

PLUMAS COUNTY CLERK~RECORDER

Recorder Division (530) 283-6218
Elections Division (530) 283-6256



520 Main Street, Room 102, Courthouse
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DATE: June 12, 2019

TO: Howard Johnson, Foreperson, Plumas County
2018-2019 Civil Grand Jury

FROM: Kathy Williams, Plumas County Clerk-Recorder

SUBJECT: Response to the 2018-2019 Civil Grand Jury Report

Kathy Williams
Clerk - Recorder
Registrar of Voters
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Attached is the response provided to the Honorable Douglas Prouty, Judge of the Superior Court, County of Plumas, State of California.

If you have questions, please feel free to contact me.

RECEIVED

JUN 12 2019

PLUMAS COUNTY
BOARD OF SUPERVISORS

PLUMAS COUNTY CLERK~RECORDER

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June 1, 2019

Kathy Williams
County Clerk-Recorder
Registrar of Voters
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Honorable Judge Douglas Prouty
Judge of the Superior Court - Plumas County
520 Main Street, Room 104
Quincy, CA 95971

Julie Hagwood
Assistant
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Re: Response to the 2018-2019 Plumas County Civil Grand Jury Report

Honorable Judge Prouty,

In response to the Final Report prepared by the Plumas County Grand Jury, 2018-2019 term, and their report summary and recommendations of their no-complaint investigation, I hereby provide the following response to the Findings and Recommendations of the Grand Jury:

FINDING

F1. The Elections Division is well-organized in its approach to ensuring an accurate vote count.

RESPONSE

F1. The Plumas County Clerk - Elections Division agrees with the finding and will continue to ensure that an accurate vote count is provided for every election to the citizens and voters of Plumas County.

FINDING

F2. The County Clerk-Recorder's Office, tasked with three different and unique functions of county government, operates with a below-mandated staff augmented with part-time, as-needed employees. Currently one of the County Clerk's employees is performing duties for two positions, as a result of a non-Elections Division position in the County Clerk's Office being unfilled. This position has been unfilled since June 2018.

RESPONSE

F2. The County Clerk-Recorder agrees with the finding. Since June 2018, with the retirement of a long-time staff member and the creation of a vacancy in the Recorder division of the department, we have operated with and depend on the availability of part-time employees to handle even basic duties. The Assistant Clerk-Recorder, Deputy Clerk-Recorder and Clerk-Recorder have shared in assuming the workload of the vacant Lead Deputy Clerk-Recorder position. The Assistant Clerk-Recorder continues to shoulder most of the burden by preparing

mandated state reports, balancing trust fund accounts and handling document verification duties, as well as preparing claims, monitoring eight budgets and assisting with Election Division tasks.

The office consists of two Election Division staff, two Recorder Division staff and the department's Assistant Clerk-Recorder and the Clerk-Recorder. Records Management duties, consisting of managing several departments records and maintaining the multi-departmental postage machine are handled as well. There are no fiscal officers or technical positions therefore those type of duties and related tasks are handled as efficiently as possible with staffing available.

FINDING

F3. The Elections Division is doing a good job in being transparent and trying to educate and encourage voting in Plumas County.

RESPONSE

F3. The County Clerk-Recorder, Elections Division agrees with the finding. For over 30 years, the Elections Division has worked with the area high schools government classes in educating students on the importance of registering to vote and voting. We continue to provide voter registration services to the college, local libraries and central committees. Prior to every election, we invite members of the Plumas County Grand Jury, all local media, the Democratic and Republican Central Committees and any member of the public to view the entire process of testing all election equipment and verifying accuracy, watching the opening and ballot counting process and the manual hand counting tally of ballots during the official canvass period. We strive to provide assurance that we take these duties very seriously and count every vote as cast in the most transparent manner provided by laws set forth in the Elections Code.

FINDING

F4. The Elections Division has not conferred with County Counsel to confirm compliance with Elections Code Section 3005's precinct registered voter count requirement.

RESPONSE

F4. The County Clerk-Recorder, Election Division agrees with the finding. We have not consulted County Counsel with regards to following the Election Code Section 3005-Mailed Ballot Precinct - which states in part whenever there are 250 or less persons registered to vote in any precinct, the elections official may furnish each voter with a vote by mail ballot. Plumas County has over 200 precincts with fewer than 250 voters in each. In the past we consolidated all of those precincts into polling places. Prior to the June 2016 Primary Election, over 75% of Plumas County voters had made the choice themselves to become Permanent Vote by Mail voters. We now provide all of our voters with a ballot and postage paid return envelope 29 days prior to every election. In the 2014 Plumas County Grand Jury report, it was recommended that "Plumas County continue to work toward being 100% Vote by Mail for all general and district elections by 2016, and maximize the number of VBM-only precincts as a first step"

FINDING

F5. The Elections Division does not have a comprehensive written departmental policy and procedures manual, nor does there exist a detailed table of contents or index that unifies the various separate procedure documents and renders them readily searchable.

RESPONSE

F5. The Elections Division agrees with the finding. The Clerk-Recorder, Elections Division, Recorder Division and Records Management Division are all staffed by 5 employees and 1 department head. This department had 12 full time employees staffing the 3 divisions and has been reduced to the current level of 6 with 1 position currently vacant. We are still responsible to conduct every election in the county, record all land title transactions, issue marriage licenses, fictitious business name statements, provide certified copies of vital statistics, perform weddings, oversee the postage machine operation and departmental billings, scan and verify other departments documents and balance and maintain our 8 county budgets, etc. While we do not have a comprehensive written departmental policy, we also do not have enough staff to write one, update it weekly and make it available as needed. We follow the California State Elections Code, the Recorder's Document Reference Manual, the Business and Professions Code, the Family Code, the Government Code and all county policies, all of which do have comprehensive detailed tables of contents. We refer to these daily in our course of work.

FINDING

F6. *Current voting systems being used by the County will be decertified as of the end of 2019. There is funding available through the Help America Vote Act to match Plumas County's costs dollar to dollar up to \$206,500.00 toward replacing Plumas County's aging voting system equipment.*

RESPONSE

F6. The County Clerk-Recorder, Elections Division agrees with the finding. \$10,000 of the funding is being provided by the Help America Vote Act with the balance being provided by the State of California. Plumas County will have to match dollar for dollar the total cost of the replacement voting system. In 2001 when the current system was purchased for \$297,000, the county was totally reimbursed for those costs with HAVA and Voter Modernization funds. There was no final cost to the county. This will be the first time in over 30 years that the county will have to participate in funding a new system.

RECOMMENDATIONS

RECOMMENDATION

R1. *The Civil Grand Jury recommends that the Plumas County Elections establish a written departmental policy and procedures manual, or at a minimum develop a fully integrated table of contents or index to facilitate efficient usage of the various procedures. Such manual should include procedures confirming that the quantitative limit set out in Elections Code Section 3005 is satisfied in connection with each election. It is also recommended that the Elections Division confirm with County Counsel or other appropriate counsel compliance with Elections Code Section 3005.*

RESPONSE

R1. The Plumas County Clerk-Recorder, Elections Division agrees with the recommendation. We have already began listing our procedures for each task we approach to explain the steps necessary to carry out the task. We understand that tasks that are second nature to us would not be to anyone else at first. We will strive to organize steps to processes and procedures that

change constantly with updated laws. We will provide our procedure to the County Counsel confirming compliance with the Election Code for each upcoming election.

RECOMMENDATION

R2. The Civil Grand Jury recommends that the Elections Division seek, the County Administrator consider recommending, and the Board of Supervisors deliberate and consider approving, funding for the purchase and installation of new voting system equipment and software in order to comply with AP 19:020.

RESPONSE

R2. The Plumas County Clerk-Recorder, Elections Division agrees with the recommendation. We will seek the advice and expertise of the County Administrator for a recommendation to the Board of Supervisors to approve the dollar for dollar match to purchase a new voting system, equipment and software to comply with AP 19:020. We will research each of the certified systems and together make a recommendation for the best choice for the county.

RECOMMENDATION

R3. The Civil Grand Jury recommends that the County Administrator inquire into why the vacant position in the County Clerk's Office remains unfilled and that findings be reported to the County Board of Supervisors for consideration of further action.

RESPONSE

R3. The Plumas County Clerk-Recorder agrees with the recommendation. The department of Human Resources has been aware of the problem in the recruitment for the position of Lead Deputy Clerk-Recorder. Salaries and job descriptions for some in the department have not been adjusted to current levels of duties, experience and knowledge that is required since 1999. We have brought this to the Board of Supervisor's attention two previous times and were denied reclassification even though the department is self-funded. We provide a fee for service and collect documentary transfer tax in a sufficient amount to more than cover the cost of reclassification.

The office of the Plumas County Clerk-Recorder, Elections Division, Recorder Division and Records Management Division would like to thank the 2018-2019 members of the Grand Jury for taking the time to review the extremely important processes and procedures involved in conducting elections and providing the public information of interest. It is our desire to provide the voters of our county openness, accuracy and consistency in all of our procedures. The staff in this department work hard to maintain a team that is dedicated, reliable and accessible. We appreciate the opportunity to address any questions and provide further explanation as needed.

Respectfully,



Kathy Williams
Plumas County Clerk-Recorder, Registrar of Voters

Cc: Honorable Board of Supervisors - Plumas County; County Administrator