

# WEEKLY MEMO

**Date:** July 24, 2015

**To:** Mayor Lynn Stauss, Council President Mark Olstad, Council Vice-President Chad Grassel, Council Members Clarence Vetter, Mike Pokrzywinski, Craig Buckalew, Henry Tweten, and Marc DeMers.

**RE:** Weekly Update

## **UPCOMING MEETINGS:**

*July 28, 2015 – 5:00 PM – Work Session – Training Room*

*August 4, 2015 – 5:00 PM – Regular Council Meeting – Council Chambers*

*August 11, 2015 – 5:00 PM – Work Session – Training Room*

*August 18, 2015 – 5:00 PM – Regular Council Meeting – Council Chambers*

## **Special Election Information Update:**

After speaking with the County, it was determined that the City would be able to hold a special election by mail ballot. That had been okayed by the Secretary of State's Office. The Administration Office would be set up as a polling location and a mail ballot/absentee ballot board would have to be formed to handle and process the mail ballots. Included with the memo are two pages out of the City Clerk's Election Guide that explains the process that needs to be followed for a mail ballot election.

During the last election it cost \$2.07 for sending out the mail ballots. I estimate there are 850 registered voters per ward and was advised to add an additional 200 on top of that amount for the mail ballots that are rejected because they are not filled out properly. Postage has gone up since the last election and the County suggested estimating the cost using \$2.10 per ballot. At \$2.10 per ballot and if 4450 ballots are sent out that will cost \$9345. This amount does not include the election judges time, cost of publications for the election, or any other costs related to the special election.

If you have more questions regarding this please email them to [mnelson@egf.mn](mailto:mnelson@egf.mn) and I will answer them as soon as I am able to.

## 15.0 OTHER ELECTIONS

### 15.1 UNIFORM LOCAL ELECTION DAY

Cities and school districts must hold their officer elections in the fall of either even or odd numbered years (but not both) at local option. The general elections occur on the first Tuesday after the first Monday in November. Municipalities and school districts have the option to hold a primary election; if held, it must be on the second Tuesday in August, and the election calendar is essentially the same as for state elections. If a city wishes to choose nominees for municipal offices by a primary, the city council must adopt a resolution or ordinance by April 15<sup>th</sup> in the year when the municipal general election is held. The resolution or ordinance is effective for all municipal elections until it is revoked. The clerk must provide notice of the adoption of the resolution or ordinance within 30 days after adoption. M.S. 205.065; 205.13; 205.16

Timeline for municipalities without a primary:

- Notice of Filing published 15 weeks before election—municipal clerk's office is open from 1-5 p.m. on last day of filing;
- filing opens 12 weeks before and closes 10 weeks before;
- candidate withdrawal closes at 5 pm, 2 days following the close of filing;
- clerk notifies auditor of election details at least 74 days before an election;
- Notice of Election is published two weeks before; and
- the governing body canvasses between three and 10 days after the election.

Metropolitan area cities and townships minimum voting hours are from 10:00 a.m. to 8:00 p.m. In non-metro areas, minimum hours are from 5:00 p.m. to 8:00 p.m. M.S. 205.16; 205.175; 205A.09

### 15.2 MAIL BALLOTING AND MAIL ELECTIONS

Minnesota Statutes provide procedures for the conducting of an election by mail, where the only polling place is the office of the clerk or auditor. M.S. 204B.45 allows certain municipalities or counties to use special mail balloting procedures for precincts for all of their elections. M.S. 204B.46 allows a special election for question(s) to be conducted as a mail election for precincts which would normally vote at a regular polling place in other elections.

A Mail Voting Guide (for mail balloting and mail elections) is available at the OSS Election Guides website located at <http://www.sos.state.mn.us/index.aspx?page=230>.

#### 15.2.1 Mail Balloting

Minnesota Statutes permit mail balloting for the following:

- Towns of any size located outside the seven-county metro area,
- Cities with fewer than 400 registered voters located outside the seven-county metro area (June 1 voter registration number),
- Any precinct having fewer than 100 registered voters (June 1 voter registration number),
- Unorganized territories if provided for by the county board.

Mail ballots can be used at any municipal, county or state election. The governing body of a municipality, or county board for unorganized territories, must authorize mail balloting no later than 90 days prior to the first election at which mail balloting will be used. The resolution must specify at which elections (municipal, county and/or state) mail balloting will be used.

If conducting balloting by mail, the Notice of Special Mail Election procedures must be given at least 10 weeks prior to the election. The clerk will need to develop a plan for the mailing and for

processing the voted ballots. The Office of the County Auditor or municipal clerk is the only polling place. Excluding a mail special election for a question, the county auditor (all auditors if municipality is located within multiple counties) must give approval before mail ballot procedures can be used for elections.

Ballots are mailed no more than 46 days nor later than 14 days before a regularly scheduled election, and not more than 30 days nor later than 14 days prior to any other election day. If needed, the county auditor or clerk does a second mailing no later than 14 days before the election to voters who registered to vote after the initial mailing but before the voter registration cutoff.

The auditor or clerk must appoint a ballot board, as done for processing regular absentee ballots, to process returned ballots. The ballot board must mark returned ballots “accepted” or “rejected” within 5 days they are received, and within 3 days if they are received 14 or fewer days before the Election Day. M.S. 204B.45; M.R. 8210.3000

### **15.2.2 Mail Election Questions**

A county, municipality, or school district submitting questions to the voters at a special election may conduct the election by mail with no polling place other than the office of the auditor or clerk. No offices may be voted on at a mail election under this provision. The county auditor must be given a 74-day notice and a notice must be posted at least six weeks prior to the election. Ballots are mailed no more than 46 or later than 14 days prior to the election. No later than 14 days before the election, the auditor or clerk must make a subsequent mailing of ballots to voters who registered to vote after the initial mailing was sent but before the voter registration cutoff (20 days before Election Day) for the election.

School district levy referendums held at a time other than the November Election Day must be conducted by mail.

The auditor or clerk must appoint a ballot board, as done for processing regular absentee ballots, to process returned ballots. The ballot board must mark returned ballots “accepted” or “rejected” within 5 days after they are received, and within 3 days if they are received 14 or fewer days before Election Day. More detailed information regarding mail balloting is available in the Mail Elections Guide. M.S. 204B.46; M.R. 8210.3000

### **15.3 CITY SPECIAL ELECTIONS**

Provisions are made in Minnesota Statutes for cities to hold special elections in certain instances. In general, these elections begin with a council resolution, are conducted in the same manner as regular city elections and would follow procedures described in this guide, unless the law authorizing the election has specific instructions otherwise. The governing body of a city may on its own motion cancel a special election held under M.S. 205.10, subd. 1, but not less than 46 days before the election. Notice must be provided at least 46 days before the election if a city special is cancelled in this manner. Charter cities should refer to your city charter for special election details. M.S. 205.10; 205.16, subd. 4

### **15.4 STATE ELECTIONS**

Clerks share responsibility for administering state elections with county auditors and the OSS. State elections are held every even-numbered year.