

# NEWTON COUNTY ELECTIONS CENTRAL COUNTING STATION PLAN MARCH 5, 2024 JOINT PRIMARY



## 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.”

The plan required under this section must address the process for comparing the number of voters who signed the combination form with the number of votes cast for the entire election. The plan required under this section must be available to the public on request not later than 5 p.m. on the fifth day before the date of the election.

## LOCATION:

The Newton County Central Counting Station will be located at the Newton County Clerk’s Office, 115 Court Street, Newton, Texas 75966. The Central Counting Station will convene at 2:00 p.m. on Tuesday, March 5, 2024.

## 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 Administrator (Sandra “Kay Kay” Duckworth) will serve as the Central Counting Station Manager to manage the overall administration of the station and supervision of personnel.
- Chief Deputy Clerk/Assistant Election Administrator (Angel Clark) will serve as the Tabulation Supervisor to operate automatic tabulating equipment.
- The following personnel will serve as the Assistant Tabulation Supervisors to assist the Tabulation Supervisor: Deputy County Clerk Michelle Medley, employees of ES&S, and other qualified employees (as needed).
- The Presiding Judges will serve to maintain order at the Central Counting Station, administer oaths, and receive ballots to be counted.  
Sandra “Kay Kay” Duckworth (County Clerk/Elections Administrator) will serve as the Presiding Judge.  
Angel Clark (Chief Deputy County Clerk/Assistant Elections Administrator) will serve as the Alternate Presiding Judge.

- Central Counting Station Clerks may be appointed as needed by the Central County Station 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 in which the central counting station 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 central counting station is located or because of the custodian's status as a candidate or officeholder. (127.006b)

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 functions directed by the Presiding Judge. (127.006c)

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. (127.006d)

#### **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.

The Early Voting Ballot Board will begin the process to count early voting mail ballots on Tuesday, March 5, 2024, at 2:00 p.m.

The Central Counting Station will begin the process to count early voting in-person ballots on Tuesday, March 5, 2024, at 5:00 p.m. 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 early voting ballots.

The Central Counting Station will begin the process to count election day ballots on Tuesday, March 5, 2024, 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 of the central counting station.

For use in the March 5, 2024, election (all Other Elections that do not contain Party Affiliation):

*"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 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 Judges or their designee, bring paper ballots (in sealed ballot cans) and all supplies to the Newton County Clerk's Office.
- (2) Intake personnel will verify the seals on the ballot cans are the same as the seal numbers on the seal log.
- (3) Intake personnel will deliver to the Tabulation Supervisor the verified ballot cans to be processed under the supervision of the Presiding Judges.

#### **TABULATION PROCEDURES:**

##### **EVBB – Tuesday, March 5, 2024**

- The Presiding Judge of the Early Voting Ballot Board will confirm that seals match the Seal Log for Early Voting Ballot cans.
- After Ballot Board completes their review of the Early Voting ballots by mail, approved ballots will be delivered to the Tabulation Supervisor to process through the M450 Tabulator.
- After all Early Voting ballots by mail have been scanned, results will be saved to a USB drive and stored internally in the M450 Tabulator. The ballots by mail will be secured in a sealed and locked ballot can.
- All Early Voting ballots will be delivered to the Tabulation Supervisor to process through the M450 Tabulator. Any over-vote ballots will be handed off to the ballot/resolution board for correction. Once the corrections are made, the ballots will be rescanned through the M650 Tabulator. Results will be stored internally in the M450 as well as on a USB drive.
- Early Voting ballots are secured in a locked and sealed ballot can and secured in the locked storage room located in the back of the County Clerk's Office.

##### **ELECTION DAY – Tuesday, March 5, 2024**

- Beginning at 5:00 p.m., the Presiding Judge or Central Count, and the Tabulation Supervisor will complete the 2<sup>nd</sup> Test of the Tabulation Equipment.
- The Tabulation Supervisor and tabulation assistants will start running the Mail Out Ballots and Early Vote ballots through the M450 Tabulator and print the results for reporting at 7:00 p.m., but will in no case report or release those results before 7:00 p.m.
- After the polls close at 7:00 p.m., The Tabulation Supervisor will provide the Central Counting Station Manager with the Early Vote results to release to candidates and to report to the Texas Secretary of State's Office.

- As the Election Judges deliver their ballot cans and supplies, the Central Counting Station Clerks will receive the ballot cans and compare the seal numbers on the cans with the Seal Log. They will have the Judge's sign the master Seal Log and will be provided a receipt from the Central Count.
- The Tabulation Supervisor and Tabulation Assistant will run all election day ballots through the M450 Tabulator. A summary report will be run after each ballot can is ran and those reports will be released to the Central Counting Station Manager for reporting.

#### **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 Central Counting Station Manager will prepare the precinct election returns.

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

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 Newton County's Elections webpage, beginning no earlier than 7:00 p.m. on Election Day. Election Day results will be released incrementally as processed through acceptance and tabulation until all results are in.

#### **REPORTING RESULTS TO THE TEXAS SECRETARY OF STATE:**

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). For this election, this information will be reported to the Secretary of State through an online portal established by the Secretary of State.

#### **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 station." (Section 33.055, Texas Election Code).

The poll watcher must deliver both certificates of completion for the Texas SOS Poll Watcher Training and their certificate of appointment to the Central Counting Station Manager at the CCS and their appointment must be countersigned by the Manager.

Poll watcher(s) are permitted to stand or sit to observe the counting activities. The Central Count Station Manager 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.

**STORAGE OF ELECTION RECORDS:**

After the completion of the counting of ballots both on election day and after election day, if necessary, voted ballots, elections records and any election equipment will be retained by this office, who is the general custodian of election records, through the appropriate retention period.