

**2022 COMBINED PRIMARY ELECTION AGREEMENT
RAPID CITY and PENNINGTON COUNTY**

This agreement is entered into between _____, PENNINGTON COUNTY, both governmental subdivisions of the State of South Dakota. This agreement is for the purpose of conducting city elections as may be necessary, and outlines the duties and responsibilities of each party, as provided under SDCL § 12-2-6 and 9-13-37. This agreement is subject to the approval by motion of the Pennington County Board of Commissioners.

The acting City Council approved this agreement for purposes of delineating the responsibilities of each party during the City election process. Both parties agree to hold an election with the Pennington County Auditor's Office, a department of Pennington County, conducting said election in those precincts within City wards/precincts _____ located in Pennington County. The City authorizes the staff of the Pennington County Auditor's Office to handle and tabulate the City ballots and to forward the returns to the City Finance Officer.

EFFECTIVE DATE: This agreement shall become effective on the date that both parties have signed the agreement.

PURPOSE: It is the purpose of this agreement for parties to conduct the City election to be held on **Tuesday, June 7, 2022**. The City shall provide to the Auditor no later than **March 31, 2022**, a Certificate of Ballot certifying offices, terms, spelling of candidate names and candidate order as they should appear on the ballot, and including any ballot question language. The Auditor shall layout the ballot with the information provided by the City.

PUBLICATIONS: The City shall initiate and publish twice its own notice of vacancy and time and place for filing petitions pursuant to SDCL § 9-13-40 and ARSD 5:02:04:06. The Auditor shall initiate and publish the following required notices: (1) Notice of Voter Registration Deadline (publish twice – April 27 and May 4) consistent with ARSD 5:02:04:04; (2) Notice of Election (publish twice – May 18 and May 25) pursuant to SDCL § 9-13-13 and ARSD 5:02:04:08 and Facsimile Ballot (publish June 1).

PETITIONS: Earliest date for candidates to sign declaration of candidacy, begin petition circulation and earliest date to file a nominating petition is March 1, 2022. SDCL §9-13-37. The deadline for filing nominating petitions filed with the finance officer is March 29, 2022. SDCL § 9-13-37.

COSTS: The City agrees to reimburse the County its share of costs of precinct boards, absentee costs, ballot stock, layout, programming, test deck, printing and shipping, supplies, copies, postage, polling place rent, publications, costs of ADA accessible ballot marking device, electronic poll books, election school and any additional poll worker training, temporary and/or fulltime staff, and a 15% administrative fee. Payment will be made within 60 days of the date invoiced.

ABSENTEE BALLOTS: Absentee Ballots shall be available in person and by mail at the Office of the County Auditor no later than 46 days prior to the Combined Primary Election (April 22) for all eligible voters. SDCL § 12-19-1.2.

RECOUNT: All costs for a recount election will be borne fully by the entity requiring a recount and will include staff wages and a 15% administrative fee. SDCL § 9-13-27.3.

EQUIPMENT MAINTENANCE: Costs for equipment maintenance, such as tabulating equipment, any electronic equipment, ADA ballot marking devices, etc., will be assessed annually if the County conducts an election for the City and such costs shall be based on current voter registration numbers as follows:

- 30,001 names or more - \$4000
- 15,001 – 30,000 names - \$3000
- 7501 – 15,000 names - \$1500
- 376 – 7500 names - \$700
- 1 -375 names - \$200

RECORDS RETENTION AND DESTRUCTION: County shall maintain its election records for city elections for 60 days.

CANVASSING OF THE VOTE: The County shall provide copies of unofficial returns. A representative of the City must be present on election night to determine reports necessary for canvass. Any provisional ballots received will be evaluated and counted on the day after the election. If necessary, the Auditor will update the unofficial returns to include provisional ballot results and provide updated unofficial returns to the City. The County will provide Pollbooks and Recap sheets after the County canvass is complete. The City shall perform its own canvass.

Dated this ____ day of _____, 20__.

(SEAL)

CINDY MOHLER, AUDITOR
PENNINGTON COUNTY
PO BOX 6160
RAPID CITY SD 57709

Dated this ____ day of _____, 20__.

(SEAL)

Pauline Sumption, Finance Director