

**STATE ELECTION COMMISSION
MEETING MINUTES
August 2, 2024
10:00 a.m.**

1122 Lady Street, 5th Floor
Columbia, SC 29201

Present: Hon. Dennis Shedd, Chairman; Mr. Clifford Edler; Ms. Linda McCall; Mr. Scott Moseley; (all attending in person); and Ms. JoAnne Day (attending via conference call)

Others Present: Howard Knapp, Executive Director; Thomas Nicholson, General Counsel; Jenny Wooten McGill, Director of Government Affairs and Policy.

COMMISSIONERS

HON. DENNIS W. SHEDD
Chairman

JOANNE DAY

CLIFFORD J. EDLER

LINDA MCCALL

SCOTT MOSELEY

Chairman Shedd confirmed all commissioners are present and that there is a quorum and called the meeting to order. Director Knapp advised all notices of the meeting had been posted as required by the Freedom of Information Act. The meeting was called to order at 10:00 a.m.

EXECUTIVE SESSION

Chairman Shedd asked for a motion to go into executive session to receive and discuss legal advice. Mr. Edler made said motion, seconded by Ms. McCall. The motion passed unanimously.

No votes were taken on any matter during executive session.

HOWARD M. KNAPP
Executive Director

NEW BUSINESS

State auditor's annual agency report

Director Knapp gave an update on the report. Chairman Shedd asked what the report audits. Director Knapp explained the report and that the commission passed with flying colors.

Briefing on voter education

Mr. Lundeen, Director of Marketing at the SEC, was present at the meeting to give an overview of the agency's voter education and outreach opportunities. Mr. Lundeen discussed the marketing contracts that are in place between the commission and athletic divisions of institutions of higher learning.

Chairman Shedd asked for the dollar amounts of the athletic contracts. Mr. Lundeen outlined the annual voter outreach spend.

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Chairman Shedd asked for details on the marketing spend. Mr. Lundeen explained the history of the contracts and when the most recent athletic contracts were signed. Chairman Shedd asked Mr. Nicholson if the contracts are binding, and Mr. Nicholson confirmed that they are binding. Chairman Shedd asked for details on the entire marketing program. Mr. Lundeen explained that the office participates in outreach opportunities and engages community partners such as festivals, high school events, and college events. A broader discussion was had about the outreach to other colleges including historically black colleges and universities (HBCUs). Chairman Shedd asked if there are any metrics to determine the success of the outreach contracts. Director Knapp explained that there is no good way to track the success of the agency's outreach contracts. Chairman Shedd asked if the agency should advertise in other traditional means such as billboards or high school athletics or ways that may be more cost effective. Chairman Shedd discussed the agency brainstorming ways to promote registration to high schoolers. Ms. Day asked if the agency should reach out to other states to find out what they do as far as marketing and marketing ahead of the primaries, runoffs, and other election cycles. Director Knapp shared that other states also market to the public via football and athletics, especially in the southern United States. There was additional discussion around what the athletic contracts include. Chairman Shedd expressed that the commission would like to know about contracts before they are entered into by the agency. Chairman Shedd expressed that the commission may not want to be involved in approving the contracts but should be informed of these contracts. There was discussion among the board about how effective putting the agency's logo on the Coastal Carolina field would be in equating to new registered voters. Chairman Shedd asked for any measure of success, if possible. Chairman Shedd asked if the commission members could be included on the agency's press release list. Chairman Shedd asked about partnership with Miss South Carolina and their organization. Director Knapp explained the platform of the current Miss South Carolina is civic engagement.

Briefing on election night reporting process and early voting numbers

Chairman Shedd shared that a letter was sent to him by Senator Campsen and discussed the appropriate response to the letter. Director Knapp shared that the agency would draft a response to the letter. Director Knapp explained how election night reporting works presently. Director Knapp shared that the agency has been in contact with Senator Campsen's office about election night reporting. Chairman Shedd asked what could cause potential delays in uploading results. Director Knapp confirmed that delays in election night reporting come from counties not following procedure or the number of votes that have to be tabulated. Director Knapp shared that there are certain counties who are faster than others in reporting election results and reasons for the delays. Director Knapp shared that the agency is doing everything possible within the law to encourage counties to follow standard procedures to speed up the process of election reporting. Chairman Shedd asked about specific issues in South Carolina leading to potential delays. Director Knapp explained, in general, that election officials in South Carolina work through the night to report election results. Chairman Shedd asked what it is like at the agency on election night. Director Knapp explained the internal process of results being reported at the state level. Chairman Shedd asked if our networks are safe from hacking and that they are as safe as the agency can possibly make them. Director Knapp confirmed this. Commission Moseley asked why the news outlets may have the results faster than the election commission's results. Director Knapp explained that the results reported by the news are not official results. Chairman Shedd asked what makes the reports official. Director Knapp explained that the commission serves as the board of canvassers and certifies that the results are official. Chairman Shedd would like to know which areas of the state could be potential problem areas. Director Knapp explained some potential problems that could lead to the delay in results being

uploaded. Director Knapp discussed the ballot reconciliation audit that the agency recently conducted and expressed concern that ballot reconciliation forms have not been filled out correctly across the state. Director Knapp shared that the agency is increasing training related to ballot reconciliation.

SEC staff business travel and SEC new contracts

Chairman Shedd expressed his feeling that State Election Commission staff should be focused on in-state issues leading up to the General Election. Chairman Shedd expressed that he prefers the commission be informed of larger contracts coming up. Director Knapp shared upcoming training for professional certifications before November. Chairman Shedd confirmed that the memos that went out to staff this week regarding travel or new contracts can be retracted now that the commission has met to discuss out of state travel and new contracts. Director Knapp shared that other agencies inform their commissioners of contracts when the contracts get to be around \$250,000. Chairman Shedd expressed that he wants to be informed, not but necessarily approve the contracts, of contracts at a much lower number than \$250,000. Chairman Shedd reiterated the need for the commission to be notified of contracts.

EASE Grant 4.0 Update

Director Knapp explained what the EASE grant is and how it impacts the agency. Director Knapp shared that the agency's IT Director, Brian Leach, helped secure the grant for the agency.

Discussion of adding language re: citizenship and age requirement to voter education materials, logo, website, other SEC communications

Chairman Shedd expressed that election officials must only register United States Citizens, South Carolina Citizens, and individuals who are at least 18 years old. Chairman Shedd expressed sharing with the public in every way possible that the agency stands by the law that only individuals who are United States Citizens, South Carolina Citizens, and 18 years of age can register to vote. Chairman Shedd asked that the updated logo with voter qualifications is published on all items we put out between now and the election.

Mr. Moseley asked about the declination form that was posted on social media. Director Knapp provided details about the form and what that form is related to the National Voter Registration Act (NVRA). Director Knapp shared with the commission that the agency is working on a new NVRA declination form that other agencies will hand out. Chairman Shedd asked if the agency's logo and name must be on the form. Chairman Shedd asked how we make other agencies use the updated declination form. Director Knapp shared that as the election authority under the NVRA, the agency will be promoting a new form for NVRA agencies to use. Chairman Shedd expressed concern over a law requiring someone to sign away a constitutional right. Chairman Shedd expressed desire for agency to remain neutral and apolitical in all comments, publications, and that the agency serves an administrative function. Director Knapp shared that the updated NVRA form will be brought to the commission to see before it is handed out to other agencies.

Chairman Shedd brought up concerns about issues that could arise on election day. Chairman Shedd asked about having a reserve of election equipment available for counties in case the counties need more equipment. Chairman Shedd also expressed concern over knowledge of poll workers.

Chairman Shedd shared concerns about counties not having enough equipment on election day. Chairman Shedd brought up previous meeting when the commission voted not to take action on the election equipment contract. Chairman Shedd shared that another proposal may be coming related to the election equipment. Chairman Shedd shared that the proposal must be valuable, cost effective, and can be done before the November election and does not want to do anything to interfere with the November election. Chairman Shedd shared that the voting equipment contract could be of value if more machines could be added across the state prior to the state and if any software upgrades are done after the November general election. If another proposal was brought up, it would need to be brought before the commission.

Chairman Shedd brought up the potential of the commission meeting in Charleston prior to the November Election. Chairman Shedd brought up the agency's public comment policy. Chairman Shedd shared that he feels the public comment policy should be that anyone could have at least a minute to share comments with the commission.

Chairman Shedd asked if any other commissioners have any other comments. There were no other comments.

Chairman Shedd adjourned the meeting at 11:21 a.m.