

## Andrea Gyger

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**From:** Teak Simonton <teak.simonton@eaglecounty.us>  
**Sent:** Tuesday, September 17, 2013 11:49 AM  
**To:** SoS Rulemaking  
**Cc:** Debbie Livengood; Pat Magdziuk; Amick, Nancy; Kay Weinland; Sheila Reiner; Janice Vos; Sara Rosine; Liz Bailey  
**Subject:** Comments on proposed rule re: property owner mail ballots

Eagle County Clerk's team has several objections and observations related to the new rule requiring us to mail ballots proactively to all eligible property owners within certain special districts.

Eligible electors of Metro districts, Fire Districts, Ambulance Districts, Health service districts and other special districts include property owner, non-residents of the districts. These electors must be registered to vote elsewhere in Colorado however. The owner on record, and their spouses are eligible to vote on questions from these districts.

Requiring the Designated Election Official from each district to certify the list of eligible electors to the county clerk, is problematic on several fronts:

1. The owner on record may be one person, and not both persons (husband and wife) and sending a ballot to one only potentially disenfranchises these unlisted spouses.
2. How can a DEO determine if the person on ownership record is the actual owner when researching in SCORE. A search for David Smith for instance could uncover multiple David Smiths in the metro area, with no means of determining which is the same individual as the owner of the property.
3. It may be impossible for these administrators (DEOs) to search for and verify thousands, or tens of thousands of owners and compare them to the SCORE database within the time constraints of the election timeline.
4. The cost involved in this approach is very high compared to only sending ballots to property owner, non-residents who actually request ballots first.

We suggest requiring that an application for a property owner, non-resident, eligible elector be included in the required Tabor mailing to each of the property owners on record. Once the county clerk receives these applications, we would do the eligibility research, and then mail ballots to these voters. This seems like a more neutral, fair and reasonable approach to the process.

Sincerely,

Teak J. Simonton

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