCS plan “must address the process for comparing the number of voters who signed the combination form with the number of votes cast for an entire election.”

B. LOCATION:

The Fayette County CCS is at Fayette County Elections Office, 275 Ellinger Road, Suite A, La Grange, Texas 78945. The CCS will convene at 1:00 pm on Tuesday, March 5, 2024.

C. CENTRAL COUNTING STATION PERSONNEL:

The following are the roles and responsibilities inside the CCS, as contained in Sections 127.002-127.006 of the Texas Election Code:

- The Elections Administrator, Terri Hefner, will serve as the CCS Manager to manage the overall administration of the station and supervision of personnel.
- The Tabulation Supervisor and the Assistant Tabulation Supervisor will operate automatic tabulating equipment.

Tabulation Supervisor, Bernice Svec
Assistant Tabulation Supervisor, Terri Hefner

- The Presiding Judges will serve to maintain order at the CCS, administer oaths, and receive ballots to be counted.

Republican Co-Judge, William Bernsen
Democrat Co-Judge, Linda McCall

Note: The Presiding Judges are entitled to compensation at the same rate as a precinct Presiding Judge, except that the CCS judge is entitled to a minimum compensation of five hours' pay regardless of the time worked. (127.005 d)

- The Election Results Manager (ERM) will manage the offline Electionware software and prepare accumulated election results for the election.

ERM Manager, Dawn Moore

- Security Personnel consisting of the Fayette County Constables from Precincts 1 and 2. The constables will observe all aspects of the CCS in progress and attend when the results are uploaded to the Texas SOS secure web portal.

Note: If these constables are on the ballot, the FC Sherriff's Office will be contacted to provide two security personnel to the CCS.

- CCS Clerks (including Receiving Board clerks and Resolution Board clerks) may be appointed as needed by the CCS Manager and the Presiding Judges as outlined in Section 127.006 of the Election Code.

Note: To be eligible to serve as a clerk, a person must be a qualified voter of the county where the CCS is located. The general custodian of election records, an employee of the custodian, or any other employee of a political subdivision is not ineligible to serve as a clerk under this section because the person is a qualified voter of a county other than the county in which the CCS is located or because of the custodian's status as a candidate or officeholder. (127.006 b)

CCS clerks will assist with the following:

1. Directing Poll Judges to the correct CCS locations when delivering ballot boxes to CCS.
2. Assisting with unloading ballot boxes
3. Storing equipment and supplies in the secured areas
4. Verifying that ballots boxes were locked and sealed
5. Unlocking ballot boxes
6. Checking the Registrar of Official Ballots for accuracy
7. Verifying ballot numbers
8. Prepping ballots for counting
9. Reviewing (and duplicating if necessary) overvotes, undervotes, write-ins, or damaged/unreadable ballots.
10. Providing staff with needed supplies and materials

A clerk appointed by the Manager serves under the Manager and shall perform the functions directed by the Manager. A clerk appointed by the Presiding Judge serves under the Presiding Judge and shall perform the operations required by the Presiding Judge. (127.006 c)

A clerk is entitled to compensation at the same rate as a precinct election clerk, except that a clerk who serves the entire time a CCS is in operation is entitled to a

minimum compensation of three hours' pay regardless of the time worked (127.006 d).

Training for CCS Election Judges and Receiving Board Manager is scheduled for Tuesday May 28, 2024 at 5:30pm at the Fayette County Elections Office, 275 Ellinger Road, La Grange Tx.

D. PROCEDURES FOR CONVENING THE CENTRAL COUNTING STATION:

Section 87.0241 of the Texas Election Code dictates when an entity is permitted to count ballots. The CCS will convene based on the size and type of election as determined by the CCS Manager and the Presiding Judges. *Note: The Early Voting Ballot Board (EVBB) will begin processing early voting mail ballots in preparation for counting on Saturday, February 24, at 10:00 a.m.*

The CCS will begin counting early voting in-person and absentee ballots by mail on Tuesday, May 28 at 2:00 p.m. The CCS will count election day ballots on Tuesday, May 28 at 7:00 p.m. The CCS will reassemble for counting provisional and late ballots by mail (if needed) on Tuesday, June 4, at 9:00 a.m. Note: Per Section 127.093 of the Texas Election Code, the second test of tabulating equipment will be conducted before beginning the process of counting early voting ballots. When counting of these ballots have been completed, the third test of tabulating equipment will be conducted.

E. ADMINISTRATION OF OATHS:

Section 127.0015 of the Texas Election Code prescribes a required oath for all CCS personnel. The administration of oaths must take place before those individuals commence any of their duties at the CCS.

This oath should be administered verbally to all members of the early voting ballot board and all personnel at the CCS before performing any duties by the board or the CCS.

For use in the Joint Primary and Runoff Election:

For use in Primary Elections, General Election for State and County Officers, Elections ordered by the Governor: "I swear (or affirm) that I will objectively work to be sure every eligible voter's vote is accepted and counted, and that only the ballots of those voters who violated the Texas Election Code will be rejected. I will make every effort to correctly reflect the voter's intent when it can be clearly determined. I will not work alone when ballots are present and will work only in the presence of a member of a political party different from my own. I will faithfully perform my duty as an officer of the election and guard the purity of the election."

F. INTAKE OF BALLOTS, ELECTRONIC EQUIPMENT AND SUPPLIES:

Sections 129.051 and 129.052 of the Texas Election Code require the general custodian of election records (the Elections Office) to develop specific procedures related to inventory control and chain of custody of voting system equipment and electronic media associated with this equipment, providing for verification of equipment identifiers, verification of seals, and verification of the chain of custody. *Note: Fayette County does not use electronic media on Election Day to capture vote counts. All media used to program the ESS ExpressVotes, DS200, DS450, and electronic pollbooks are maintained, secured, and stored at the Fayette County Elections Office.*

1. The Election Co-Judge and another person (delivery team) will bring their Optical Scan paper ballots and voter activation cards (if any) to the CCS in a locked and sealed ballot box.
2. The receiving board clerks will verify that location tags and seals on the ballot box(s), bags, and bins are the same as the seal numbers on the master seal log.
3. The receiving board clerk will unlock the Ballot Box.
4. The receiving board clerk will deliver the unlocked ballot box(s) and the delivery team to a Receiving Board Team, who will verify the information submitted on the Register of Official Ballots.
5. When the receiving board actions are complete, the ballot box will be moved to the ballot prep team, and the delivery team will be released for the night. *Note: If the numbers (voters vs. ballots issued) on the paperwork cannot be verified, the receiving board team will hold the Presiding Judge delivery team in a holding area (front lobby) until their ballots have been scanned and the numbers verified.*
6. The ballot prep team will remove the ballots from the ballot box and organize the ballots for counting.
7. The ballots will then be moved to the Tabulation Room for tabulation using the DS 450.

G. DUPLICATION OF BALLOTS:

Certain ballots counted with automatic tabulating equipment may have to be duplicated if the ballot is damaged or cannot be read with the equipment.

1. Under the supervision of the CCS Co-Presiding Judges, the CCS Resolution Board will duplicate any damaged ballots per Section 127.126 of the Texas Election Code.

H. RESOLVING VOTER INTENT:

At the direction of the CCS Co-Presiding Judges, the CCS Resolution Board will resolve any voter intent questions on the ballots as they are duplicated or manually counted, as applicable.

1. The CCS Co-Presiding Judges and CCS Resolution Board will decide on voter intent before ballot duplication.
2. The CCS Resolution Board will then create the duplicate ballot with Presiding Co-Judge's approval in the way the voter intent was deciphered.

I. ORDER OF TABULATION AND PROCEDURES

Early Voting by Ballot by Mail-Tuesday, May 28 at 2:00 p.m.

- The Presiding Judge and Alternate Judge of EVBB will confirm that seals match the Seal Log for Early Voting Ballot by Mail ballot boxes.
- After the EVBB completes its review of the ballots by mail, the ballots approved for counting will be sent to the CCS Tabulation Team for scanning using the DS450.
- Ballots by mail accepted will be counted under the tally of "Absentee."
- The EVBB Board will resolve any ballots by mail that need to be reviewed for voter intent under the direction of the EVBB Presiding Judge on Election Day.
- Results of voted ballot by mail will be maintained by the CCS Co-Presiding Judges and will not be released until 7 p.m. on election night.

Early Voting Provisional Ballots Cured before 7 pm on Election Day-Tuesday, March 5.

- The EVBB will have a list of Provisional Ballots that were "cured" in time for counting on Election Day.
Note: If there are no provisional ballots or none that were cured at this time, the EVBB can skip this step.
- The EVBB will receive a sealed Provisional Ballot Box containing "cured" ballots.
- The EVBB will examine the ballot box to ensure it has not been compromised.
- These Provisional Ballots will be reviewed for counting and, if accepted, will be counted under the tally of "Early Voting."
Note: Provisional Ballots that cannot be counted on Election Day will be allowed to continue curing until the 6th day after the election.
- The EVBB Resolution Board will resolve provisional ballots that need to be reviewed for voter intent under the direction of the EVBB Presiding Judge on Election Day.
- Results will be maintained by CCS Co-Presiding Judges only and will not be released until 7 p.m. on election night.

Early Voting In-Person-Tuesday, May 28 at 6:00 p.m.

- Early Voting in Person totals from the secured DS 200 USB drives will be read into the Electionware Results Module by the ER Manager with the CCS Co-Presiding Judges and Tabulation Supervisor present.
- Accepted early voting provisional ballot results will be scanned using the DS 450.

- The Tabulation Supervisor and the Tabulation Assistant will also scan any un-scanned optical scan ballots or voter activation cards from the secured DS200.
- The EVBB Resolution Board will resolve provisional ballots that need to be reviewed for voter intent under the direction of the EVBB Presiding Judge on Election Day.
- Results will be maintained by CCS Co-Presiding Judges only and will not be released until 7 p.m. on election night.

Posting Early Voting Results-Tuesday, May 28 at 7 p.m. *Note: No results will be released before 7 p.m. on Election Day*

- After the polls close at 7:00 p.m., the ER Manager with the approval of the CCS Presiding Co-Judges will prepare the “Absentee” and “Early Voting” Election Summary and Precinct by Precinct report.
- The CCS Co-Presiding Judges will sign the reports confirming numbers.
- At 7:00 p.m., the early voting results will be uploaded to the secure Texas SOS website.
- While results are being entered to the SOS site, the Early Voting Results will be posted on the Fayette County Elections page and the front door of the Meadows Building.
- The ERM will save the early voting results to a USB drive stored in the Tabulation Room.
- All early voting ballot ballots will be placed in a ballot box sealed by the Tabulation Supervisor and the Tabulation Assistant and stored in the secure Records Room.

Election Day in-Person Ballots–Tuesday, May 28 at 7:00 p.m.

- In Electionware, before any data from the DS 450 USB drives are loaded, a Zero Report will be printed from the Electionware software and signed by the Tabulation Supervisor and Co-Presiding Judges of Central Count.
- The Tabulation Supervisor will load the Election Day definition into the DS450.
- The Tabulation Supervisor will scan precinct ballots delivered from the 12 polling locations as they are received.
- The CCS Co-Presiding Judges will compare the number of ballots scanned against the number reported on the Register of Official Ballots for each election precinct.
- Any ballots needing to be reviewed will be resolved by the CCS resolution board clerks under the supervision of the CCS Co-Presiding Judges.
- Results of the scanned ballots will be saved onto a USB drive and loaded into the Electionware Results Module.
- The ER Manager will save the Election Day voting results to a USB drive stored in the Tabulation Room.
- The Presiding Co-Judges, Tabulation Supervisor, ER Manager, and the CCS Manager will confirm that all precinct ballots have been received and counted.

J. RECONCILIATION:

Compare the number of voters listed as having voted and the number of ballots cast as follows:

1. Early Voting in Person – Compare the number of early voting check-ins from ESS ePollbooks to the number of ballots cast.
2. Early Voting by Mail – Compare the number of ballots entered on the “Ballot Transmittal Form” from the early voting ballot board to the number of ballots counted (87.021, 87.1221).
3. Election Day – Compare the early voting check-ins from ESS ePollbooks to the number of ballots cast (127.007(b)).
4. Completing the Unofficial and Official Election Reconciliation Form (see note below)

Note: Per Texas Election Code Section 127.131(f), the Presiding Judges of the CCS shall provide and attest to a written unofficial reconciliation (see attachment A) of votes and voters at the close of tabulation for election day, and an official version after the early voting board and CCS meets for the last time to process late-arriving ballots by mail and provisional ballots using a form created and rules promulgated by the secretary of state to facilitate compliance with this subsection. Once completed, the unofficial reconciliation form will be posted on the Elections Webpage on election night. The official reconciliation form will be posted after the election results canvassed by the Commissioners Court in County Elections. Results of this joint primary election will need to be canvassed by Thursday, June 6.

K. PRINTING OF PRECINCT RETURNS AND ELECTION TOTALS:

Under Section 127.127, the Tabulation Supervisor and the Tabulation Assistants are the only ones authorized to operate the automatic tabulating equipment or handle ballots that are automatically counted. After tabulating ballots and accumulating vote totals has occurred, the CCS Co-Presiding Judges are responsible for preparing the precinct election returns. The Presiding Judges are required to sign the precinct returns to certify their accuracy.

The printed “precinct by precinct” report will be adjusted to include any hand-counted ballots (if necessary) and constitutes certified precinct returns (Section 127.127(e)), Texas Election Code.

The unofficial election results shall be released as soon as they are available after the polls close. Alternatively, the CCS Co-Presiding Judges, in cooperation with the CCS Manager may withhold the release of unofficial results until the last voter has voted (Section 121.1311, Texas Election Code).

Unofficial election results will be released by the Fayette County’s Elections Department beginning no earlier than 7:00 p.m. on Election Day. Election Day results will be released incrementally until all precincts/polling places have been received and tabulated.

After all ballots have been tabulated, the Tabulation Supervisor will conduct the 3rd and last logic and accuracy test of the CCS scanner DS 450.

L. REPORTING RESULTS TO THE SECRETARY OF STATE:

For certain elections, including primary elections, the general election for state and county officers, and constitutional amendment elections, the SOS must tabulate the unofficial results statewide (68.001, Texas Election Code). For this election, this information will be reported to the SOS through an online portal established by the SOS.

In addition to the above, election results will be released as follows:

- Posted on the Fayette County Elections Office Front Door
- Posted on the Fayette County Webpage
- In addition, per their request, released to the newspapers and radio stations by emailing, faxing, phone calls, etc.

M. POLL WATCHERS:

Poll watchers are entitled to be present when the CCS has convened for the “purpose of processing or preparing to process election results and until the election officers complete their duties at the station.” (Section 33.055, Texas Election Code).

The poll watcher must deliver both their certificate of completion of the Texas SOS Poll Watcher Training and their certificate of appointment to the appropriate CCS Co-Presiding Judge. A Co-Presiding Judge must countersign their certificate of appointment.

Poll watcher(s) can stand or sit to observe the tabulation activities. The CCS Co-Presiding Judges may dictate where the poll watcher(s) may stand or sit to prevent interference with the duties of the CCS personnel while still being able to observe all activities. Due to space constraints, there will be a maximum limit of 1 (1) poll watcher at any time in the Tabulation Room. There will be a maximum limit of four (4) poll watchers at any time in the hallway outside the Tabulation Room. The hallway observers will be rotated to provide equitable observance of CCS activities within the Tabulation Room. If more are in the hallway than the maximum number allowed due to space constraints in the Tabulation Room, they will be rotated to accommodate all present watchers.

All poll watcher(s) activities shall comply with the current Poll Watchers Guide the Secretary of State issued.

N. DELIVERY OF MATERIALS TO THE GENERAL CUSTODIAN OF ELECTION RECORDS:

After tabulating ballots both on election day and after election day, if necessary, voted ballots, voter activation cards, electronic media, election records, and election equipment

will be retained by this office, which is the general custodian of election records, through the appropriate retention period.

Attachment A:

Preliminary Election Reconciliation - Unofficial Totals

Disclaimer: These numbers are subject to change as information is verified after election day

County _____ Election Name _____
 Registered Voters _____ Election Date _____

1. Voters (from election rosters)		2. Rejected or pending ballots (pending review, pending voter action, or rejected)		3. Counted ballots (from tabulation software)	
A. In person voters		D. Provisional ballots rejected or pending		G. In person ballots counted	
B. By mail voters		E. Mail ballots rejected or pending		H. Mail ballots counted	
C. Total voters (A+B)	0	F. Total ballots rejected or pending (D+E)	0	I. Total ballots counted (G+H)	0

4. Comparison of voters and counted ballots	
J. Difference between voters and ballots (C-F-I)	0
K. Difference as percentage of voters (J+(C-F)*100)	_____ %
L. Notes:	<div style="border: 1px solid black; height: 40px;"></div>

5. Attestation		
M. "I certify that the information contained in this preliminary election reconciliation document accurately reflects the unofficial votes and voters as known to me on election night. The information will likely change based on provisional votes, mail ballots, and additional reconciliation efforts by election personnel."		
_____	_____	_____
Presiding judge signature	Print name	Date

6. Ballots that could be added to the final count			
Disclaimer: These numbers typically change as information is verified after election day			
N. Mail ballots not returned or pending voter action		O. Estimated Provisional ballots	

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