

Beaufort County Board of Elections and Registration
Minutes from Meeting of October 26, 2011
102 Industrial Village Rd., Bldg. #2
Beaufort, SC 29906

BOARD MEMBERS PRESENT

Ron Clifford, Chairman	Beverly Dore	Norma Stewart
Dean Hewitt, Vice Chairman	Hugh O'Kane	
Ellen Bray	Jim Rowe	

STAFF MEMBERS

Scott Marshall, Executive Director
Eric Montgomery, Programmer
Marie Smalls, Deputy Director
Morris Campbell, Executive Director of Community Services Division

PUBLIC PRESENT

Sue Feutz, League of Women Voters - Hilton Head/Bluffton Area
Jerry Hallman, Chairman, Beaufort County Republican Party
Paul Sommerville, Beaufort County Council District 7

CALL TO ORDER

Mr. Clifford called the meeting to order at 2:00 p.m. He recognized the guests present and asked them to introduce themselves.

The Pledge of Allegiance was recited by all present.

PUBLIC COMMENTS

No comments.

REVIEW OF MINUTES OF SEPTEMBER 28, 2011

The first order of business was to approve the minutes of September 28, 2011.

Mrs. Dore suggested the following corrections be made:

- Page 1, under "Public Present": correct from "Beaufort County Democrats" to "Beaufort County Democratic Party."
- Page 3, paragraph 2: change "amenable in joining the lawsuit" to "amenable to joining the lawsuit."

- Page 3, paragraph 4: change “Mr. Marshall injected” to “Mr. Marshall interjected.”

There were no other changes or comments. Mr. Hewitt motioned, with a second from Mrs. Dore that the meeting minutes be approved with corrections. The minutes of the September 28 meeting were voted upon and approved unanimously.

COMMITTEE REPORTS

Rules - Mr. Rowe distributed the first draft of the operations manual to his committee members and the chair. The manual, when complete, will outline the duties and responsibilities of the board and that of the executive director. The manual will be used as a guide for present and future board members. It will serve as a resource document.

Facilities - Mrs. Stewart asked if there was anything on facilities, to which Mr. Marshall replied in the negative.

Legislative Affairs - Mr. O’Kane reported that his committee met at 1:00 pm right before the board meeting. They began to formulize some actions they would like to take. They have items on which they would like to communicate their position to the Legislative delegation.

Redistricting/Reprecincting - Mrs. Bray wanted to know the status of the redistricting plans. Mr. Marshall reported that to date only one plan has been pre-cleared by Department of Justice (DOJ), that being the SC House districts. It was suggested that the board look at the proposed redistricting plans to get a feel for how much work in the way of reprecincting may be ahead of them. Mrs. Bray recommended all members be involved in the reprecincting process.

UNFINISHED BUSINESS

Presidential Preference Primary Update

Mr. Marshall reported:

- October 17, 2011 a complaint and petition for original jurisdiction was filed in the South Carolina Supreme Court on behalf of Beaufort, Chester, Greenville, and Spartanburg counties.
- October 19, 2011 the Supreme Court issued an order to the petitioners and respondents. The respondents are the SC Election Commission, the SC Republican and Democratic parties. They also issued an order to the counties as well as the respondents to file return to petition for original jurisdiction by noon on Monday, October 24th. The SC State Election commission, filed their

return the same day and consented to the court accept original jurisdiction.

- On October 24, 2011, the SC Republican party filed their return to the court stating that the court should accept this matter in its original jurisdiction and recommended to the court that they should dismiss the complaint.
- The SC Democratic Party filed their return and asked the court accept its original jurisdiction.
- The Supreme Court issued orders granting request for original jurisdiction and set further deadlines for petitioners to follow: (1) respondents deadline to file answer to the claim is Wednesday 10/26 by 5:00 pm.; (2) Petitioners deadline to final brief to the court is Tuesday 11/1/11 by 5:00 p.m. along with any appropriate document from other counties. Florence County has voted to support the counties. (3) The respondents' final brief is Friday, November 5, 2011; (4) Petitioner reply is Monday, November 7, 2011 by 5:00 p.m.

The board discussed the time-line and possible outcomes.

New Poll Worker Training

There were two sessions of new poll worker training. One was held on Hilton Head and one in Beaufort. The session that was scheduled for Bluffton was canceled because only five participants were registered. Electronic Voter Registration List (EVRL) training was incorporated into the sessions. There were thirty (30) new poll workers trained. Additional training will be offered in the spring, with the dates to be determined.

Redistricting Plans

Mr. Marshall explained the status of the different plans.

- The U.S. Congressional and the SC Senate plan have not been pre-cleared by the Department of Justice yet.
- The SC House plan received preclearance on October 11.
- The County Council/School Board plan has not been submitted to the Department of Justice (DOJ) yet.
- SC Senate Redistricting Plan was submitted to the DOJ for preclearance on July 27, 2011. Under the plan, Beaufort County will be split into three state senate districts. District 43, represented by Chip Campsen; District 45, represented by Clementa Pinckney; and District 46, represented by Tom Davis.

- Under the Congressional Redistricting Plan, Beaufort County will include portions of District 1 represented by Tim Scott, and District 6 represented by James Clyburn. This plan was submitted to DOJ for preclearance on August 30, 2011.
- The SC House plan, along with the County Council and School Board plans were also discussed. County Council is also seeking to renumber County Council/School Board districts.

The status of the Town of Hilton Head Island plan is unknown. The other town council seats in the county are at-large.

Municipal Elections

The Town of Port Royal will not hold a municipal election in accordance with SC law. They have a mayor and two town council seats open. However, the number of candidates who filed is equal to the number of seats available. Further, no one had formally declared to be a write-in candidate within 14 days of the end of the filing period. In such a case, Title 5 of the SC Code of Laws states that no election will be held.

The Town of Bluffton has a mayor and two town council seats available. Only one candidate had filed for the office of mayor, and no one had formally declared to be a write-in candidate within 14 days of the end of the filing period. Under the same rules specified above, the mayor's office will not be on the ballot. However, four candidates filed for the town council seats and an election must be held to select town council members.

Mr. Marshall met with the Bluffton Election Commission on October 13th to summarize their roles in protest hearings along with other municipal election commission responsibilities.

The poll manager training (briefing) for the Town of Bluffton Election was held on October 25, 2011 at the Bluffton Library.

NEW BUSINESS

South Carolina League of Women Voters Audit of November 2010 Election Data

Mr. Marshall reported there was a statewide South Carolina League of Women Voters (SCLWV) audit of the November 2010 election data. The audit was conducted in partnership with Professor Duncan Buell, Department of Computer Science and Engineering at University of South Carolina. The anomalies detected in Bluffton 2C were regarding vote totals for County Council 4 and 10. The reported vote totals on the ballot for County Council 10 and below were incorrect. The Unity System software correctly reflected the County Council Districts 4 and 10 totals; however, the ballot styles for County Council 10 were not on the Personalized Electronic Ballot

(PEB) that was used at the polling location (First Baptist Church). The result was that the Unity System software was expecting data for County Council 10 in Bluffton 2C. Since there was no ballot style used which contained County Council 10, it received no data for that race.

Since it was expecting the data, space was reserved in the data table for County Council 10 vote totals. There was no County Council 10 data, thus the section in the table reserved for Council 10 totals was blank. The remaining vote totals for offices on the ballot below County Council 10 filled in the blank space, which should have been occupied by County Council 10 vote totals, essentially shifting all votes up to the next race on the report of vote totals. The error did not affect the outcome of the race.

Mr. Marshall concluded that new procedures would be put in place to re-check all ballot style entries into Unity; the responsibility falls on the Executive Director for not having procedures in place which could have prevented this anomaly.

Pending Referenda

Mr. Marshall informed the board that an ordinance to place a referendum on the ballot regarding changing Beaufort County's form of government to "Council-Manager" was passed with third and final reading on Monday, October 24, 2011. Under the "Council-Manager" form of government, the Auditor and Treasurer positions become hired positions versus elected offices.

Budget Preparation

The budget preparation schedule for FY 2013 has been released and the first department deadline is February 3, 2012, for the Goals & Objectives and Description of Services.

SCARE Committee Meetings

Scott Marshall, Eric Montgomery, and Marie Smalls will attend SCARE Committee Meetings in Columbia on Friday, October 28.

Board Stipend

Mr. Marshall said the board should have received their July-September board member stipend checks. Mr. Hewitt said he had not yet received his.

Voter Registration and Election Management System (VREMS)

Marie Smalls explained the new VREMS being used by the office. The system is a Microsoft Windows® based system. There was a two-week training session for all county staffs across the state. Beaufort County was one of the host counties for this region. This region consisted of Beaufort, Charleston, Colleton, Dorchester, Hampton and Jasper counties.

The system is in graphic-user interface format and will be accessed through the internet using a secure website. The last three weeks have been the testing phase to see if the system can handle everyone working on it throughout the state at the same time without the system crashing or being sluggish.

The report from the State Election Commission is everything is going well so far and that the tentative projected date of live usage is December 7, 2011.

ANNOUNCEMENTS

The next Board meeting is scheduled for November 30, 2011 at 2 o'clock pm; location is to be determined pending availability of the Finance Department's conference room.

Mr. Marshall announced the Beaufort County Legislative Delegation would be meeting on November 7, 2011 in the Council Chambers at 10 o'clock am.

Meeting adjourned by the chair at 2:55 p.m.