

**INYO COUNTY CLERK-RECORDER/REGISTRAR OF VOTERS  
RESPONSES TO THE  
2016-2016 INYO COUNTY GRAND JURY REPORT  
REPORT ON 2016 ELECTION DAY**

**FILED**

AUG 11 2017

INYO CO. SUPERIOR COURT  
PAMELA M. FOSTER, CLERK

BY  DEPUTY

I would like to thank the 2016-2017 Grand Jury for their service as Election Observers during the 2016 election year in Inyo County. Below are responses to the Grand Jury's specific findings and recommendations.

**FINDINGS:**

1. Signage outside of polling places was present.

Response: **Agree**

2. Polling place accessibility was adequate.

Response: **Agree**

3. The Clerk-Recorder/Registrar of Voters and staff have very carefully and logically preplanned elections procedures.

Response: **Agree**

4. The Clerk/Recorder/Registrar of Voters and staff have provided training for the volunteer poll workers and volunteer ballot counters.

Response: **Agree**

5. The volunteer poll workers and volunteer ballot counters were very enthusiastic, dedicated and well trained.

Response: **Agree**

6. The poll workers maintained the security of completed ballots.

Response: **Agree**

7. The Clerk-Recorder has the vision to provide better and quicker services to County residents and to provide more outreach, including training to all levels of authorized government and special districts.

Response: **Agree**

8. Replacement of the circa 2000 computers, circa 2005 ballot counting scanners and other associated election hardware and software are priorities.

Response: **Agree**

## RECOMMENDATIONS

1. The ICGJ recommends that the Clerk-Recorder/Registrar of Voters re-examine polling place signage to ensure that voters can easily find their polling places while driving. The Inyo County Road Department could consider procurement of mobile changeable message displays similar to those utilized by Caltrans. In addition to a variety of informational uses through the year, these could be placed near polling places to assist new voters. It is also recommended that all election mailings from the Clerk-Recorder/Registrar of Voters include polling place physical addresses.

Response: **This recommendation will be implemented within the range of my authority**

- a) I will re-examine polling place signage as suggested and thank and appreciate the ICGJ for the recommendation.
  - b) I will discuss procurement options for mobile signage with the Inyo County Road Department, but I do not have the authority to compel the Inyo County Road Department to purchase the specific signage in the recommendation. However, I will make the commitment to explore options to increase signage, within the range of my authority, which will ensure that voters can easily find their polling places while driving.
  - c) I will include the physical addresses of polling places in all future election mailings, regarding where to vote in Inyo County.
2. Since inclement weather can be expected on November election days, the ICGJ recommends that polling place accessibility be re-examined by the Clerk-Recorder & Registrar of Voters and by Public Works to ensure that all voters can easily and safely enter and exit their polling place.

Response: **This recommendation will be implemented within the range of my authority**

I thank the ICGJ for the recommendation and will take steps, within the range of my authority, to re-examine ways to ensure that all voters can easily and safely enter and exit their polling places in Inyo County, especially during inclement weather.

Both the Clerk-Recorder/Registrar of Voters & the Assistant Clerk-Recorder/Registrar of Voters have attended Help America Vote Act (HAVA) Polling Place Accessibility Training Programs, sponsored by the California Secretary of State and have taken steps in the past to secure HAVA grants to purchase items to make polling places, including the



path of travel, entrances, exits and voting areas of each polling facility accessible to all voters in Inyo County. If any member of the ICGJ or the general public has specific concerns regarding accessibility of any polling places in Inyo County, I encourage them to contact the Inyo County Elections office so that we may address those specific concerns.

3. The ICGJ recommends that consideration be given to establishing another staff position in the office to enable the Clerk-Recorder to provide better and quicker service to County residents and to provide more outreach, including training.

**Response: This recommendation is outside of the range of my authority.**

While I thank and appreciate the ICGJ for this recommendation, it is outside of the range of my authority to establish authorized staffing within the Department. I am currently seeking funding to support a change in the authorized staffing within the Clerk-Recorder-Elections departments, to remove one Office Clerk II and add one Office Technician. I believe that this change in authorizing staffing will help provide better and quicker service to County residents and will allow for more outreach, including training.

The Clerk-Recorder-Elections office is made up of three separate county departments, overseen by a single elected official. From 1998 until December 2014, the Clerk-Recorder-Elections department had three full-time staff members managed by an elected department head. This staffing level amounted to one person per department, with the oversight of an elected official. Prior to 1998, the County Clerk also oversaw the management of the Court Clerks; consequently the authorized strength was significantly higher for the Clerk-Recorder-Elections offices.

Acknowledging the fiscal realities that have been facing Inyo County and in recognition of budget redesign efforts, the County Administrative office identified a potential savings to Inyo County by sharing a position between the Clerk-Recorder-Elections' and Assessor's offices in anticipation of an Office Technician III retiring from the Assessor's department in January 2015, and an Office Technician II participating in the Voluntary Separation Incentive Program in December 2014 from the Clerk-Recorder-Elections department.

Although the Clerk-Recorder-Elections office was optimistic that a shared position would increase operational efficiencies without negatively impacting the department, the shared position turned out to be impractical and unsustainable. The shared position was eliminated through the budget process in 2015 and was replaced with a B-Par Office Clerk.

The Clerk-Recorder-Elections office operated with reduced staff from December 2014 – May 2016. In May 2016 the Inyo County Board of Supervisors authorized the elimination of one B-Par Office Clerk and the addition of one Office Clerk II, which restored the authorized staffing to pre-December 2014 levels. However, the position of Office II has been vacant since May 2017.



Employees in the Clerk-Recorder-Elections office must be proficient in six unique software systems and must be able to perform confidential tasks. Employees in this office also handle the receipt and accounting of over \$270,000 dollars on a fiscal year basis. Due to the specialized nature of the work, it takes a minimum of 1-2 years to train an employee to be adept in all three disciplines.

Contributing to the difficulty of constantly training new employees, the Clerk-Recorder-Elections office must remain open and staffed for the public, even during employee meetings and training, because pursuant to Government Code §27361.4 (b), the Inyo County Board of Supervisors has passed a resolution allowing the Clerk-Recorder-Elections office to collect an additional fee of one dollar (\$1) for filing every instrument, paper, or notice for record provided the county recorder's office is open for business every business day, during posted hours, except for legal holidays.

After the presidential election in 2000, the way in which counties conduct elections has come under increased complexity and scrutiny. The Registrar of Voters is responsible to make sure that all of the ever-changing election laws are strictly followed. An error by the elections department could result in a candidate being disqualified from running for office, a disenfranchised voter or a contest being left off a ballot completely. These errors cannot be remedied except through legal action.

The County Recorder is obligated to record legal documents that are used to determine the ownership of property. If an unlawful, improperly completed or fraudulent document is recorded it could result in clouded title and/or litigation.

With the specialized skill-set required to fulfill the duties in the Clerk-Recorder-Elections department, it has been difficult to recruit employees to fill positions long-term. Although the recommendation of establishing an additional staff person would significantly help the Department avoid reduced services and significant exposure to liability, I believe that taking into consideration the current fiscal situation in Inyo County, the most cost effective and prudent way that the Inyo County Board of Supervisors could assist the Clerk-Recorder-Elections' office to recruit, hire and maintain skilled long-term staff, would be to authorize the removal of one Office Clerk II and add one Office Technician to the Clerk-Recorder-Elections department.

4. The ICGJ recommends that the Inyo County Board of Supervisors fund the replacement of the circa 2000 computers, circa 2005 ballot counting scanners and other associated election hardware and software with modern, upgradeable technology.

Response: **This recommendation is outside of the range of my authority**

I thank and appreciate the ICGJ for this recommendation to fund the replacement of the circa 2000 computers, circa 2005 ballot counting scanners and other associated election hardware and software with modern, upgradeable technology. Per the Inyo County Purchasing Policy, any purchase over the amount of \$10,000 must be approved by the

Inyo County Board of Supervisors. Although it is outside of the range of my authority to authorize funding over the amount of \$10,000, the Clerk-Recorder/Registrar and Voters, the County Administrative Officer and the Inyo County Board of Supervisors have collectively taken significant steps towards the replacement of outdated elections technology, including:

- a) Establishing an Elections Innovation Fund in the 2014-2015 Fiscal Year Budget, which currently has a fund balance of \$216,353. This fund is set aside specifically for the purpose of updating outdated election technology.
- b) Issuing a Request for Proposal for a New Voting System on June 1, 2017. It is anticipated that a successful proposer will be announced by October 1, 2017.

I would like to personally thank the 2016-2017 Inyo County Grand Jury for volunteering to serve on this important civil oversight body and for your recommendations to improve the management of operations in local government.

Sincerely,



Kammi Foote  
Inyo County Clerk-Recorder/Registrar of Voters