

STATE ELECTION COMMISSION
2221 Devine Street, Suite 105
Columbia, South Carolina 29205

January 21, 2010
10:00 a.m.

Present: Mr. John H. Hudgens, III, Chairman; Ms. Cynthia M. Bensch (via teleconference); and Mr. Tracey C. Green (via teleconference)

Others Present: Ms. Marci Andino, Executive Director; and Mr. Chris Whitmire, Public Information Officer

THE MEETING OF THE STATE ELECTION COMMISSION WAS HELD IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Hudgens called the meeting of the State Election Commission (SEC) to order and asked if notice of the meeting had been posted. Ms. Andino replied that notice had been posted.

The first item of business was the approval of minutes from the December 16, 2009, meeting of the State Election Commission. Chairman Hudgens stated that each member had been provided copies of the minutes prior to the meeting and asked if there were any motions for changes to the minutes. There were none. Ms. Bensch moved to approve the minutes as they were. Mr. Green seconded the motion. The motion passed unanimously, and the minutes were approved.

Next on the agenda was new business with the first item being a report on state election legislation. Ms. Andino stated that the early voting/voter ID bill (H3418) was still alive in the General Assembly, and that passage of the bill in the current year remained a possibility. Ms. Andino stated that several Senators and Representatives of both major political parties attended the recent Annual Conference of the S.C. Association of Registration and Elections (SCARE). Those members in attendance were Sen. Gerald Malloy, Sen. John Scott, Rep. Jenny Horne, Rep. Wendy Nanney, Rep. Garry Smith, and Rep. David Weeks. She stated the legislators participated in a healthy and informative open forum with members of SCARE. She stated that during the forum the organization's members voiced their support for the early voting provisions of H3418 and their desire for the voter ID provisions to be dealt with separately, so as not to delay or hinder the bill's passage. Ms. Andino stated that the SEC's position on legislation does not always align with that of the SCARE organization, and that many times the SEC refrains from taking positions on particular bills. Chairman Hudgens stated that this practice helps the Agency to maintain its political neutrality. Ms. Andino stated that Rep. Laurie Funderburk had introduced a bill that would allow for online voter registration. Ms. Andino stated that Rep. Bobby Harrell had introduced a bill providing for voter registration by party and closed party primaries.

The next item on the agenda was an update on the State Auditor's fiscal year 2008 audit of the Agency. Chairman Hudgens asked Ms. Andino if there were any findings in the audit that were concerning or that the Commission needed to act upon. Ms. Andino stated there were no major findings in the report. She stated that all minor findings had been resolved through adjusting procedures.

Next on the agenda was old business with the first item being a budget update. Ms. Andino stated that the recently-passed 5% budget cut had been implemented, bringing the total agency

budget reduction for the current fiscal year to 9.04%. She stated that the fiscal year 2010 agency budget was recently submitted to the House Ways and Means Subcommittee that included a request for \$3.6 million to conduct the 2010 General Election. Ms. Andino stated that members of the subcommittee were concerned that the amount was higher than the last request for General Election funds. She stated the reason for the increase was that the 2010 State Primaries were not funded in fiscal year 2009, and that there would be no carry-forward funds in fiscal year 2010. Ms. Andino reported that lawmakers expect additional budget cuts in the 10 to 20 percent range. She stated that the Subcommittee's version of the state budget, as well as the Governor's version, eliminates the current stipend for county commissioners and board members. Ms. Andino stated that the Subcommittee requested the SEC provide a list of cost saving legislative measures. She stated the list had been drafted and reviewed some of the suggested measures (see attached).

The next item under old business was an update on the development of a new voter registration system. Ms. Andino stated that the Agency continues to make progress. She stated a requirements document had been delivered by NWN Corporation, and that SEC staff and a group of county election officials are working to review it. Ms. Bensch and Mr. Green requested copies of the document, and Ms. Andino stated that she would provide them electronic copies via email.

Chairman Hudgens stated the next SEC meeting is planned for February 17, 2010, at 10:00 a.m. Ms. Andino stated working on a proposed meeting schedule for the year and would email Commissioners the schedule and post it on scVOTES.org when complete.

Chairman Hudgens stated there was no further business to be considered. Ms. Bensch moved to adjourn the meeting of the State Election Commission. Mr. Green seconded the motion. The motion carried unanimously, and the meeting was adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. Whitmire". The signature is stylized with a large initial "C" and a long horizontal stroke.

Chris Whitmire
Public Information Officer

State Election Commission – Cost Saving Measures

Cost Saving Measure	SC Code of Laws	Amount of Savings	Source of Funds	
Post notice of election on website instead of in newspaper of general circulation	7-13-35	\$70,000 - \$100,000 per statewide primary or election	Primary and General Election	
Allow State Election Commission to certify election results via conference call	7-17-220 and 7-17-510	\$400 per meeting	General appropriation	S418
Only list name of constitutional amendments on ballot instead of the full text (reduces the cost of paper ballots)	7-13-410	Would vary from county to county depending on length of ballot	General Election	
Eliminate runoffs or reduce the percentage of votes needed to win a primary. This will reduce the need to conduct runoffs.	7-13-50 7-17-600	\$700,000 per statewide primary	Primary	
Remove name of precinct from paper ballots	7-13-320	\$.05 per ballot (avg)	Primary and General Election	
Print primary ballots without color stripe (red or blue)	7-13-610	\$.03-.04 per ballot	Primary	
Eliminate special elections (fill vacancies by appointment)	7-13-190	\$100,000 - could be as high as \$500,000 if special congressional election was necessary	General appropriation	
Increase candidate filing fees	7-13-40	An increase from 1% to 2% could generate an additional \$600,000 which is used to defray the cost of conducting primaries	Primary	

STATE ELECTION COMMISSION
2221 Devine Street, Suite 105
Columbia, South Carolina 29205

February 17, 2010
10:00 a.m.

Present: Mr. John H. Hudgens, III, Chairman; Ms. Cynthia M. Bensch (via teleconference); Mr. Tracey C. Green (via teleconference); Mr. Tom Waring (via teleconference)

Others Present: Ms. Marci Andino, Executive Director; and Ms. Donna Royson, Executive Deputy Director

THE MEETING OF THE STATE ELECTION COMMISSION WAS HELD IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Hudgens called the meeting of the State Election Commission (SEC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino replied that the notices had been posted.

The first item of business was the approval of minutes from the January 20, 2010, meeting of the State Election Commission. Mr. Waring moved to approve the minutes. Ms. Bensch seconded the motion. The motion passed unanimously, and the minutes were approved.

Next on the agenda was new business with the first item being a report on state election legislation. Ms. Andino stated there were two pieces of election-related legislation moving in the General Assembly: H3418 (early voting and voter ID) and S590 (nomination by petition). Ms. Andino explained the requirements of each bill in their current form, explained the status of each, and answered questions from the commission about the bills' potential impacts.

The next item on the agenda was a reminder that SEC members must file Statements of Economic Interests (SEIs) by April 15th. Ms. Andino stated she would resend the link to the SEI filing page on the State Ethics Commission's site to all commissioners.

Next on the agenda was a report on preparations for the June 8th Primaries. Ms. Andino stated that SEC staff had been working on preparations since last year. She stated the agency had a vacant position in the department responsible for creating election databases. Ms. Andino stated the position is mission critical, and the Agency would be hiring a replacement. She stated that until a replacement is hired and trained, the agency would contract with Elections Systems & Software to provide necessary assistance. She stated that candidate filing opens at noon on March 16th and closes at noon on March 30th. She stated that the Agency should receive candidate names from the political parties by noon, April 9th; and ballots must be prepared by April 24th to meet the deadline to send ballots to military and overseas citizens. Ms. Andino noted the following additional preparations had been made:

- Envelopes, poll lists, and other election day supplies had been ordered
- The poll manager's handbook had been updated, and is in the process of printing
- A meeting was held with certified political parties to review party organization and filing requirements
- Voter Services Division staff have been preparing election databases so that all is necessary is to enter candidate names when available.

Next on the agenda was old business, with the first item being the Agency budget. Ms. Andino stated there had been no recent budget cuts, but that the Agency had been put on notice to expect large cuts on July 1st. She stated the House Ways and Means Committee had not released their budget for next fiscal year. Ms. Andino stated that the 2010 State Primaries had not been funded this year. She stated the Agency had leftover funds from previous primaries, and that the State Budget Office has suggested the Agency use funds earmarked for ballot security and the 2008 Presidential Preference Primaries. Ms. Andino stated that Ms. Janet Reynolds, the Agency Finance Director, is seeking clarification from the State Auditor on the permissibility of the use of those funds. Mr. Green agreed that earmarked funds should not be used for other purposes. Chairman Hudgens asked about the expected cost of the State Primaries. Ms. Andino replied she expected the Primaries to cost \$2.5 million to \$3 million. She stated there were approximately \$2 million dollars in carry forward funds available, and that the State Budget and Control Board had been put on notice that the Agency could potentially run a \$600,000 deficit. She stated that the agency also uses candidate filing fees to fund the Primaries, but the amount of funds generated by those fees is currently unknown. Ms. Bensch asked where the funds were currently being held, and are the funds gaining interest. Ms. Andino replied that the Agency does not have direct control over the funds, only authorization to use them.

The next item under old business was an update on the development of a new voter registration system. Ms. Andino stated that the Agency continues to review the requirements document. She stated that a series of meetings had been held with NWN Corporation (NWN) and county focus groups to ensure all steps have been documented. Ms. Andino estimated that it would be at least one month before review of the requirements document was complete. Chairman Hudgens asked what the next step in development was. Ms. Andino stated that once complete, the requirements document would provide a roadmap for software developers to create the new system. She stated that the SEC staff recommends contracting with NWN because the organization had worked with the SEC for more than seven years on various projects providing their staff with vast knowledge of the Agency's operation and the current voter registration system. She stated that the time necessary to bring a new vendor up to speed on the project would put the goal of a 2011 implementation in jeopardy. Chairman Hudgens asked if the new system would allow for voter registration cards featuring photographs. Ms. Andino replied that the new system would include features to accommodate future changes such as registration by party and photo ID.

Chairman Hudgens stated the next SEC meeting is planned for March 17, 2010, at 10:00 a.m.

Chairman Hudgens stated there was no further business to be considered. Mr. Waring moved to adjourn the meeting of the State Election Commission. Ms. Bensch seconded the motion. The motion carried unanimously, and the meeting was adjourned.

Respectfully submitted,



Donna Royson
Deputy Executive Director

STATE ELECTION COMMISSION
2221 Devine Street, Suite 105
Columbia, South Carolina 29205

March 3, 2010
2:00 p.m.

Present: Mr. John H. Hudgens, III, Chairman; Ms. Cynthia M. Bensch (via teleconference); Mr. Tracey C. Green (via teleconference); Ms. Pamela B. Pinson (via teleconference); Mr. Tom Waring (via teleconference)

Others Present: Ms. Marci Andino, Executive Director; Ms. Donna Royson, Executive Deputy Director; and Mr. J. C. Nicholson, S.C. Attorney General's Office

THE MEETING OF THE STATE ELECTION COMMISSION WAS HELD IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Hudgens called the meeting of the State Election Commission (SEC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino replied that the notices had been posted.

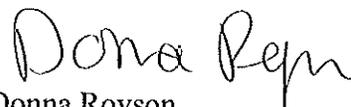
The first item of business was to discuss the matter of Gray vs. SEC. Mr. Waring moved to continue the meeting in executive session for the purpose of receiving legal advice from present counsel. Ms. Pinson seconded the motion. The motion passed unanimously, and the meeting continued in executive session.

After continuing for some time in executive session, Mr. Waring moved to recall the meeting from executive session. Ms. Pinson seconded the motion, and the executive session ended.

Chairman Hudgens stated that no action was taken while in executive session. Chairman Hudgens asked if there were any questions or comments regarding the matter of Gray vs. SEC. There were none.

Chairman Hudgens stated there was no further business to be considered. Ms. Bensch moved to adjourn the meeting of the State Election Commission. Ms. Pinson seconded the motion. The motion carried unanimously, and the meeting was adjourned.

Respectfully submitted,



Donna Royson
Deputy Executive Director

STATE ELECTION COMMISSION
2221 Devine Street, Suite 105
Columbia, South Carolina 29205

March 3, 2010
2:00 p.m.

Present: Mr. John H. Hudgens, III, Chairman; Ms. Cynthia M. Bensch (via teleconference); Mr. Tracey C. Green (via teleconference); Ms. Pamela B. Pinson (via teleconference); Mr. Tom Waring (via teleconference)

Others Present: Ms. Marci Andino, Executive Director; Ms. Donna Royson, Executive Deputy Director; and Mr. J. C. Nicholson, S.C. Attorney General's Office

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The first item of business was to discuss the matter of Gray vs. SEC. Mr. Waring moved to continue the meeting in executive session for the purpose of receiving legal advice from present counsel. Ms. Pinson seconded the motion. The motion passed unanimously, and the meeting continued in executive session.

After continuing for some time in executive session, Mr. Waring moved to recall the meeting from executive session. Ms. Pinson seconded the motion, and the executive session ended.

Chairman Hudgens stated that no action was taken while in executive session. Chairman Hudgens asked if there were any questions or comments regarding the matter of Gray vs. SEC. There were none.

Chairman Hudgens stated there was no further business to be considered. Ms. Bensch moved to adjourn the meeting of the State Election Commission. Ms. Pinson seconded the motion. The motion carried unanimously, and the meeting was adjourned.

Respectfully submitted,



Donna Royson
Deputy Executive Director

STATE ELECTION COMMISSION
2221 Devine Street, Suite 105
Columbia, South Carolina 29205

April 21, 2010
10:00 a.m.

Present: Mr. John H. Hudgens, III, Chairman; Mr. Tracey C. Green (via teleconference); and Mr. Tom Waring (via teleconference)

Others Present: Ms. Marci Andino, Executive Director; Mr. Chris Whitmire, Public Information Officer; and Mr. J.C. Nicholson, Counsel, Attorney General's Office (via teleconference).

THE MEETING OF THE STATE ELECTION COMMISSION WAS HELD IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Hudgens called the meeting of the State Election Commission (SEC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino replied that the notices had been posted.

The first item of business was approval of the minutes of the March 3, 2010, minutes of the SEC. Mr. Waring moved to approve the minutes. Mr. Green seconded the motion. The motion passed unanimously, and the minutes were approved.

The next item of business was a state legislative report. Ms. Andino reported on the status of several bills related to voter registration and elections including the following: S418 (SEC meeting by teleconference), S1299 (municipal special elections), H3067 (fusion voting), H3418 (early voting and voter ID), and H3630 (municipal election commission training).

The next item of business was a report on preparations for the June Primaries. Ms. Andino stated that the SEC held a training class on April 7th, and representatives from 43 counties attended. She stated polling place supplies had been ordered and were being shipped. Ms. Andino reported that SEC staff continues work on election database preparations, and that staff were working seven-day workweeks to ensure ballots were prepared by the federal 45-day deadline for sending absentee ballots to military and overseas voters.

The next item on the agenda was an update on the agency budget. Ms. Andino stated that the Senate Finance Committee released their version of the state budget recently. She reported the Committee's version includes the following: a proviso to allow the Agency to use ballot security and Presidential Preference Primary funds, a \$200,000 reduction in the agency budget, and full funding for the General Election and county commissioner stipends.

The next item of business was a report on development of a new voter registration system. Ms. Andino reported progress was being made on the requirements document. She stated county officials were being involved in the process, and agency staff was working meticulously to ensure all needs are addressed.

Next on the agenda was old business with the first item being the Gray vs. SEC lawsuit. Mr. Nicholson joined the meeting via teleconference. Mr. Green moved that the meeting be continued in executive session for the purpose of obtaining legal advice from counsel. Mr.

Waring seconded the motion. The motion passed unanimously, and the meeting continued in executive session. After some time, Mr. Green moved to conclude the executive session. Mr. Waring seconded the motion, and the meeting continued in open session. Chairman Hudgens stated that no decisions were made in executive session, and that the Board only received legal advice. Mr. Nicholson left the meeting.

Mr. Hudgens asked if the 2010 SEC meeting calendars had been distributed. Ms. Andino stated the calendars had been distributed. Mr. Hudgens discussed the potential for the Board to hear protests and appeals in the final week of November and the first week of December. Mr. Hudgens asked Commissioners to note this on their calendars and be prepared to be in Columbia for potential hearings during those weeks.

Chairman Hudgens stated there was no further business to be considered. Mr. Waring moved to adjourn the meeting. Mr. Green seconded the motion. The motion carried unanimously, and the meeting was adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. Whitmire". The signature is written in a cursive style with a large initial "C" and a horizontal line extending from the end.

Chris Whitmire
Public Information Officer

STATE ELECTION COMMISSION
2221 Devine Street, Suite 105
Columbia, South Carolina 29205

May 19, 2010
2:30 p.m.

Present: Mr. John H. Hudgens, III, Chairman; Mr. Tracey C. Green; Ms. Pamella B. Pinson; and Mr. Tom Waring (via teleconference)

Others Present: Ms. Marci Andino, Executive Director; and Mr. Chris Whitmire, Public Information Officer

THE MEETING OF THE STATE ELECTION COMMISSION WAS HELD IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Hudgens called the meeting of the State Election Commission (SEC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino replied that the notices had been posted.

The first item of business was approval of the minutes of the April 21, 2010, meeting of the SEC. Mr. Green moved to approve the minutes. Ms. Pinson seconded the motion. The motion passed unanimously, and the minutes were approved.

The next item of business was a state legislative report. Ms. Andino reported on the status of several bills related to voter registration and elections including the following: S418 (SEC meeting by teleconference), H3067 (fusion voting), H3418 (early voting and voter ID), and H3746 (petition candidates).

The next item of business was a report on preparations for the June Primaries. Ms. Andino stated that all election databases had been delivered to counties, all paper ballots have been printed, and all counties would have absentee voting machines open this week. She stated that counties were currently working to prepare voting machines for voting on June 8th. Ms. Andino stated that SEC staff was making preparations for election night results reporting and the expected Primary Runoffs on June 22nd. Ms. Andino stated that the State Board of Canvassers would need to meet on June 11th or 12th to certify the results of the Primaries. After some discussion amongst the members and Ms. Andino, it was unclear which date would be best suited for the meeting. Chairman Hudgens asked Ms. Andino to work with members to set a date and time best suitable for everyone. Ms. Andino stated the Board would also need to meet on June 25th or 26th to certify the results of any Primary Runoffs. Chairman Hudgens set a tentative date for the meeting of June 26th, with a specific time to be set at a later date.

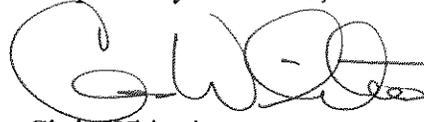
The next item on the agenda was an update on the agency budget. Ms. Andino stated that there is still no final agency budget for FY2011. She reported that both the House and Senate versions of the agency budget include a 20% agency budget cut and full funding for the 2010 General Election. She stated that the House version removes the county board member stipend proviso, while the Senate version does not. She stated that the Senate version includes a proviso to allow the Agency to use Presidential Preference Primary and ballot security funds to fund the 2010 primaries, while the House version does not.

The next item of business was a report on development of a new voter registration system. Ms. Andino stated the requirements document was not yet finished, but that the process was still on schedule. She stated that SEC staff was examining the issue of data migration, determining the level of difficulty in moving current data into a new system.

Ms. Andino informed the Board that Lee County Elections Director Lynn Fata called this week to say she believed her offices in Bishopville, SC may have been broken into over the weekend. Ms. Andino stated that Ms. Fata had contacted the Sheriff's Office to investigate. Ms. Andino stated that Ms. Fata reported that nothing in the office seemed out of place, and that no election equipment, election materials, or ballots were missing. Ms. Andino also stated that Ms. Fata ensured her no unauthorized ballots had been cast on any absentee voting machines. She stated that Ms. Fata ensured her that the numbered seals on the absentee voting machines remained sealed and had not been tampered with. Ms. Andino stated that SEC staff is working with the voting system vendor and Ms. Fata to examine voting system components in an effort to ensure no equipment has been tampered with.

Chairman Hudgens stated there was no further business to be considered. Mr. Waring moved to adjourn the meeting. Ms. Pinson seconded the motion. The motion carried unanimously, and the meeting was adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C. Whitmire', written over a horizontal line.

Chris Whitmire
Public Information Officer

STATE BOARD OF CANVASSERS
2221 Devine Street, Suite 105
Columbia, South Carolina 29205

June 11, 2010
3:00 p.m.

Present: Mr. John H. Hudgens, III, Chairman; Mr. Tracey C. Green (via teleconference); Ms. Pamella B. Pinson (via teleconference); Mr. Tom Waring (via teleconference).

Others Present: Ms. Marci Andino, Executive Director; and Mr. Chris Whitmire, Public Information Officer

THE MEETING OF THE STATE BOARD OF CANVASSERS WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Hudgens called the meeting of the State Board of Canvassers (SBC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino replied that the notices had been posted.

Chairman Hudgens stated the purpose of the meeting was to certify the results of the June 8, 2010 Republican and Democratic Primaries and to call for any necessary Runoffs. Chairman Hudgens noted that Ms. Andino had emailed each member of the Board copies of the results of the Primaries and a list of offices and candidates that necessitated Runoffs. Ms. Andino stated that the results emailed to each member were identical to the results posted at www.scVOTES.org.

Chairman Hudgens asked Ms. Andino if the results of the Primaries were true and accurate as she presented them. She stated they were. Chairman Hudgens stated that he would entertain any questions from the Board. Mr. Green asked if there were any major issues the Board needed to be aware of. Ms. Andino stated there were none. Mr. Green asked if the results necessitated any Recounts. Ms. Andino stated there were none. Mr. Green asked if there would be no Runoff in the State House of Representatives District 69 contest. Ms. Andino replied that each remaining candidate had submitted withdrawal letters meaning no Runoff was necessary. Mr. Hudgens stated that SEC conducted a successful election and that election night results reporting went smoothly.

Mr. Green stated that he read about some issues on the day of the Primaries in Greenville County and asked Ms. Andino if she knew anything about those issues. Ms. Andino replied that she was aware of two issues. She stated that according to Greenville Elections Director Conway Belangia, one of the issues resulted from a poll manager locking the election materials in his car along with his car keys. She stated this caused the polling place to open approximately 30 minutes late. She stated the other issue was the result of a poll manager not showing up for work on the morning of the Primaries. This resulted in voters casting emergency paper ballots for some time because the remaining poll managers were unable to open voting machines immediately at 7:00 a.m.

Mr. Green moved to certify the results of the 2010 Republican and Democratic Primaries as presented by Ms. Andino. Ms. Pinson seconded the motion. The motion passed unanimously. Chairman Hudgens stated that the 2010 Republican and Democratic Primary results were now certified.

Mr. Green moved to order all necessary Runoffs as presented by Ms. Andino to be held on June 22, 2010. Mr. Waring seconded the motion. The motion passed unanimously. Chairman Hudgens stated the Primary Runoffs had now been ordered.

Chairman Hudgens asked each member of the Board to sign the copies of the oaths that had been emailed to them and return them to Ms. Andino. Chairman Hudgens stated that the SBC would meet on June 25th, 2010, at 3:00 p.m. to certify the results of the Primary Runoffs, and that the SEC would also hold a monthly meeting at that time.

There being no further business, Mr. Green moved to adjourn the meeting of the SBC. Ms. Pinson seconded the motion. The motion carried unanimously and the meeting was adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. Whitmire", with a stylized flourish at the end.

Chris Whitmire
Public Information Officer

STATE BOARD OF CANVASSERS
2221 Devine Street, Suite 105
Columbia, South Carolina 29205

June 25, 2010
3:00 p.m.

Present: Mr. John H. Hudgens, III, Chairman; Ms. Cynthia M. Bensch (via teleconference); Mr. Tracey C. Green (via teleconference); Ms. Pamella B. Pinson (via teleconference); Mr. Thomas Waring (via teleconference).

Others Present: Ms. Marci Andino, Executive Director; and Mr. Chris Whitmire, Public Information Officer

THE MEETING OF THE STATE BOARD OF CANVASSERS WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Hudgens called the meeting of the State Board of Canvassers (SBC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino replied that the notices had been posted.

Chairman Hudgens stated the first item of business was approval of the minutes of the June 11, 2010, meeting of the SBC. Mr. Green made a motion to approve the minutes. Ms. Pinson seconded the motion. The motion passed unanimously and the minutes were approved.

Chairman Hudgens stated the next item of business was certification of the results of the June 22, 2010 Republican and Democratic Primary Runoffs. Chairman Hudgens noted that Ms. Andino had emailed each member of the Board copies of the results of the Runoffs, and that those results are identical to those posted at www.scVOTES.org.

Mr. Green asked if there were any problems with the conduct of the Primary Runoffs. Ms. Andino replied that there were no issues outside of the normal range of poll manager issues experienced during every statewide election. Ms. Andino stated those issues ranged from a poll manager not showing up for work to some poll managers being unable to follow the procedure for opening voting machines. Ms. Andino stated this is expected in conducting such a complex operation involving approximately 18,000 poll managers, 12,000 voting machines, and 2,100 polling places.

Chairman Hudgens stated he would entertain a motion to certify the results of the 2010 Republican and Democratic Primary Runoffs. Ms. Bensch moved to certify the results. Ms. Pinson seconded the motion. The motion passed unanimously. Chairman Hudgens declared the results certified.

Chairman Hudgens stated the next item of business was to order a Recount in the Republican Primary for U.S. House of Representatives District 6. Chairman Hudgens stated that the results show the difference in the totals for each candidate in the contest to be less than one percent. Chairman Hudgens stated that when the difference between two candidates in a Runoff is one percent or less, a Recount is mandatory under state law. Ms. Bensch moved to order the Recount. Mr. Waring seconded the motion. The motion passed unanimously. Chairman Hudgens declared the Recount ordered.

Ms. Andino stated the SEC will ask counties to conduct the Recount at 10:00 a.m. on Monday, June 28th, and that the SBC will need to meet again after the Recount to certify the results. After some discussion about possible meeting times, Chairman Hudgens stated the SBC would meet at 9:30 a.m. on Tuesday, June 29th to certify the Recount results.

Chairman Hudgens asked each member of the Board to sign the copies of the oaths that had been emailed to them and return them to Ms. Andino.

There being no further business, Mr. Waring moved to adjourn the meeting of the SBC. Ms. Pinson seconded the motion. The motion carried unanimously and the meeting was adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. Whitmire", written in a cursive style.

Chris Whitmire
Public Information Officer

STATE ELECTION COMMISSION
2221 Devine Street, Suite 105
Columbia, South Carolina 29205

June 25, 2010
3:00 p.m.

Present: Mr. John H. Hudgens, III, Chairman; Ms. Cynthia M. Bensch (via teleconference); Mr. Tracey C. Green (via teleconference); Ms. Pamela B. Pinson (via teleconference); and Mr. Tom Waring (via teleconference)

Others Present: Ms. Marci Andino, Executive Director; and Mr. Chris Whitmire, Public Information Officer

THE MEETING OF THE STATE ELECTION COMMISSION WAS HELD IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Hudgens called the meeting of the State Election Commission (SEC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino replied that the notices had been posted.

The first item of business was approval of the minutes of the May 19, 2010, meeting of the SEC. Mr. Waring moved to approve the minutes. Mr. Green seconded the motion. The motion passed unanimously, and the minutes were approved.

The next item of business was a state legislative report. Ms. Andino reported that the Conference Report on H3418 (early voting and voter ID) had been adopted by the House and was currently being considered in the Senate. She stated that the General Assembly was set to return next week. Ms. Andino reported that H3746 (petition candidates) was vetoed by the Governor on grounds that it was unconstitutional, and that the veto was sustained by the House effectively killing the legislation.

Next on the agenda was a follow-up report on the State Primaries and Runoffs. Ms. Andino stated that the 2010 Primaries were conducted successfully, and that they were relatively quiet and uneventful other than the surprise outcome of the Democratic U.S. Senate Primary. Ms. Andino stated that the S.C. Democratic Party heard and denied the protest filed by U.S. Senate candidate Vic Rawl. She stated the SEC received materials presented by the protestant at the hearing and is seeking a transcript of the hearing. Chairman Hudgens noted that many of the protestant's claims were related to stories about problems that have occurred in other states and with other voting systems, as well as theoretical vulnerabilities of the system. Chairman Hudgens stated that the SEC staff should examine the materials and transcript to understand the claims that were made. Ms. Andino stated that she understood there were a number of inaccuracies in the claims that were made at the hearing, and that SEC staff would examine the materials. Ms. Andino stated that the SEC had received an unusually high number of Freedom of Information Act requests related to the Primaries and the Democratic Primary for U.S. Senate in particular. She stated various groups and individuals were requesting voting machine data, emails, and commission minutes, among other items; and that staff were responding accordingly.

The next item of business was a report on the Federal Voting Assistance Program's (FVAP) Electronic Ballot Marking Wizard (EBMW) initiative. Ms. Andino explained FVAP's role in elections and that the EBMWs were being offered to states as a solution for compliance with the

federal Military and Overseas Voting Empowerment Act. She stated that S.C. was already in compliance with the Act, but that the EBMWs offered the opportunity for military and overseas voters to more easily cast their absentee ballots by being able to access the ballots online and mark them electronically. Ms. Andino stated that the SEC has indicated that S.C. would like to participate, and that SEC staff had traveled to Washington, D.C. to review bids from several companies chosen by FVAP to offer the EBMWs. Chairman Hudgens asked how many S.C. voters could be affected and what the overall benefit would be. Ms. Andino stated that S.C. had approximately 100,000 military and overseas citizens, and that the service could increase participation in elections within that group.

Next on the agenda was an update on the Agency Budget. Ms. Andino stated that there was no final budget yet for the 2010-2011 fiscal year, and that the General Assembly would return the following week to finalize the budget. She stated there would likely be a 20 percent reduction in the state budget, which amounts to approximately \$198,000. She stated that new budget eliminates county commissioner and board member stipends amounting to approximately \$449,000, and that this cut was in addition to the 20 percent cut. Chairman Hudgens stated that these were difficult budget times for all state agencies, and that they were particularly difficult for small agencies like the SEC that are charged with such critical tasks.

The next item of business was a report on development of a new voter registration system. Ms. Andino stated the requirements document was nearing completion. She stated that SEC staff was reviewing the final two pieces of the project: modules for photo ID and petition verification. She stated staff would be meeting with county election officials next week to gather input.

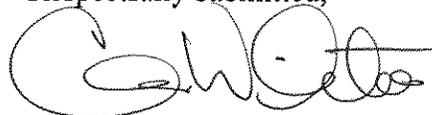
Chairman Hudgens stated that the Board needed to discuss a personnel matter and entertained a motion to continue the meeting in executive session for the sole purpose of discussing that matter. Mr. Waring moved to continue the meeting in executive session. Ms. Bensch seconded the motion. The motion passed unanimously and the meeting continued in executive session.

After some time, Ms. Pinson moved to continue the meeting in open session. Mr. Waring seconded the motion. The motion passed unanimously, and the meeting continued in open session. Chairman Hudgens stated that only personnel matters were discussed in the executive session and no votes were taken. Mr. Waring moved to approve a request by Ms. Andino that she be permitted to participate in the TERI program for approximately one month, then retire and be rehired by the Commission. Ms. Pinson seconded the motion. The motion passed by a vote of four to one, with Ms. Bensch voting in opposition to the motion.

Chairman Hudgens stated the next meeting of the SEC would be July 21, 2010, at 10:00 a.m.

There being no further business to be considered. Mr. Waring moved to adjourn the meeting. Ms. Bensch seconded the motion. The motion carried unanimously, and the meeting was adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. Whitmire", written over a horizontal line.

Chris Whitmire
Public Information Officer

STATE BOARD OF CANVASSERS
2221 Devine Street, Suite 105
Columbia, South Carolina 29205

June 29, 2010
3:00 p.m.

Present: Mr. John H. Hudgens, III, Chairman (via teleconference); Ms. Cynthia M. Bensch (via teleconference); Mr. Tracey C. Green (via teleconference); Ms. Pamela B. Pinson (via teleconference); Mr. Thomas Waring (via teleconference).

Others Present: Ms. Marci Andino, Executive Director; and Mr. Chris Whitmire, Public Information Officer

THE MEETING OF THE STATE BOARD OF CANVASSERS WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Hudgens called the meeting of the State Board of Canvassers (SBC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino replied that the notices had been posted.

Chairman Hudgens stated the first item of business was approval of the minutes of the June 25, 2010, meeting of the SBC. Mr. Waring made a motion to approve the minutes. Ms. Bensch seconded the motion. The motion passed unanimously and the minutes were approved.

Chairman Hudgens stated the next item of business was certification of the Recount of the June 28, 2010 Republican Primary for U.S. House of Representatives District 6. Chairman Hudgens noted that each member of the Board had seen a copy of the results of the Recount, and that the results had also been posted at www.scVOTES.org.

Chairman Hudgens stated he would entertain a motion to certify the results of the Recount. Ms. Bensch moved to certify the results. Ms. Pinson seconded the motion. The motion passed unanimously. Chairman Hudgens declared the results certified.

Chairman Hudgens asked each member of the Board to sign the copies of the oaths that had been emailed to them and return them to Ms. Andino.

There being no further business, Ms. Bensch moved to adjourn the meeting of the SBC. Ms. Pinson seconded the motion. The motion carried unanimously and the meeting was adjourned.

Respectfully submitted,



Chris Whitmire
Public Information Officer

STATE ELECTION COMMISSION
2221 Devine Street, Suite 105
Columbia, South Carolina 29205

July 21, 2010
11:00 a.m.

Present: Mr. John H. Hudgens, III, Chairman; Mr. Tracey C. Green (via teleconference); Ms. Pamella B. Pinson (via teleconference); Mr. Thomas Waring (via teleconference).

Others Present: Ms. Marci Andino, Executive Director; Ms. Donna Royson, Deputy Executive Director; and Mr. Chris Whitmire, Public Information Officer

THE MEETING OF THE STATE ELECTION COMMISSION WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Hudgens called the meeting of the State Election Commission (SEC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino replied that the notices had been posted.

Chairman Hudgens stated the first item of business was approval of the minutes of the June 25, 2010, meeting of the SEC and the June 29, 2010, meeting of the State Board of Canvassers. Mr. Waring made a motion to approve the minutes. Mr. Green seconded the motion. The motion passed unanimously and the minutes were approved.

Chairman Hudgens stated the next item of business was an update on preparations for the 2010 General Election. Ms. Andino reported that SEC staff was finishing up work related to the 2010 Primaries. She stated part of that work consisted of scanning voter registration lists from which voter participation statistics are produced, and that lists from 44 of 46 counties have been scanned. Ms. Andino stated that the deadline to file nominating petitions for the General Election had passed, and two petitions had been filed with the SEC: one for State House of Representatives District 36 (Spartanburg) and one for State House of Representatives District 115 (Charleston). Ms. Andino stated that SEC staff was doing as much work as possible to prepare election databases, entering names and office, in advance of the August 16, 2010, candidate certification deadline.

Next on the agenda was an update on Freedom of Information Act (FOIA) requests. Ms. Andino reported that the Agency had received numerous requests. She stated the requests were unusually detailed and extensive and that many are asking for records that may or may not be public due to security and proprietary considerations. Chairman Hudgens asked if the Attorney General's office is providing guidance. Ms. Andino stated that SEC staff is currently preparing a list of files in question and that the Attorney General's office would be providing guidance. Mr. Green requested that he be kept informed regarding the current FOIA compliance issues. Mr. Hudgens stated that the SEC's objective is to be as open as possible with Agency records.

The next item of business was a report on the Federal Voting Assistance Program (FVAP) Electronic Ballot Support Wizard program. Ms. Andino stated that the program is being offered to states as a possible solution to compliance with requirements in the federal Military and Overseas Voter Empowerment (MOVE) Act. She stated that the SEC was already compliant with the Act, but had indicated to the FVAP that S.C. wanted to participate in the program to take advantage of enhancements that could be made to voting methods for military and overseas

citizens. Ms. Andino stated the FVAP issued an RFP for vendors, and the FVAP had selected Scytl, Inc. as the vendor for S.C. She stated that SEC staff researched Scytl and found the company had been involved in conducting an election in Finland that was overturned. Ms. Andino stated this raised concerns about the company's public perception, and she sought an explanation from Scytl. Ms. Andino stated she received information from Scytl about the company's role in the overturned election, but the information was not adequate to alleviate her concerns. She stated the Agency notified the FVAP that in light of these concerns, S.C. would not be participating in the program.

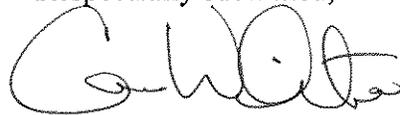
Next on the agenda was an update on the development of a new voter registration system. Ms. Andino stated that SEC staff continued to work on the requirements document, and that the process was nearly complete.

The next item of business was a legal update. Ms. Andino stated that the Attorney General's office was working on a response to the Greenville County Republican Party complaint. Ms. Andino stated that the recent decision by the U.S. 4th Circuit Court of Appeals in the Green Party case upheld the "sore loser" statute, S.C. Code of Laws §7-11-10.

Chairman Hudgens stated the next SEC meeting would be held at 10:00 a.m. on August 18, 2010.

There being no further business, Mr. Waring moved to adjourn the meeting. Mr. Green seconded the motion. The motion carried unanimously and the meeting was adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. Whitmire". The signature is fluid and cursive, with a large initial "C" and a long, sweeping underline.

Chris Whitmire
Public Information Officer

STATE ELECTION COMMISSION
2221 Devine Street, Suite 105
Columbia, South Carolina 29205

August 18, 2010
11:00 a.m.

Present: Mr. John H. Hudgens, III, Chairman (via teleconference); Ms. Cynthia M. Bensch (via teleconference); Mr. Tracey C. Green; Ms. Pamela B. Pinson (via teleconference); Mr. Thomas Waring (via teleconference).

Others Present: Ms. Marci Andino, Executive Director; Ms. Donna Royson, Deputy Executive Director; Mr. Chris Whitmire, Public Information Officer; Mr. J.C. Nicholson, Attorney, S.C. Attorney General's Office; and Mr. Todd Kincannon, Attorney, Kershaw and Richland County Republican Parties (via teleconference).

THE MEETING OF THE STATE ELECTION COMMISSION WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Hudgens called the meeting of the State Election Commission (SEC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino replied that the notices had been posted.

Chairman Hudgens stated the first item of business was approval of the minutes of the July 21, 2010, meeting of the SEC. Chairman Hudgens stated that copies of the minutes had been distributed to members prior to the meeting. Ms. Bensch made a motion to approve the minutes. Ms. Pinson seconded the motion. The motion passed unanimously and the minutes were approved.

The next item on the agenda was the withdrawal of a candidate for State House of Representatives District 79 in the 2010 General Election. Chairman Hudgens stated that Democratic candidate Anton Gunn had withdrawn his candidacy by affidavit, and the Board would be taking up the issue of whether the withdrawal meets the definition of a "legitimate nonpolitical reason" as defined in S.C. Code of Laws §7-11-50. Chairman Hudgens stated that Mr. Kincannon wished to address the Board concerning the matter. Mr. Kincannon joined the meeting by teleconference. Mr. Kincannon stated he represented the Kershaw and Richland County Republican Parties. He requested that consideration of the matter be delayed in order to conduct further research. Mr. Kincannon also made provisional arguments that the reason for the withdrawal was not nonpolitical, in case the Board decided to consider the matter presently. Chairman Hudgens thanked Mr. Kincannon for his comments.

Ms. Bensch stated she believed the reason for the withdrawal was political and should not be allowed. Chairman Hudgens asked if there were any more comments from the Board, and if none, that he would entertain a motion to enter into executive session for the sole purpose of receiving legal advice on the matter. Ms. Pinson made a motion to move into executive session. Ms. Bensch seconded the motion. The motion passed unanimously, and the meeting entered executive session. Mr. Kincannon was dropped from the teleconference.

Ms. Bensch made a motion to leave executive session and continue the meeting in open session. Ms. Pinson seconded the motion. The motion passed unanimously, and the meeting continued in open session. Mr. Kincannon rejoined the teleconference. Chairman Hudgens stated that during

executive session the Board received legal advice on the matter, and that no votes were taken and no decisions were made. Chairman Hudgens stated he would entertain any motions regarding the withdrawal. Mr. Waring made a motion to accept the withdrawal as “nonpolitical” as defined in state law. Ms. Pinson seconded the motion. The motion passed on a vote of four to one, with Ms. Bensch voting in dissent. Mr. Kincannon dropped from the teleconference.

Chairman Hudgens stated the next item of business was an update on preparations for the 2010 General Election. Ms. Andino stated the deadline for certification of candidates and questions for the General Election was noon, Monday, August 16th. She stated 27 county Republican parties missed the filing deadline, and that a court order would be required to place those candidate names on ballots. Ms. Andino stated that a representative of the Republican Party had informed SEC that he was working to request such an order. She stated the situation could delay the ballot preparation process. Ms. Andino stated that SEC staff continued working on creating election definitions from which ballots are produced. She stated that staff were also preparing for the General Election Training Workshop to be held on September 15th. Ms. Andino reported that Governor Mark Sanford had declared September Voter Education Month throughout South Carolina, and that the Agency would be using the occasion to educate voters about the voter registration and election process.

Next on the agenda was an update on recent Freedom of Information Act (FOIA) requests. Ms. Andino stated that SEC staff continues to work answering a number of FOIA requests. She stated that one such request listed numerous items, including voting system data and code. Ms. Andino stated that staff continues to work with the voting system vendor and the S.C. Attorney General’s office to determine whether some items in the request may be deemed proprietary and not subject to release.

The next item of business was a report on the 2010 Census and reapportionment. Ms. Andino stated that South Carolina was finishing up its U.S. Census count. She stated that the State tied with North Carolina for largest increase in population, which increases the possibility of a 7th Congressional District. Ms. Andino stated that the count goes to the President on December 31st and then to the federal Office of Management and Budget. She stated data could be reported to South Carolina by March 11th, at which time reapportionment would begin.

Next on the agenda was an update on the development of a new voter registration system. Ms. Andino reported that staff was completing the Requirements Document, and would be moving into the procurement stage. She stated that staff was working with the Department of State Information Technology on procurement.

The next item of business was a legal update. Ms. Andino stated that a response to the complaint filed by Brett Bursey regarding the requirement to retain election records for 22 months was due on August 20th, and that the S.C. Attorney General’s office was working on a response. She stated that the Attorney General’s office was also working on a response to a complaint filed recently by the Greenville County Republican Party.

The next item on the agenda was an update on the Agency budget. Ms. Andino stated that the Agency was working with vendors to negotiate fees in an effort to reduce operating costs. She stated that the General Assembly has charged the State Treasurer’s office with studying a zero-based budgeting process. Ms. Andino stated that the Treasurer’s office has asked the SEC for its input, and that staff was working on a response.

Chairman Hudgens stated the next SEC meeting would be held at 10:00 a.m. on September 22, 2010.

There being no further business, Mr. Green moved to adjourn the meeting. Ms. Pinson seconded the motion. The motion carried unanimously and the meeting was adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. Whitmire", with a stylized flourish at the end.

Chris Whitmire
Public Information Officer

STATE ELECTION COMMISSION
2221 Devine Street, Suite 105
Columbia, South Carolina 29205

September 22, 2010
10:00 a.m.

Present: Mr. John H. Hudgens, III, Chairman; Ms. Cynthia M. Bensch (via teleconference); Mr. Tracey C. Green; Ms. Pamella B. Pinson (via teleconference); Mr. Thomas Waring (via teleconference).

Others Present: Ms. Marci Andino, Executive Director; Ms. Donna Royson, Deputy Executive Director; Mr. Chris Whitmire, Public Information Officer; Dr. Duncan Buell, Professor, Department of Computer Science and Engineering, University of South Carolina; Corey Hutchins, Reporter, Free Times; Suzanne Rhodes, League of Women Voters of Columbia; Carol Cato, League of Women Voters of South Carolina.

THE MEETING OF THE STATE ELECTION COMMISSION WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Hudgens called the meeting of the State Election Commission (SEC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino replied that the notices had been posted.

Chairman Hudgens stated the first item of business was approval of the minutes of the August 18, 2010 meeting of the SEC. Chairman Hudgens noted that each member had been provided copies of the minutes and asked if there was any discussion. There was none. Mr. Green moved to approve the minutes. Mr. Waring seconded the motion. The motion passed unanimously, and the minutes were approved.

The next item on the agenda was a presentation by Dr. Buell. Chairman Hudgens invited Dr. Buell to address the Board asking him to introduce himself and to identify any groups or organizations he may be representing. Dr. Buell introduced himself detailing his education and experience in computer programming and stated he was representing himself. Dr. Buell gave a presentation summarizing parts of a study of Florida's 2006 election for the 13th Congressional District and Ohio's 2007 EVEREST Report. Chairman Hudgens asked Dr. Buell if there was any specific action regarding the voting system that he would recommend to the Board. Dr. Buell stated that no system should be used that is dependent only on software and that post election auditing should be conducted. Chairman Hudgens asked if there were any questions or comments from the Board. There was none.

The next item of business was an update on a candidate withdrawal in State House of Representatives District 79. Ms. Andino State that a Special Democratic Primary was held on September 21st and that Mia Butler won the Primary with 67% of the vote. She stated that since Ms. Butler received a majority of the votes, no runoff would be necessary, and Ms. Butler would replace Anton Gunn as the Democratic Party's candidate for District 79.

Next on the agenda was an update on the death of a candidate in State House of Representatives District 21. Ms. Andino stated that Republican Candidate William T. Wylie had passed away recently, and that since he was the only candidate to file for the office, all certified political parties had the opportunity to open filing. She stated that filing would open at noon, Tuesday,

September 21st and would close noon, Tuesday, September 28th. Ms. Andino stated that any necessary primaries would be held October 12th, and any necessary runoffs would be held October 28th. She stated that if there was no runoff the office would be filled at the General Election. Ms. Andino stated that if any runoffs were necessary, candidate certification would occur too close to the General Election and the office would be filled at a special election on December 14th, as required by state law.

Chairman Hudgens stated the next item of business was an update on preparations for the 2010 General Election. Ms. Andino stated that SEC staff continued working on creating election definitions from which ballots are produced. She stated that the deadline to mail absentee ballots to military and overseas citizens had passed on September 18, and that all counties had met the deadline. Ms. Andino reported that the SEC hosted a General Election Workshop last week county election officials at which staff provided important information and guidance on the conduct of the election. She stated that staff continues providing reminders to county election officials on a day-to-day basis on deadlines, policies, and procedures related to the General Election. Ms. Andino stated that election supplies had been ordered, and that staff would begin sending supplies to counties next week. She stated that throughout Voter Education Month (September) staff had been using press releases, the agency website, facebook updates, and twitter messages to disseminate important information to the public regarding the voter registration and election process

Next on the agenda was an update on recent Freedom of Information Act (FOIA) requests. Ms. Andino stated that SEC staff continues working to identify and locate requested records that are public and to provide those records to requestors.

Next on the agenda was an update on the development of a new voter registration system. Ms. Andino stated that process has entered the procurement stage, which is being managed by the state Information Technology Management Office (ITMO). She stated that a pre-proposal conference was held last week, and vendors will submit proposals by October 7th. Ms. Andino stated the proposals will then be reviewed for compliance by ITMO before being evaluated by a review panel of state and county election officials.

The next item of business was a legal update. Ms. Andino stated that a response to the complaint filed by Brett Bursey regarding retention of election records was filed recently by the S.C. Attorney General's office on behalf of the SEC.

The next item on the agenda was an update on the Agency budget. Ms. Andino stated that the Agency recently submitted its Fiscal Year 2011/12 budget request, and 2012 Primary funds were the only new funds requested. She stated that staff was asked to show how a 15% cut would affect the Agency. Ms. Andino stated that under a 15% cut and after taking into account recurring operating costs, the Agency could pay for only 2.5 employees. She stated that the Agency is maintaining current staff levels by relying on Primary and General Election funds.

Mr. Waring stated he had a question regarding Dr. Buell's presentation. He asked whether the State's voting machines are tested, and whether Dr. Buell had analyzed the testing procedures used in S.C. Ms. Andino stated that the machines were tested and that studies of the voting system presented by Dr. Buell were done on different versions of the voting system. Ms. Bensch asked if Dr. Buell had raised concerns before the system was purchased. Ms. Andino stated that the SEC heard from Dr. Buell only after the system was purchased. Ms. Andino stated that the voting system was built to 2002 standards and that the software had been upgraded since then, addressing many of the concerns in the studies presented by Dr. Buell. Ms. Bensch asked if future upgrades would include voter-verified paper audit trails. Ms. Andino stated that such an

upgrade would cost the State \$12 to \$15 million. She stated that spending money to update a system that is nearing the end of its life cycle would not be fiscally responsible. Ms. Andino stated that the EVEREST report notes that vulnerabilities identified in the report can be mitigated with appropriate security procedures. Ms. Andino stated that while there are identified, theoretical vulnerabilities with the technology, a scenario in which one could be exploited would be highly unlikely in a real world environment due to the people and procedures present. Ms. Bensch asked how much the voting system cost. Ms. Andino stated \$34 million. Ms. Bensch asked Ms. Andino what percent sure she was that no tampering is occurring and that SEC won't have an issue with Dr. Buell after the election. Chairman Hudgens stated that he is 100% confident in the accuracy and reliability of the system, but that the SEC will always hear from those who feel we should use a different voting system. Mr. Green asked if the voting system was connected to network. Ms. Andino stated the system is never connected to a network or the Internet.

Chairman Hudgens stated that State Board of Canvassers would meet Friday, September 24th at 10:00 a.m. to certify the House District 79 Democratic Primary. He stated the next SEC meeting would be October 20th.

There being no further business, Mr. Green moved to adjourn the meeting. Ms. Pinson seconded the motion. The motion carried unanimously and the meeting was adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. Whitmire". The signature is fluid and cursive, with a large initial "C" and a long horizontal stroke extending to the right.

Chris Whitmire
Public Information Officer

STATE BOARD OF CANVASSERS
2221 Devine Street, Suite 105
Columbia, South Carolina 29205

September 24, 2010
10:00 a.m.

Present: Mr. John H. Hudgens, III, Chairman (via teleconference); Ms. Cynthia M. Bensch (via teleconference); Mr. Tracey C. Green (via teleconference); Ms. Pamella B. Pinson (via teleconference); Mr. Thomas Waring (via teleconference).

Others Present: Ms. Marci Andino, Executive Director; and Mr. Chris Whitmire, Public Information Officer

THE MEETING OF THE STATE BOARD OF CANVASSERS WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Hudgens called the meeting of the State Board of Canvassers (SBC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino replied that the notices had been posted.

Chairman Hudgens stated the only item of business was certification of the State House of Representatives District 79 Democratic Primary held on September 21, 2010. Ms. Andino presented the results as follows:

Mia Butler – 607 (66.8%)
Beverly Diane Frierson – 74 (8.0%)
Todd Wood – 229 (25.2%)

Ms. Andino noted that no runoff would be necessary due to Mia Butler receiving a majority of votes cast. Chairman Hudgens asked if there were any questions. There were none. Mr. Waring moved to certify the results as presented. Ms. Pinson seconded the motion. The motion passed unanimously, and Chairman Hudgens declared the results certified.

Chairman Hudgens asked each member of the Board to sign the copies of the canvass sheets that had been emailed to them and return them to Ms. Andino.

There being no further business, Mr. Waring moved to adjourn the meeting. Ms. Bensch seconded the motion. The motion carried unanimously, and the meeting was adjourned.

Respectfully submitted,



Chris Whitmire
Public Information Officer

STATE BOARD OF CANVASSERS
2221 Devine Street, Suite 105
Columbia, South Carolina 29205

October 15, 2010
11:00 a.m.

Present: Mr. John H. Hudgens, III, Chairman (via teleconference); Ms. Cynthia M. Bensch (via teleconference); Mr. Tracey C. Green; Ms. Pamela B. Pinson (via teleconference).

Others Present: Mr. Chris Whitmire, Public Information Officer; Ms. Sharon Milam, Staff.

THE MEETING OF THE STATE BOARD OF CANVASSERS WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Mr. Green called the meeting of the State Board of Canvassers (SBC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Mr. Whitmire replied that the notices had been posted.

Mr. Green stated the only item of business was certification of the State House of Representatives District 21 Republican Primary held on October 12, 2010. Mr. Whitmire presented the results as follows:

Candidate	Votes	Percent
Steve Dowd	107	3.6%
Samuel Harms	671	22.7%
Phyllis Henderson – RUNOFF	841	28.5%
Keith Smith – RUNOFF	739	25.0%
John Symons	596	20.2%

Mr. Green noted that since no candidate received a majority of votes cast, a runoff would be necessary on October 26, 2010. Chairman Hudgens made a motion to certify the results as presented. Ms. Bensch seconded the motion. The motion passed unanimously and the results were certified. Mr. Green asked each member of the Board to sign the copies of the canvass sheets that had been emailed to them and return them to the State Election Commission office.

Mr. Green stated that the Board would meet again at 11:00 a.m. on Friday, October 29, 2010, to certify the results of the runoff. Chairman Hudgens reminded members that the SEC would hold its monthly meeting at 10:00 a.m. on Wednesday, October 20th.

There being no further business, Chairman Hudgens moved to adjourn the meeting. Ms. Pinson seconded the motion. The motion carried unanimously, and the meeting was adjourned.

Respectfully submitted,



Chris Whitmire
Public Information Officer

STATE ELECTION COMMISSION
2221 Devine Street, Suite 105
Columbia, South Carolina 29205

October 20, 2010
10:00 a.m.

Present: Mr. John H. Hudgens, III, Chairman; Ms. Cynthia M. Bensch (via teleconference); Mr. Tracey C. Green (via teleconference); Ms. Pamella B. Pinson (via teleconference); Mr. Thomas Waring (via teleconference).

Others Present: Ms. Marci Andino, Executive Director; Mr. Chris Whitmire, Public Information Officer.

THE MEETING OF THE STATE ELECTION COMMISSION WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Hudgens called the meeting of the State Election Commission (SEC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino replied that the notices had been posted.

Chairman Hudgens stated the first item of business was approval of the minutes of the September 22, 2010 meeting of the SEC, and the September 24 and October 15, 2010 meetings of the State Board of Canvassers. Chairman Hudgens noted that each member had been provided copies of the minutes and asked if there was any discussion. There was none. Ms. Bensch moved to approve the minutes. Ms. Pinson seconded the motion. The motion passed unanimously, and the minutes were approved.

The next item of business was an update on preparations for the 2010 General Election. Ms. Andino stated that SEC staff had completed and distributed all election definitions from which ballots are produced. She stated that absentee voting is underway in all 46 counties, and that so far, numbers of absentee requests were in line with absentee statistics from 2006. Ms. Andino stated that there had been some delay in sending out local, paper absentee ballots in two counties due to late ballot changes. She stated that South Carolina met the 45-day deadline to send absentee ballots to military and overseas citizens. Ms. Andino stated that the SEC is offering two classes for county election officials prior to November 2nd: Preparing Voting Machines and Running Election Night Operations. Ms. Andino reported that all seven Saluda County Election Commissioners had resigned recently. She stated that the members were part of a "working board," and that the SEC was assisting Saluda to help ensure they are prepared to conduct the General Election. Chairman Hudgens asked why the commissioners resigned. Ms. Andino stated she believed it was due to the fact that county commissioners no longer receive a stipend from the State, and that the county was unwilling to compensate them. She stated that the county legislative delegation and the Governor's office had been notified so appointments could be made prior to the General Election. Ms. Andino stated the SEC continues its voter education efforts using press releases, the agency website, facebook updates, and twitter messages to disseminate important information to the public regarding the voter registration and election process. Ms. Andino stated that she had recently participated in a press conference with the U.S. Attorney regarding that office's efforts to combat voter fraud and intimidation. Chairman Hudgens asked how long absentee voting had been underway. Ms. Andino stated that it varies by county, and that the earliest for any county was approximately October 1. Chairman Hudgens asked if most counties open only one absentee precinct. Ms. Andino replied yes, and that she believed Beaufort was the only county opening a second location.

Next on the agenda was a discussion of state board/commission license plates. Ms. Andino asked board members to let her know if they would like to apply for the special plates so that she could submit the proper paperwork.

Next on the agenda was discussion of a follow-up letter from Dr. Duncan Buell, who had previously addressed the Board on September 22, 2010. Chairman Hudgens stated that he wanted to provide Commissioners the opportunity to ask any questions raised by the letter. Ms. Bensch asked Ms. Andino to explain the certification issue raised in the letter. Ms. Andino stated that at the time the State's voting system was initially certified, the certification process was overseen by the National Association of State Election Directors (NASED). She stated that prior to implementation; the system was tested and approved by a federally-approved testing laboratory, then certified by NASED. Ms. Andino stated updates to the system are currently certified by the Election Assistance Commission (EAC). Ms. Bensch asked if Dr. Buell's claim that the State's voting system was approved by Election Systems and Software (ES&S) was true. Ms. Andino stated that the claim was not true. Ms. Bensch stated that Dr. Buell seemed dissatisfied that the system had not been tested recently on the federal level. Ms. Andino stated that the requirement is for the system to be tested and certified prior to use or when changes are made to the system. Ms. Andino stated that the system is tested to the standards in place at the time of certification; just as a six-year-old automobile is tested to 2004 standards, not 2010 standards. Ms. Andino stated that the Ohio EVEREST report at the center of Dr. Buell's claims concedes that the identified theoretical vulnerabilities could be mitigated with proper procedures. She stated that the SEC reviews such reports and implements procedures and policies to address any identified vulnerabilities. Ms. Andino stated the password issue identified in the report, and raised by Dr. Buell, had been addressed. Chairman Hudgens stated that the SEC has always tried to be as open as possible when it comes to hearing public comments whether they are complimentary or critical.

Next on the agenda was an update on the new voter registration system. Ms. Andino stated that the Agency released the Request for Proposals, and that five companies had responded. She stated that the Evaluation Committee was meeting with the Information Technology Management Office today. She stated contract negotiations should begin within one week, and the project was on schedule for a July 2011 implementation.

The next item of business was a legal update. Ms. Andino stated that Judge Currie had dismissed the complaint filed by Brett Bursey regarding retention of election records. She stated that the Republican Party suit regarding registration by party had been delayed until Spring 2011.

Chairman Hudgens stated that State Board of Canvassers would meet Friday, October 29th, at 10:00 a.m. to certify the results of the House District 21 Republican Primary Runoff; and again on Wednesday, November 10th, at 10:00 a.m. to certify the results of the November 2nd General Election.

There being no further business, Mr. Waring moved to adjourn the meeting. Ms. Pinson seconded the motion. The motion carried unanimously and the meeting was adjourned.

Respectfully submitted,



Chris Whitmire
Public Information Officer

STATE BOARD OF CANVASSERS
2221 Devine Street, Suite 105
Columbia, South Carolina 29205

October 29, 2010
10:00 a.m.

Present: Mr. John H. Hudgens, III, Chairman (via teleconference); Ms. Cynthia M. Bensch (via teleconference); Mr. Tracey C. Green (via teleconference); Ms. Pamela B. Pinson (via teleconference); Mr. Tom Waring (via teleconference).

Others Present: Ms. Marci Andino, Executive Director; Mr. Chris Whitmire, Public Information Officer.

THE MEETING OF THE STATE BOARD OF CANVASSERS WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Hudgens called the meeting of the State Board of Canvassers (SBC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino replied that the notices had been posted.

Chairman Hudgens stated the only item of business was certification of the State House of Representatives District 21 Republican Primary Runoff held on October 26, 2010. Ms. Andino presented the results as follows:

Candidate	Votes	Percent
Phyllis Henderson – WINNER	1,375	51.5%
Keith Smith	1,296	48.5%

Chairman Hudgens noted that all members had been emailed the same results prior to the meeting for review. Mr. Waring moved to certify the results as presented. Mr. Green seconded the motion. The motion passed unanimously and the results were certified. Chairman Hudgens asked each member of the Board to sign the copies of the canvass sheets that had been emailed to them and return them to the State Election Commission office.

Chairman Hudgens stated the Board would meet next at 10:00 a.m. on Wednesday, November 10, 2010, to certify results of the November 2 General Election.

There being no further business, Mr. Waring moved to adjourn the meeting. Ms. Pinson seconded the motion. The motion carried unanimously, and the meeting was adjourned.

Respectfully submitted,



Chris Whitmire
Public Information Officer

STATE BOARD OF CANVASSERS
2221 Devine Street, Suite 105
Columbia, South Carolina 29205

November 10, 2010
10:00 a.m.

Present: Mr. John H. Hudgens, III, Chairman; Ms. Cynthia M. Bensch (via teleconference); Mr. Tracey C. Green; Ms. Pamela B. Pinson (via teleconference); Mr. Tom Waring (via teleconference).

Others Present: Ms. Marci Andino, Executive Director; Ms. Donna Royson, Deputy Executive Director; Mr. Chris Whitmire, Public Information Officer.

THE MEETING OF THE STATE BOARD OF CANVASSERS WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Hudgens called the meeting of the State Board of Canvassers (SBC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino replied that the notices had been posted.

Chairman Hudgens stated the first item of business was certification of the results of the November 2, 2010 General Election. Chairman Hudgens noted all members had been emailed results summaries prior to the meeting, and results details were available on the website for review. Ms. Andino noted one change in the results summaries for Anderson School District 2 Area 4. She stated that the office involved both Anderson and Greenville counties, and while the results for both counties appear on each county's individual results page, only the Anderson results for that office were displayed on the statewide results page. Ms. Andino provided the Board with the complete results and stated the website was in the process of being corrected. Mr. Green moved to certify the results as amended. Ms. Bensch seconded the motion. The motion passed unanimously and the results were certified. Chairman Hudgens asked each member of the Board to sign the copies of the canvass sheets that had been emailed to them and return them to the State Election Commission office.

Ms. Andino stated the results for Lexington School Trustee 3, a multi-county office including Lexington and Saluda counties, required a mandatory recount to be ordered by the SBC. She stated there were three seats to fill for the office, and the difference between the last candidate elected for the office and first candidate who was not elected was less than one percent. Mr. Green moved to order a recount for Lexington School Trustee 3. Ms. Bensch seconded the motion. The motion passed unanimously. Ms. Andino stated both counties were prepared to conduct the recount immediately. Chairman Hudgens stated the Board would meet next at 10:00 a.m. on Friday, November 12 to certify results of the Lexington School Trustee 3 Recount.

There being no further business, Mr. Waring moved to adjourn the meeting. Ms. Pinson seconded the motion. The motion carried unanimously, and the meeting was adjourned.

Respectfully submitted,



Chris Whitmire
Public Information Officer

STATE ELECTION COMMISSION
2221 Devine Street, Suite 105
Columbia, South Carolina 29205

November 10, 2010
10:00 a.m.

Present: Mr. John H. Hudgens, III, Chairman; Ms. Cynthia M. Bensch (via teleconference); Mr. Tracey C. Green; Ms. Pamella B. Pinson (via teleconference); Mr. Thomas Waring (via teleconference).

Others Present: Ms. Marci Andino, Executive Director; Ms. Donna Royson, Deputy Executive Director; Mr. Chris Whitmire, Public Information Officer.

THE MEETING OF THE STATE ELECTION COMMISSION WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Hudgens called the meeting of the State Election Commission (SEC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino replied that the notices had been posted.

Chairman Hudgens stated the first item of business was approval of minutes. Ms. Andino stated that preparation of minutes from the October 20, 2010 meeting of the SEC and the October 29, 2010 meeting of the State Board of Canvassers was not complete. Chairman Hudgens stated approval of the minutes would be carried over until the next meeting. Chairman Hudgens stated that the SEC had received a request for a suggested change to the September 22, 2010 SEC meeting minutes. Ms. Andino stated that Dr. Duncan Buell emailed the SEC stating that he felt the meaning of his comments to the Board was not accurately conveyed as recorded in the minutes. In the email, Buell stated he felt the phrase "...no system should be used that is dependent on software..." would be more accurate if it read, "...no system should be used that is dependent only on software." Mr. Green moved to amend the minutes as requested. Ms. Bensch seconded the motion. The motion passed unanimously and the minutes were amended.

The next item of business was a potential special election for State Senate District 16. Ms. Andino reported that Sen. Mick Mulvaney had been elected to the U.S. House of Representatives and was expected to resign from the Senate. She stated no vacancy has occurred, and the special election calendar would be dependent on the date of vacancy.

The next item of business was a report on the 2010 General Election. Chairman Hudgens stated that the election apparently ran very smoothly, and he had heard of no major problems. Chairman Hudgens congratulated SEC staff on a job well done. Ms. Andino stated that turnout was nearly 52%, a substantial increase over the 2006 turnout of 45%. She stated there were no major Election Day issues; and calls and complaints were limited to the expected, common Election Day issues. Chairman Hudgens stated he had read news reports regarding problems with students voting at Benedict College. Ms. Andino stated that the issue seemed to revolve around a misunderstanding of the proper use of Student IDs in the election process. She stated the Richland County Election Commission and Voter Registration Board are aware of the issue and work to improve understanding of the issue among poll managers, voters, and poll watchers. Mr. Green asked if there were any problems attributable to voting machines. Ms. Andino stated no, but that there had been two protests filed in Fairfield County that use arguments similar to those raised in the protest of the June Democratic Primary for U.S. Senate. Ms. Andino stated there were several other county protests that had been filed. Ms. Andino stated that SEC staff

was working on a number of post-election tasks, including identifying lessons learned and making improvements to policies and procedures. She stated staff has begun work on receiving and processing of voter registration lists from which voter participation statistics are produced.

Next on the agenda was an update on the new voter registration system. Ms. Andino stated that the Information Technology Management Office issued an Intent to Award to NWN Corporation. She stated that if there were no protests, the contract would become official on November 15, 2010. Chairman Hudgens asked when the project was expected to be complete. Ms. Andino stated the planned implementation date is July 1, 2011. Chairman Hudgens asked if that date would be the point at which the data transfer from the old system would begin, or if it was the date on which the system would go into use. Ms. Andino stated data would be transferred prior to implementation, and that July 1 was the expected date on which the system would be operational. Chairman Hudgens stated that implementation of the system in 2011 was critical in anticipation of redistricting in 2012.

The next item of business was a legal update. Ms. Andino stated there were no changes since the last meeting, and that the Greenville County Republican Party suit regarding registration by party was still pending.

Chairman Hudgens stated that the next meeting of the State Board of Canvassers would be held on Friday, December 17th, at 10:00 a.m. to certify the results of the House District 21 Special Election; and the State Election Commission would meet immediately afterward. Ms. Andino stated she was creating a proposed 2011 meeting calendar and would distribute it to the Board.

There being no further business, Mr. Green moved to adjourn the meeting. Ms. Bensch seconded the motion. The motion carried unanimously and the meeting was adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris Whitmire". The signature is fluid and cursive, with a large initial "C" and "W".

Chris Whitmire
Public Information Officer

STATE BOARD OF CANVASSERS

**2221 Devine Street, Suite 105
Columbia, South Carolina 29205**

November 12, 2010

10:00 a.m.

Present: Mr. John H. Hudgens, III, Chairman; Ms. Cynthia M. Bensch (via teleconference); Mr. Tracey C. Green (via teleconference); Ms. Pamella B. Pinson (via teleconference); Mr. Tom Waring (via teleconference).

Others Present: Ms. Marci Andino, Executive Director; Ms. Donna Royson, Deputy Executive Director; Mr. Chris Whitmire, Public Information Officer.

THE MEETING OF THE STATE BOARD OF CANVASSERS WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

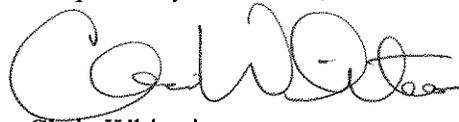
Chairman Hudgens called the meeting of the State Board of Canvassers (SBC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino replied that the notices had been posted.

Chairman Hudgens stated the first item of business was certification of the Lexington School Trustee 3 Recount conducted by Lexington and Saluda Counties on November 10, 2010. Chairman Hudgens noted that results had been distributed to each Board member. Mr. Green moved to certify results as presented. Ms. Bensch seconded the motion. The motion passed unanimously, and the results were certified.

Chairman Hudgens stated there was an issue in Colleton County of which the Board should be made aware. Ms. Andino stated an issue with Colleton County results was recently brought to the Agency's attention. She stated the results certified by the Colleton County Election Commission (CEC) show more votes for Governor (and other offices) than there were ballots cast. Ms. Andino stated that the CEC indicates a human error caused votes from some voting machines in some precincts to be counted twice. She stated that the CEC indicates no votes had been lost, and that all ballots remained on hand, making a recount technically possible. However, she stated the error was discovered after both the CEC and SEC had certified results, and she knew of no remedy provided for by statute that would allow the results to be recertified. She stated the CEC had indicated they would not seek a court-ordered recertification. Ms. Bensch asked if there was any indication the error affected the outcomes of any contests. Ms. Andino stated that the CEC has verbally indicated to SEC staff that the error did not affect the outcomes of any contests, and that the Agency has requested the verification in writing. Ms. Andino stated a protest had been filed in a local contest which could provide a platform by which to correct the record. Mr. Green asked if it was a voting machine problem. Ms. Andino replied the problem was not caused by any technical malfunction, but an operator's failure to follow established procedures in counting the votes that were recorded by the machines. Mr. Green stated he believed the Board should be driven by making sure the winners are correct and should push the CEC to determine the correct results. Chairman Hudgens stated that it would be necessary for the Board to know whether the outcomes of any contests had changed before determining how to move forward. Chairman Hudgens stated there also remains the possibility of a remedy in the protest process.

There being no further business, Ms. Bensch moved to adjourn the meeting. Mr. Waring seconded the motion. The motion carried unanimously, and the meeting was adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. Whitmire". The signature is fluid and cursive, with a large initial "C" and a distinct "W".

Chris Whitmire
Public Information Officer

STATE BOARD OF CANVASSERS
2221 Devine Street, Suite 105
Columbia, South Carolina 29205

November 29, 2010
9:30 a.m.

Present: Mr. John H. Hudgens, III, Chairman; Mr. Tracey C. Green; Mr. Tom Waring.

Others Present: Ms. Marci Andino, Executive Director; Mr. Chris Whitmire, Public Information Officer; Mr. J.C. Nicholson, Attorney, Office of the Attorney General; Mr. Carnell Murphy, Candidate/Appellant, Fairfield County Council District 1; Mr. Kirk Chappell, Candidate/Appellant, Fairfield County Council District 5; Mr. Rickey Johnson, Candidate/Appellant, Fairfield School Board District 5; Mr. Glenn Walters, Attorney for Mr. Murphy, Mr. Chappell and Mr. Johnson; Mr. Dwayne Perry, Candidate, Fairfield County Council District 1; Mr. David L. Ferguson, Sr., Candidate, Fairfield County Council District 5; Mr. Brian DeQuincy Newman, Attorney for Mr. Perry and Mr. Ferguson; Mr. Bobby Cunningham, Candidate, Fairfield School Board District 5; Mr. John Moylan, Attorney for the Fairfield County Board of Canvassers; Mr. Ken Childs, Attorney for the Fairfield County School Board; Mr. Thurmond L. Becote, Candidate/Appellant, Florence School Board 1, Seat 3; Mr. Terry James, Candidate/Appellant, Florence School Board 1, Seat 9; Mr. David Alford, Director, Florence County Election Commission; Mr. Michael Abbott, Attorney for the Florence County Board of Canvassers; other members of the public.

THE MEETING OF THE STATE BOARD OF CANVASSERS WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Hudgens called the meeting of the State Board of Canvassers (SBC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino replied that the notices had been posted.

Fairfield County Council District 1 Appeal

Chairman Hudgens stated the first matter of business was the hearing of Mr. Murphy's appeal of the decision of the Fairfield County Board of Canvassers in his protest of the results of the November 2, 2010 election for Fairfield County Council District 1.

Chairman Hudgens made introductions. Chairman Hudgens, members of the Board, and present counsel discussed the possibility of hearing Mr. Murphy's appeal simultaneously with Mr. Johnson's appeal in light of the fact that both appellants were represented by the same counsel and planned to make identical arguments. After some discussion, Chairman Hudgens stated Mr. Johnson's appeal was scheduled for 1:00 p.m., and it would be improper to proceed with hearing the appeal prior to the posted time. Chairman Hudgens stated the Board would proceed with hearing Mr. Murphy's appeal. Chairman Hudgens discussed the standard for overturning the results of an election and instructed each party on procedural matters.

Mr. Walters argued in favor of granting Mr. Murphy's appeal. Mr. Moylan responded. Mr. Newman responded. Mr. Walters made closing arguments.

After brief questions from the Board, Mr. Green moved to continue the hearing in executive session for the sole purpose of receiving legal advice. Mr. Waring seconded the motion. The motion passed unanimously. Board members exited the room to continue the hearing in executive session.

After some time, Board members reentered the room. Mr. Green moved to continue the hearing in open session. Mr. Waring seconded the motion. The motion passed unanimously, and the meeting continued in open session. Chairman Hudgens stated that no votes were taken in executive session, and the Board only received legal advice.

Mr. Waring moved to deny the appeal and sustain the decision below based on there being insufficient evidence in the record. Mr. Green seconded the motion. The motion passed unanimously. Chairman Hudgens stated the appeal was denied. Chairman Hudgens stated there would be a five minute recess after which the Board would reconvene to hear Mr. Chappell's appeal.

Fairfield County Council District 5 Appeal

Chairman Hudgens called the meeting back to order. Chairman Hudgens stated the Board would now hear Mr. Chappell's appeal of the decision of the Fairfield County Board of Canvassers in his protest of the results of the November 2, 2010 election for Fairfield County Council District 5. Chairman Hudgens made introductions. Chairman Hudgens stated he wanted to make each party aware that he once served in the National Guard with Mr. Chappell. Chairman Hudgens stated he believed this prior association would not affect his objectivity and asked if there were any objections to his participation in the hearing. There were none. Chairman Hudgens discussed the standard for overturning the results of an election and instructed each party on procedural matters.

Mr. Walters objected to Mr. Nicholson taking part in the proceeding because Mr. Nicholson had represented Ms. Andino in the protest hearing before the Fairfield County Board of Canvassers. The objection was overruled. Chairman Hudgens stated that Mr. Nicholson represented the State Election Commission and Ms. Andino in her official capacity as Executive Director at the protest hearing, not Ms. Andino personally.

Mr. Walters argued in favor of granting Mr. Chappell's appeal. Mr. Moylan responded. Mr. Newman responded. Mr. Walters made closing arguments.

Mr. Green moved to continue the hearing in executive session for the sole purpose of receiving legal advice. Mr. Waring seconded the motion. The motion passed unanimously. Board members exited the room to continue the hearing in executive session.

After some time, Board members reentered the room. Mr. Waring moved to continue the hearing in open session. Mr. Green seconded the motion. The motion passed unanimously, and the meeting continued in open session. Chairman Hudgens stated that no votes were taken in executive session, and the Board only received legal advice.

Mr. Green moved to deny the appeal and sustain the decision below. Mr. Waring seconded the motion. The motion passed unanimously. Chairman Hudgens stated the appeal was denied.

Chairman Hudgens stated there would be a 25-minute recess after which the Board would reconvene to hear Mr. Johnson's appeal.

Fairfield School Board District 5 Appeal

Chairman Hudgens called the meeting back to order. Chairman Hudgens stated the Board would now hear Mr. Johnson's appeal of the decision of the Fairfield County Board of Canvassers in his protest of the results of the November 2, 2010 election for Fairfield School Board District 5. Chairman Hudgens made introductions. Chairman Hudgens discussed the standard for overturning the results of an election and instructed each party on procedural matters.

Mr. Walters argued in favor of granting Mr. Johnson's appeal. Mr. Moylan responded. Mr. Cunningham responded. Mr. Childs declined to respond. Mr. Walters made closing arguments.

Mr. Waring moved to continue the hearing in executive session for the sole purpose of receiving legal advice. Mr. Green seconded the motion. The motion passed unanimously. Board members exited the room to continue the hearing in executive session.

After some time, Board members reentered the room. Mr. Green moved to continue the hearing in open session. Mr. Waring seconded the motion. The motion passed unanimously, and the meeting continued in open session. Chairman Hudgens stated that no votes were taken in executive session, and the Board only received legal advice.

Mr. Waring moved to deny the appeal and sustain the decision below based on there being insufficient evidence in the record. Mr. Green seconded the motion. The motion passed unanimously. Chairman Hudgens stated the appeal was denied. Chairman Hudgens stated there would be a short recess after which the Board would reconvene to hear Mr. Becote's appeal.

Florence School Board 1, Seat 3 Appeal

Chairman Hudgens called the meeting back to order. Chairman Hudgens stated the Board would now hear Mr. Becote's appeal of the decision of the Florence County Board of Canvassers in his protest of the results of the November 2, 2010 election for Florence School Board 1, Seat 3. Chairman Hudgens made introductions. Chairman Hudgens discussed the standard for overturning the results of an election and instructed each party on procedural matters.

Mr. Becote moved to request the Board hear his appeal de novo. There were no motions from the Board. Chairman Hudgens stated the Board would continue the hearing in its appellate capacity.

Mr. Becote argued in favor of granting his appeal. Mr. Abbot responded. Board members asked questions. Mr. Alford responded. Mr. Becote made closing arguments.

Mr. Waring moved to continue the hearing in executive session for the sole purpose of receiving legal advice. Mr. Green seconded the motion. The motion passed unanimously. Board members exited the room to continue the hearing in executive session.

After some time, Board members reentered the room. Mr. Waring moved to continue the hearing in open session. Mr. Green seconded the motion. The motion passed unanimously, and the meeting continued in open session. Chairman Hudgens stated that no votes were taken in executive session, and the Board only received legal advice.

Mr. Green moved to deny the appeal and sustain the decision below. Mr. Waring seconded the motion. The motion passed unanimously. Chairman Hudgens stated the appeal was denied. Chairman Hudgens stated that it appeared School Board lines were not changed, but changes were made to voter registration records placing voters in correct districts. Chairman Hudgens stated the Board had questions about the timing of the correction and were sympathetic to Mr. Becote's situation, but there was nothing to show that Mr. Becote was hurt by the changes anymore than any other candidate in the election. Chairman Hudgens stated there would be a short recess after which the Board would reconvene to hear Mr. James's appeal.

Florence School Board 1, Seat 9 Appeal

Chairman Hudgens called the meeting back to order. Chairman Hudgens stated the Board would now hear Mr. James's appeal of the decision of the Florence County Board of Canvassers in his protest of the results of the November 2, 2010 election for Florence School Board 1, Seat 9. Chairman Hudgens made introductions. Chairman Hudgens discussed the standard for overturning the results of an election and instructed each party on procedural matters.

Mr. James moved to request the Board hear his appeal de novo. There were no motions from the Board. Chairman Hudgens stated the Board would continue the hearing in its appellate capacity.

Mr. James argued in favor of granting his appeal. Mr. Abbot responded. Board members asked questions. Mr. James made closing arguments.

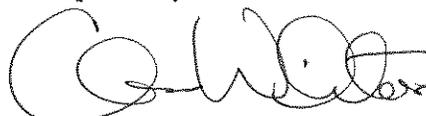
Mr. Waring moved to continue the hearing in executive session for the sole purpose of receiving legal advice. Mr. Green seconded the motion. The motion passed unanimously. Board members exited the room to continue the hearing in executive session.

After some time, Board members reentered the room. Mr. Waring moved to continue the hearing in open session. Mr. Green seconded the motion. The motion passed unanimously, and the hearing continued in open session. Chairman Hudgens stated that no votes were taken in executive session, and the Board only received legal advice.

Mr. Green moved to deny the appeal and sustain the decision below based on there being insufficient evidence in the record. Mr. Waring seconded the motion. The motion passed unanimously. Chairman Hudgens stated the appeal was denied. Chairman Hudgens stated the Board had questions regarding the timing of the correction of voter registration records; however, there was no evidence of district lines moving and no numbers to show election results would have been different had the correction of voter registration records occurred at a different time. Chairman Hudgens thanked Mr. James for bringing these issues to light.

There being no further business, Mr. Green moved to adjourn the meeting. Mr. Waring seconded the motion. The motion carried unanimously, and the meeting was adjourned.

Respectfully submitted,



Chris Whitmire
Public Information Officer

STATE BOARD OF CANVASSERS
2221 Devine Street, Suite 105
Columbia, South Carolina 29205

December 17, 2010
4:00 p.m.

Present: Mr. Tracey C. Green, Acting Chairman (via teleconference); Ms. Pamela B. Pinson (via teleconference); Mr. Tom Waring (via teleconference).

Others Present: Ms. Marci Andino, Executive Director; Mr. Chris Whitmire, Public Information Officer.

THE MEETING OF THE STATE BOARD OF CANVASSERS WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Mr. Green called the meeting of the State Board of Canvassers (SBC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino replied that the notices had been posted.

Mr. Green stated the only item of business was certification of the State House of Representatives District 21 Special Election held on December 14, 2010. Ms. Andino presented the results as follows:

Candidate	Votes	Percent
Phyllis Henderson, Republican – WINNER	1,990	72.7%
Susan Scarborough Smith, Democratic	639	23.3%
Write-ins	110	4.0%

Mr. Green asked Ms. Andino if she was confident in the accuracy of the results. Ms. Andino stated she was. Mr. Green asked if there were any problems associated with the election. Ms. Andino replied that she had not heard of any problems. Ms. Pinson moved to certify the results as presented. Mr. Waring seconded the motion. The motion passed unanimously and the results were certified. Mr. Green asked each member of the Board to sign the copies of the canvass sheets that had been emailed to them and return them to the State Election Commission office.

There being no further business, Mr. Waring moved to adjourn the meeting. Ms. Pinson seconded the motion. The motion carried unanimously, and the meeting was adjourned.

Respectfully submitted,



Chris Whitmire
Public Information Officer

STATE ELECTION COMMISSION
2221 Devine Street, Suite 105
Columbia, South Carolina 29205

December 17, 2010
4:00 p.m.

Present: Mr. John H. Hudgens, III, Chairman (via teleconference); Mr. Tracey C. Green (via teleconference); Ms. Pamella B. Pinson (via teleconference); Mr. Thomas Waring (via teleconference).

Others Present: Ms. Marci Andino, Executive Director; Mr. Chris Whitmire, Public Information Officer.

THE MEETING OF THE STATE ELECTION COMMISSION WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Mr. Green, serving as Acting Chairman, called the meeting of the State Election Commission (SEC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino replied that the notices had been posted.

Mr. Green stated the first item of business was approval of the following minutes:

- October 20, 2010 (SEC)
- October 29, 2010 (SBC)
- November 10, 2010 (SEC)
- November 10, 2010 (SBC)
- November 12, 2010 (SBC)

Mr. Green asked if there were any changes to the minutes to be requested. There were none. Mr. Waring moved to approve the minutes as presented. Ms. Pinson seconded the motion. The motion passed unanimously and the minutes were approved.

Chairman Hudgens joined the meeting via teleconference and resumed duties as Chairman.

The next item of business was an update on two upcoming special elections. Ms. Andino stated a special election would be held for State House of Representatives District 64 on April 5, 2011, and for State Senate District 16 on April 12, 2011. Ms. Andino stated that a schedule of expected meeting dates, including certification of the primary and special election results, was recently distributed to Board members.

The next item of business was a report on Agency goals for 2011. Ms. Andino stated the main goal was implementation of the new voter registration system on July 1, 2011. She stated the second goal is to prepare counties for reapportionment following the 2010 Census. Ms. Andino stated the Agency is preparing to assist with reapportionment. She also stated the Census findings could also result in the addition of a seventh Congressional District and the State being subject to federal minority-language requirements. Ms. Andino stated the third Agency goal is to develop improved, detailed auditing procedures for county election commissions in an effort to eliminate instances of election commissions certifying incorrect results. Ms. Andino stated the fourth Agency goal is preparing for 2012 elections.

Next on the agenda was an update on the new voter registration system. Ms. Andino stated the Information Technology Management Office issued an Intent to Award to NWN Corporation.

She stated there were no protests, and the contract was awarded. She stated that Voter Services Division staff had been working with NWN, significant progress had been made, and implementation is on track for July 1, 2011. Ms. Andino stated she expects components of the system to be demonstrated at the S.C. Association of Registration and Elections (SCARE) Annual Conference in January. She stated county election officials will be asked to help test the system. Chairman Hudgens asked if the data conversion would be done by the SEC or by individual counties. Ms. Andino stated data conversion will be completed by NWN.

The next item of business was an update on 2010 General Election appeals. Ms. Andino stated that three of the five appeals heard by the SEC had been appealed to the S.C. Supreme Court. She stated the Agency's only role would be to provide records, and transcripts of the appeals had been sent to the Court on December 17th.

Chairman Hudgens stated that the next meeting of the State Board of Canvassers would be held on Wednesday, January 26th, at 10:00 a.m.

There being no further business, Ms. Pinson moved to adjourn the meeting. Mr. Green seconded the motion. The motion carried unanimously and the meeting was adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris Whitmire". The signature is fluid and cursive, with a large initial "C" and "W".

Chris Whitmire
Public Information Officer