

Fresno County elections mistake will require new retirement board balloting

By Marc Benjamin

A missed trip to the post office could cost Fresno County taxpayers \$10,000 after elections officials neglected to retrieve filled-out ballots for a vacant seat on the Fresno County Employees' Retirement Association board by a deadline.

Fresno County elections officials will ask the Board of Supervisors on Tuesday to set a new election and invalidate the results of the Sept. 25 balloting.

There were about 640 ballots at the post office, said Brandi Orth, county clerk and registrar of voters, when the ballots were picked up Monday, four days after the election deadline.

"During this election we experienced a misstep in our process," Orth said. "We have contacted the candidates and informed them that the ... election will not be certified."

Orth said the election ballots deadline was 5 p.m. last Thursday. Her office staff was supposed to be at the post office to pick up the ballots, but nobody from her office showed.

"Our customary practice, and the Board of Supervisors' adopted election procedures, is to be at the post office the moment the polls close (5 p.m. last Thursday) to collect all the returned ballots," Orth said. "Due to an oversight, my office failed to retrieve the ballots at the post office on the night of the election."

Postal service officials were unable to verify which ballots had arrived before the 5 p.m. deadline four days earlier, Orth said.

"I am disappointed that this occurred, and I take full responsibility," she said.

The mistake makes the election impossible to certify. The cost of a new election is between \$9,000 and \$11,000 and will come out of her office budget, Orth said.

"The most important aspect of any election is to maintain the integrity of the process," she said. "It is our job to ensure that people, who are entitled to vote, have their ballot counted, and those ballots that are received too late not be counted."

Orth said a similar incident has not occurred and "will not again." She said corrective remedies are being added to office protocol for future "small, unique elections."

"This type of problem would not exist in big elections," she said. "The process is different. My office picks up ballots at the post office on a daily basis, beginning 27 days prior to an election up to and including 8 p.m. election night."

Board Chairman Andreas Borgeas said the mistake was "unfortunate." He said the elections office was proactive in telling the candidates and the supervisors what occurred.

He said supervisors on Tuesday will seek additional information about the situation.

"It is impossible when you're handling large volumes of material for mistakes not to occur," Borgeas said. "We will no doubt be inquiring about this matter when it comes to the board to get the full background and make sure it doesn't happen again."

The retirement association is an independent organization that provides retirement benefits for eligible Fresno County employees and other participating agencies. The retirement association staff is responsible for controlling and accounting contributions and investment income under a nine-member retirement board, which is elected from those eligible to or receiving retirement through the county. The board also includes members from the public.

The 2.3% turnout for the retirement board was unusual. In the four previous retirement board elections dating back to 2009, the lowest turnout was 13.6% and the highest was 21.9%, according to the elections office.

Only 23 votes separated the three candidates after the votes were counted.

James Hackett, a county employee and member of the Service Employees International Union, won the election with 71 votes. He defeated Paul Dictos, Fresno County assessor, by 12 votes. Frankie Dorsey, Sr., finished third.

Hackett, a county employee and member of the Service Employees International Union, said he was initially disturbed about learning the election wouldn't be certified. He said Orth called him to apologize for the mix-up.

"In all the interactions that I've had with the elections department and their staff I have always known them to be very hard-working and dedicated," Hackett said. "We know that folks make mistakes and I hope nobody loses their job because of this."

Dictos said he wasn't upset about about the need for a new election and felt bad for Orth.

"She is such an honorable person," he said. "There was no malice here."

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