

March 5, 2018

Re: Elections Administrator (EA)

Dear Commissioners,

I'd like to discuss with you the possibility of creating an Elections Administrator (EA) position for Clay County. According to TEC 31.031, the EA position is created by the Commissioners' Court, with the appointment being made by the "County Election Commission", a group comprised of the County Judge, County Clerk, Tax Assessor, and Party Chairs. Upon appointment, the EA becomes the county's chief elections official and voter registrar.

It is the opinion of the clerk, voter registrar and Clay County's political subdivisions/entities, that an EA is needed in order to conduct uniform, legal, seamless elections, which better serve the pollworkers, entities and voters. There are over 100 counties in Texas who currently have EA's (including Montague and Archer Counties).

Elections are time consuming, complicated, and must be conducted with great attention to detail, and complete dedication to tasks and duties, while constantly updating procedures in light of ever-changing legislation. Election laws and new technology procedures set by the State have evolved so drastically and quickly, and have become so cumbersome on officials, it's difficult to perform election duties and continue running the office to which I was elected.

This request comes from a deep desire to have elections conducted correctly, efficiently and lawfully. I strive to carry out all duties of my office to the best of my ability, in accordance with statute. However, as new legislation is written to favor counties with appointed EA's, it is not feasible to allow these duties to remain in the elected offices of County Clerk and Tax Assessor.

I know that budget constraints will not allow for the creation of a new position, so I'm proposing (though slightly reluctantly) to give up my "Deputy 2" position, which is now vacant. There would be no increase in the County's budget if that salary is transferred to an EA office. The existing elections and voter registration budget would simply be moved into that office.

Please look over the attached information and let me know if you have any questions. I have asked Wendy to add this to the next agenda for possible discussion.

Thank you,

A handwritten signature in cursive script that reads "Dasha".

Why do we need an EA?

- Elections are not the same “animal” they were ten years ago. Current election processes include new technology and legislative changes, which has increased workload, training requirements, and liability for election officials, causing over 100 counties in Texas to create a special office to handle elections and voter registration.
- The election process is arguably one of the most sacred rights in current American life. Why do we put so little emphasis on the correct and lawful execution and conduct of such an important practice?
- *Without an EA*, cities, schools and parties are forced to conduct their own elections, without proper knowledge, equipment, training, funds, etc. Election duties (for city, school and primary elections) such as reporting, early voting, absentee ballot requests, provisional ballots, pollworker training, use of ADA-required equipment, precinct consolidation, etc. are not done correctly, legally or in accordance with current law.
- *With an EA*, one person would be specially trained to conduct ALL elections for the county, cities, schools, political parties, etc. All duties would be carried out correctly and lawfully.
- *Without an EA*, elections administration and voter registration occurs in two different offices. This is often confusing to voters, and creates additional work and communication for both offices.
- *With an EA*, Voter Registration and Elections administration is combined in one office. This better serves the public and processes are streamlined to create more accurate and efficient use of county resources.
- *Without an EA*, elected officials serve as election officials- NOT the ideal situation. No other elected official is allowed by statute to even serve as a poll worker, yet the county clerk and tax assessor are forced to be deeply involved in election administration, even when they are opposed in an election.
- *With an EA*, all election administration is conducted by an appointed person, so elected officials are no longer involved in the election process.
- *Without an EA*, County Clerk serves as election official. With an abundance of other duties and conferences to attend, there is limited time and funds to devote to properly preparing for and training for elections.
- *With an EA*, election-related duties are the EA’s only responsibility, allowing the EA to become a highly-trained professional in his/her field. The EA would be dedicated to serving the voters and conducting elections in the most efficient and lawful way possible for Clay County, and the county’s political subdivisions.

Preliminary Survey was sent to each entity in Clay County to collect their thoughts and opinions in written form. The following entities returned completed surveys to the County:

- | | |
|---|---|
| 1. Republican Party Chairman, Chris Riordan (1) | 2. Democratic Party Chairman, Meta McCauley (1) |
| 3. Bellevue ISD (1) | 4. Henrietta ISD (1) |
| 5. Midway ISD (1) | 6. Petrolia CISD (2) |
| 7. City of Bellevue (1) | 8. City of Henrietta (1) |

Elections Administration Preliminary Survey SUMMARY of RESPONSES

1. Do you feel the addition of an Elections Administrator would improve the conduct of city/school and/or primary elections?

YES- 8 (All entities)

"If the right person is in place, yes, it would be an advantage for easing County and City resources."
- Chris Riordan, Rep. Party Chairman

"Better able to stay up on all new laws."- Theresa Harrison, Petrolia CISD

"Special training and the fact that an EA would be bonded and insured are the greatest reasons to add this office to the county."- Meta McCauley, Dem. Party Chairman

2. Do you feel the combination of the elections office and the voter registration office would better serve you and the voters?

YES- 7 (Henrietta ISD, Dem. Party, City of Bellevue, Midway ISD, Petrolia CISD
City of Henrietta)

"One person who is knowledgeable about the complete election process would be helpful."
- Jena Fleming, Petrolia CISD

"Better the management of all aspects of elections."- Theresa Harrison, Petrolia CISD

"One location for information would be less confusing for voters."- Robin Marshall, Midway ISD

"No doubt it would make it better to have the convenience of just dealing with one office."- Meta McCauley, Dem. Party Chair

3. Would you be interested in contracting with the county Elections Administrator to conduct your elections?

YES- 6 (Henrietta ISD, City of Bellevue, Dem. Party, Midway ISD, Petrolia CISD)
Undecided- 2 (Bellevue ISD, City of Henrietta- "depends on cost")

"It would be a relief knowing that a trained professional, that is bonded (in case of lawsuit) is taking care of the election process." - Meta McCauley, Dem. Party Chair

"Would help lessen the burden for the (school) district." - Theresa Harrison, Petrolia CISD

"That would be very helpful." - Jena Fleming, Petrolia CISD

4. Would it be possible for your city/school/party to enter into a joint contract with the county for each election, so that the EA could conduct your election (and pay an administrative fee for services)?

YES- 7 (Rep & Dem Parties, City of Bellevue, Henrietta ISD, Midway ISD, Petrolia CISD)
Undecided- 2 (Bellevue ISD, City of Henrietta- "depends on cost")

"Heard feedback from another school district that is using an EA that was positive."
- Theresa Harrison, Petrolia CISD

"As a party chair, I can tell you that it would be a very welcome position. We are always worried that we will accidentally make a mistake that will have horrible repercussions."
- Meta McCauley, Dem. Party Chair

5. Do you feel the way elections are handled now (cities/schools/parties conducting their own elections, independent from the county) serve you and the voters effectively and efficiently?

YES- 4 (Rep. Party, Bellevue ISD, Petrolia CISD)
NO- 2 (City of Bellevue, City of Henrietta)
Undecided- 3 (Henrietta ISD, Dem. Party, Midway ISD)

"Lori (Cochran) does a great job, but it gets more complicated each year." - Jeff McClure, Henrietta ISD

6. Do you and/or your staff who handles elections, regularly attend elections training and/or seminars hosted by the Secretary of State?

YES- 2 (Rep Chair- *"online only"*, City of Henrietta- *"Hosted by TML for cities"*)
NO- 7 (City of Bellevue, Henrietta ISD, Bellevue ISD, Dem. Party Midway ISD, Petrolia CISD)

Without an EA, there is *"No training provided for school elections."*- Robin Marshall, Midway ISD

7. What are your thoughts regarding the conduct of city/school/primary elections and voter registration in Clay County?

"Complex. Time consuming." – Jeff McClure, Henrietta ISD

"With the laws being changed and challenged, it would serve us to have someone that is a professional to coordinate all of the elections." - Robert E. Ratliff, City of Bellevue

"Having one person stay up on all the election and voter registration would make the process more efficient." – Theresa Harrison, Petrolia CISD

"One person would be aware of all the elections that are taking place as well as the registered voters and the precincts that affect each election." – Jena Fleming, Petrolia CISD

"I am completely thrilled with our elections and VR support in Clay County. I consider myself very lucky to be a part of such a well-groomed, willing team of individuals that really care about their work and support to the citizens of Clay County." - Chris Riordan, Rep. Party Chairman

"We could at least feel more secure that the elections were in line with the laws and rules of the state if we had an EA. We are taking chances of having lawsuits filed if one of these laws or rules are unknowingly violated. The current offices (clerk & TAC) are doing a great job, but are not bonded for some of this work." - Meta McCauley, Dem. Party Chairman

"It has been acceptable. I would have liked training for the workers that worked the polls for the school bond (election)." - Robin Marshall, Midway ISD

"Having an EA would be beneficial for all parties, but cost (administrative fee) will influence the city's decision." - Kelley Bloodworth, City Admin, City of Henrietta

8. What are your thoughts regarding the possible creation of an Elections Administration position?

"Very much in favor." - Theresa Harrison, Petrolia CISD

"I believe it would be very beneficial." - Jena Fleming, Petrolia CISD

"An EA will better serve the public and eliminate some confusion for the voters." - Kelley Bloodworth, City Admin. City of Henrietta

"I think it would be a great position that would cause less confusion for voters. One location/person to get needed information for voters and (poll) workers." - Robin Marshall, Midway ISD

"If the cost is reasonable, Henrietta ISD would be interested." - Jeff McClure, Henrietta ISD

"I can see every session, new laws, rules and statutes are issued. As the size of the program and its requirements grow, so does the need for a 'specialist' to manage such. There are many pitfalls and paths that if not avoided, could jeopardize our ability to be represented and represent our voters in elections, not to mention tarnish the great reputation of our county." - Chris Riordan, Rep. Party Chairman

"I believe it would be the smart choice. Elections are the backbone of our system of government. It would be the best way to serve the citizens in Clay County." - Meta McCauley, Dem. Party Chairman

CLAY COUNTY JOB DESCRIPTION

ELECTIONS ADMINISTRATOR

Job Summary: The Elections Administrator for Clay County serves as the Chief Elections Official and Voter Registrar for the county. The EA is responsible for managing voter registration and the proper and lawful execution of Federal, State and local elections including city, school districts, SUD's, MUD's and water districts. The EA position is appointed by the Clay County Elections Commission.

Essential Duties/Responsibilities:

- Oversees the calling of elections, preparation of ballots, provision and preparation of election equipment and supplies.
- Recruiting and training of Election Judges and clerks
- Canvasses election returns
- Maintains election records for prescribed retention period
- Ensures compliance with election and voter registration laws
- Maintains current voter registration list, furnish copies of lists as requested and required by various political subdivision, organizations, individuals, etc.; and maintains local election register
- Responsible for attending continuing education conferences and seminars current legislation concerning elections and voter registration
- Serves as Early Voting Clerk and conducts early voting for party primaries and elections authorized by federal, state and local political subdivisions
- Procurement of polling locations for Election Day and Early Voting
- Orders all equipment, election supplies and voter registration materials
- Arranges for transportation of election equipment
- Publishes legal notices and advertisements for election testing, sample ballots, polling places, etc.
- Accepts and assists Candidates and Office Holders in filing instruments under Title 15 (Political Disclosure Act) which includes providing the forms and maintaining the files of all the filed reports
- Responsible for computer tabulation equipment (software and hardware) security, programming, testing and disaster recovery
- Maintains custody of election records and regulates public inspection of records; fulfills Open Records Requests as required by law
- Maintains voter registration, precinct mapping and changes to precinct boundary lines
- Responsible for deputizing individuals whom wish to volunteer as registrars
- Responsible for Chapter 19 and HAVA election contract funds
- Responsible for Elections budget, prepares department budget and approves expenditures
- Ensures County office is open, as required by law during uniformed election dates
- Ensures implementation of the Secretary of State's policies and directives related to elections
- Development and implementation of election related legislative programs
- Administration of Open Records Act, Federal Election Commission Act and other federal laws related to elections
- Provides guidance, within the scope of the law, to local election officials, elected officials and candidates on the administration of the Texas election law, as needed
- Responsible for administration and enforcement of state and federal election/voter registration laws and providing election/voting technical assistance to local governments and the general public
- Acts as the filing agent for campaign finance and financial disclosure reports
- Responsible for research and creation of varying records, documents, reports and correspondence
- Plans and directs all office and field operations relating to voter registration, early voting ballots, poll worker recruitment and training, voter outreach, elections mapping, election systems, ballot preparation and tabulation, elections services and elections logistics

- Recommends and develops standards, policies, procedures and budgets related to functions and programs to ensure that areas of operation comply with applicable federal and state laws, regulations, codes and guidelines and with all county policies and procedures, monitors and maintains necessary records
- Works with surrounding counties who have over-lapping boundaries when conducting elections; provides voter lists as needed
- Provides over-all administration of elections for County mandated elections and by contract with political parties and other political entities and subdivisions.
- Responsible for negotiation and creation of contracts with other governmental entities for providing any combination of election services
- Serves as liaison for the County with political parties, the Secretary of State, the Texas Legislature, other County departments and the media with regard to election issues
- Assures the services delivered meet quality and timeliness standards
- Consults with and advises County department heads, officials, supervisors and employees regarding election matters
- Responds to telephone inquiries from individuals and media, with varying questions, concerns and/or complaints regarding elections and voting registration
- Answers questions regarding election returns, election procedures and legislation for Elected/Appointed Officials, election judges, candidates and the news media and the general public
- Responsible for compliance with all Justice Department regulations and submissions
- Processes, prepares and proofreads documents such as forms, letters, reports and notices
- Performs other related duties as required
- Responsible for being available and timely in office of EA
- Required to attend the annual Secretary of State's Election Law Seminar annually
- Must advise election officials and Commissioners' Court of new legislation as needed
- Must assist Commissioners Court in transitioning to and identifying new technology

Education/Knowledge Requirements:

- Graduation from high school or general equivalency diploma (GED)
- Must be a qualified voter of the State of Texas
- Must be able to post a bond set by the Commissioners' Court, not to exceed \$20,000.
- Must possess a valid Texas driver's license
- Must be able to pass criminal background check
- May not be a candidate for public office or an office of a political party, hold a public office or hold an office of or position in a political party pursuant to the Election Code
- Thorough knowledge of County, State and Federal electoral laws, regulations, policies and procedures including but not limited to the Texas Election Code
- General office practices and procedures
- General knowledge of county government organization and services
- Record keeping and filing procedures
- Perform computer processing and spreadsheet functions
- Read and understand instructions
- Analyze and interpret data
- Proper public contact and telephone etiquette
- Spell and use correct grammar
- Prioritize and schedule work to meet deadlines
- Possess strong organizational skills
- Communicate effectively orally and in writing in English with others
- Spanish speaking ability is not required but is a plus
- Work independently in the absence of specific instructions

- Establish and maintain effective working relationships with County employees, political party chairs, local entities, and general public

Physical/Environmental Requirements:

- Maintain the ability to occasionally stand, stoop, reach, walk, kneel and bend during working hours possibly for long periods at a time
- Push and pull objects
- Occasionally lift and carry up to 40 pounds
- Use of vision and depth perception
- Climbing stepstool to store/retrieve items on shelving
- Occasional travel in all types of weather conditions
- Must be able to work some long, irregular and weekend hours during election preparation, training, early voting and election days
- Must be able to handle a stress level of planning, coordinating and advising on work efforts trying to resolve operating problems

DISCLAIMER:

Job profiles are not intended, nor should they be construed to be, an exhaustive list of all responsibilities, tasks, skills, efforts, working conditions, or similar behaviors, attributes or requirements associated with a job. A job profile is not a comprehensive job description. It is intended for the sole purpose of acquainting a person who is unfamiliar with such position with a brief overview of the position's general direction and scope. This position profile is intended for internal use only.