



## NOLAN COUNTY ELECTIONS CENTRAL COUNTING STATION PLAN NOVEMBER 8, 2022

### A. 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.” this plan be made available to the public on request not later than 5 p.m. on the fifth day before the date of the election.

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.”

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### B. LOCATION:

The Nolan County Central Counting Station will be located at the Nolan County Clerk’s Office, 100 East 3<sup>rd</sup> Street – Suite 108, Sweetwater, TX 79556. The Central Counting Station will convene at 10:00 a.m. on Tuesday, November 8, 2022.

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### C. 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 (Sharla Keith) will serve as the Central Counting Station Manager to manage the overall administration of the station and supervision of personnel.
- Deputy Clerk (Kim Buckner) 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: Natalie Valdez, Vickie Gonzalez, 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.

Sharla Keith (County Clerk/Elections) will serve as the *Presiding Judge*.

Cindy Rodriguez (Chief Deputy Clerk) will serve as the *Alternate Presiding Judge*.

- Central Counting Station Clerks may be appointed as needed by the *Central Counting Station Manager* and the *Presiding Judges* as outlined 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. (127.006 b)

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*. (127.006 c)

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)

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**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*.

The Early Voting Ballot Board will begin the process to count early voting mail ballots on Tuesday, November 8, 2022 at 10:00 a.m.

The Central Counting Station will begin the process to count early voting in-person ballots on Tuesday, November 8, 2022 at 6:00 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, November 8, 2022 at 7:00p.m.

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**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 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.

For use in the November 8, 2022 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."*

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**F. 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 Nolan County Clerk's Office.
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*.

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## G. TABULATION PROCEDURES:

### EVBB – Tuesday, November 8, 2022

- *The Presiding Judge* of the Early Voting Ballot Board will confirm seals match the Seal Log for Early Voting USB Bags, Ballot Bins.
- Early Voting USB bag will be returned to the Tabulation Room to be opened on Election Day by the *Tabulation Supervisor*.
- 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.

### Election Day – November 8, 2022

- Beginning at 6:00 p.m., the *Presiding Judge of Central Count*, and the *Tabulation Supervisor* will complete the 2nd Testing of the Tabulation Equipment.
- The *Tabulation Supervisor* will break the seals on the Early Voting USB Bags, and Serial numbers will be checked against the Seal Log.
- 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*.
- All USBs will be read into the ElectionWare Results Module by the *Tabulation Supervisor* with the *Presiding Judge of Central Count* present.
- *Tabulation Supervisor* and *tabulation assistants* will confirm the USB drives for each site have been loaded and are all accounted for.
- On Election Day, Early Voting ballots, including ballots by mail received up to that point, will be tabulated before 7:00 p.m., but in no case will results reports be created before 7:00 p.m.
- After the polls close at 7:00 p.m., the *Tabulation Supervisor* will print the Early Voting Results.

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## H. 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 in Person – Compare the number of early voting check-ins from ES&S ePollbooks, plus the spoiled ballot log, 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 number of early voting check-ins from the ES&S ePollbooks, plus the spoiled ballot log, to the number of ballots cast. (127.007(b))

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.

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

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**J. 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 is required to 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.

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**K. 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 their both certificate 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 their 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.

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**L. 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 this office, who is the general custodian of election records, through the appropriate retention period.