

STATE BOARD OF CANVASSERS
AGENDA
January 5, 2018
3:00 pm

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE BOARD OF CANVASSERS IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.**

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

RYAN BOWERS

E. ALLEN DAWSON

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

New Business:

Certification of the results of the Special Election for State House District 56 held on Tuesday,
January 2, 2018.

Items may be added as necessary.

1122 Lady Street
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P.O. Box 5987
Columbia, SC 29250

803.734.9060
Fax: 803.734.9366
www.scvotes.org

STATE BOARD OF CANVASSERS
1122 Lady Street, 5th Floor
Columbia, South Carolina 29201

January 5, 2018
3:00 p.m.

Present: Mr. Billy Way, Chairman; Mr. Mark Benson (via teleconference);
Ms. Marilyn Bowers (via teleconference); and Mr. E. Allen
Dawson (via teleconference); Ms. Nicole White (via
teleconference)

Others Present: Mr. Harrison Brant, Legal Counsel; Daylin Silber, Administrative
Coordinator; Barbara Pittelli, Fiscal Tech

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

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

E. ALLEN DAWSON

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

Mr. Way 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. Brant stated that they had been posted.

Mr. Way stated that the purpose of the meeting was the certification of the results of
the State House of Representatives District 56 held on January 2, 2017.

Mr. Benson made a motion to certify the results. It was seconded by Ms. Bowers.
The motion was approved unanimously. The results were certified.

There being no further business, Mr. Benson made a motion to adjourn the meeting.
It was seconded by Mr. Dawson. The motion was approved unanimously. The
meeting was adjourned.

Respectfully submitted,



Daylin Silber,
Administrative Coordinator

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OATH OF STATE BOARD OF CANVASSERS

We, the State Board of Canvassers, hereby certify the following as the whole number of votes cast in the State House of Representatives District 56 Special Election held in Horry County on January 2, 2018.

CANDIDATE	TOTAL	PERCENT
Tim McGinnis WINNER	299	97.7%
Write-in	7	2.3%

Billy Way, Jr., **Chairman**

Mark A. Benson

Marilyn Bowers

E. Allen Dawson

Nicole Spain White

STATE BOARD OF CANVASSERS

Dated this 5th day of January 2018.

STATE ELECTION COMMISSION

AGENDA

January 17, 2018

10:00 a.m.

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.**

Approval of Minutes: November 15, 2017 (SEC), November 17, 2017 (SBC), December 1, 2017 (SBC), and January 5, 2018 (SBC)

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

N BOWERS

E. ALLEN DAWSON

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

New Business:

Presidential Advisory Commission on Election Integrity
Legislative Update
Budget Update

Old Business:

Status of House Legislative Oversight Committee Study
Information Technology Security Update

Next Meeting:

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Friday, January 19, 2018 at 3:00 p.m. (SBC)
Wednesday, February 21, 2018 at 10:00 a.m. (SEC)

STATE ELECTION COMMISSION
1122 Lady Street, 5th Floor
Columbia, SC 29201

January 17, 2018
10:00 a.m.

Present: Mr. Billy Way, Jr., Chairman; Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference)

Others Present: Marci Andino, Executive Director; Howard Snider, Director of Voter Services; Daylin Silber, Administrative Coordinator; Barbara Pittelli, Fiscal Technician

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

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

M. BOWERS

E. ALLEN DAWSON

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

Chairman Way called the meeting to order and asked if all notices of the meeting had been posted as required by the Freedom of Information Act. Ms. Andino stated that the notices had been posted.

Approval of Minutes

Chairman Way stated the first item of business was the approval of the minutes from meetings held on November 15, 2017 (SEC), November 17, 2017 (SBC), December 1, 2017 (SBC) and January 5, 2018 (SBC). Mr. Benson moved to approve the minutes. The motion was seconded by Ms. Bowers. The minutes were approved unanimously.

New Business

Chairman Way stated that the first item of new business was the Presidential Advisory Commission on Election Integrity. Ms. Andino informed the commissioners that the commission has been disbanded.

The next item of new business was legislative updates. Ms. Andino advised that the General Assembly has returned and there will be a conference committee on bill S107 relating to the joint election of the Governor and Lieutenant Governor. Ms. Andino explained that the conference committee is aware of the SEC's need to modify and test the candidate filing system prior to the opening of candidate filing in about 60 days. Ms. Andino reminded the board that although the constitutional amendment regarding the joint election of the Governor and the Lieutenant Governor was passed, the General Assembly has not passed legislation that would define how the process would work.

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The budget update was the next item of new business. Ms. Andino advised that the Governor has released his proposal for the budget and that it included \$250,000 in recurring funds for cyber security, \$650,000 to recoup expenses for the unusually large number of special elections held in FY2017 and FY2018, \$10 million for seed money for a new voting system and \$4 million for a refresh of the existing voting system. Ms. Andino also informed the commissioners that the budget is currently in the House of Representatives and the agency presented the budget request to the House Ways and Means Subcommittee yesterday.

Old Business

The first item under old business was the status of the House Legislative Oversight Committee (HLOC) study. Ms. Andino advised that the Executive Subcommittee presented the study of the SEC to the committee, which adopted the subcommittee's report. She also reminded the board that although the study has concluded, the SEC will update the committee every year. The study will be made public on the HLOC's website.

The next item under old business was an information technology security update. Ms. Andino advised the commissioners that county users will be required to participate in Securing the Human, an information technology security training that is geared for non-IT professionals. She also advised that all elections held this year will be conducted using the new version of the election management system.

Chairman Way reminded the members that the State Board of Canvassers will meet on Friday, January 19, 2018 at 3:00 p.m. The next meeting of the State Election Commission is scheduled for Wednesday, February 21, 2018 at 10:00 a.m.

With no further business to be discussed, Mr. Benson moved to adjourn the meeting. Ms. Bowers seconded the motion. The motion passed unanimously, and the meeting adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Daylin Silber", with a stylized, cursive script.

Daylin Silber

STATE BOARD OF CANVASSERS
AGENDA
January 19, 2018
3:00 pm

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE BOARD OF CANVASSERS IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.**

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

N BOWERS

E. ALLEN DAWSON

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

New Business:

Certification of the results of the Special Election for State House District 28 held on Tuesday, January 16, 2018.

Certification of the results of the Special Election for State House District 99 held on Tuesday, January 16, 2018.

Items may be added as necessary.

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STATE BOARD OF CANVASSERS
1122 Lady Street, 5th Floor
Columbia, South Carolina 29201

January 19, 2018
3:00 p.m.

Present: Mr. Billy Way, Chairman; Mr. Mark Benson (via teleconference);
Ms. Marilyn Bowers (via teleconference); and Mr. E. Allen
Dawson (via teleconference); Ms. Nicole White (via
teleconference)

Others Present: Mr. Harrison Brant, Legal Counsel; Daylin Silber, Administrative
Coordinator; Barbara Pittelli, Fiscal Tech

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

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MS. MARILYN BOWERS

E. ALLEN DAWSON

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

Mr. Way 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. Brant stated that they had been posted.

Mr. Way stated that the purpose of the meeting was the certification of the results of the State House of Representatives District 28 and the results of the State House of Representatives District 99 Special Elections held on Tuesday, January 16, 2018.

Mr. Benson made a motion to certify the results. It was seconded by Mr. Dawson. The motion was approved unanimously. The results were certified.

There being no further business, Ms. White made a motion to adjourn the meeting. It was seconded by Ms. Bowers. The motion was approved unanimously. The meeting was adjourned.

Respectfully submitted,



Daylin Silber,
Administrative Coordinator

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OATH OF STATE BOARD OF CANVASSERS

We, the State Board of Canvassers, hereby certify the following as the whole number of votes cast in the State House District 28 Special Election held in Greenville County on January 16, 2018.

Candidate	TOTAL	PERCENT
Ashley Trantham, Republican WINNER	335	97.4%
Write-in	9	2.6%

Billy Way, Jr., **Chairman**

Mark A. Benson

Marilyn Bowers

E. Allen Dawson

Nicole Spain White

STATE BOARD OF CANVASSERS

Dated this 19th day of January 2018.

OATH OF STATE BOARD OF CANVASSERS

We, the State Board of Canvassers, hereby certify the following as the whole number of votes cast in the State House District 99 Special Election held in Berkeley and Charleston Counties on January 16, 2018.

Candidate	Berkeley	Charleston	TOTAL	PERCENT
Cindy Boatwright, Democratic	900	687	1,587	43.3%
Nancy Mace, Republican WINNER	1,434	637	2,071	56.5%
Write-in	7	1	8	0.2%

Billy Way, Jr., **Chairman**

Mark A. Benson

Marilyn Bowers

E. Allen Dawson

Nicole Spain White

STATE BOARD OF CANVASSERS

Dated this 19th day of January 2018

STATE ELECTION COMMISSION

AGENDA

February 21, 2018

10:00 a.m.

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.**

Approval of Minutes: January 17, 2018 (SEC) and January 19, 2018 (SBC)

New Business:

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

N. BOWERS

E. ALLEN DAWSON

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

Filing of Statement of Economic Interests (Ethics)
Opening of Candidate Filing for the 2018 General Election
Center for American Progress: Election Security in All 50 States

Old Business:

Legislative Update
Budget Update
PEW Grant
Information Technology Security Update

Next Meeting(s):

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Friday, March 2, 2018 at 10:00 a.m. (SBC)
Friday, March 16, 2018 at 10:00 a.m. (SBC)
Wednesday, March 21, 2018 at 10:00 a.m. (SEC)

STATE ELECTION COMMISSION
1122 Lady Street, 5th Floor
Columbia, SC 29201

February 21, 2018
10:00 a.m.

Present: Mr. Billy Way, Jr., Chairman; Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference)

Others Present: Marci Andino, Executive Director; Chris Whitmire, Director of Voter Services; Daylin Silber, Administrative Coordinator; Barbara Pittelli, Fiscal Technician; JoAnne Day, League of Women Voters

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

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

E. ALLEN DAWSON

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

Chairman Way called the meeting to order and asked if all notices of the meeting had been posted as required by the Freedom of Information Act. Ms. Andino stated that the notices had been posted. Chairman Way informed the commissioners joining the meeting via teleconference that Ms. Joanne Day from the League of Women Voters was present at the meeting.

Approval of Minutes

Chairman Way stated that the first item of business was the approval of the minutes for meetings held on January 17, 2018 (SEC) and January 19, 2018 (SBC). Mr. Benson moved to approve the minutes. The motion was seconded by Ms. Bowers. The minutes were approved unanimously.

New Business

Chairman Way stated that the first item of new business was the filing of Statement of Economic Interests with the Ethics Commission. Ms. Andino reminded the commissioners that those must be filed by March 30, 2018.

The opening of candidate filing for the 2018 General Election was the next item under new business. Ms. Andino informed the board that candidate filing is just three weeks away, from March 16th through the 30th. Ms. Andino further advised that the SEC anticipates approximately 1,000 candidates to file across the state. She also stated that it is an opportunity to educate candidates on cybersecurity, and that the Belfer Center at Harvard University has compiled some information on how to protect

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campaign information. She further stated that the SEC will use the Belfer Center's information during 2018. She also advised that information and reminders will be communicated to the counties on how to conduct candidate filing.

The next item of new business was the Center for American Progress: Election Security in all 50 States publication. Ms. Andino informed the commissioners that this study focused on seven areas of election security and preparedness: minimum cybersecurity standards for voter registration systems, voter-verified paper ballots, post-election audits that test election results, ballot accounting and reconciliation, return of voted paper absentee ballots, voting machine certification requirements, and pre-election logic and accuracy testing. Ms. Andino reported that South Carolina received a score of D. She further explained that unsatisfactory grades were given due to the voting system being paperless, that post-election audits cannot be tested against a paper record and that ballots from voters living overseas or military members stationed overseas are accepted electronically. Cybersecurity standards for the voter registration system were given a grade of good.

Old Business

The first item under old business was legislative updates. Ms. Andino informed the commissioners that Senate bill 107 relating to the joint election of the Governor and the Lieutenant Governor is still in conference committee. She further advised that an opinion was requested from the Attorney General's office and that the SEC has been informed that the referendum passed by voters is self-executing and that the SEC has the authority to proceed and fill in the gaps.

The budget update was the next item of old business. Ms. Andino informed the commissioners that the budget request was presented to the Senate Finance Subcommittee. She further informed them that the House Ways and Means committee is deliberating the budget this week and the budget will be discussed on the floor of the House next week. The request includes \$250,000 in recurring funds for cybersecurity, \$650,000 to recoup the expenses of the unusually high number of special elections held last year, \$20,000,000 for a new voting system and \$4,000,000 for a refresh/refurbish of the current voting system.

The next item under old business was the PEW grant. Ms. Andino advised the board that the SEC has received a grant in the amount of \$177,000 which would allow the SEC to have access to the Electronic Registration Information Center (ERIC) where the SEC would be provided a list of voters who have moved on a regular basis. She also advised the board that in order to receive the funds from the grant, South Carolina must be a member in good standing by March 31st. She further advised that 23 states currently are members.

The next item under old business was an information technology security update. Ms. Andino informed the commission that all county election staff who have access to VREMS, ElectionNet, and the voting system are required to complete cyber awareness training. She stated that out of 46 county directors, 43 have already completed the training. She also informed the board that out of 221 users, 204 have completed the course so far to date. Ms. Andino also advised that the U. S. Department of Homeland Security continues to perform scans on the SEC's infrastructure and no vulnerabilities have been detected. She further advised that the SEC continues to meet with the Department of Administration's Department of Technology who also perform monthly scans. She also informed the commissioners that she recently attended a security briefing in Washington, DC, held by the National Counterintelligence & Security Center for state election directors.

Chairman Way reminded the members that the State Board of Canvassers will meet on Friday, March 2, 2018 at 10:00 a.m. The next meeting of the State Election Commission is scheduled for Wednesday, March 21, 2018 at 10:00 a.m.

With no further business to be discussed, Mr. Benson moved to adjourn the meeting. Ms. Bowers seconded the motion. The motion passed unanimously, and the meeting adjourned.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Daylin Silber", written in a cursive style.

Daylin Silber

STATE BOARD OF CANVASSERS
AGENDA
March 2, 2018
10:00 am

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE BOARD OF CANVASSERS IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.**

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARK BOWERS

E. ALLEN DAWSON

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

New Business:

Certification of the results of the Republican Primary for State House District 69 held on
Tuesday, February 27, 2018.

Items may be added as necessary.

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**STATE BOARD OF CANVASSERS
1122 Lady Street, 5th Floor
Columbia, South Carolina 29201**

**March 2, 2018
10:00 a.m.**

Present: Mr. Billy Way, Chairman; Mr. Mark Benson (via teleconference);
Ms. Marilyn Bowers (via teleconference); Mr. E. Allen Dawson
(via teleconference); Ms. Nicole White (via teleconference)

Others Present: Mr. Harrison Brant, Legal Counsel; Daylin Silber, Administrative
Coordinator

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

Mr. Way 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. Brant stated that they had been posted.

Mr. Way stated that the purpose of the meeting was the certification of the results of
the State House of Representatives District 69 Special Republican Primary held on
Tuesday, February 27, 2018.

Mr. Benson made a motion to certify the results. It was seconded by Ms. White. The
motion was approved unanimously. The results were certified.

A motion was made by Ms. Bowers to order a runoff election, since no candidate
received more than 50% of the vote. The runoff election will take place on March 13,
2018. The motion was seconded by Mr. Benson. The motion was approved
unanimously.

There being no further business, Mr. Benson made a motion to adjourn the meeting.
It was seconded by Ms. White. The motion was approved unanimously. The meeting
was adjourned.

Respectfully submitted,



Daylin Silber,
Administrative Coordinator

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

E. ALLEN DAWSON

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

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OATH OF STATE BOARD OF CANVASSERS

We, the State Board of Canvassers, hereby certify the following as the whole number of votes cast in the State House District 69 Republican Primary held in Lexington County on February 27, 2018.

Candidate	TOTAL	PERCENT
Joel Deason	629	18.9%
Anne Marie Eckstorm Green RUNOFF	761	22.9%
Alan Ray	29	0.9%
Michael Weaver	496	14.9%
Chris Wooten RUNOFF	1,410	42.4%

Billy Way, Jr., Chairman

Mark A. Benson

Marilyn Bowers

E. Allen Dawson

Nicole Spain White

STATE BOARD OF CANVASSERS

Dated this 2nd day of March 2018.

STATE BOARD OF CANVASSERS

AGENDA

March 16, 2018

10:00 am

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE BOARD OF CANVASSERS IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.**

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARIA A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

New Business:

Certification of the results of the Primary Runoff for State House District 69 held on Tuesday,
March 13, 2018.

MARCI ANDINO
Executive Director

Items may be added as necessary.

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**STATE BOARD OF CANVASSERS
1122 Lady Street, 5th Floor
Columbia, South Carolina 29201**

**March 16, 2018
10:00 a.m.**

Present: Mr. Billy Way, Chairman; Mr. Mark Benson (via teleconference);
Ms. Marilyn Bowers (via teleconference); Ms. Nicole White (via
teleconference)

Others Present: Ms. Marci Andino, Executive Director; Daylin Silber,
Administrative Coordinator

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

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

Mr. Way 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 stated that they had been posted.

Chairman Way informed the board that commissioner Allen E. Dawson resigned from the board effective March 13, 2018.

Mr. Way stated that the purpose of the meeting was the certification of the results of the State House of Representatives District 69 Special Republican Primary Runoff held on Tuesday, March 13, 2018.

Ms. White made a motion to certify the results. It was seconded by Mr. Benson. The motion was approved unanimously. The results were certified.

There being no further business, Mr. Benson made a motion to adjourn the meeting. It was seconded by Ms. Bowers. The motion was approved unanimously. The meeting was adjourned.

Respectfully submitted,



Daylin Silber,
Administrative Coordinator

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OATH OF STATE BOARD OF CANVASSERS

We, the State Board of Canvassers, hereby certify the following as the whole number of votes cast in the State House District 69 Republican Primary Runoff held in Lexington County on March 13, 2018.

Candidate	TOTAL	PERCENT
Anne Marie Eckstorm Green	1,321	44.4%
Chris Wooten WINNER	1,655	55.6%

Billy Way, Jr., Chairman

Mark A. Benson

Marilyn Bowers

Nicole Spain White

STATE BOARD OF CANVASSERS

Dated this 16th day of March 2018.

STATE ELECTION COMMISSION

AGENDA

March 21, 2018

10:00 a.m.

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.**

Approval of Minutes: February 21, 2018 (SEC), March 2, 2018 (SBC) and March 16, 2018 (SBC)

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

E. ALLEN DAWSON

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

New Business:

Certification of Unity 4.0.0.3, Version 4 (Revision 1)
Eugene Baten v Henry McMaster, et al.

Old Business:

Filing of Statement of Economic Interests (Ethics)
Opening of Candidate Filing for the 2018 General Election
Legislative Update
Budget Update
PEW Grant
Information Technology Security Update

Next Meeting(s):

Wednesday, April 18, 2018 at 10:00 a.m. (SEC)

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STATE ELECTION COMMISSION
1122 Lady Street, 5th Floor
Columbia, SC 29201

March 21, 2018
10:00 a.m.

Present: Mr. Billy Way, Jr., Chairman; Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference); Ms. Nicole White (via teleconference)

Others Present: Marci Andino, Executive Director; Daylin Silber, Administrative Coordinator; Barbara Pittelli, Fiscal Technician; JoAnne Day, League of Women Voters

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

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

Chairman Way called the meeting to order and asked if all notices of the meeting had been posted as required by the Freedom of Information Act. Ms. Andino stated that the notices had been posted. Chairman Way informed the commissioners joining the meeting via teleconference that Ms. Joanne Day from the League of Women Voters was present at the meeting.

Approval of Minutes

Chairman Way stated that the first item of business was the approval of the minutes for meetings held on February 21, 2018 (SEC), March 2, 2018 (SBC) and March 16, 2018 (SBC). Mr. Benson moved to approve the minutes. The motion was seconded by Ms. Bowers. The minutes were approved unanimously.

New Business

The first item of new business was the Certification of Unity 4.0.0.3, Version 4. Ms. Andino informed the board that the testing process on this version is not complete and that the certification will take place at a later date, once testing is completed.

Eugene Baten v Henry McMaster, et al. was the next item under new business. Ms. Andino advised that the Attorney General's office has approved the use of outside counsel for the agency. McNair Law Firm will serve as the agency's legal representative

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in the case. Ms. Andino advised the board that updates will be provided to them as the case moves forward.

Old Business

The first item under old business was a reminder for all board members to file their Statement of Economic Interests forms which are due to the Ethics Commission by March 30, 2018.

The next item under old business was candidate filing, which opened on Friday, March 16, 2018 at noon and will close at noon on March 30, 2018. Ms. Andino advised that as of March 20, 2018, a total of 464 candidates have filed statewide, 45 of which filed at the State Election Commission (SEC) office.

Legislative updates were the next item under old business. Ms. Andino informed the board that House bill 4977 regarding the joint election of the Governor and the Lieutenant Governor passed on Wednesday, March 14. It was ratified and signed by the Governor on Thursday, March 15.

The budget was the next item of old business. Ms. Andino advised that the budget has passed in the House. She informed the board that it includes \$250,000 in recurring funds for security, \$650,000 to recoup expenses of the many Special Elections held last year, \$4,000,000 in recurring funds for the voting system replacement and \$4,000,000 for a voting system refresh of the current system. She also advised that the budget is currently in the Senate Finance Committee.

The next item of old business was the PEW grant. Ms. Andino reminded the board that the SEC received a grant in the amount of \$177,000 from the Pew Charitable Trust which would make the SEC a member of the Electronic Registration Information Center (ERIC). Ms. Andino explained that membership would require the South Carolina Department of Motor Vehicles (DMV)'s participation, and the SEC will not be able to join without providing the DMV data. Ms. Andino advised that there have been discussions with the DMV regarding this matter and the DMV will need to advise the SEC by March 31st if they will be able to provide the data. Chairman Way inquired as to who operates ERIC. Ms. Andino stated that ERIC is operated by the 23 currently participating states. She also advised that in order to keep the grant, the SEC must be a member in good standing by March 31st.

The information technology security update was the next item of old business. Ms. Andino reminded the board that the Department of Homeland Security has designated elections as a critical infrastructure subsector. She explained that all critical infrastructures are governed by Government Coordinating Councils. She informed the board that she has been appointed to the Government Coordinating Council for the election sector. She also advised that the Multi State Information Sharing & Analysis

Center (MS-ISAC) was formed a few weeks ago to serve as a multistate information sharing center. She reported that 9 counties have already joined.

Ms. Andino advised that the Department of Homeland Security's weekly scans for the SEC show no new vulnerabilities. She also advised that the Division of Technology (DTO) is in the process of developing an enhanced secure file transfer system between the counties and the SEC. She further informed the board that, once the DTO has finished configuring the device, the security firm, Soteria, will perform a full assessment. Ms. Andino also advised that all county directors and 98% of county staff have completed the online security training "Securing the Human".

Chairman Way reminded the members that the next meeting of the SEC is scheduled for Wednesday, April 18, 2018 at 10:00 a.m.

With no further business to be discussed, Mr. Benson moved to adjourn the meeting. Ms. White seconded the motion. The motion passed unanimously, and the meeting adjourned.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Daylin Silber".

Daylin Silber

STATE ELECTION COMMISSION

AGENDA

April 18, 2018

10:00 a.m.

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED
NOTIFICATIONS HAVE BEEN MADE.**

Approval of Minutes: March 21, 2018 (SEC)

New Business:

Statewide Primary Preparations

Old Business:

Certification of Unity 4.0.0.3, Version 4 (Revision 1)

Legislative Update

Budget Update

PEW Grant

Information Technology Security Update

Legal Update

Eugene Baten v Henry McMaster, et al.

Green v SEC

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

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Next Meeting(s):

Friday, May 4, 2018 at 3:00 p.m. (SBC)

Wednesday, May 16, 2018 at 10:00 a.m. (SEC)

STATE ELECTION COMMISSION

**1122 Lady Street, 5th Floor
Columbia, SC 29201**

**April 18, 2018
10:00 a.m.**

Present: Mr. Billy Way, Jr., Chairman; Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference); Ms. Nicole White (via teleconference)

Others Present: Harrison Brant, General Counsel; Howard Snider, Director of Voter Services; Daylin Silber, Administrative Coordinator; Barbara Pittelli, Fiscal Technician; Joanne Day, League of Women Voters

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

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

Chairman Way called the meeting to order and asked if all notices of the meeting had been posted as required by the Freedom of Information Act. Mr. Brant stated the notices had been posted. Chairman Way informed the commissioners joining the meeting via teleconference that Ms. Joanne Day from the League of Women Voters was present at the meeting.

Approval of Minutes

Chairman Way stated the first item of business was the approval of the minutes for the SEC meeting held on March 21, 2018. Mr. Benson moved to approve the minutes. The motion was seconded by Ms. Bowers. The minutes were approved unanimously.

New Business

The first item of business was the Statewide Primary Preparations. Mr. Brant reported that the candidate filing period closed on March 30th and a total of 797 candidates filed statewide. He stated ballot proofing and testing is now being conducted in order to meet the April 28th deadline to mail absentee ballots to military and overseas citizens. Mr. Brant advised a workshop will be held on April 26th to help the counties prepare for the primaries. He informed the board a proclamation is being requested from the Governor to name the month of May as Voter Education Month.

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Old Business

The first item of old business was the certification of Unity 4.0.0.3, Version 4, previously submitted by ES&S. Mr. Brant informed the board this certification is on hold until after the primaries and runoffs as there is not sufficient time for parallel testing, which is conducted during an election.

Legislative updates was the next item under old business. Mr. Brant advised he had no new legislation to report since the passing of Act 142 providing for joint election of Governor and Lt. Governor. He further advised no new legislation is expected to pass as the crossover date has already transpired.

The budget was the next item of old business. Mr. Brant stated the budget was passed by the Senate. He explained that in regard to the SEC, the Senate and House versions are the same. Mr. Brant informed the board the budget includes \$250,000 in recurring funds for security, \$650,000 to recoup expenses for the many Special Elections held last year, \$4,000,000 in recurring funds for the voting system replacement and \$4,000,000 for a voting system refresh of the current system. He also informed the board the SEC will receive approximately \$6,000,000 in HAVA funds in a few weeks. This SEC is currently looking at ways funds can be utilized to increase security of election infrastructure.

The next item of old business was the PEW grant. Mr. Brant reminded the board the SEC received a grant in the amount of \$177,000 from the Pew Charitable Trust which would make the SEC a member of the Electronic Registration Information Center (ERIC). He also reminded the commission members that membership in ERIC requires the South Carolina Department of Motor Vehicles (DMV)'s participation, and the SEC will not be able to join without providing the DMV data. Mr. Brant reported the SEC received a one month extension until the end of April to meet the requirements to participate.

The information technology security update was the next item of old business. Mr. Snider advised the SEC continues to participate in the Cyber Hygiene program through DHS. He reported no new system vulnerabilities have been identified. Mr. Snider informed the board county directors were recently briefed on new threat actor tactics to breach various election systems by compromising election officials' social media accounts. He further informed the board the SEC is working with DHS to conduct an onsite security assessment the first week of May 2018. Mr. Snider advised he will be meeting today with the National Guard Cyber Security Team to discuss another initiative.

Legal updates was the last item under old business. Mr. Brant advised a response would be filed by the end of the week in the case of Eugene Baten v Henry McMaster, et al. He also advised that Green v SEC was dismissed by a federal judge last week.

Chairman Way reminded the members the next meeting of the SEC is scheduled for Wednesday, May 16, 2018 at 10:00 a.m. and the next State Board of Canvassers (SBC) meeting is scheduled for Friday, May 4, 2018 at 3:00 p.m.

With no further business to be discussed, Mr. Benson moved to adjourn the meeting. Ms. White seconded the motion. The motion passed unanimously, and the meeting adjourned.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Daylin Silber".

Daylin Silber

STATE BOARD OF CANVASSERS
AGENDA
May 4, 2018
3:00 pm

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE BOARD OF CANVASSERS IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.**

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

E. ALLEN DAWSON

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

New Business:

Certification of the results of the Special Election for State House District 69 held on Tuesday,
May 1, 2018.

Items may be added as necessary.

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STATE BOARD OF CANVASSERS
1122 Lady Street, 5th Floor
Columbia, South Carolina 29201

May 4, 2018
3:00 p.m.

Present: Mr. Billy Way, Chairman; Mr. Mark Benson (via teleconference);
Ms. Marilyn Bowers (via teleconference)

Others Present: Harrison Brant, General Counsel; Barbara Pittelli, Fiscal Tech;
Arlene Mahoney, Training Coordinator

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

Mr. Way 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. Brant responded that they had been posted.

Mr. Way stated that the purpose of the meeting was the certification of the results of the State House of Representatives District 69 Special Election on Tuesday, May 1, 2018. Mr. Way reported the results.

Mr. Benson made a motion to certify the results. It was seconded by Ms. Bowers. The motion was approved unanimously. The results were certified.

There being no further business, Mr. Benson made a motion to adjourn the meeting. It was seconded by Ms. Bowers. The motion was approved unanimously. The meeting was adjourned.

Respectfully submitted,



Barbara Pittelli,
Fiscal Tech

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

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OATH OF STATE BOARD OF CANVASSERS

We, the State Board of Canvassers, hereby certify the following as the whole number of votes cast in the State House District 69 Special Election held in Lexington County on May 1, 2018.

Candidate	TOTAL	PERCENT
Chris Wooten, Republican WINNER	506	88.0%
Write-ins	69	12.0%

Billy Way, Jr., **Chairman**

Mark A. Benson

Marilyn Bowers

Nicole Spain White

STATE BOARD OF CANVASSERS

Dated this 4th day of May 2018.

STATE ELECTION COMMISSION

AGENDA

May 16, 2018

10:00 a.m.

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED
NOTIFICATIONS HAVE BEEN MADE.**

Approval of Minutes: April 18, 2018 (SEC) and May 4, 2018 (SBC)

New Business:

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

Statewide Primary Preparations
Voter Education Month Activities
Office of the State Auditor – Report on Applying Agreed-Upon Procedures

Old Business:

Certification of Unity 4.0.0.3, Version 4 (Revision 1)
Legislative Update
Budget Update
PEW Grant
Information Technology Security Update
Legal Update

Eugene Baten v Henry McMaster, et al.
SEC v James John Todd Kincannon

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Next Meeting(s):

Friday, June 15, 2018 at 10:00 a.m. (SBC)
Wednesday, June 20, 2018 at 10:00 a.m. (SEC)
Friday, June 29, 2018 at 3:00 p.m. (SBC)

STATE ELECTION COMMISSION
1122 Lady Street, 5th Floor
Columbia, SC 29201

May 16, 2018
10:00 a.m.

Present: Mr. Billy Way, Jr., Chairman; Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference); Ms. Nicole White (via teleconference)

Others Present: Marci Andino, Executive Director; Daylin Silber, Administrative Coordinator; Barbara Pittelli, Fiscal Technician

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

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

Chairman Way called the meeting to order and asked if all notices of the meeting had been posted as required by the Freedom of Information Act. Ms. Andino advised the notices were posted.

Approval of Minutes

Chairman Way stated the first item of business was the approval of the minutes for meetings held on April 18, 2018 (SEC) and May 4, 2018 (SBC). Mr. Benson moved to approve the minutes. The motion was seconded by Ms. Bowers. The minutes were approved unanimously.

New Business

The first item of new business was the statewide primary preparations. Ms. Andino reported we are less than four weeks from the primary. She advised a training workshop was conducted for the county boards of voter registration and elections. She also advised all ballots requested by military and overseas citizens were mailed 45 days before the primary as required and notice of such was sent to the Department of Justice. Ms. Andino informed the board in person absentee voting is now open in all counties.

The next item under new business was Voter Education Month activities. Ms. Andino reported Governor McMaster declared the month of May Voter Education Month. She

informed the commissioners the SEC held a kickoff event at the State House on May 1st with participation from Richland and Lexington Counties. She also advised the SEC registered voters, took pictures for photo ID's and distributed voter education materials.

The Office of the State Auditor's Report on applying Agreed-Upon Procedures was the next item under new business. Ms. Andino reported there were no major findings.

Old Business

The first item of old business was the Certification of Unity 4.0.0.3, Version 4. Ms. Andino informed the board that certification will be carried over until after the primaries and runoffs are conducted and system testing is completed.

Legislative updates were the next item under old business. Ms. Andino advised the commission the legislative session is over. She stated the only significant bill that was passed was House bill 4977 regarding the joint election of the Governor and the Lieutenant Governor.

The budget was the next item of old business. Ms. Andino informed the board the final version of the budget has not passed. She further informed them that the House and Senate versions are the same. She stated both versions of the budget include \$250,000 in recurring funds for security, \$650,000 to recoup expenses of the special elections held last year, \$4,000,000 in recurring funds for the voting system replacement and \$4,000,000 for a voting system refresh of the current system. Ms. Andino advised the SEC received \$6,000,000 in federal funds which will be used toward the protection of election infrastructure as well as replacement of the voting system. Ms. Andino explained that all states received funds based on their population.

The next item of old business was the PEW grant. Ms. Andino reminded the board that the SEC had until April 30th to work out any issues with the South Carolina Department of Motor Vehicles (DMV) since membership in the Electronic Registration Information Center (ERIC) will require providing the DMV's data. Ms. Andino advised an additional and final three month extension was given to the SEC. Ms. Andino further advised the SEC continues to work with the DMV and the Social Security Administration (SSA) in order to resolve any security issues. She also explained that participating in ERIC will help to keep the voter lists more up to date in regard to voters who are deceased or moved out of state.

The information technology security update was the next item of old business. Ms. Andino advised secure end points are being distributed to the counties to provide a method for a more secure transfer election results. She also reported that the SEC is requiring that all temporary employees at county offices receive security training. Ms. Andino stated the SEC has been working with the U. S. Department of Homeland

Security (DHS) on an evaluation of the physical security of the SEC office. She advised that DHS will also be assisting with an Election Security and Technology Workshop for county election officials to be held later this summer.

A legal update was the next item under old business. Ms. Andino stated there are no updates in the Eugene Baten v Henry McMaster, et al case. Regarding the SEC v. James John Todd Kincannon, she advised the case is still pending.

Chairman Way reminded the members of upcoming meeting dates. A discussion was had regarding the time of the June 29th, 2018 meeting. It was decided the meeting would be moved back to 10:00 a.m.

With no further business to be discussed, Mr. Benson moved to adjourn the meeting. Ms. Bowers seconded the motion. The motion passed unanimously, and the meeting adjourned.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Daylin Silber", with a stylized, cursive script.

Daylin Silber

STATE BOARD OF CANVASSERS
AGENDA
June 15, 2018
10:00 a.m.

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE BOARD OF CANVASSERS IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.**

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

E. ALLEN DAWSON

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

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New Business:

Certification of Statewide Democratic and Republican Primaries held on Tuesday, June 12, 2018.

- Order Recounts
 - Unofficial results indicate recounts will be required for the U.S. House of Representatives District 4, State House of Representatives District 100 and the State House of Representatives District 104 Republican Primaries.
 - Any necessary recounts are tentatively planned to begin at 10:30 a.m.
 - In the event recounts are ordered, the Board will recess while the recounts are conducted and reconvene at the conclusion of the recount process to certify results.
- Order Runoffs

Items may be added as necessary.

STATE BOARD OF CANVASSERS
1122 Lady Street, 5th Floor
Columbia, South Carolina 29201

June 15, 2018
10:00 a.m.

Present: Mr. Billy Way, Chairman; Mr. Mark Benson (via teleconference);
Ms. Marilyn Bowers (via teleconference); Ms. Nicole White (via
teleconference)

Others Present: Chis Whitmire, Director of Public Information and Training;
Howard Snider, Director of Voter Services; Harrison Brant,
General Counsel; Daylin Silber, Administrative Coordinator;
Barbara Pittelli, Fiscal Tech

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

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

Mr. Way 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. Brant responded that they had been posted.

Mr. Way stated that the first order of business was to add an item to the agenda under emergency and exigent circumstances. Mr. Whitmire explained that the Horry County Board of Voter Registration and Elections has notified the agency that they certified incorrect results. A motion to order Horry County to retabulate and recertify the results of the Democratic and Republican Primaries was made by Ms. Bowers and seconded by Ms. White. It was unanimous.

Mr. Benson made a motion to go into recess until 2:15 p.m. in order to give sufficient time for Horry County to retabulate and certify the correct results. It was seconded by Ms. Bowers. The motion was approved unanimously.

Continued at 2:15 p.m. on June 15, 2018

Present: Mr. Billy Way, Chairman; Mr. Mark Benson (via teleconference);
Ms. Marilyn Bowers (via teleconference); Ms. Nicole White (via
teleconference)

Others Present: Marci Andino, Executive Director; Chis Whitmire, Director of
Public Information and Training; Barbara Pittelli, Fiscal Tech;
Arlene Mahoney, Training Coordinator; Eric Alkire, WLTX News

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Mr. Benson made a motion to come out of recess, seconded by Ms. White. The motion was unanimous.

A motion was made by Mr. Benson to certify the results of the Republican Primaries for U. S. House of Representatives District 4 and State House of Representatives District 100. It was seconded by Ms. White. The motion was unanimous. Mr. Benson also made a motion to order the recount of U. S. House of Representatives District 4 and State House of Representatives District 100. It was seconded by Ms. Bowers. The motion was approved unanimously.

Mr. Benson made a motion to go into recess until 5 p.m. in order to allow time to receive recount results and to receive the certified results from Horry County. It was seconded by Ms. Bowers. The motion was approved unanimously.

Continued at 5:00 p.m. on June 15, 2018

Present: Mr. Billy Way, Chairman; Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference); Ms. Nicole White (via teleconference)

Others Present: Marci Andino, Executive Director; Chis Whitmire, Director of Public Information and Training; Barbara Pittelli, Fiscal Tech; Arlene Mahoney, Training Coordinator

Ms. Bowers made a motion to come out of recess. It was seconded by Ms. White. The motion was unanimous.

Ms. Andino informed the board that Horry County had not yet completed the retabulation and recertification of their primary results. She further informed the commissioners that results for races that Horry County participated in would have to wait to be certified until Horry County completed their certification.

Chairman Way asked for a motion to certify all primary results except for the following offices: Governor (Democratic and Republican), U. S. House of Representatives District 7 (Democratic and Republican), State House of Representatives District 55 (Democratic), State House of Representatives District 103 (Democratic), State House of Representatives District 104 (Republican), Secretary of State (Republican), Attorney General (Republican). Ms. Bowers made a motion to certify the primary results with the exceptions noted. It was seconded by Ms. White. The motion passed unanimously.

A motion was made by Mr. Benson to certify the recounts of the results for the Republican Primaries for U. S. House of Representatives District 4 and State House of Representatives District 100. The motion was seconded by Ms. White. It passed unanimously.

A motion was made by Mr. Benson to order runoffs for U. S. House of Representatives District 2 (Democratic), U. S. House of Representatives District 4 (Democratic), State House of Representatives District 77 (Democratic), State House of Representatives District 5 (Republican), State House of Representatives District 87 (Republican) and State House of Representatives District 110 (Republican). It was seconded by Ms. Bowers. The motion was unanimous.

A motion to recess and return at the call of the chair was made by Mr. Benson, seconded by Ms. White. The motion was unanimous.

Continued at 11:49 a.m. on June 16, 2018

Present: Mr. Billy Way, Chairman; Mr. Mark Benson (via teleconference);
Ms. Nicole White (via teleconference)

Others Present: Marci Andino, Executive Director; Chris Whitmire, Director of
Public Information and Training

Mr. Benson made a motion to come out of recess, seconded by Ms. White. The motion was approved unanimously.

Chairman Way stated the first item of business was to certify the results for the primary races which were not certified yesterday while Horry County Board of Voter Registration conducted a retabulation and recertification. He reminded the board the offices not certified yesterday are Governor (Democratic and Republican), U. S. House of Representatives District 7 (Democratic and Republican), State House of Representatives District 55 (Democratic), State House of Representatives District 103 (Democratic), State House of Representatives District 104 (Republican), Secretary of State (Republican), Attorney General (Republican). Mr. Benson made a motion to certify those races, seconded by Ms. White. The motion passed unanimously.

The second item of business was to order runoffs. Mr. Benson made a motion to order primary runoffs for Governor (Republican), Attorney General (Republican) and U. S. House District 7 (Democratic). Ms. White seconded the motion. The motion was approved unanimously.

The third item of business was to order the recount of State House of Representatives District 104 Republican Primary, to begin immediately. Mr. Benson made a motion to order the recount, seconded by Ms. White. It passed unanimously.

A motion was made by Mr. Benson to recess and return at the call of the chair in order to certify the results of the recount. It was seconded by Ms. White. The motion was unanimous.

Continued at 4:10 p.m. on June 16, 2018

Present: Mr. Billy Way, Chairman; Mr. Mark Benson (via teleconference);
Ms. Nicole White (via teleconference)

Others Present: Marci Andino, Executive Director

Mr. Benson made a motion to come out of recess, seconded by Ms. White. The motion was unanimous.

Mr. Benson made a motion to certify the recount of the results of the State House of Representatives District 104 Republican Primary. It was seconded by Ms. White. The motion was unanimous.

There being no further business, Ms. White made a motion to adjourn the meeting. It was seconded by Mr. Benson. The motion was approved unanimously. The meeting was adjourned.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Daylin Silber".

Daylin Silber,
Administrative Coordinator

OATH OF STATE BOARD OF CANVASSERS

We, the State Board of Canvassers, hereby certify the following as the whole number of votes cast for the U.S. House of Representatives District 4 and the S.C. House of Representatives District 100 Republican Primaries held on June 12, 2018, as recounted on June 15, 2018.

Billy Way, Jr., Chairman

Mark A. Benson

Marilyn Bowers

Nicole Spain White

STATE BOARD OF CANVASSERS

Dated this 15th day of June 2018.

OATH OF STATE BOARD OF CANVASSERS

We, the State Board of Canvassers, hereby certify the following as the whole number of votes cast for the S.C. House of Representatives District 104 Republican Primary held on June 12, 2018, as recounted on June 16, 2018.

Billy Way, Jr., Chairman

Mark A. Benson

Marilyn Bowers

Nicole Spain White

STATE BOARD OF CANVASSERS

Dated this 16th day of June 2018.

OATH OF STATE BOARD OF CANVASSERS

We, the State Board of Canvassers, hereby certify the following as the whole number of votes cast for the respective offices voted for in the Democratic Primary held on Tuesday, June 12, 2018.

Billy Way, Jr., **Chairman**

Mark A. Benson

Marilyn Bowers

Nicole Spain White

STATE BOARD OF CANVASSERS

Dated June 15-16, 2018.

OATH OF STATE BOARD OF CANVASSERS

We, the State Board of Canvassers, hereby certify the following as the whole number of votes cast for the respective offices voted for in the Republican Primary held on Tuesday, June 12, 2018.

Billy Way, Jr., **Chairman**

Mark A. Benson

Marilyn Bowers

Nicole Spain White

STATE BOARD OF CANVASSERS

Dated June 15-16, 2018.

STATE ELECTION COMMISSION

AGENDA

June 20, 2018

10:00 a.m.

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED
NOTIFICATIONS HAVE BEEN MADE.**

Approval of Minutes: May 16, 2018 (SEC) and June 15-16, 2018 (SBC)

New Business:

Special Election – State Senate District 20

Old Business:

Certification of Unity 4.0.0.3, Version 4 (Revision 1)

Budget Update

PEW Grant

Information Technology Security Update

Legal Update

Eugene Baten v Henry McMaster, et al.

SEC v James John Todd Kincannon

Bucky Mock v. Clarendon County Board of VR and Elections, et al.

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

1122 Lady Street
Suite 500
Columbia, SC 29201

P.O. Box 5987
Columbia, SC 29250

803.734.9060
Fax: 803.734.9366
www.scvotes.org

Next Meeting(s):

Friday, June 29, 2018 at 10:00 a.m. (SBC)

Wednesday, July 18, 2018 at 10:00 a.m. (SEC)

STATE ELECTION COMMISSION
1122 Lady Street, 5th Floor
Columbia, SC 29201

June 20, 2018
10:00 a.m.

Present: Mr. Billy Way, Jr., Chairman; Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference); Ms. Nicole White (via teleconference)

Others Present: Marci Andino, Executive Director; Chris Whitmire, Director of Public Information and Training; Daylin Silber, Administrative Coordinator; Barbara Pittelli, Fiscal Technician

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

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

Chairman Way called the meeting to order and asked if all notices of the meeting had been posted as required by the Freedom of Information Act. Ms. Andino advised the notices were posted.

Approval of Minutes

Chairman Way stated the first item of business was the approval of the minutes for meetings held on May 16, 2018 (SEC) and June 15 and 16, 2018 (SBC). Mr. Benson moved to approve the minutes. The motion was seconded by Ms. White. The minutes were approved unanimously.

New Business

The sole item of new business was the special election of State Senate District 20. Ms. Andino explained that Senator Courson resigned, triggering a special election. She further explained candidate filing will be from June 22nd until June 30th, the primary on August 14th, the runoff (if necessary) on August 28th, and the special election on November 6th, on the same day as the General Election.

Old Business

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The first item of old business was the Certification of Unity 4.0.0.3, Version 4. Ms. Andino informed the board that certification will be carried over until after the runoffs are conducted and system testing is completed.

The budget was the next item of old business. Ms. Andino informed the board the General Assembly has not passed the budget yet. She advised they are supposed to meet next Tuesday. She further informed the commissioners the House and Senate versions are very similar. She stated both versions of the budget include \$250,000 in recurring funds for security, \$650,000 to recoup expenses of the special elections held last year, \$4,000,000 in recurring funds for the voting system replacement and \$4,000,000 for a voting system refresh of the current system. Chairman Way inquired as to how the agency paid for the Special Elections that were held. Ms. Andino explained that General Election funds were used and will be replenished once the special election funds are received.

The next item of old business was the PEW grant. Ms. Andino reported an agreement was reached with the Department of Motor Vehicles (DMV). She reminded membership in ERIC requires the SEC's database as well as the DMV's. She also explained that membership in this organization will be more accurate voter rolls, since comparing records with various sources will help to identify persons that are no longer eligible to vote.

The information technology security update was the next item of old business. Ms. Andino advised secure end points were used without issue during the primaries. Ms. Andino explained that these are computers that are given to the counties and are limited to only specific websites and are very secure, improving the security of the voting system and the Election Night Reporting system. Also under information technology, Ms. Andino advised the SEC has contracted with a company to perform web application vulnerability assessment and penetration testing of VREMS, and it is taking steps to remediate vulnerabilities identified.

A legal update was the next item under old business. Ms. Andino stated there are no updates in the Eugene Baten v Henry McMaster, et al case. Regarding the SEC v. James John Todd Kincannon, she advised . Ms. Andino explained that the Bucky Mock v. Clarendon County Board of VR and Elections, et al is regarding qualifications for coroner, the opposing candidate is challenging the qualifications.

Chairman Way reminded the members the next State Board of Canvassers meeting will be June 29th, 2018 at 10:00 a.m.

With no further business to be discussed, Mr. Benson moved to adjourn the meeting. Ms. Bowers seconded the motion. The motion passed unanimously, and the meeting adjourned.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Daylin Silber'.

Daylin Silber

STATE BOARD OF CANVASSERS

AGENDA

June 29, 2018

10:00 a.m.

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE BOARD OF CANVASSERS IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED
NOTIFICATIONS HAVE BEEN MADE.**

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

New Business:

Certification of Statewide Democratic and Republican Primary Runoffs held on Tuesday, June 26, 2018.

Items may be added as necessary.

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STATE BOARD OF CANVASSERS
1122 Lady Street, 5th Floor
Columbia, South Carolina 29201

June 29, 2018
10:00 a.m.

Present: Mr. Billy Way, Chairman; Mr. Mark Benson (via teleconference);
Ms. Marilyn Bowers (via teleconference)

Others Present: Marci Andino, Executive Director; Daylin Silber, Administrative
Coordinator

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

Mr. Way 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 responded that they had been posted.

Mr. Way stated the purpose of the meeting was to certify the election results of the Statewide Democratic and Republican Primary Runoffs held on Tuesday, June 26, 2018. A motion to certify the results was made by Mr. Benson, seconded by Ms. Bowers. It was unanimous.

There being no further business, Mr. Benson made a motion to adjourn the meeting. It was seconded by Ms. Bowers. The motion was approved unanimously. The meeting was adjourned.

Respectfully submitted,



Daylin Silber,
Administrative Coordinator

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

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STATE ELECTION COMMISSION

AGENDA

July 18, 2018

10:00 a.m.

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED
NOTIFICATIONS HAVE BEEN MADE.**

Approval of Minutes: June 20, 2018 (SEC) and June 29, 2018 (SBC)

New Business:

Candidate Petitions – Use of Digitized Signatures

Old Business:

Certification of Unity 4.0.0.3, Version 4 (Revision 1)

Information Technology Security Update

Legal Update

Eugene Baten v. Henry McMaster, et al.

SEC v. James John Todd Kincannon

Bucky Mock v. Clarendon County Board of VR and Elections, et al.

Frank Heindel and Phil Leventis v. Marci Andino, SEC

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

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Next Meeting(s):

Wednesday, August 15, 2018 at 10:00 a.m. (SEC)

Friday, August 17, 2018 at 10:00 a.m. (SBC)

STATE ELECTION COMMISSION
1122 Lady Street, 5th Floor
Columbia, SC 29201

July 18, 2018
10:00 a.m.

Present: Mr. Billy Way, Jr., Chairman; Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference); Ms. Nicole White (via teleconference)

Others Present: Marci Andino, Executive Director; Chris Whitmire, Director of Public Information and Training; Daylin Silber, Administrative Coordinator; Lynn Teague, League of Woman Voters; Dakota Knehans, law student

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

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

Chairman Way called the meeting to order and asked if all notices of the meeting had been posted as required by the Freedom of Information Act. Ms. Andino advised the notices were posted.

Approval of Minutes

Chairman Way stated the first item of business was the approval of the minutes for meetings held on June 20, 2018 (SEC) and June 29, 2018 (SBC). Mr. Benson moved to approve the minutes. The motion was seconded by Ms. Bowers. The minutes were approved unanimously.

New Business

The only item of new business was the use of digitized signatures on candidate filing petitions. Ms. Andino informed the board two candidates inquired regarding digitized signatures. She explained a digitized signature is an image of a signature, signed using a finger or stylus on a tablet or phone. Ms. Andino stated the Attorney General's office was contacted for guidance on the matter and they advised digitized signatures are permissible.

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Old Business

The first item of old business was the certification of Unity 4.0.0.3, Version 4. Ms. Andino informed the board that certification is still on hold.

The information technology security update was the next item of old business. Ms. Andino advised the SEC is still working with our security partners to protect the state's election infrastructure.

A legal update was the next item under old business. Ms. Andino stated there are no updates in the Eugene Baten v. Henry McMaster, et al. case. She reminded the board this case is a challenge to the winner takes all electoral college system. Regarding the SEC v. James John Todd Kincannon, she further reminded the board a temporary injunction was issued last month due to unusually burdensome Freedom of Information Act (FOIA) requests. With regards to Bucky Mock v. Clarendon County Board of VR and Elections, et al., Ms. Andino explained this case involves a challenge to the qualifications of a party's nominee for coroner. Ms. Andino informed the board that the case of Frank Heindel and Phil Leventis v. Marci Andino et al. involves a challenge to the use of the electronic voting system on constitutional grounds.

Chairman Way reminded the members the next State Election Commission meeting will be August 15th at 10:00 a.m. and the next State Board of Canvassers meeting will be August 17th, 2018 at 10:00 a.m.

With no further business to be discussed, Ms. White moved to adjourn the meeting. Ms. Bowers seconded the motion. The motion passed unanimously, and the meeting adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Daylin Silber". The signature is stylized with a large, looped "D" and a cursive "Silber".

Daylin Silber

STATE ELECTION COMMISSION

AGENDA

July 30, 2018

10:00 a.m.

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED
NOTIFICATIONS HAVE BEEN MADE.**

New Business:

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

Candidate withdrawal – State House of Representatives District 120

Items may be added as necessary.

MARCI ANDINO
Executive Director

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STATE ELECTION COMMISSION
1122 Lady Street, 5th Floor
Columbia, SC 29201

July 30, 2018
10:00 a.m.

Present: Mr. Billy Way, Jr., Chairman; Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference)

Others Present: Marci Andino, Executive Director; Chris Whitmire, Director of Public Information and Training; Harrison Brant, General Counsel; Daylin Silber, Administrative Coordinator; Trav Robertston, S. C. Democratic Party Chairman; Joe Thickens, Attorney

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

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

Chairman Way called the meeting to order and asked if all notices of the meeting had been posted as required by the Freedom of Information Act. Ms. Andino advised the notices were posted.

New Business

Chairman Way stated the only item of business was the approval of the withdrawal of South Carolina House of Representatives District 120 candidate M. Gabriela Filing for a legitimate nonpolitical reason. A motion was made by Mr. Benson to approve the withdrawal. It was seconded by Ms. Bowers. The motion was approved unanimously.

With no further business to be discussed, Mr. Benson moved to adjourn the meeting. Ms. Bowers seconded the motion. The motion passed unanimously, and the meeting adjourned.

Respectfully submitted,



Daylin Silber

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26 July 2018

To: South Carolina State Election Commission

From: M. Gabriela Failing, Candidate, South Carolina House of Representatives, District 120

Via: (1) Mayra Rivera Vazquez, Chair, Beaufort County Democratic Party
(2) Trav Robertson, Chair, South Carolina Democratic Party

Subj: FORMAL WITHDRAWAL FROM CAMPAIGN AND CANDIDACY
FOR SOUTH CAROLINA HOUSE OF REPRESENTATIVES, DISTRICT 120

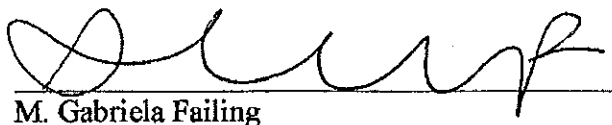
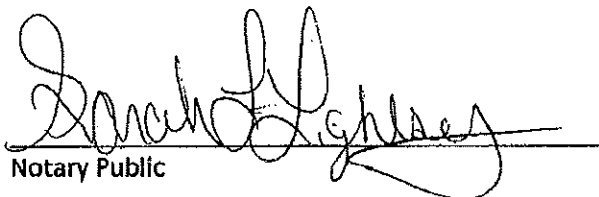
1. With this letter, I respectfully inform you that I am formally withdrawing from my campaign as a candidate for the South Carolina House of Representatives, District 120.

2. This decision follows significant changes in family circumstances which prevent me from campaigning or fulfilling the duties of a member of the South Carolina House of Representatives, in the event of winning the general election in November, 2018.

a. Due to the declining health of a family member and his increased need for my assistance managing his health, financial, and everyday affairs, it would adversely affect my family if I chose not to withdraw from the campaign immediately.

3. At this time, the campaign has no outstanding debts, fees, loans or outstanding financial responsibilities of any type. Additionally, all required ethics reports were filed by 10 July 2018, as required.

4. If I may be of further assistance, you may contact me by email at jgfailing@gmail.com, or by telephone at 843-694-1528.


M. Gabriela Failing
Notary Public

SARAH L. LIGHTSEY
NOTARY PUBLIC
STATE of SOUTH CAROLINA
My Commission Expires March 7, 2027



Primary Family Caregiver Approval Letter

May 10, 2018

Dear Mrs. Maria Failing,

Thank you for participating in the Program of Comprehensive Assistance for Family Caregivers and supporting our Nation's Veterans.

This letter is to inform you that you have been designated and approved as the Primary Family Caregiver for Mr. Jeffrey Failing. As an approved Primary Family Caregiver, you have agreed to or have demonstrated the following eligibility criteria:

- You are at least 18 years of age.
- You are a family member such as a parent, spouse, child, stepfamily member or extended family member, or you are not a family member but are living with the Veteran full time.
- There are no substantiated reports of abuse or neglect of the Veteran that have been documented in the Veteran's electronic health record.
- You have demonstrated the ability to communicate and understand details of the treatment plan and any specific instructions related to the care of the Veteran.
- You have demonstrated the ability to provide personal care services to include such things as assistance with activities of daily living (i.e., bathing, eating, dressing, toileting) required by the Veteran, and/or providing supervision to protect the Veteran from harm to self or others.
- You have demonstrated the ability to follow a treatment plan listing the specific care needs of the Veteran without direct supervision.
- You have demonstrated the ability to carry out core competencies as well as additional care requirements as prescribed by the Veteran's care team.

COMPREHENSIVE BENEFITS FOR PRIMARY FAMILY CAREGIVERS

As the approved Primary Family Caregiver, you are eligible for the following services:

- **Stipend Allowance** is nontaxable and paid on or about the 1st of each month for care provided during the prior month. If you receive your stipend by a paper check, the check will be mailed on or about the 1st of each month. Additional information is provided in a fact sheet included in this mailing. We encourage you to complete the Electronic Transfer Application (direct deposit form), as this will expedite your monthly payments.
- **CHAMPVA Health Care Coverage** is provided through the VA Chief Business Office, Purchased Care (CBOPC), Denver, CO. Additional instructions will be sent by CBOPC regarding the health plan and covered benefits if you are not covered by other health insurance including supplemental coverage.
- **Travel Reimbursement** is 41.5 cents a mile, to include tolls; **Lodging Subsidy** and **Per Diem** will be provided, and reimbursement for the actual cost up to 50 percent of the federal government employee per diem rate for meals and/or lodging will also be provided. All nonemergency travel reimbursement, lodging and subsidy must be preapproved. If you have questions concerning travel reimbursement, lodging subsidy or per diem, please contact our local travel department at 843-789-7305.
- **Respite Care** will be provided of not less than 30 days annually, including 24-hour-per-day care, if medically appropriate, and during times when you are required to fulfill mandatory education and training sessions.
- **Mental Health Services** will be provided at your request. These services are to ensure you have adequate support to alleviate stress, burnout and other potential psychological complications resulting from your caregiving responsibilities. The range of approved services includes individual and group therapy and peer support groups. The following services are excluded: medication, other medical procedures related to mental health treatment and inpatient psychiatric care. As your Caregiver Support Coordinator, I will ensure that you are referred to an appropriate community mental health provider if you do not have a health plan or CHAMPVA.
- **Education and Training** is continuous and you will be given the opportunity to complete additional training if requested. The health care team is available to answer questions and provide additional assistance and training, if needed.
- **Identification Card.** We have provided an identification card (ID) for your use when accessing Caregiver services. Please cut out the ID card that is displayed below and keep it with you at all times. You will be required to show this card upon demand along with a valid picture ID, such as but not limited to, a driver's license or state ID.

YOUR RIGHTS TO APPEAL THE DECISION

HOW CAN I APPEAL A CLINICAL DECISION?

You may appeal to the VA Medical Center (VAMC) where the Veteran is receiving care by explaining why you disagree with the decision. If you are not satisfied with the VAMC Director's decision you may request to have your decision reviewed by the Veterans Integrated Service Network (VISN) Director or his/her designee.

NOTE: To avoid unnecessary delays, the appeal must be submitted to the address of the VA Medical Center. Please contact your Caregiver Support Coordinator or Patient Advocate for local VA Medical Center policy, procedures and timelines for appeals.

WHAT CAN I EXPECT IF I APPEAL TO THE VAMC DIRECTOR AND/OR VISN DIRECTOR?

A clinical appeal is your formal request to have the VAMC Director or designee, review your dispute. Submit your disagreement to your local VA Patient Advocate. The Patient Advocate at the facility enters the clinical appeal into a national computerized Patient Complaint database where the appeal was originated. All details and decisions must be included in the final documentation before the case is closed. The dispute must arise from clinical evaluations that may result in a different outcome or an error in fact related to the evaluation. The Chief Medical Officer or designee will contact you or your representative to notify you of receipt of your appeal and to request information that will support your disagreement.

If you are not satisfied with the local VA facility's decision, you can elect to appeal your decision to the VISN Director. A fair and impartial review will be conducted of the documentation received. The VISN Director or designee, if necessary, may have an external professional board review your disagreement; you can expect to have a final decision within 30 days of the appeal request. However, if an external professional board reviews your complaint; you can expect a final decision within 45 days of the appeal request.

CAN I GET A HEARING WITH THE BOARD OF VETERANS APPEAL?

No. The clinical appeals process does not allow for you or your representative to appeal a clinical decision to the Board of Veterans Appeal. You should follow the clinical appeals process as outlined in this letter. The clinical decision is final and cannot be appealed to a higher authority.

CAN I GET SOMEONE TO HELP ME WITH MY APPEAL?

Yes. You can have a Veterans' Service Organization representative, an attorney-at-law, or an "agent" help you with your appeal. But you're not required to have someone represent you. It's your choice.

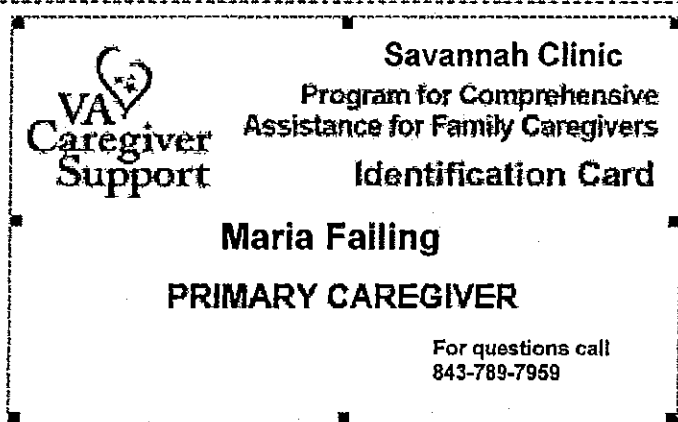
We are excited that you have made this important decision and we will be here to support you and Jeffrey Failing so that you can be successful at home. If you have questions regarding the information contained in this letter or about other matters, please feel free to

contact me. I am here to assist you, when needed.

Again, welcome to the Program of Comprehensive Assistance for Family Caregivers and thank you for supporting our Nation's Veterans.

Sincerely,

Whitney Kelly, LISW-CP
Caregiver Support Coordinator



26 July 2018

To: South Carolina State Election Commission

From: M. Gabriela Failing, Candidate, South Carolina House of Representatives, District 120

Via: (1) Mayra Rivera Vazquez, Chair, Beaufort County Democratic Party
(2) Trav Robertson, Chair, South Carolina Democratic Party

Subj: FORMAL WITHDRAWAL FROM CAMPAIGN AND CANDIDACY
FOR SOUTH CAROLINA HOUSE OF REPRESENTATIVES, DISTRICT 120

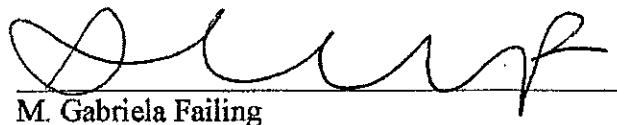
1. With this letter, I respectfully inform you that I am formally withdrawing from my campaign as a candidate for the South Carolina House of Representatives, District 120.

2. This decision follows significant changes in family circumstances which prevent me from campaigning or fulfilling the duties of a member of the South Carolina House of Representatives, in the event of winning the general election in November, 2018.

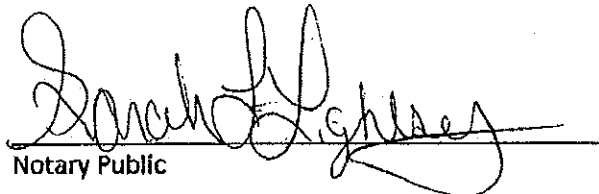
a. Due to the declining health of a family member and his increased need for my assistance managing his health, financial, and everyday affairs, it would adversely affect my family if I chose not to withdraw from the campaign immediately.

3. At this time, the campaign has no outstanding debts, fees, loans or outstanding financial responsibilities of any type. Additionally, all required ethics reports were filed by 10 July 2018, as required.

4. If I may be of further assistance, you may contact me by email at jgfailing@gmail.com, or by telephone at 843-694-1528.



M. Gabriela Failing



Notary Public

SARAH L. LIGHTSEY
NOTARY PUBLIC
STATE of SOUTH CAROLINA
My Commission Expires March 7, 2027



Primary Family Caregiver Approval Letter

May 10, 2018

Dear Mrs. Maria Failing,

Thank you for participating in the Program of Comprehensive Assistance for Family Caregivers and supporting our Nation's Veterans.

This letter is to inform you that you have been designated and approved as the Primary Family Caregiver for Mr. Jeffrey Failing. As an approved Primary Family Caregiver, you have agreed to or have demonstrated the following eligibility criteria:

- You are at least 18 years of age.
- You are a family member such as a parent, spouse, child, stepfamily member or extended family member, or you are not a family member but are living with the Veteran full time.
- There are no substantiated reports of abuse or neglect of the Veteran that have been documented in the Veteran's electronic health record.
- You have demonstrated the ability to communicate and understand details of the treatment plan and any specific instructions related to the care of the Veteran.
- You have demonstrated the ability to provide personal care services to include such things as assistance with activities of daily living (i.e., bathing, eating, dressing, toileting) required by the Veteran, and/or providing supervision to protect the Veteran from harm to self or others.
- You have demonstrated the ability to follow a treatment plan listing the specific care needs of the Veteran without direct supervision.
- You have demonstrated the ability to carry out core competencies as well as additional care requirements as prescribed by the Veteran's care team.

COMPREHENSIVE BENEFITS FOR PRIMARY FAMILY CAREGIVERS

As the approved Primary Family Caregiver, you are eligible for the following services:

- **Stipend Allowance** is nontaxable and paid on or about the 1st of each month for care provided during the prior month. If you receive your stipend by a paper check, the check will be mailed on or about the 1st of each month. Additional information is provided in a fact sheet included in this mailing. We encourage you to complete the Electronic Transfer Application (direct deposit form), as this will expedite your monthly payments.
- **CHAMPVA Health Care Coverage** is provided through the VA Chief Business Office, Purchased Care (CBOPC), Denver, CO. Additional instructions will be sent by CBOPC regarding the health plan and covered benefits if you are not covered by other health insurance including supplemental coverage.
- **Travel Reimbursement** is 41.5 cents a mile, to include tolls; **Lodging Subsidy** and **Per Diem** will be provided, and reimbursement for the actual cost up to 50 percent of the federal government employee per diem rate for meals and/or lodging will also be provided. All nonemergency travel reimbursement, lodging and subsidy must be preapproved. If you have questions concerning travel reimbursement, lodging subsidy or per diem, please contact our local travel department at 843-789-7305.
- **Respite Care** will be provided of not less than 30 days annually, including 24-hour-per-day care, if medically appropriate, and during times when you are required to fulfill mandatory education and training sessions.
- **Mental Health Services** will be provided at your request. These services are to ensure you have adequate support to alleviate stress, burnout and other potential psychological complications resulting from your caregiving responsibilities. The range of approved services includes individual and group therapy and peer support groups. The following services are excluded: medication, other medical procedures related to mental health treatment and inpatient psychiatric care. As your Caregiver Support Coordinator, I will ensure that you are referred to an appropriate community mental health provider if you do not have a health plan or CHAMPVA.
- **Education and Training** is continuous and you will be given the opportunity to complete additional training if requested. The health care team is available to answer questions and provide additional assistance and training, if needed.
- **Identification Card.** We have provided an Identification card (ID) for your use when accessing Caregiver services. Please cut out the ID card that is displayed below and keep it with you at all times. You will be required to show this card upon demand along with a valid picture ID, such as but not limited to, a driver's license or state ID.

YOUR RIGHTS TO APPEAL THE DECISION

HOW CAN I APPEAL A CLINICAL DECISION?

You may appeal to the VA Medical Center (VAMC) where the Veteran is receiving care by explaining why you disagree with the decision. If you are not satisfied with the VAMC Director's decision you may request to have your decision reviewed by the Veterans Integrated Service Network (VISN) Director or his/her designee.

NOTE: To avoid unnecessary delays, the appeal must be submitted to the address of the VA Medical Center. Please contact your Caregiver Support Coordinator or Patient Advocate for local VA Medical Center policy, procedures and timelines for appeals.

WHAT CAN I EXPECT IF I APPEAL TO THE VAMC DIRECTOR AND/OR VISN DIRECTOR?

A clinical appeal is your formal request to have the VAMC Director or designee, review your dispute. Submit your disagreement to your local VA Patient Advocate. The Patient Advocate at the facility enters the clinical appeal into a national computerized Patient Complaint database where the appeal was originated. All details and decisions must be included in the final documentation before the case is closed. The dispute must arise from clinical evaluations that may result in a different outcome or an error in fact related to the evaluation. The Chief Medical Officer or designee will contact you or your representative to notify you of receipt of your appeal and to request information that will support your disagreement.

If you are not satisfied with the local VA facility's decision, you can elect to appeal your decision to the VISN Director. A fair and impartial review will be conducted of the documentation received. The VISN Director or designee, if necessary, may have an external professional board review your disagreement; you can expect to have a final decision within 30 days of the appeal request. However, if an external professional board reviews your complaint; you can expect a final decision within 45 days of the appeal request.

CAN I GET A HEARING WITH THE BOARD OF VETERANS APPEAL?

No. The clinical appeals process does not allow for you or your representative to appeal a clinical decision to the Board of Veterans Appeal. You should follow the clinical appeals process as outlined in this letter. The clinical decision is final and cannot be appealed to a higher authority.

CAN I GET SOMEONE TO HELP ME WITH MY APPEAL?

Yes. You can have a Veterans' Service Organization representative, an attorney-at-law, or an "agent" help you with your appeal. But you're not required to have someone represent you. It's your choice.

We are excited that you have made this important decision and we will be here to support you and Jeffrey Failing so that you can be successful at home. If you have questions regarding the information contained in this letter or about other matters, please feel free to

contact me. I am here to assist you, when needed.

Again, welcome to the Program of Comprehensive Assistance for Family Caregivers and thank you for supporting our Nation's Veterans.

Sincerely,

Whitney Kelly, LISW-CP
Caregiver Support Coordinator



Savannah Clinic
Program for Comprehensive
Assistance for Family Caregivers
Identification Card

Maria Failing
PRIMARY CAREGIVER

For questions call
843-789-7959

STATE ELECTION COMMISSION

AGENDA

August 15, 2018

10:00 a.m.

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED
NOTIFICATIONS HAVE BEEN MADE.**

Approval of Minutes: July 18, 2018 (SEC) and July 30, 2018 (SEC)

New Business:

Election Security and Technology Workshop
Certification of Candidate Names for General Election
Certification of Unity 4.0.0.0 with VirtualBox

Old Business:

Certification of Unity 4.0.0.3, Version 4
Information Technology Security Update
Legal Update
Eugene Baten v. Henry McMaster, et al.
SEC v. James John Todd Kincannon
Bucky Mock v. Clarendon County Board of VR and Elections, et al.
Frank Heindel and Phil Leventis v. Marci Andino, SEC

Next Meeting(s):

Friday, August 17, 2018 at 10:00 a.m. (SBC)
Wednesday, September 19, 2018 at 10:00 a.m. (SEC)

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

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www.scvotes.org

STATE ELECTION COMMISSION
1122 Lady Street, 5th Floor
Columbia, SC 29201

August 15, 2018
10:00 a.m.

Present: Mr. Billy Way, Jr., Chairman; Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference); Ms. Nicole White (via teleconference)

Others Present: Chris Whitmire, Director of Public Information and Training; Howard Snider, Director of Voter Services; Harrison Brant, General Counsel; Barbara Pittelli, Fiscal Tech; Daylin Silber, Administrative Coordinator; Lynn Teague, League of Woman Voters; Bristow Marchant, The State newspaper

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

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

Chairman Way called the meeting to order and asked if all notices of the meeting had been posted as required by the Freedom of Information Act. Mr. Whitmire advised the notices were posted.

Approval of Minutes

Chairman Way stated the first item of business was the approval of the minutes for meetings held on July 18, 2018 and July 30, 2018 (SEC). Mr. Benson moved to approve the minutes. The motion was seconded by Ms. Bowers. The minutes were approved unanimously.

New Business

The first item of new business was the Election Security and Technology Workshop. Mr. Whitmire stated that the two-day event was very successful. He advised that representatives from the Department of Homeland Security (DHS), the Federal Bureau of Investigations (FBI), the Multi-Sate Information Sharing & Analysis Center (MS-ISAC) and the Elections Infrastructure sharing and Analysis Center (EI-ISAC) participated and presented information regarding how to prevent cybersecurity attacks. He also

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informed the board that every county had a representative in attendance who was able to take that information back to their respective counties.

The certification of candidate names for the general election was the next item of new business. Mr. Whitmire explained that today by noon is the deadline for certifying names to appear on the general election ballots.

The next item was the certification of Unity 4.0.0.3,v4 with Virtual Box (v.5.2.12). Mr. Snider explained that this request for certification and approval for use comes following ES&S's update to the virtualized software used with Unity 4.0. He further explained the change was submitted to the SEC and has been pilot tested. Following certification and approval for use, all November 2018 General Election databases will be built using this version.

Ms. Bowers was disconnected from the call and attempts to reach her were unsuccessful.

A motion was made by Ms. White to certify and approve for use Unity 4.0.0.3,v4 with Virtual Box seconded by Mr. Benson. The motion was unanimous.

Old Business

The first item of old business was the certification of Unity 4.0.0.3, Version 4. Mr. Snider explained that field testing of a write in and referendum only ballot has not been field tested. This issue is identifying an election with this type of ballot. Opportunities to conduct a field test will continue to be sought.

The information technology security update was the next item of old business. Mr. Snider informed that a lot of information was received at the Election Security and Technology Workshop regarding phishing email campaigns and malicious telephone call techniques used by threat actors. He also informed the Commissioners that the bi-SANS online security courses have been established for all users of SEC networks and systems. Completion of these courses is mandatory and non-completion will lead to the SEC suspending a user's system user ID and password. The deadline to complete the courses is September 1. Howard also informed everyone that the information technology staff participated in a nationwide tabletop exercise with 20 other states via video conferencing on yesterday, August 14, 2018 from noon to 4pm. In closing, Mr. Snider informed the board that the US Department of Homeland Security (DHS) would begin conducting physical security assessments of each county office and their equipment storage area shortly. The target completion date is October 2018.

Mr. Whitmire advised that the State Law Enforcement Division (SLED) is working on installing sensors on voting equipment. Mr. Snider also stated they are working to have a portion installed before the General Election.

A legal update was the next item under old business. Mr. Brant stated there are no updates in the Eugene Baten v. Henry McMaster, et al. case. He reminded the board this case is a challenge to the winner takes all electoral college system. Regarding the SEC v. James John Todd Kincannon, he further reminded the board a temporary injunction was issued due to unusually burdensome Freedom of Information Act (FOIA) requests. He advised there are not updates at this time. With regards to Bucky Mock v. Clarendon County Board of VR and Elections, et al., Mr. Brant explained this case involves a challenge to the qualifications of a party's nominee for coroner. He also advised that the judge in this case ruled the nominee was disqualified. He explained that filing has reopened for all parties since the nominee was running unchallenged. Mr. Brant informed the board that in the case of Frank Heindel and Phil Leventis v. Marci Andino et al., a summary judgement was filed on July 30th asking the judge to rule based on pleadings.

Chairman Way reminded the members the next State Election Commission meeting will be September 19th at 10:00 a.m. and the next State Board of Canvassers meeting will be August 17th, 2018 at 10:00 a.m.

With no further business to be discussed, Ms. Benson moved to adjourn the meeting. Ms. White seconded the motion. The motion passed unanimously, and the meeting adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Daylin Silber". The signature is stylized with a large, looped "D" and a cursive "Silber".

Daylin Silber

STATE BOARD OF CANVASSERS
AGENDA
August 17, 2018
10:00 am

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE BOARD OF CANVASSERS IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED
NOTIFICATIONS HAVE BEEN MADE.**

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

New Business:

Certification of the results of the Democratic and Republican Primaries for State Senate District 20 held on Tuesday, August 14, 2018.

Items may be added as necessary.

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**STATE BOARD OF CANVASSERS
1122 Lady Street, 5th Floor
Columbia, South Carolina 29201**

**August 17, 2018
10:00 a.m.**

Present: Mr. Billy Way, Chairman; Mr. Mark Benson (via teleconference);
Ms. Marilyn Bowers (via teleconference); Ms. Nicole White (via
teleconference)

Others Present: Harrison Brant, General Counsel; Barbara Pittelli, Fiscal Tech

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

Mr. Way 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. Brant responded they had been posted.

Mr. Way stated the purpose of the meeting was to certify the election results of the
Special Democratic and Republican Primaries for State Senate District 20 held on
Tuesday, August 14, 2018. A motion to certify the results was made by Mr. Benson,
seconded by Ms. Bowers. It was unanimous.

A motion was made by Mr. Benson to order a Republican runoff election, since no
candidate received more than 50% of the vote. The runoff election will take place on
August 28, 2018. The motion was seconded by Ms. Bowers. The motion was approved
unanimously.

There being no further business, Mr. Benson made a motion to adjourn the meeting.
It was seconded by Ms. Bowers. The motion was approved unanimously. The meeting
was adjourned.

Respectfully submitted,

Barbara Pittelli,
Fiscal Tech

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

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STATE BOARD OF CANVASSERS
AGENDA
August 31, 2018
10:00 am

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE BOARD OF CANVASSERS IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED
NOTIFICATIONS HAVE BEEN MADE.**

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

New Business:

Certification of the results of the Republican Primary Runoff for State Senate District 20 held on Tuesday, August 28, 2018.

Items may be added as necessary.

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STATE BOARD OF CANVASSERS
1122 Lady Street, 5th Floor
Columbia, South Carolina 29201

August 31, 2018
10:00 a.m.

Present: Mr. Billy Way, Chairman; Ms. Marilyn Bowers (via teleconference); Ms. Nicole White (via teleconference)

Others Present: Marci Andino, Executive Director; Barbara Pittelli, Fiscal Tech

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

Mr. Way 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 responded they had been posted.

Mr. Way stated the purpose of the meeting was to certify the election results of the Republican Primary Runoff for State Senate District 20 held on Tuesday, August 28, 2018. A motion to certify the results was made by Ms. Bowers, seconded by Ms. White. It was unanimous.

There being no further business, Ms. White made a motion to adjourn the meeting. It was seconded by Ms. Bowers. The motion was approved unanimously. The meeting was adjourned.

Respectfully submitted,



Barbara Pittelli,
Fiscal Tech

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

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STATE ELECTION COMMISSION

AGENDA

September 19, 2018

10:00 a.m.

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED
NOTIFICATIONS HAVE BEEN MADE.**

Approval of Minutes: August 15, 2018 (SEC), August 17, 2018 (SBC) and August 31, 2018 (SBC)

New Business:

Preparations for General Election
Post Hurricane Florence/Impact on General Election
Agency Accountability Report
Agency Budget Request

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

Old Business:

Certification of Unity 4.0.0.3, Version 4
Information Technology Security Update
Legal Update
Eugene Baten v. Henry McMaster, et al.
SEC v. James John Todd Kincannon
Frank Heindel and Phil Leventis v. Marci Andino, SEC

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Next Meeting(s):

Wednesday, October 17, 2018 at 10:00 a.m. (SEC)

STATE ELECTION COMMISSION
1122 Lady Street, 5th Floor
Columbia, SC 29201

September 19, 2018
10:00 a.m.

Present: Mr. Billy Way, Jr., Chairman; Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference); Ms. Nicole White (via teleconference)

Others Present: Marci Andino, Executive Director; Chris Whitmire, Director of Public Information and Training; Howard Snider, Director of Voter Services; Harrison Brant, General Counsel; Barbara Pittelli, Fiscal Tech; Daylin Silber, Administrative Coordinator; JoAnne Day, League of Woman Voters; other members of the public

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

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

Chairman Way called the meeting to order and asked if all notices of the meeting had been posted as required by the Freedom of Information Act. Ms. Andino advised the notices were posted.

Approval of Minutes

Chairman Way stated the first item of business was the approval of the minutes for meetings held on August 15, 2018 (SEC), August 17, 2018 (SBC) and August 31, 2018 (SEC). Mr. Benson moved to approve the minutes. The motion was seconded by Ms. Bowers. The minutes were approved unanimously.

New Business

The first item of new business was the preparations for the General Election. Ms. Andino reminded the commissioners it is 48 days until the General Election. Ms. Andino informed the board a pre-election workshop for the counties that was postponed due to Hurricane Florence was rescheduled for next week. She also advised that although state offices and some of the county election offices were closed due to the hurricane, SEC staff continued to work on General Election preparations as well as

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the Agency Accountability Report. Ms. Andino reported election databases have been sent to almost all counties. She also reported there was a conference call with the counties affected by flooding from the hurricane. All counties reported their voting equipment is dry and not damaged. She stated the mailing of military and overseas citizens' ballots was also discussed and the federal deadline will be met. Ms. Andino also advised polling locations that are not accessible due to road conditions will be inspected once the roads are passable.

The next item under new business was the Agency Accountability Report. Ms. Andino explained the Accountability Report is presented to the General Assembly each year and it is a snapshot of the agency's activities, goals and challenges. She advised the Accountability Report was submitted and will be posted on the scVOTES.org.

The agency budget request was the next item under new business. Ms. Andino advised the agency budget request for FY 2019-20 is due on Friday and that funds are being requested for the replacement of the statewide voting system.

Old Business

The first item of old business was the certification of Unity. Ms. Andino explained this item is being carried over pending testing of an election with only write-in candidates and an election with only a question on the ballot.


An information technology security update was the next item under old business. Ms. Andino stated the SEC continues to work with state, federal and private partners to ensure the security and resilience of the state's election infrastructure. She also advised that the SEC continues to work with county election officials to ensure their completion of required security training.

A legal update was the next item under old business. Mr. Brant stated there are no updates in any of the cases listed on the agenda.

Chairman Way reminded the members the next State Election Commission meeting will be October 17, 2018 at 10:00 a.m.

With no further business to be discussed, Mr. Benson moved to adjourn the meeting. Ms. White seconded the motion. The motion passed unanimously, and the meeting adjourned.

Respectfully submitted,



Daylin Silber

STATE ELECTION COMMISSION

AGENDA

October 17, 2018

10:00 a.m.

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED
NOTIFICATIONS HAVE BEEN MADE.**

Approval of Minutes: September 19, 2018 (SEC)

New Business:

Preparations for General Election

Certification of ES&S ElectionWare Election Management System V.5.0.1.0, DS200

Precinct Scanner V. 2.17.0.0, DS850 Central Tabulator V. 3.1.0.0, DS450 Central Tabulator V.
3.1.0.0 and ExpressVote V. 2.4.0.0

Old Business:

Certification of Unity 4.0.0.3, Version 4

Information Technology Security Update

Legal Update

Eugene Baten v. Henry McMaster, et al.

SEC v. James John Todd Kincannon

Frank Heindel and Phil Leventis v. Marci Andino, SEC

State of South Carolina, Alan Wilson v. Marci Andino

Next Meeting(s):

Wednesday, November 14, 2018 at 10:00 a.m. (SEC and SBC)

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

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STATE ELECTION COMMISSION
1122 Lady Street, 5th Floor
Columbia, SC 29201

October 17, 2018
10:00 a.m.

Present: Mr. Billy Way, Jr., Chairman; Mr. Mark Benson (via teleconference); Ms. Nicole White (via teleconference)

Others Present: Marci Andino, Executive Director; Chris Whitmire, Director of Public Information and Training; Harrison Brant, General Counsel; Barbara Pittelli, Fiscal Tech; JoAnne Day, League of Woman Voters

COMMISSIONERS

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

Chairman Way called the meeting to order and asked if all notices of the meeting had been posted as required by the Freedom of Information Act. Ms. Andino advised the notices were posted.

Approval of Minutes

Chairman Way stated the first item of business was the approval of the minutes for the meeting held on September 19, 2018 (SEC). Mr. Benson moved to approve the minutes. The motion was seconded by Ms. White. The minutes were approved unanimously.

New Business

The first item of new business was the preparations for the General Election. Ms. Andino stated the General Election is 20 days away. She informed the board the SEC held the General Election workshop on September 24, which was rescheduled due to Hurricane Florence. She also informed the commissioners the UOCAVA ballots were mailed in time to meet the state and federal deadlines. Ms. Andino advised that counties have tested their databases, ordered paper ballots and opened their in person absentee precincts. She stated absentee ballots requested have exceeded the requests from previous Gubernatorial election years and the SEC has encouraged the counties to open absentee voting on Saturday, October 27th and/or have extended hours. She

further stated the SEC is working with United States Postal Service to get the ballots mailed in the hurricane affected areas by the deadline.

The next item under new business was the certification of ES&S ElectionWare Election Management System V.5.0.1.0, DS200 Precinct Scanner V. 2.17.0.0, DS850 Central Tabulator V. 3.1.0.0, DS450 Central Tabulator V. 3.1.0.0 and ExpressVote V. 2.4.0.0. Elections Systems and Software (ES &S) submitted new software for certification and testing is in process.

The last item of new business was the State of South Carolina Alan Wilson v. Marci Andino. Ms. Andino explained this is a friendly suit to extend the voter registration deadline to today, October 17th, 2018 due to Hurricane Florence. The judge granted the request for extension.

Ms. Andino informed the board that as a member of the Electronic Registration Information Center (ERIC) and in order to meet its requirement, the SEC mailed 940,000 postcards to unregistered citizens which also indicated the extended deadline.

Old Business

The first item of old business was the certification of Unity 4.0.0.3, Version 4. Ms. Andino explained this item is being carried over pending testing of an election with only write-in candidates and an election with only a question on the ballot.

An information technology security update was the next item under old business. Ms. Andino stated the weekly scans performed by the Department of Homeland Security have not discovered any new vulnerabilities. She also stated our private security partner is rescanning our systems for validation of remediation from past scans. Ms. Andino informed the board we are implementing geofencing on the public portion of Voter Registration and Elections Management System (VREMS) and a portion of the SEC's website, SCVotes. She explained this blocks IP addresses from certain countries.

Ms. Andino stated the SEC continues to work to harden the defenses of the county offices. She reported the South Carolina Law Enforcement Division (SLED) currently has installed sensors in 17 counties. Additional counties are being added, with a statewide rollout set for prior to the 2020 PPP.

A legal update was the next item under old business. Mr. Brant reported in the Eugene Baten v. Henry McMaster, et al., a judge will hear the case in November. Mr. Brant also reported there are no updates in the case of the SEC v. James John Todd Kicannon or in the case of Frank Heindel and Phil Leventis v. Marci Andino, SEC. In Bucky Mock v. Clarendon County Board, et al., the Supreme Court affirmed the ruling of the lower court. The second candidate will not be added to the ballot.

Chairman Way reminded the members the next State Board of Canvassers meeting will be November 14, 2018 at 10:00 a.m., with the State Election Commission meeting immediately following.

With no further business to be discussed, Mr. Benson moved to adjourn the meeting. Ms. White seconded the motion. The motion passed unanimously, and the meeting adjourned.

Respectfully submitted,

A handwritten signature in cursive script that reads "Barbara Pittelli".

Barbara Pittelli

STATE BOARD OF CANVASSERS
AGENDA
November 14, 2018
10:00 am

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE BOARD OF CANVASSERS IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED
NOTIFICATIONS HAVE BEEN MADE.**

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

New Business:

Certification of the results of the 2018 General Election held on Tuesday, November 6, 2018.

Items may be added as necessary.

MARCI ANDINO
Executive Director

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STATE ELECTION COMMISSION

AGENDA

November 14, 2018

10:00 a.m.

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED
NOTIFICATIONS HAVE BEEN MADE.**

Approval of Minutes: October 17, 2018 (SEC)

New Business:

Special Election – State Senate District 6

Old Business:

- Certification of ES&S ElectionWare Election Management System V.5.0.1.0, DS200 Precinct Scanner V. 2.17.0.0, DS850 Central Tabulator V. 3.1.0.0, DS450 Central Tabulator V. 3.1.0.0 and ExpressVote V. 2.4.0.0
- Certification of Unity 4.0.0.3, Version 4
- Information Technology Security Update
- Legal Update
 - Eugene Baten v. Henry McMaster, et al.
 - SEC v. James John Todd Kincannon
 - Frank Heindel and Phil Leventis v. Marci Andino, SEC

Next Meeting(s):

Wednesday, December 19, 2018 at 10:00 a.m. (SEC)

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

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**STATE BOARD OF CANVASSERS
UNOFFICIAL MEETING MINUTES***

November 14, 2018

10:00 a.m.

1122 Lady Street, 5th Floor
Columbia, South Carolina 29201

Present: Mr. Billy Way, Chairman; Mark Benson, Ms. Marilyn Bowers, Ms. Nicole White

Others Present: Marci Andino, Executive Director; Chris Whitmire, Director of Public Information and Training; Howard Snider, Director of Voter Services; Barbara Pittelli, Fiscal Tech; Daylin Silber, Administrative Coordinator

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

Mr. Way 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 responded they had been posted.

Mr. Way stated the purpose of the meeting was to certify the election results of the General Election held on November 6, 2018. Ms. Andino informed the board South Carolina had the highest voter turnout in a midterm election since 1994, 55%.

Ms. Andino explained that Bamberg County Board of Voter Registration and Elections certified incorrect results.

Mr. Benson made a motion to order Bamberg County Board of Voter Registration and Elections to recertify the election results at 11:00 a.m.

A motion to recess pending Bamberg County Board of Voter Registration and Elections' recertification was made by Ms. Bowers, seconded by Ms. White. The motion was unanimous.

A motion to come out of recess was made by Mr. Benson, seconded by Ms. White. It was unanimous.

* Designated "unofficial" because four new Board members were subsequently appointed and serving at the time of the December 19, 2018 State Election Commission meeting when the approval of these draft minutes was included as an agenda item. Rather than have the Board vote on the approval of minutes from this meeting for which no current member was present or serving on the Board, it was determined the agency should publish the "unofficial" minutes drafted by staff to ensure compliance with FOIA.

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A motion to certify the results was made by Ms. Bowers, seconded by Ms. White. It was unanimous.

There being no further business, Mr. Benson made a motion to adjourn the meeting. It was seconded by Ms. White. The motion was approved unanimously. The meeting was adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Daylin Silber". The signature is fluid and cursive, with the first name "Daylin" and last name "Silber" clearly distinguishable.

Daylin Silber
Administrative Coordinator

**STATE ELECTION COMMISSION
UNOFFICIAL MEETING MINUTES***

November 14, 2018

(immediately following the State Board of Canvassers Meeting)

1122 Lady Street, 5th Floor
Columbia, SC 29201

Present: Mr. Billy Way, Jr., Chairman; Mr. Mark Benson, Marilyn Bowers, Nicole White

Others Present: Marci Andino, Executive Director; Chris Whitmire, Director of Public Information and Training; Howard Snider, Director of Voter Services; Harrison Brant, General Counsel; Barbara Pittelli, Fiscal Tech; Daylin Silber, Administrative Coordinator; JoAnne Day, League of Woman Voters

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

Chairman Way called the meeting to order and asked if all notices of the meeting had been posted as required by the Freedom of Information Act. Ms. Andino advised the notices were posted.

Approval of Minutes

Chairman Way stated the first item of business was the approval of the minutes for the meeting held on October 17, 2018 (SEC). Mr. Benson moved to approve the minutes. The motion was seconded by Ms. White. The minutes were approved unanimously.

New Business

The sole item of new business was the special election for State Senate District 6. Ms. Andino explained this special election was triggered by the election of State Senator Timmons to the U. S. Congress. She informed the board the filing period is November 30th at noon through December 8th at noon. She further informed the primary is set for January 22, 2019 and the runoff, if necessary, would be on February 5, 2019. The special election will be on March 26, 2019.

* Designated "unofficial" because four new Board members were subsequently appointed and serving at the time of the December 19, 2018 State Election Commission meeting when the approval of these draft minutes was included as an agenda item. Rather than have the Board vote on the approval of minutes from this meeting for which no current member was present or serving on the Board, the agency should publish the "unofficial" minutes drafted by staff to ensure compliance with FOIA.

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Old Business

The first item of old business was the certification of Unity 4.0.0.3, Version 4. Ms. Andino explained this item is being carried over. She also advised an all write-in candidate election has been identified and testing will be conducted in January of 2019.

An information technology security update was the next item under old business. Ms. Andino advised it was an uneventful election day. She informed the board the South Carolina Department of Technology has created email accounts for all counties to use for receiving email communications from voters. She explained these email accounts will scan any attachments, just like we have here at the State Election Commission. Ms. Andino also reported we continue to participate in weekly scans performed by the Department of Homeland Security and no new vulnerabilities have been discovered. She also stated our private security partner has rescanned our systems for validation of remediation from past scans and has also assisted in looking for other websites posing as our website. She reported none were found. Ms. Andino advised the Department of Technology heightened monitoring of our systems on election day and the South Carolina Law Enforcement Division (SLED) has installed sensors to monitor 16 counties, looking for IP addresses from other countries. Ms. Bowers inquired as to how the participating counties were selected. Ms. Andino explained a letter was sent encouraging all counties to have the devices installed and she further explained the goal is for all counties to have them installed as it is another level of security.

A legal update was the next item under old business. Ms. Andino reported the Eugene Baten v. Henry McMaster, et al. case was heard and no decision has been rendered. She also reported there are no updates in the case of the SEC v. James John Todd Kicannon or in the case of Frank Heindel and Phil Leventis v. Marci Andino, SEC.

Chairman Way reminded the members the next State Election Commission meeting will be on December 19, 2018. Ms. Andino advised there may be appeals filed, which would have to be heard by the State Board of Canvassers by December 10, 2018.

With no further business to be discussed, Mr. Benson moved to adjourn the meeting. Ms. White seconded the motion. The motion passed unanimously, and the meeting adjourned.

Respectfully submitted,



Daylin Silber

**STATE BOARD OF CANVASSERS
AGENDA
December 10, 2018
10:00 am**

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE BOARD OF CANVASSERS IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED
NOTIFICATIONS HAVE BEEN MADE.**

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

Appeals Hearings:

10:00 a.m.	Philip Healy vs. Alice Hendricks Vander Linden and Pickens County Board of Voter Registration and Elections
11:30 a.m.	James Randall Horton vs. Carolyn Bolden and Jasper County Board of Vote Registration and Elections

Items may be added as necessary.

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**STATE BOARD OF CANVASSERS
UNOFFICIAL MEETING MINUTES***

December 10, 2018

10:00 a.m.

1122 Lady Street, 5th Floor
Columbia, South Carolina 29201

Present: Mr. Billy Way, Chairman; Ms. Marilyn Bowers, Ms. Nicole White

Others Present: Marci Andino, Executive Director; Harrison Brant, General Counsel; Daylin Silber, Administrative Coordinator

Mr. Way 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 responded they had been posted.

Mr. Way stated the purpose of the meeting was to hear the appeal of Philip Healy vs. Alice Hendricks Vander Linden and Pickens County Board of Voter Registration and Elections.

Ms. White made a motion to recess and reconvene the hearing at 2 p.m. due to hazardous weather being experienced in Pickens County, where the parties are traveling from. The motion was seconded by Ms. Bowers. The motion was unanimous.

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

December 10, 2018

2:00 p.m. (continued from 10:00 a.m.)

Present: Mr. Billy Way, Chairman; Ms. Marilyn Bowers, Ms. Nicole White

Others Present: Marci Andino, Executive Director; Harrison Brant, General Counsel; Andrew Murdison, Counsel for Philip Healy, Appellant; Les Hendricks, Counsel for Alice Hendricks Vander Linden, Respondent; Ken Roper, Counsel for Pickens County Board of Voter Registration and Elections, Respondent; Daylin Silber, Administrative Coordinator; and members of the public

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* Designated "unofficial" because four new Board members were subsequently appointed and serving at the time of the December 19, 2018 State Election Commission meeting when the approval of these draft minutes was included as an agenda item. Rather than have the Board vote on the approval of minutes from this meeting for which no current member was present or serving on the Board, it was determined the agency should publish the "unofficial" minutes drafted by staff to ensure compliance with FOIA.

A motion to come out of recess was made by Ms. Bowers, seconded by Ms. White. It was unanimous.

Mr. Way stated the purpose of the meeting was to hear the appeal of Philip Healy vs. Alice Hendricks Vander Linden and Pickens County Board of Voter Registration and Elections.

Mr. Murdison, counsel to Mr. Healey, made oral arguments in favor of overturning the appeal. Mr. Hendricks, counsel for Alice Hendricks Vander Linden, made oral arguments for the Pickens County Board of Voter Registration and Elections Board to be upheld. Mr. Roper, attorney for Pickens County Board of Voter Registration and Elections, also made oral arguments for the board's decision to be upheld.

Ms. White made a motion to enter executive session for the purpose of obtaining legal advice. Ms. Bowers seconded the motion. The motion was unanimous.

Ms. White made a motion to return to open session, seconded by Ms. Bowers. The motion was unanimous.

Ms. Bowers made a motion to uphold the decision Pickens County Board of Voter Registration and Elections which called for a special election for this seat. Ms. White seconded the motion. The vote in favor of the motion was unanimous.

There being no further business, Ms. White made a motion to adjourn the meeting. It was seconded by Ms. Bowers. The motion was approved unanimously. The meeting was adjourned.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Daylin Silber".

Daylin Silber
Administrative Coordinator

STATE BOARD OF CANVASSERS
UNOFFICIAL MEETING MINUTES*
December 10, 2018
11:30 a.m.

1122 Lady Street, 5th Floor
Columbia, South Carolina 29201

Present: Mr. Billy Way, Chairman; Ms. Marilyn Bowers, Ms. Nicole White

Others Present: Marci Andino, Executive Director; Harrison Brant, General Counsel; Joanne Hill, Counsel for James Horton, Appellant; Catherine Johnson, Counsel for Carolyn Bolden; David Tetter, Counsel for Jasper County Board of Voter Registration and Elections; Daylin Silber, Administrative Coordinator; and members of the public

COMMISSIONERS

BILLY WAY, JR.
Chairperson

MARK A. BENSON

MARILYN BOWERS

NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

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Mr. Way 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 responded they had been posted.

Mr. Way stated the purpose of the meeting was to hear the appeal of James Randall Horton vs. Carolyn Bolden and Jasper County Board of Vote Registration and Elections.

Ms. Hill, Counsel for James Horton, requested a de novo hearing. That request was denied. Ms. Hill made oral arguments for a new election.

Mr. Tedder, Counsel for the Jasper County Board of Voter Registration and Elections, argued on the Board's behalf. Ms. Johnson, Counsel for Carolyn Bolden, also made arguments for upholding the Board's decision.

Ms. White made a motion to enter executive session for the purpose of obtaining legal advice. Ms. Bowers seconded the motion. The motion passed unanimously.

Ms. White made a motion to return to open session, seconded by Ms. Bowers. The vote in favor of the motion was unanimous.

* Designated "unofficial" because four new Board members were subsequently appointed and serving at the time of the December 19, 2018 State Election Commission meeting when the approval of these draft minutes was included as an agenda item. Rather than have the Board vote on the approval of minutes from this meeting for which no current member was present or serving on the Board, it was determined the agency should publish the "unofficial" minutes drafted by staff to ensure compliance with FOIA.

Ms. Bowers made a motion to uphold the decision of the Jasper County Board of Voter Registration and Elections and uphold the election results. Ms. White seconded the motion. The vote in favor of the motion was unanimous.

There being no further business, a motion was made by Ms. White to adjourn the meeting. It was seconded by Ms. White. The motion was approved unanimously. The meeting was adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Daylin Silber". The signature is stylized with a large, looping initial "D" and a cursive "Silber".

Daylin Silber
Administrative Coordinator

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)
)
Philip Healy,)
)
Appellant,)
)
-vs-)
)
Alice Hendricks Vander Linden and)
Pickens County Board of Voter)
Registration & Elections,)
)
Respondents.)
)
In Re: Pickens County School Board)
Trustee District 7)
Held on November 6, 2018)
_____)

NOTICE OF APPELLATE HEARING

TO: Les Hendricks, Attorney for Alice Hendricks Vander Linden
101-A NE Main Street, Easley, SC 29640

Pickens County Board of Voter Registration and Elections
222 McDaniel Avenue B-9, Pickens, SC 29671

Philip Healy
PO Box 1413, Travelers Rest, SC 29690

PLEASE TAKE NOTICE that a hearing in the above captioned matter has been scheduled to be heard before the State Board of Canvassers on **Monday, December 10, 2018 at 10:00 a.m.** at 1122 Lady Street, Suite 500, Columbia, South Carolina. You are entitled to be present and to be represented by legal counsel.

Marci Andino

Marci Andino, Executive Director
State Election Commission

Dated this 26th day of November 2018.

THE STATE OF SOUTH CAROLINA
BEFORE THE BOARD OF STATE CANVASSERS

APPEAL FROM PICKENS COUNTY
BOARD OF CANVASSERS

Philip Healy,

Appellant,

vs.

Alice Hendricks Vander Linden and
Pickens County Board of Canvassers,

Respondents.

In re: Pickens County School Board
Trustee District 7
Held on November 6, 2018

DECISION

This matter came before the State Election Commission in Columbia, South Carolina in its capacity as the State Board of Canvassers ("State Board") on Monday, December 10, 2018.

No two members of the State Board were of the opinion the matter should be reviewed de novo. Accordingly, the State Board heard the matter in its appellate capacity. The State Board considered the transcript and exhibits from the hearing below, the Decision of the Pickens County Board, the Appeal filed by Mr. Healy, and heard arguments of counsel. After entering into executive session to receive legal counsel, the State Board returned to open session.

One member of the State Board moved to deny the appeal and affirm the decision of the Pickens County Board of Canvassers to overturn the election for Seat 7 on the Pickens County School Board. The motion was properly seconded. The Chair called for a vote on the motion which passed unanimously. Accordingly, this appeal is hereby DENIED.

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)
)
James Randall Horton,)
)
Appellant,)
)
-vs-)
)
Carolyn Bolden and)
Jasper County Board of Voter)
Registration & Elections,)
)
Respondents.)
)
In Re: Jasper County School Board)
District 4)
Held on November 6, 2018)
_____)

NOTICE OF APPELLATE HEARING

TO: James Randall Horton, 56 Whispering Pines, Ridgeland, SC 29936

Jasper County Board of Voter Registration and Elections, 1506 Grays Highway, Unit B,
PO Box 299, Ridgeland, SC 29936

David Tedder, Jasper County Attorney, 358 Third Avenue, Ridgeland, SC 29936

Carolyn Bolden, 1036 Cohen Rd., Pineland, SC 29934

PLEASE TAKE NOTICE that a hearing in the above captioned matter has been scheduled to be heard before the State Board of Canvassers on **Monday, December 10, 2018 at 11:30 a.m.** at 1122 Lady Street, Columbia, South Carolina. You are entitled to be present and to be represented by legal counsel.

Marci Andino

Marci Andino, Executive Director
State Election Commission

Dated this 26th day of November 2018.

THE STATE OF SOUTH CAROLINA
BEFORE THE BOARD OF STATE CANVASSERS

APPEAL FROM JASPER COUNTY
BOARD OF CANVASSERS

James Randall Horton,

Appellant,

vs.

Carolyn Bolden and
Jasper County Board of Canvassers,

Respondents.

In re: Jasper County School Board
District 4
Held on November 6, 2018

DECISION

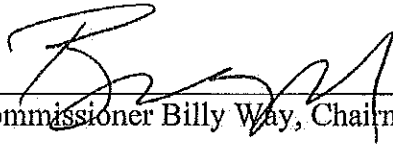
This matter came before the State Election Commission in Columbia, South Carolina in its capacity as the State Board of Canvassers ("State Board") on Monday, December 10, 2018.

No two members of the State Board were of the opinion the matter should be reviewed de novo. Accordingly, the State Board heard the matter in its appellate capacity. The State Board considered the Final Order of the Circuit Court in the matter of Horton v. Bostick (2018-CP-27-00539), the transcript and exhibits from the hearing below, the Order of the Jasper County Board, the Appeal filed by Mr. Horton, the Response to the Appeal filed by Mr. Tedder on behalf of the Jasper County Board, and heard arguments of counsel. After entering into executive session to receive legal counsel, the State Board returned to open session.

One member of the State Board moved to affirm the decision of the Jasper County Board of Canvassers and uphold the election for Seat 4 on the Jasper County School Board. The motion

was properly seconded. The Chair called for a vote on the motion which passed unanimously.
Accordingly, this appeal is hereby DENIED.

AND IT IS SO ORDERED.

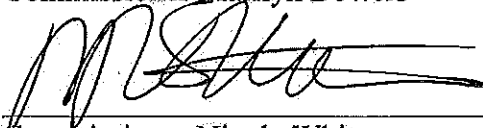


Commissioner Billy Way, Chairman

Commissioner Mark Benson



Commissioner Marilyn Bowers



Commissioner Nicole White

December 10, 2018

STATE ELECTION COMMISSION

AGENDA

December 19, 2018

10:00 a.m.

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

**THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED
NOTIFICATIONS HAVE BEEN MADE.**

Approval of Minutes: November 14, 2018 (SBC), November 14, 2018 (SEC) and December 10, 2018 (SBC)

New Business:

COMMISSIONERS

Vacant
Chairperson

CLIFFORD J. EDLER

AMANDA LOVEDAY

ROBERT SCOTT MOSELEY

JOHN WELLS

Introductions – New Commission Members
Agency 50th Anniversary
Special Election – State House District 14
Request for Proposals – Statewide Voting System
County Compliance
Certification of Hart InterCivic Verity Voting 2.3

Old Business:

MARCI ANDINO
Executive Director

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-Certification of ES&S ElectionWare Election Management System V.5.0.1.0, DS200
Precinct Scanner V. 2.17.0.0, DS850 Central Tabulator V. 3.1.0.0, DS450 Central
Tabulator V. 3.1.0.0 and ExpressVote V. 2.4.0.0
-Certification of Unity 4.0.0.3, Version 4
-Information Technology Security Update
-Legal Update
Eugene Baten v. Henry McMaster, et al.
SEC v. James John Todd Kincannon
Frank Heindel and Phil Leventis v. Marci Andino, SEC

Next Meeting(s):

Wednesday, January 16, 2019 at 10:00 a.m. (SEC)
Friday, January 25, 2019 at 10 a.m. (SBC)

STATE ELECTION COMMISSION
MEETING MINUTES
December 19, 2018
10:00 a.m.

1122 Lady Street, 5th Floor
Columbia, SC 29201

Present: Mr. Clifford J. Edler, Ms. Amanda Loveday, Mr. Scott Moseley,
Mr. John Wells

Others Present: Marci Andino, Executive Director; Chris Whitmire, Director of
Public Information and Training; Howard Snider, Director of
Voter Services; Harrison Brant, General Counsel; Daylin Silber,
Administrative Coordinator; JoAnne Day, League of Woman
Voters; Annie McDaniel, South Carolina National Association for
the Advancement of Colored People

COMMISSIONERS

JOHN WELLS
Chairperson

CLIFFORD J. EDLER

AMANDA LOVEDAY

SCOTT MOSELEY

VACANT

MARCI ANDINO
Executive Director

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Ms. Andino welcomed the four new commission members and advised that all notice requirements of the Freedom of Information Act had been complied with.

Approval of Minutes

Ms. Andino explained that the recent replacement of all sitting commission members has created a somewhat novel situation for the agency whereby today's agenda includes the approval of minutes from several meetings conducted prior to any current member's service on the commission. Ms. Andino explained that, consistent with agency standard practices, draft minutes summarizing any actions and discussions from these prior meetings have been prepared by staff and presented to each member for consideration. Counsel suggested that if the new members are not comfortable approving minutes from meetings they were not present or responsible for, the draft minutes could still be published as "unofficial" minutes with a notation explaining the situation to ensure compliance with the Freedom of Information Act. The commission members agreed to have the minutes published as unofficial.

New Business

The first item of new business was the introduction of the new commission members. Ms. Andino explained there is still one vacancy and no decision has been communicated regarding who will be the chairman. The members introduced themselves.

The next item of new business was the agency's 50th anniversary. Ms. Andino explained that January 1 marks the 50th anniversary of the agency's creation and establishment

as an independent agency. Prior to January 1, 1969, election administration was conducted under the authority of the Secretary of State's Office. This separation of election administration from the authority and management of partisan, elected officials protects the integrity of the state's elections and is now seen as a model for the legal structure of election agencies throughout the country. She stated she is only the fourth executive director of the agency since its establishment. As part of the celebration, the Governor has drafted a proclamation declaring 2019 as S. C. State Election Commission 50th Anniversary Year throughout the state. She further stated there will be events throughout the year celebrating the anniversary.

The next item under new business was the special election for State House District 14. Ms. Andino advised it was triggered by the resignation of Representative Mike Pitts and will be held in Greenwood and Laurens Counties. The primary will be held on February 19, the runoff on March 5, and the special election on April 23.

The request for proposals for a statewide voting system solution was the next item of new business. Ms. Andino informed the board that a vendor neutral solicitation was released on December 7 and that all vendors are encouraged to bid. She advised a new system must be federally certified and have a paper record of each voter's voted ballot due to security concerns. System selection will be made by an evaluation panel of subject matter experts which will consist of state and county election officials. Proposals are due by March 4. She stated the intent to award should be issued in May or June of 2019 with implementation beginning around July 1 of 2019.

County compliance was the next item of new business. Ms. Andino informed the commissioners that in 2014, the State Election Commission was given supervisory authority over the counties to ensure compliance with federal and state laws as well as policies and procedures of the State Election Commission. She advised that noncompliance letters are being sent to Charleston, Berkeley and Dorchester Counties for failure to open for absentee voting the Saturday prior to the general election as directed by the State Election Commission.

The next item of new business was the certification of Hart Intercivic Verity Voting 2.3. Ms. Andino explained that this voting system is in testing and will be used in an election in February. She advised a report will be presented to the commission for approval once testing is completed.

Old Business

The first item of old business was the certification of Unity 4.0.0.3, Version 4. Ms. Andino explained this item has been tested and used in an all write-in election. She recommended the board certify and approve it for use. Ms. Loveday made a motion to certify and approve for use. It was seconded by Mr. Edler. The vote in favor of the motion was unanimous.

An information technology security update was the next item under old business. Ms. Andino reported the SEC continues to take all reasonable measures to secure the state's election infrastructure. She also reported we continue to participate in weekly scans performed by the Department of Homeland Security and that no new vulnerabilities have been discovered.

A legal update was the next item under old business. Mr. Brant reported that in the case of Eugene Baten v. Henry McMaster, et al., a hearing was held on a co-defendant's motion to dismiss the suit and the parties are waiting for the judge's ruling. He also reported there are no updates in the case of the SEC v. James John Todd Kincannon or in the case of Frank Heindel and Phil Leventis v. Marci Andino, SEC.

Ms. Andino reminded the members the next State Election Commission meeting will be January 16, 2018 at 10:00 a.m.

With no further business to be discussed, Mr. Wells moved to adjourn the meeting. Ms. Loveday seconded the motion. The motion passed unanimously, and the meeting adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Daylin Silber". The signature is stylized with a large, looped initial "D" and a cursive "Silber".

Daylin Silber

Election Systems & Software

Certification of Unity 4.0.0.3v4 rev 1

Examination and Testing Report

Compiled by

South Carolina State Election Commission

December 18, 2018

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Summary

Election Systems & Software (ES&S) applied for South Carolina certification of the following software on March 9, 2018.

Unity 4.0.0.3v4 rev 1

The ES&S Unity 4.0.0.3v4 voting system (Unity 4) uses IVIM Image Manager 3.1.1.0 which did not support elections in which the first office on the ballot contained only write in candidates.

ES&S submitted Unity 4.0.0.3v4 rev 1 that replaced IVIM 3.1.1.0 with IVIM 3.1.2.0. In order to certify this, two rounds of tests were run. The first round of tests run was in house. After that round of testing was successfully completed, a parallel test was run in Clarendon County. The tests were performed to validate that elections in which the first contest is a write in only contest or any contest is a write in only contest can be accurately built and tabulated.

The first round of testing (four tests) occurred between March 22 and March 27. During those tests, databases in which the first office on the ballot contained only write in candidates was successfully built and test ballots entered. The results were successfully tabulated.

The parallel test was performed December 4, 2018 in the Paxville Precinct in Clarendon County.

These tests were successful as to functionality of voting systems as required by the South Carolina Code of Laws Sections 7-13-1620 and 7-13-1640. Therefore, the SEC testing team recommends certification of Unity 3.4.0.1 and the DS200 and DS850 optical scanners.

Approval and adoption of this voting system for use under Section 7-13-1655 is not a part of this report.

Independent Testing Authority (ITA) Report

Specifically, the certified software component, iVIM v. 3.1.1.0, was updated to iVIM v. 3.1.2.0 to correct the generation of iVotronic files for an election that contains only a single contest, a 'No Candidate Filed' text box,¹ and a write-in area on the ballot. No other components were modified from the U4003v4 release certified by the South Carolina SEC on June 21, 2017.

Pro V&V, an Election Assistance Commission (EAC) accredited Voting System Test Laboratory (VSTL), performed a source code review, trusted build, functional review, and issued their final test report addendum on March 9th. Included with this cover letter is a CD-ROM containing this cover letter, Pro V&V's addendum to the test report, and ES&S' revised Technical Data Package (TDP) for Unity 4.0.0.3 version 4 (Revision 1).

ES&S stipulates that the only difference between Unity 4.0.0.3v4 and Unity 4.0.0.3v4 rev 1 the latter was modified to support the conditions in the paragraphs above.

On January 1, 2007, the United States Election Assistance Commission (EAC) began the HAVA requirement of accreditation of Independent Testing Authorities and has since accredited Wyle Laboratories and SLI Global Solutions (formerly SysTest Labs) to test voting systems against the 2002 Voting System Standards and the 2005 Voluntary Voting System Guidelines.

Referenced Sections of the South Carolina Code of Laws

SECTION 7-13-1620:

(A) Before any kind of voting system, including an electronic voting system, is used at an election, it must be approved by the State Election Commission, which shall examine the voting system and make and file in the commission's office a report, attested to by the signature of the commission's executive director, stating whether, in the commission's opinion, the kind of voting system examined may be accurately and efficiently used by electors at elections, as provided by law. A voting system may not be approved for use in the State unless certified by a testing laboratory accredited by the Federal Election Assistance Commission as meeting or exceeding the minimum requirements of federal voting system standards.

(B) A person or company who requests an examination of any type of voting system shall pay a nonrefundable examination fee of one thousand dollars for a new voting system. A nonrefundable examination fee of five hundred dollars must be paid for an upgrade to any existing system. The State Election Commission may reexamine any voting system when evidence is presented to the commission that the accuracy or the ability of the system to be used satisfactorily in the conduct of elections is in question.

SECTION 7-13-1640:

(A) Any kind or type of voting machine may be approved by the State Board of Voting Machine Commissioners which is so constructed as to fulfill the following requirements. It shall:

(1) provide facilities for voting for all candidates of as many political parties or organizations as may make nominations of candidates at any election, for or against as many questions as may be submitted at any election, and at all general or special elections, permit the voter to vote for all of the candidates of one party or in part for the candidates of one or more parties;

(2) permit the voter to vote for as many persons for any office as he is lawfully entitled to vote for, but no more;

(3) prevent the voter from voting for the same person more than once for the same office;

(4) permit the voter to vote for or against any question he may have the right to vote on, but no other;

(5) if used at a primary election, be so equipped that all rows except those of the voter's party can be locked out by the managers of election by means of an adjustment on the outside of the machine;

(6) correctly register or record and accurately count all votes cast for any and all candidates and for or against all questions;

(7) be provided with a "protective counter" or "protective device" whereby any operation of the machine before or after the election will be detected;

(8) be provided with a counter which shows at all times during an election how many persons have voted;

(9) be provided with either an illustration or a mechanical model, illustrating the manner of voting on the machine, suitable for the instruction of voters; and

(10) ensure voting in absolute secrecy.

(B) A machine must be provided with a device for each party and for each nomination by petition for voting for presidential and vice-presidential candidates in one operation and listing the candidates by name and by party or indicating the candidate is nominated by petition.

(C) If approved after July 1, 1999, or if an upgrade in software, hardware, or firmware is submitted for approval as required by Section 7-13-1620(B), the voting system must be able to electronically transmit vote totals for all elections to the State Election Commission in a format and time frame specified by the commission.

SECTION 7-13-1655:

(A) As used in this section, "voting system" means:

(1) the total combination of mechanical, electromechanical, or electronic equipment, including the software, firmware, and documentation required to program, control, and support the equipment that is used to:

- (a) define ballots;
- (b) cast and count votes;
- (c) report or display election results; and
- (d) maintain and produce audit trail information;

(2) the practices and associated documentation used to:

- (a) identify system components and versions of these components;
- (b) test the system during its development and maintenance;
- (c) maintain records of system errors and defects;
- (d) determine specific system changes to be made to a system after the initial qualification of the system; and
- (e) make available materials to the voter, such as notices, instructions, forms, or paper ballots.

(B) The State Election Commission shall:

- (1) either approve and adopt one voting system to be used by authorities charged by law with conducting elections, or approve and adopt multiple voting systems if the commission, in its discretion, determines not to adopt one voting system;
- (2) support the authorities charged by law with conducting elections by providing basic level training for personnel in the operation of the voting system approved and adopted by the commission;
- (3) support all aspects of creating the ballots and the database of the voting system that is approved and adopted; and
- (4) comply with the provisions of Chapter 35 of Title 11 in procuring a voting system or systems, as defined in subsection (A).

Examination and Testing Results

The following modules/components of Unity 3.4.0.1 were tested based on requirements of the South Carolina Code of Laws, 1976 with concentrated emphasis on Title 7:

System	Module	Version
iVotronic Image Manager	IVIM	3.1.2.0

The above modules/components were fully tested by State Election Commission, Voter Services Division staff. Tabulated results matched the expected results in the tests.

Below is a table depicting the success of these tests:

Requirement	Pass	Fail	Comments
Version numbers verified	✓		
Software from Versions tested was received from ITA		✓	ES&S transmitted the code to SEC
Version certified by EAC	✓		2002 VSS certification only
List of jurisdictions currently using version			N/A SC is the only jurisdiction with this Write-in only requirement
Training manuals			No difference in operational activity
Allow voter to select only candidates in a particular party for primary elections			N/A
Allow voter to vote straight party for general elections			N/A
Allow voter to cast a vote for President/VP in only one operation			N/A
Vote for only the number of candidates allowed in each office			N/A
Vote yes or no for any measure/referendum on the ballot			N/A
Allow undervotes	✓		
Allow crossover voting after selection of straight party is made			N/A
Allow write-in voting for any office on the ballot in a general election except President/VP			N/A
Provide for voting in absolute secrecy	✓		
Machine must be constructed of good quality material in a neat and workmanlike manner			N/A
Votes recorded accurately	✓		
Review screen displays selections for voter	✓		
Simple instructions on use of machine for operator	✓		
Protective and public counters can be viewed	✓		
Illustration or mechanical model is available	✓		N/A
Zero opening count must be visible to poll manager	✓		
Counter compartment has door or seal	✓		
Unit must have an area to lock or seal the unit before and after voting	✓		

Requirement	Pass	Fail	Comments
In-person absentee guidelines tested and met	✓		N/A
Printouts/reports are clear, concise, and display all offices, candidates, vote totals, and public count	✓		
Electronically transmit election results to SEC	✓		Same process used in the currently approved system.
Escrow of source code	✓		Source code is currently held in escrow with Iron Mountain Intellectual Property Management, Inc.

Compatibility with Voting System (Unity 4.0.0.3v4) Approved for Use in South Carolina

Unity 4.0.0.3.4 Rev 1 is completely compatible with Unity 4.0.0.3.4 with the enhancement noted in the next section.

Differences Between Unity Versions 4.0.0.3v4 and 4.0.0.3v4 rev 1

Functional Enhancements

- **Ability to support new elections requirements**
 - Unity 4.0.0.3v4 rev 1 supports elections where the first contest is a write in only contest
 - Unity 4.0.0.3v4 rev 1 supports elections where any contest is a write in only contest

List of States/Jurisdictions Using This Version

South Carolina is the only jurisdiction with the requirements that the first contest is a write in only contest or any contest is a write in only contest.