



**SURFSIDE BEACH MUNICIPAL ELECTION COMMISSION MEETING MINUTES
TUESDAY, OCTOBER 6, 2015 ♦ 10:00 A.M.
TOWN COUNCIL CHAMBERS**

1. CALL TO ORDER.

Chairman Tuttle called the meeting to order at 10:00 a.m. Chairman Tuttle, and Commissioners Courtney and Engelhard were in attendance. A quorum was present. Others present: Town Clerk Herrmann.

2. OATHS OF OFFICE.

Ms. Herrmann administered the oaths of office for the April 2016 General Election, copies of which are on file.

3. CHAIRMAN ELECTION.

Ms. Engelhard moved to elect Ms. Tuttle chairman. Ms. Courtney seconded. All voted in favor.
MOTION CARRIED.

4. AGENDA APPROVAL.

The agenda was approved by consensus.

5. BUSINESS.

A. Review Election Laws.

The Town Code of Ordinances and the State of South Carolina election laws were reviewed. Highlights were:

Town Code

- §5-56 Notice of Elections publications required not less than 60 days prior to general election

State Code

- §7-1-25 Domicile defined – (A) means a person’s fixed home where he has an intention of returning when he is absent. A person has only one domicile, and (C) “...a spouse may establish a separate domicile.”
- §7-1-60 Candidate is to qualify for one specific office
- 7-5-150 Registration Books shall be closed 30 days before each election. If a person comes of age (18) during that 30 day period, he may register to vote before the closing of the books
- §7-5-160 Registration is permanent
- §7-5-610 Special Provisions for Municipal Elections
- §7-7-15 Notice of change in polling place. Surfside #4 is combined with Surfside #2 for town elections.
- §7-7-320 Designation of voting precincts:
 - Surfside #1, Dick M. Johnson Civic Center, 829 Pine Drive
 - Surfside #2, Surfside United Methodist Church, 800 13th Avenue North
 - Surfside #4, Surfside United Methodist Church, 800 13th Avenue North
- §7-7-1000 If advertising is not in a daily newspaper, then the ads must be published on dates nearest and prior to the election date, and Precinct #4 shall be included as separate precinct for reporting purposes. (Note: Ads are also published in *The Myrtle Beach Herald*, on the town website, town calendar, Facebook, and email subscription service.)

Municipal Election Commission Meeting
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- 56 • §7-13-35 Absentee ballots will be presented for challenges by the Municipal Election
- 57 Commission at 7:00 p.m. on Election Day in Town Council Chambers
- 58 • 7-13-120 Candidates and their relatives shall not be managers or clerks.
- 59 • §7-13-130 Managers shall arrange precincts
- 60 • §7-13-140 Managers of election are clothed with such police powers as may be necessary to
- 61 carry out the provisions of this article.
- 62 • §7-13-325 Use of candidate's given name, derivative thereof, or nickname may be used on
- 63 ballot, but may not imply professional or social status, an office, or military rank.
- 64 • §7-13-335 Arrangement of names on certain ballots. Surname is customarily used for
- 65 alphabetizing.
- 66 • §7-13-380 Reprinting ballots to delete name of deceased or withdrawn candidate is optional.
- 67 • §7-13-390 Names must be withdrawn at least 30 days prior to the day of election.
- 68 • §7-13-710 (B) Managers must verify that the photograph is that of the person seeking to vote.
- 69 Signing the register is affirmation that the voter is qualified. (C) Electors may produce
- 70 identification to the Municipal Election Commission or the town clerk prior to or at the
- 71 Challenged Ballot Hearing.
- 72 • §7-13-810 Only candidates may protest election (see §7-17-30)
- 73 • §7-13-1160 Election results must be reported to the State Election Commission. (Note: The
- 74 town also reports to the SC Ethics Commission, Horry County Registrations and Elections, and
- 75 on the town website, Facebook, to email subscription service.)
- 76 • §7-13-1440 Witnesses are to observe at counting stations. (Note: Town Council Chambers is
- 77 opened at 6:15 on Election Day for assembly to observe the Municipal Election Commission
- 78 tally the votes and hear the unofficial results. Official results are announced after the
- 79 Challenged Ballot and Certification Hearing.)
- 80 • §7-13-1770 Duties of managers prior to opening polls. Clerks and managers are to arrive at
- 81 least 45 minutes early to set up before polls open at 7:00 a.m.
- 82 • §7-13-1820 Electors shall not remain in voting machine booth longer than three minutes.
- 83 • §17-17-30 Protests and contests. If protest filed, the Municipal Election Commission must
- 84 conduct a hearing with 48-hours of receipt. Protests are received until 48-hours after the
- 85 election; 7:00 p.m. on Thursday after Election Day.
- 86 • **§7-25-180 Unlawful distribution of campaign literature. (A) It is unlawful on an election**
- 87 **day within 200 feet of any entrance used by voters to distribute any type of campaign**
- 88 **literature or post any political posters. (B) A candidate may wear a label no larger than 4¼**
- 89 **x 4¼ with his name and the office he is seeking within 200 feet of the precinct; however,**
- 90 **he may not display it inside the precinct. *This is the most frequently asked question on***
- 91 ***Election Day.***
- 92 • §7-25-220. Immunity of poll workers. Poll workers are immune from personal civil liability for
- 93 any act or omission when the act or omission is done or made in good faith and does not
- 94 constitute gross negligence, recklessness, willfulness, or wantonness.
- 95

B. Election Day Timeline, Count Down and Post-Election Important Dates and Tasks.

The timeline, calendar and post-election important dates and tasks were reviewed, copies of which are on file. Important dates are:

- 100
- 101 • December 17, 2015 General Election ad published
- 102 • December 31, 2015 General Election ad published
- 103 • December 31, 2015 Filing Open ad published
- 104 • January 7, 2016 Filing Open ad published
- 105 • January 11, 2016 Filing opens 9:00 a.m.
- 106 • January 15, 2016 Filing closes 4:00 p.m.
- 107 • January 19, 2016 Municipal Election Commission Candidate Certification 10:00 a.m.
- 108 • March 4, 2016 Last day to register to vote in the April Election and to get an absentee ballot
- 109 • March 30, 2016 Poll Clerk and Manager Training 1:30 pm. (tentative)

- April 5, 2016 ELECTION DAY, polls open 7:00 a.m. to 7:00 p.m.
- April 7, 2016 Certification & Challenged Ballot Hearing 10:00 a.m.
- April 19, 2016 Runoff Election Day, if necessary, polls open 7:00 a.m. to 7:00 p.m.
- April 21, 2016 Certification and Challenged Ballot Hearing, if necessary, 10:00 a.m.

C. General Discussion: Municipal Election Handbook, review fees, dates, procedure, forms, etc.

Candidate filing opens Monday, January 11, 2016 at 9:00 a.m. and closes at 4:00 p.m. on Friday, January 15th. Candidates may walk in or schedule an appointment, and must appear in person. The following is required at filing:

1. Voter registration card dated at least 30 prior to filing date
2. Proof of Identity
3. Proof of permanent residency
4. Proof of age
5. Check or Cash to pay appropriate filing fee: \$50 for mayor; \$25 for council.

Evening appointments are available Monday through Thursday, but not on Friday, because filing closes at 4:00 p.m. The commission scheduled a candidate certification meeting on Tuesday, January 19, 2016 at 10:00 a.m. Candidates are required by SC Code to file statements of economic interest and campaign disclosure forms electronically with the State Ethics Commission and will be required to acknowledge same in writing.

Each poll clerk and poll manager will receive a copy of the "Poll Managers Handbook," which has all the information needed to successfully operate the precincts. The commissioners' contact numbers will be published so clerks and managers will be able to contact them on Election Day. Politics of any nature are not allowed to be discussed inside the precinct by anyone.

Most information in the Municipal Election Handbook issued by the Municipal Association of South Carolina was covered throughout discussion. Ms. Courtney asked if the 2014 publication was the most current. Ms. Herrmann said it was; it was not published every year. Ms. Herrmann said for the record that "The meeting today is pursuant to State Code that requires the commission to begin planning for the election at least 180-days prior to Election Day. [The Municipal Election Commission] has met that requirement."

The 2014 Election clerks and managers were discussed as possible workers during the 2016 Election. The clerk was directed to make initial contacts with the 2014 workers, and to advertise for workers as needed. Ms. Herrmann said that clerks and managers must be registered electors in either Horry or Georgetown County.

The various election advertisements were approved with corrections of some minor scrivener errors.

E. Poll Managers & Clerks; Poll Managers Handbook, Town Specific Rules, and Training Required.

IRS W-9 forms are required from the poll clerk and managers. The W-9 forms will be distributed for completion at the mandatory training class. Poll workers will receive \$25 for training; \$50 for Election Day, and \$50 for the Runoff Election Day, if any. Clerks and managers also are required to take an oath of office swearing to uphold the law and conduct the election process pursuant to Code. All clerks and managers will receive a copy of the handbook. Page 33 of the handbook cites State Code Section 7-25-180(a) that prohibits any campaign literature from being distributed within 200 feet of where voters enter the polling place. The "Provisional and Failsafe Voters" page was approved by Director Martin at Horry County Registrations and Elections and provides a quick reference for various situations.

166 **F. Challenged Ballot and Certification Hearing.**
167

168 The notice that is to be given to anyone whose ballot was challenged was discussed. The
169 challenged voter and the individual who challenges the voter have the right to appear before the
170 commission. The challenged ballot hearing was to have the commission consider provisional ballots
171 such as an elector voting in the wrong precinct. Once the challenged ballot questions are resolved, then
172 those votes would be added to the totals from Election Day to determine the final number of votes for
173 certification by the Municipal Election Commission.
174

175 **6. Candidate Protests.**
176

177 Candidates are allowed to protest the election up to 48-hours after the election closes. The clerk
178 will be at town hall until 7:00 p.m. to receive any protests.
179

180 **7. Runoff Election, April 19, 2016, and Challenged Ballot & Certification Hearing for Runoff**
181 **Election, Thursday, April 21, 2016, if necessary.**
182

183 If a runoff election is necessary, it will be held April 19, 2016. The same process is required for a
184 runoff election as for a regular election. The same poll clerks and managers work the runoff election. The
185 Challenged Ballot and Certification Hearing would be on April 21st. The runoff election, if any, cannot be
186 announced until after the ballots are certified.
187

188 **8. Public Comments.**
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190 There were no public comments.
191

192 **9. Commission Comments.**
193

194 Ms. Engelhard congratulated Chairman Tuttle on re-election as chairman and said it was nice to
195 meet Ms. Courtney.
196

197 Ms. Courtney said it was a pleasure meeting Chairman Tuttle and Ms. Engelhard.
198

199 Chairman Tuttle welcomed Ms. Courtney to the commission. She appreciated her willingness to
200 serve. The clerk was thanked for the meeting preparation.
201

202 **10. Adjournment.**
203

204 Chairman Tuttle declared the meeting adjourned at 11:27 a.m.
205

206 Respectfully submitted,
207

208 *s/Debra E. Herrmann*
209

210 Debra E. Herrmann, CMC, Town Clerk
211
212

213 Clerk's Note: This document constitutes summary minutes of the meeting that was digitally recorded.
214 Contact the town clerk for appointments to hear recordings. Bring a flash drive to obtain a free copy. In
215 accordance with FOIA §30-4-80, meeting notice and the agenda were distributed to local media and
216 subscribers on the town's email subscription list. The agenda was posted on the town website and the
217 entry door at Town Council Chambers. Meeting notice was also posted on the Town marquee.