



## Memorandum

To: Mayor and Town Council

From: Patty McKenny, Town Clerk

Date: April 30, 2015

Subject: November Election Administration – Polling Place vs. Mail Ballot

This agenda item is scheduled to present options in conducting the upcoming November election. Historically Town of Vail elections have been conducted as polling place elections. The State of Colorado has been transitioning to mail ballot elections over the course of the last few years. In 2013 HB 13-1303 was adopted by the State Legislature requiring all county coordinated elections be conducted by mail ballot. In 2014, most statewide elections were administered in a mail ballot format except for some rural counties. There are some differences in the administration of elections outlined below which will help provide a better understanding of the election process as it relates to the differing formats.

### I. Background

Elections are governed by numerous State Statutes, including Title 1 - the Uniform Election Code, and Title 31 - the Municipal Election Code, as well as Vail's Charter and Municipal Code. County election officials follow Title 1 and municipal election officials follow Title 1 and Title 31, unless a municipality agrees to participate in a coordinated election conducted by its County Clerk and Recorder's Office. These codes address the many procedures, actions, and deadlines of the many facets of an election including but not limited to the nomination process, the conduct of Election Day, notices and preparations, and the counting and canvassing of the results.

### II. Mail Ballot Election

Legislation adopted in 2014 by the State Legislature, titled HB 14-1164, supported the mail ballot election environment for municipalities by providing provisions governing the administration of mail ballot elections. There seems to be a growing participation in the mail ballot election by many municipalities in either a stand-alone municipal election or in a coordinated election with the county. As a home rule municipality, the town may consider participating in a coordinated election this fall with Eagle County or continue administering its own election by polling place or mail ballot election.

### Election Format Differences

In an effort to better understand the impacts of the election options, there is a comparison of some components of the process by comparing deadline dates using the different election formats – mail ballot election (either coordinated or stand-alone) vs. polling place election, see attached preliminary election calendar.

- ✓ The mail ballot election begins the nomination process about 5 weeks earlier than a polling place election (first of August vs. middle of September).
- ✓ Ballots are available for voting in a mail ballot election about 10 days earlier than the polling place election.

- ✓ Election results are provided unofficially the evening of Election Day. There are different deadlines used for certifying the results with a ten day disparity between the polling place deadline (due November 10) vs. the coordinated election deadline (due November 20).

Comparisons

- Notification for coordinated election participation
  - Eagle County Coordinated Election: July 24
  - TOV Non-coordinated Mail Ballot Election: not applicable
  - TOV Polling Place Election: not applicable
- Nomination Petition Deadline
  - Eagle County Coordinated Election: August 4 – August 24
  - TOV Non-coordinated Mail Ballot Election: August 4 – August 24
  - TOV Polling Place Election: September 14 – October 2
- Ballot Certification Deadline
  - Eagle County Coordinated Election: September 4
  - TOV Non-coordinated Mail Ballot Election: not applicable
  - TOV Polling Place Election: not applicable
- Ballots Available (by mail or absentee voting)
  - Eagle County Coordinated Election: October 12
  - TOV Non-coordinated Mail Ballot Election: October 12
  - TOV Polling Place Election: October 23
- Certified Election Results
  - Eagle County Coordinated Election: November 20
  - TOV Non-coordinated Mail Ballot Election: November 10
  - TOV Polling Place Election: November 10

**Election Highlights**

The Town of Vail typically holds a polling place election opting out of the coordinated election format with Eagle County. The Eagle County Clerk’s Office has estimated between \$4,000 and \$6,000 for costs related to a coordinated election, which is dependent upon the number of other jurisdictions who participate, voter turnout, TABOR questions and required public notice publications involved. The table below shows Vail’s past two elections and related voter turnout results and costs.

<b>Election Year</b>	<b>2011</b>	<b>2013</b>
<b>Total Ballots Cast</b>	934	852
Polling Place	223	497
Mail In / Early Voting	711	355
<b>Election Costs</b>	\$5,900	\$5,500

**IV. Action Requested of Town Council**

The Town Council is asked to consider the information and determine the type of election to be administered for the November election, polling place vs. mail ballot, and if mail ballot, coordinated vs. stand alone.

Attachment - Preliminary Election Calendar Options

**TOWN OF VAIL ELECTION**  
**Tuesday, November 3, 2015**  
**PRELIMINARY Election Calendar Options**

<b>Dates</b>	<b>Eagle County Coordinated Mail Ballot Election</b>	<b>Town of Vail Non-coordinated Polling Place Election</b>	<b>Town of Vail Non-coordinated Mail Ballot Election</b>
<b>July 24, 2015</b>	100 DAYS prior: Notify County Clerk in writing of intent to participate in coordinated election. C.R.S. §§ 1-7-116(5), 1-7-106(5).		
<b>August 4</b>	91 DAYS prior: First day nomination petitions may be circulated and signed. C.R.S. § 1-4-805.		91 DAYS prior: First day nomination petitions may be circulated and signed. C.R.S. § 31-10-909(1)(a).
<b>August 5</b>		90 DAYS prior: First day applications for absentee ballots may be filed in writing. C.R.S. § 31-10-1002(1).	90 DAYS prior: First day applications for absentee ballots may be filed in writing. C.R.S. § 31-10-1002(1).
<b>August 24</b>	71 DAYS prior: Last day to file nomination petitions. C.R.S. § 1-4-805.		71 DAYS prior: Last day to file nomination petitions. C.R.S. § 31-10-909(1)(a).
<b>August 25</b>	70 DAYS prior: IGA must be signed by both the Town and the County. C.R.S. § 1-7-116(2).		
<b>September 4</b>	60 DAYS prior: Last day to certify ballot content to county clerk. C.R.S. § 1-5-203(3)(a).		
<b>September 14</b>		50 DAYS prior: First day nomination petitions may be circulated and signed. C.R.S. § 31-10-302(2).	
<b>October 2</b>		30 DAYS prior: Nomination petitions due. C.R.S. § 31-10-302(2).	
<b>October 12</b>	22 DAYS prior: First day for county clerk to mail ballots, other than for overseas military voters. C.R.S. § 1-2-201(3).		22 DAYS prior: First day for Town Clerk to mail ballots. C.R.S. § 31-10-910(2)(a).
<b>October 19</b>	15 DAYS prior: Mail ballot counting begins. C.R.S. § 1-7.5-107.5.	15 DAYS prior: Last day to appoint election judges. C.R.S. § 31-10-401.	15 DAYS prior: Mail ballot counting begins. C.R.S. § 31-10-911. Last day for Town Clerk to mail ballots. C.R.S. § 31-10-910(2)(a).
<b>October 22</b>		12 DAYS prior: First day to provide voting machines or electronic voting systems for the use of absentee ballots. C.R.S. § 31-10-1005.	

<b>Dates</b>	<b>Eagle County Coordinated Mail Ballot Election</b>	<b>Town of Vail Non-coordinated Polling Place Election</b>	<b>Town of Vail Non-coordinated Mail Ballot Election</b>
<b>October 26</b>	8 DAYS prior: Voting centers must be open. C.R.S. § 1-7.5-107(4.5)(c).		
<b>November 3</b>	<b>Election Day.</b> Mail ballots may be dropped off at designated depositories until 7:00 p.m. Preliminary Election Results Released.	<b>Election Day.</b> Judges open polls promptly at 7:00 a.m. C.R.S. 31-10-601. Polls close at 7:00 pm. Preliminary Election Results: Before leaving the polling place, the judges must post an abstract of the votes cast in conspicuous place on the outside of the polling place.	<b>Election Day.</b> Mail ballots may be dropped off at Town Clerk's office until 7:00 p.m. C.R.S. § 31-10-910(3)(b). Preliminary Election Results Released.
<b>November 10</b>		7 DAYS after: Last day to complete canvass. C.R.S. § 31-10-1201. Town Clerk prepares, publishes and files with the Secretary of State an official statement of the election. C.R.S. § 31-10-1205. Last day an interested party may request a recount at their expense. C.R.S. § 31-10-1207(2).	7 DAYS after: Last day to complete canvass. C.R.S. § 31-10-1201. Town Clerk prepares, publishes and files with the Secretary of State an official statement of the election. C.R.S. § 31-10-1205. Last day an interested party may request a recount at their expense. C.R.S. § 31-10-1207(2).
<b>November 12</b>	8 DAYS after: Last day for county clerk to receive overseas military ballots. C.R.S. § 1-8.3-113(2). Last day to cure mail ballot deficiencies. C.R.S. § 1-7.5-107.		
<b>November 13</b>		10 DAYS after: Mandatory and optional recounts must be completed. C.R.S. § 31-10-1207(1).	10 DAYS after: Mandatory and optional recounts must be completed. C.R.S. 31-10-1207(1).
<b>November 17</b>	14 DAYS after: Last day to count provisional ballots. C.R.S. § 1-8.5-105.		
<b>November 20</b>	17 DAYS after: Last day to complete canvass. C.R.S. § 1-10-102(1). Last day to submit official abstract of votes. C.R.S. § 1-10-103.	17 DAYS after: Last day to file election contest (within 10 days after expiration of recount period, which is 7 days after the election or within 10 days after the conclusion of a recount). C.R.S. § 31-10-1303.	17 DAYS after: Last day to file election contest (within 10 days after expiration of recount period, which is 7 days after the election or within 10 days after the conclusion of a recount). C.R.S. § 31-10-1303.
<b>December 10</b>	37 DAYS after: Last day to complete a recount by an interested party. C.R.S. § 1-10.5-106(2).		