

Town of Silverton

Post Office Box 250 Silverton, Colorado 81433-0250

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RESOLUTION 2012-02

A RESOLUTION DECLARING THAT THE TOWN OF SILVERTON WILL CONDUCT ITS REGULAR MUNICIPAL ELECTION ON APRIL 3, 2012, WITH SUCH ELECTION TO BE CONDUCTED BY MAIL-BALLOT.

WHEREAS, the Town desires to conduct its regular municipal election on April 3, 2012 by mail-ballot;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILVERTON, COLORADO, THAT:

- 1) The Town of Silverton will conduct its regular municipal election on April 3, 2012 by mail-ballot.
- 2) The Town Clerk/Treasurer shall act as the Town's official representative for the mail-ballot election.
- 3) The mail-ballot plan attached hereto as Exhibit A and incorporated herein by this reference is hereby approved.

RESOLVED AND PASSED THIS 23RD DAY OF JANUARY, 2012.

ATTEST:

A handwritten signature in black ink, appearing to be "Brian Carlson", written over a horizontal line.

Brian Carlson, Clerk/Treasurer
Town of Silverton, Colorado

A handwritten signature in black ink, appearing to be "Terrence M. Kerwin", written over a horizontal line.

Terrence M. Kerwin, Mayor
Town of Silverton, Colorado

EXHIBIT A

Name of person submitting plan: BRIAN CARLSON

Address: PO BOX 250, SILVERTON CO, 81433

Political Subdivision: TOWN OF SILVERTON

Email: BCARLSON@SILVERTON.CO.US

1. **Date of the election:** TUESDAY, APRIL 3, 2012
2. **Type and name of the jurisdiction(s) involved in the election** (Example: county, municipality, special district, school district, etc.): TOWN OF SILVERTON
3. **Description of the type of election to be conducted** (Example: coordinated election, recall election, special election, etc.): Regular Municipal election; three Trustee seats and Mayor, four-year terms
4. **Citation of the statute or home rule charter provisions authorizing the election:** C.R.S. 31-10-10, et seq.; C.R.S. 1-7.5-101, et seq.
5. **Estimated number of eligible electors:** 535

- Between 22 and 18 days before the election, the designated election official will mail to each active registered elector a mail ballot packet. [Section 1-7.5-107(3), C.R.S.]
- No later than 45 days prior to the election the designated election official will send a mail ballot packet to each active registered UOCAVA elector. [Section 1-8-103.5, C.R.S.]

6. **Name of the designated election official who will be responsible for all aspects of the election:** [Rule 12.4.1]
Brian Carlson, Clerk/Treasurer

7. **If the election is NOT being conducted by the County Clerk and Recorder, an indication of whether the County Clerk and Recorder will assist in the election for the entity other than by providing a list of registered electors and other information required by statute** (Please check the appropriate box): [Rule 12.4.1]

- No, the County Clerk and Recorder will not assist in the Election for the entity other than by providing a list of registered electors and other information required by statute.

8. **The address and hours of operation for all "drop-off locations."** Note: For security reasons, unmonitored freestanding drop-off locations located out-of-doors are not allowed: [Rule 12.4.1]

1 # of drop-off locations

In the space below please provide the address and hours of operation for each drop-off location (attach additional pages if necessary):

Silverton Town Hall, 1360 Greene Street, Silverton, CO 81433

Hours: M-F, 9am-5pm

Please check one of the boxes below:

- All drop-off locations and any walk-in voting locations will be located within the political subdivision.

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- At least one or all drop-off locations will be located outside of the county, municipality, or special district. Such drop-off locations are within reasonable proximity to the political subdivision or the majority of electors. The reasons for requesting permission from the Secretary of State for such drop-off locations are as follows:

9. For elections coordinated by the County Clerk and Recorder, the total number of walk-in voting locations (or service centers), and the location and hours of operation for each walk-in voting location: [Rule 12.4.1]

NOT APPLICABLE

10. Number of accessible voting machines anticipated being used for walk-in voting locations in elections coordinated by the County Clerk and Recorder: [Section 1-5-705, C.R.S.]

NOT APPLICABLE

11. Length of time accessible voting machines will be available for walk-in voting in elections coordinated by the County Clerk and Recorder: (Please include the dates and hours of operation.)

NOT APPLICABLE

12. Please complete the written timetable near the end of this form. You must provide a date or a range of dates for each occurrence listed in the left-hand column of the timetable. ATTACHED

13. Indication of how postage will be handled for ballot packets returned as undeliverable (Please read and indicate your compliance by checking the box):

- As the designated election official, I hereby affirm that ballot packets will be marked "DO NOT FORWARD. RETURN SERVICE REQUESTED," "RETURN POSTAGE GUARANTEED," or any other similar language that is in accordance with United States Postal Service regulations. [§1-7.5-107(3)(a), C.R.S.]

14. Indication of procedures to be followed to ensure compliance with statutes and rules, including persons responsible for each stage (Please read and indicate your compliance by checking each box):

- As the designated election official, I hereby affirm that I have read and understand Article 7.5 of Title 1, C.R.S. and Secretary of State Election Rule 12 and that appropriate measures and procedures will be undertaken to ensure compliance with these statutes and rules.

- If the designated election official is not the person responsible for such compliance, please check the box and indicate the person responsible:

Individual responsible for compliance:

- The designated election official will supervise the distributing, handling, counting of ballots and the survey of returns in accordance with rules promulgated by the Secretary of State and will take the necessary steps to protect the confidentiality of the ballots cast and the integrity of the election. [Section 1-7.5-105(3), C.R.S.]

- If the designated election official is not the person responsible for such compliance, please check the box and indicate the person responsible:

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Individual responsible for compliance:

- The Postmaster or local postal representative has been or will be notified of the election and provided with the design of the ballot packet to ensure that postal standards are met:
 - A ballot packet has been or will be subject to a "Tap Test" by a local postal representative to ensure that all relevant mailing information is visible through the envelope window.
 - At least one ballot packet has been or will be submitted to the local postal representative to ensure that the ballot packet has been printed correctly.
- For elections where multiple ballots will be included in the same packet or will be sent in separate packets, the ballots and return envelopes shall include distinctive markings or colors to identify political subdivisions when the colors or distinctive markings will aid in the distribution and tabulation of the ballots. [Rule 12.5.2]

Not applicable for the following reason(s) (Please check all that apply):

- This election is being conducted as an independent mail ballot election that is not coordinated with the County Clerk and Recorder.
- This election will be conducted with the use of one ballot containing all candidates and ballot issues for the coordinating jurisdictions.
- For all coordinated elections where more than one mail ballot is being mailed or polling place elections are being held as well as the mail ballot election, the outgoing envelope as well as the instructions or other notice shall have the following notice:

NOT APPLICABLE

This may not be your only ballot. Other elections may be held by other political subdivisions by mail or by polling place.

[Rule 12.5.5.]

- All deposited ballots will be counted as provided in Article 7.5 of Title 1, C.R.S. and by rules promulgated by the Secretary of State. A mail ballot will be valid and counted only if it is returned in the return envelope, the self-affirmation on the return envelope is signed and completed by the eligible elector to whom the ballot was issued, and the information on the return envelope is verified. [Section 1-7.5-107(6), C.R.S.]
- If the election official determines that an eligible elector to whom a replacement ballot has been issued has voted more than once, the first ballot returned by the elector will be considered the elector's official ballot. [Section 1-7.5-107(6), C.R.S.]

15. Description of procedures to be used to ensure ballot security at all stages of the process (Please read and indicate your compliance by checking each box):

- The ballot or ballot label will contain the following warning:

WARNING:

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Any person who, by use of force or other means, unduly influences an eligible elector to vote in any particular manner or to refrain from voting, or who falsely makes, alters, forges, or counterfeits any mail ballot before or after it has been cast, or who destroys, defaces, mutilates, or tampers with a ballot is subject, upon conviction, to imprisonment, or to a fine, or both.

[Section 1-7.5-107(3)(b), C.R.S.]

- The return envelope will have printed on it a self-affirmation substantially in the following form:

I state under penalty of perjury that I am an eligible elector; that my signature and name are as shown on this envelope; that I have not and will not cast any vote in this election except by the enclosed ballot; and that my ballot is enclosed in accord with the provisions of the "Uniform Election Code of 1992.

Date: _____ Signature of Voter: _____.

[Section 1-7.5-107(3)(b.5), C.R.S.]

- When not being processed, ballot packets will be placed in a safe, secure area under the supervision of the designated election official, election judge, or person designated by the designated election official.
- A replacement ballot may be requested if the ballot was destroyed, spoiled, lost, or not received by the elector. The elector requesting the replacement ballot must complete a sworn statement in compliance with section 1-7.5-107(3)(d)(I), C.R.S. The form may be mailed to an elector along with their mail ballot packet, however, it must be returned to the election official on or before election day. [Section 1-7.5-107(3)(d), C.R.S.]
- Ballots will not be left unattended while being processed. After processing is complete, ballots will be placed in a safe and secure area. Access to the secure area shall be determined by the County Clerk and Recorder or designated election official.

16. Description of procedures for maintaining privacy and security of accessible voting machines to be used in an election coordinated by the County Clerk and Recorder (If this section does not apply to you, please check the box marked "Not applicable and then indicate the reason(s) why this section does not apply to you):

- Not applicable for the following reason(s) (Please check all that apply):
 - This election is being conducted as an independent mail ballot election that is not coordinated with the County Clerk and Recorder.
 - This election will be conducted with the use of paper ballots; no voting machines will be involved in this election.

17. Description of procedures to be used for signature verification (Please read and indicate your compliance by checking each box. If this section does not apply to you, please check the box marked "Not applicable".): [Section 1-7.5-107.3, C.R.S.]

- Not applicable as this election is being conducted as an independent mail ballot election that is not coordinated with or conducted by the County Clerk and Recorder.

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18. Description of Procedures to be used for ballots returned by electors who have not previously voted in Colorado and have failed to include proper proof of identification: [Section 1-7.5-107(3.5)(d), C.R.S.]

- Upon receipt of a mail ballot, from an elector who has not previously voted in Colorado, which does not contain a proper form of identification as required under section 1-7.5-107(3.5)(b), C.R.S., the designated election official will, within three days after receipt of the mail ballot, but in no event later than two days after election day, send to the eligible elector a letter explaining the lack of compliance with section 1-7.5-107(3.5)(b), C.R.S.
- If the designated election official receives a copy of identification in compliance with section 1-7.5-107(3.5)(b), C.R.S. within eight days after election day, and if the mail ballot is otherwise valid, the mail ballot will be counted.

19. Description of procedures to ensure privacy by use of a secrecy sleeve or secrecy envelope so receiving judges cannot tell how the elector voted (Please read and indicate your compliance by checking the box):

- To protect the voter's privacy, a secrecy sleeve or envelope will be included in the mail ballot package. [Section 1-7.5-106(1), C.R.S.]

20. Description of procedures to be used to reconcile ballots issued, ballots received, defective ballots and substitute ballots (Please read and indicate your compliance by checking each box):

- Ballots will be date stamped upon receipt. Each day when ballots come in, a judge will count the ballots, batch them, and record the number of ballots received including those that were returned as undeliverable. [Rule 12.7.3]
- The designated election official or the County Clerk and Recorder will maintain a daily reconciliation log containing the number of ballots issued, returned, and outstanding. [Rule 12.7.2]

21. Please review the Secretary of State approved Secrecy Sleeve with Voter Instructions at the bottom of this fillable form. (Please read the following statement and indicate your compliance by checking the box):

- As the designated election official, I hereby affirm that the Secretary of State approved secrecy sleeve with voter instructions or voter instructions page as included at the end of this form will be used in the mail ballot election.
- (Check this box only if you plan to use a secrecy sleeve other than the Secretary of State approved secrecy sleeve that is included at the end of this form)*
As the designated election official, I hereby affirm that the political jurisdiction will be using the attached secrecy sleeve, which is in substantial compliance with the requirements set forth by the Secretary of State.

EXHIBIT A

**MAIL BALLOT PLAN TIMETABLE
COORDINATED OR OTHER NON-PARTISAN ELECTIONS**

**COLORADO SECRETARY OF STATE
1700 BROADWAY, SUITE 200
DENVER, COLORADO 80290
PHONE: 303-894-2200
FAX: 303-869-4861**

In accordance with Election Rule 12.4, the designated election official must prepare a written timetable for conducting the mail ballot election with specific dates or range of dates when each activity is to be completed.

Please complete the following timetable by supplying the following dates or range of dates on the right:

Date:

Date copy of written plan was submitted to the governing body [Rule 12.4.1]	JAN 23, 2012
Date of approval of election by governing body [Rule 12.4.1]	JAN 23, 2012
Date by which local jurisdictions must submit notice of election to the County Clerk and Recorder if the County Clerk will assist with the election (no later than 40 days before the election) [Section 1-5-303(1), C.R.S.; Rule 12.4.1]	N/A
Date by which local jurisdictions must submit notice of election to the county assessor, if property owners are eligible to vote in the election (no later than 40 days before the election) [Section 1-5-304(1), C.R.S.]	N/A
Date by which the County Clerk and Recorder must submit the list of eligible electors to the local jurisdiction conducting the mail ballot election. Also, for special district elections, the date by which the county assessor must submit the list of property owners who are eligible to vote in the election to the jurisdiction. (No later than 30 days before the election) [Section 1-7.5-107(2), C.R.S.]	March 5, 2012
Date of close of registration (29 days before the election) [Section 1-2-201(3), C.R.S.]	March 5, 2012
Date ballots will be mailed (no sooner than 22 days before the election and no later than 18 days before the election) [Section 1-7.5-107(3), C.R.S.]	March 12-16, 2012
Date ballots will be made available at the designated election official's office, or the office designated in the Mail Ballot Plan (no sooner than 22 days prior to the election) [Section 1-7.5-107(3), C.R.S.]	March 12, 2012
Date by which the County Clerk and Recorder must submit a supplemental list of eligible electors to the local jurisdiction conducting the mail ballot election. Also, for special district elections, the date by which the county assessor must submit a supplemental list of property owners who are eligible to vote in the election to the jurisdiction. (No later than 20 days before the election) [Section 1-7.5-107(2), C.R.S.]	March 14, 2012

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Date of publication of notice of election, including information regarding walk-in voting and accessible voting options.(no later than 20 days before the election) [Sections 1-5-705 and 1-7.5-107(2.5), C.R.S.]	March 8, 2012
Date verification and counting of ballots will begin (counting may begin 15 days before the election) [Section 1-7.5-107.5, C.R.S.]	March 19, 2012
Date of election	April 3, 2012