

**Town Board
Meeting Supplement
October 5, 2020**

SUPPLEMENTAL CONSENT AGENDA ITEM:

- 5.G Ramsey County Contract for Election Services –
Approve Agreement Between Ramsey County & White
Bear Township for Election Services From January 1, 2021
Through December 31, 2026**

Town Attorney Memo

MEMORANDUM

DATE: October 2, 2020
TO: White Bear Town Board
FROM: Chad D. Lemmons
RE: Ramsey County Election Contract

I have reviewed the proposed election services agreement between the Township and Ramsey County. I find the agreement acceptable with the following comments.

Under Clause 3e all of a recount will be billed separately. Under Minn. Stat. § 204C.36 Subd. 1(b) if more than 400 votes are cast and the difference between the winning candidate and losing candidate is less than one-half of 1%. The losing candidate can request a recount at the Township expense.

If the number of votes cast is less than 400. Then the losing candidate can request a recount at Township expense if the vote differential is 10 votes or less.

Minn. Stat. § 204C.36 Subd. 2 does allow for the losing candidate to request a recount. However, in that case the cost of the recount is the responsibility of the losing candidate.

In the case of a ballot question a discretionary recount can occur if a petition containing the signatures of 25 eligible voters is presented.

In the case of a ballot question the cost is still the responsibility of the person requesting the recount.

Under 3d, Town Primaries, conducted separately from regular primary and 3E cost of recounts. The Town will be billed the actual costs incurred. There is no definition of actual costs incurred. As a result, there is no way to anticipate and budget for costs associated with the Town primary or recount.

Section 8 of the contract, this contract does not cover the costs of operating and maintaining the voting systems. That is covered by a separate agreement the Town has with the county regarding operation maintenance of voting systems.

This appears to be the county's uniform contract which it uses for all governmental entities to which the county provides voting services; therefore, some terms such as

Section 205A.05 (school board) will not apply to the Township. I do not see a problem including language specific to another governmental entity.