



Mitchell County Elections Central Counting Station Plan 2023 Elections



Purpose:

Section 127.007 of the Texas Election Code requires the *Manager* of the Central Counting Station “CCS” to “establish and implement a written plan for the orderly operation of the central counting station” which “must be available to the public on request not later than 5 p.m. on the fifth day before the date of the election.”

The plan 127.007 (b) “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.”

Location:

The Mitchell County Central Counting Station will be located at the Mitchell County Courthouse, 349 Oak Street – 3rd Floor, Colorado City, TX 79512. The Central Counting Station will convene between 3:00 - 4:00 p.m. on Election Day.

Central Counting Station Personnel:

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

- The County Clerk/Elections Officer will serve as the *Central Counting Station Manager* to manage the overall administration of the station and supervision of personnel.
- Deputy Clerk from County Clerk’s office will serve as the *Tabulation Supervisor* to operate automatic tabulating equipment.
- *Central Counting Station Clerks* may be appointed as needed by the *Central Counting Station Manager* and the *Presiding Judges* as outlined in Section 127.006 of the Election Code.

A clerk is entitled to compensation at the same rate as a precinct election clerk, except that a clerk who serves for the entire time a counting station is in operation is entitled to a minimum compensation of three hours pay regardless of the amount of time worked. (127.006 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 Central Counting Station will convene based on the size and type of election as determined by the *Central Counting Station Manager* and the *Presiding Judges*.

In accordance with Section 127.093 of the Texas Election Code, the second test of tabulating equipment will be conducted prior to beginning the process to count ballots.

The Early Voting Ballot Board will begin the process to count early voting mail ballots on Election Day between 3:00 - 4:00 p.m. (subject to change if needed).

The Central Counting Station will begin the process to count early voting in-person ballots on Election Day as soon as mail ballots are complete.

The Central Counting Station will begin the process to count Election Day ballots on Election Day after the polls close at 7:00 p.m.

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 prior to those individuals commencing any of their duties at the central counting station.

This oath should be administered verbally to all members of the early voting ballot board and all personnel at the central counting station prior to the performance of any duties by the board or the central counting station.

“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. I will faithfully perform my duty as an officer of the election and guard the purity of the election.”

Intake of ballots, electronic media and supplies:

Sections 129.051 and 129.052 of the Texas Election Code require the general custodian of election records to develop certain 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 chain of custody.

1. Election Judge, or their designee, brings paper ballots in sealed ballot bin, USB drives and DS200 tapes in sealed election bag to the Mitchell County Courthouse.
2. Intake personnel will verify the seals on the bags and bins are the same as the seal numbers on the seal log.
3. Intake personnel will deliver the DS200 tape and USB bag to the Tabulation Room under the supervision of the *Presiding Judges*.

Duplication of Ballots:

Section 127.126 “provides procedures that must be followed when the duplication of ballots must occur.”

Resolving Voter Intent:

“At the direction of the presiding judge, CCS clerks will resolve any voter intent questions on the ballots as they are duplicated or manually counted, as applicable.”

Tabulation Procedures:

EVBB / CCS – Tuesday Election Day

- *The Presiding Judge* and the *Tabulation Supervisor* will complete the 2nd testing of the tabulation equipment. In ElectionWare, before any data from the USB drives are loaded, a Zero Report will be printed from the ElectionWare software and signed by the *Tabulation Supervisor* and *Presiding Judge of Central Count*.
- Once verified, the EVBB will confirm ballot bin seals match the seal log for Ballots by Mail.
- After Ballot Board completes their review of the Early Voting Ballots by Mail, approved ballots will be scanned into the DS200.
- After all Early Voting Ballots by Mail have been scanned, results will be saved to a USB drive, and stored in the Tabulation Room to be read into the ElectionWare Results Module.
- Ballots by Mail will be placed in a ballot box which will be sealed by the *EVBB Presiding Judge* and stored in the Tabulation Room for 60 days.
- Early Voting USB bag will be returned to the Tabulation Room to be opened on Election Day by the *Tabulation Supervisor*.
- All USBs will be read into the ElectionWare Results Module by the *Tabulation Supervisor* with the *Presiding Judge of Central Count* present on Election Day.
- *Tabulation Supervisor* will confirm the USB drives for each site have been loaded and are all accounted for. (Early Voting Ballot by Mail and Early Voting in Person)
- On Election Day, after the polls close at 7:00 p.m., the *Tabulation Supervisor* will print the Early Voting Ballot by Mail and Early Voting in Person results to report to Secretary of State.
- *Tabulation Supervisor* will confirm the USB drives for each Election Day precinct have been loaded and are all accounted for. An unofficial result will be printed to include Early Voting Ballot by Mail, Early Voting in Person and Election Day to report to Secretary of State.

Reconciliation:

The process for comparing the number of voters listed as having voted and the number of ballots cast is done in three ways:

1. 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)
2. Early Voting in Person – Compare the number of early voting check-ins from Knowink Poll Pads, plus the spoiled ballot log, to the number of ballots cast.
3. Election Day – Compare the number of voter check-ins from the Knowink Poll Pads, plus the spoiled ballot log, to the number of ballots cast. (127.007)

Additionally, in accordance with Texas Election Code Section 127.131 (f), the *Presiding Judge* of the central counting station shall provide and attest to a written reconciliation of votes and voters at the close of tabulation for Election Day and again after the central counting station meets 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 form shall be posted on a website maintained by the county, along with election returns and results.

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. After the counting of ballots (or accumulation of vote totals) has occurred, the *Presiding Judge* of the CCS is responsible for preparing the precinct election returns. The *Presiding Judge* is 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 the certified precinct returns.

The unofficial election results shall be released as soon as available after the polls close. Alternatively, the *Presiding Judge* of the CCS, 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 via Mitchell County’s website, after ALL Election Day precincts have been reported. Election Day polls close at 7:00 p.m.

Precinct Returns 65.014, 127.131 Texas Election Code

Unofficial Results (Totals) 66.056, 127.1311 Texas Election Code

Unofficial Reconciliation Form 127.13 (f) Texas Election Code

Reporting Results to the SOS:

For certain elections, including primary elections, the general election for state and county officers, and constitutional amendment elections, the SOS is required to tabulate the unofficial results statewide. (68.001, Texas Election Code).

Poll Watchers:

Poll watchers are entitled to be present during the time 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 election.” (Section 33.055, Texas Election Code).

The poll watcher must deliver two certificates of completion of the Texas SOS Poll Watcher Training and their certificate of appointment to the *Presiding Judge* of the CCS and the *Presiding Judge* must countersign the certificate of appointment.

Poll watcher(s) are permitted to stand or sit to observe the counting activities. The *Presiding Judge* may dictate where the poll watcher(s) may stand and/or sit in order to prevent interference with the duties of the Central Counting Station personnel while still being able to observe all activities.

All activities of poll watcher(s) shall be compliant with the current *Poll Watchers Guide* issued by the Secretary of State.

Delivery of materials to the General Custodian of Election Records:

After the completion of the counting of ballots, both on Election Day and after Election Day if necessary, voted ballot cards, electronic media, election records, and election equipment will be retained by the County Clerk, the general custodian of election records, through the appropriate retention period.



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