



**MINUTES**  
**Special Called Council Meeting**  
**July 31, 2023, 6:30pm**  
**South Congaree Town Hall**  
**Council Chambers**  
**119 West Berry Rd.**  
**West Columbia, SC, 29172**

**Members in Attendance: Mayor Cindy Campbell, Mayor Pro-Tem Mechelle Mabry, Councilmembers: Brian Jackson (6:37 P.M. arrival), Kitty Spires, and Jim Drennan. Also in Attendance: Lexington County Election Commission Director and Board members. Municipal Clerk Kerri Charlton. Town Attorney John Rakowsky.**

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**The public was duly notified of the date, time, and place of the meeting.**

**I. Call to Order.**

Mayor Campbell called the meeting to order at **6:30 PM**. A quorum was present. Mayor Campbell led in the Pledge of Allegiance and the Invocation. The Freedom of Information Act was read by Mayor Campbell.

**II. Guest Speaker: Lexington County Elections Representative:**

Lenice Shoemaker, Director, Lexington County Registration & Elections, and several Election Commission members were present. Lexington County Elections Commission Director provided updated Election Law information and led the discussion. The new HB 3734 has been approved unanimously by the South Carolina House and awaits approval from the South Carolina Senate when they reconvene in January 2024. According to the new law, election dates needed to comply for the November 2023 elections as follows: Notice to Newspaper by August 10, 2023, to run August 17<sup>th</sup> and 24<sup>th</sup> of. Filing would be August 21-September 1, 2023. Handouts were provided to Council with estimated costs. The estimated amount of cost for the odd year November election would approximately cost the Town of South Congaree \$3,655.00 to include the newly required two weeks of early voting. The estimated cost for keeping the Town of South Congaree's April election is approximately \$7,480.00. Councilman Drennan asked if we pay for National Elections? Do we pay for just Town Hall elections? Per Lanice Shoemaker, South Congaree pays for their General Municipal Elections in April. Currently the Town of South Congaree has 2 voting Precincts, by combining precincts for Municipal Elections, this reduced the cost to the Town. Councilwoman Spires asked if any other municipalities have not moved to the November odd year Municipal Elections calendar. Mayor Pro-Tem Mabry asked about three different dates in the new HB3734 suggesting the options other than the November election? According to Ms. Shoemaker, the Senate has not yet voted per information she received at the S.C.A.R.E (South Carolina Elections Directors meeting) last week. However, the overall perception is that the Senate will vote to lock in the November 2<sup>nd</sup> election date. The overall guidance to implement this is to have all municipalities in compliance, provide stable election spaces versus temporary sites like schools, and to



reduce voter confusion and/or fraud. Councilman Jackson asked about attempts to get this information out earlier and if general elections get the most voter turnout. Ms. Shoemaker responded that the purpose of mandating a specific date was to eliminate confusion about voting days and locations for voting. Elections are held at various times in the year with minimal advertising, and voters found it difficult to keep up with where and when to vote, resulting in a decline in voter turnout. The legislation is designed to assign a specific day as Municipal Elections Day to eliminate the confusion on when to vote, especially since November has always been for the Presidential and State elections.

Mayor Campbell referenced that she spoke with several municipalities at the recent Municipal Association Conference. While speaking with those municipalities, it was brought to her attention that if the Municipal elections were held during the Presidential Elections most voters would vote a straight party ticket which results in fewer votes in Municipal elections.

Mayor Pro-Tem Mabry asked if early voting happens at Lexington County Election building? Early voting is offered at Lexington County elections, all early voting or absentee ballots are at the main building in Lexington. When the Presidential Elections occur, there will be numerous early voting stations set up. In reference to the new early voting days, 12 days of early voting is required.

Should the Town of South Congaree stay with the Municipal Election in April of the even year, they will also incur the full costs of all workers, equipment, and early voting locations for the twelve days. If they vote to move to the November odd year Municipal election schedule, those costs would be split with all municipalities in Lexington County. Councilwoman Spires reiterated by moving the elections to November 2023, the estimated savings for the Town of South Congaree could be as much as \$4,200.00. Mayor Pro-Tem Mayor asked why this differs so much from our costs in the past. Ms. Shoemaker responded that recent laws passed on Early Voting have a required early voting cost, updated calculations of delivery of equipment and supplies, and the calculation of poll workers. Municipal Clerks were in the past allowed to pick up equipment and supplies, and this is not an option now. Poll workers incentive pay has increased, and the number of workers has increased. By utilizing the cost share with other municipalities in a November election as opposed to an individual municipal election there is the ability to spread the cost out amongst all municipalities which in turn reduces all the final expenses. Prior early voting day costs were for one (1) day, whereas the new regulations require workers for twelve (12) days.

### **III. Legislative Items: Ordinance 34-Elections: Adopting Alternate Election Years Alternate Election Years. SECTION 5-15-50**

Mayor Campbell read the proposed Alternate Elections ordinance and asked for a motion. Councilwoman Spires **(7:19 PM)** made a motion that the Town of South Congaree adopt Ordinance number 2024-02 to amend Chapter 34 of the Town of South Congaree ordinances, Section 02: Regular election date to change the Municipal Election date to the first Tuesday following the first Monday in November odd years as will be required by this new state law. Seconded by Mayor Campbell **(7:22 PM)**, amended by Councilman Jackson **(7:22 PM)** due to the current unknown status of the Senate outcome proposed for January 2024, he proposed to amend to reflect the start year as November of 2025



and keep the April 2024 election date with the acknowledgement of extra costs the Town. Amendment seconded by Councilman Drennan (7:23 PM).

**Discussion:** Councilman Drennan stated he is upset and that he is disappointed in MASC, the Senator, and SC House Representative for not approaching the Town prior to this meeting. Ms. Shoemaker acknowledged that the Lexington County Elections approached the municipalities, including Gaston and South Congaree within Lexington County in 2021. Gaston and South Congaree were contacted again this year as they were the remaining municipalities to move their elections. Prior Directors with the Elections Committee had made efforts to include all municipalities for updates. Councilman Drennan stated there are two (2) staffers from MASC whose duty is to “Camp out” on the State house steps to keep us informed. This frustration is not directed to the Elections Commission.

Councilwoman Spires reiterated the cost effectiveness of changing the date stating that the costs to the Town could well exceed \$12,000 to hold two (2) elections over the next two (2) years when the Senate changes the date. This is not a fiscally responsible decision on the part of the Council use of Town funds. Mayor Campbell polled the Council on their input on delaying the change. Councilman Drennan stated with the delay in taking office due to covid, with shortening those seats at the end as well, this does not give sufficient time in office for those elected. In reference to the extra expenditure of funds, Councilman Drennan stated, he has seen monies in other areas that this doesn't seem that far out of whack. “We keep things on track.” If the law hasn't passed yet, but with 100% of the vote going for it, it's going to pass. That is not a question. It is going to pass in January, period. So, we are going to let it handle itself the way it is. Councilman Jackson, with respect to you guys coming in July and cutting your time short, “I feel there are projects we are working on, if anything mine will be cut short too, but I would rather see you guys stay on.” Pro-Tem Mabry stated that she feels that by setting the date to November of odd years and since the Senate isn't voting until January, this is giving municipalities time to come into compliance.

Mayor Campbell addressed the Council to start thinking about where to pull the additional funds for the higher election's expenditures. Mayor Campbell asked Town Attorney John Rakowsky for his opinion being that Lexington County Elections recommended discussion with the Town Attorney for guidance. Mr. Rakowsky's comment stated he has no legal opinion; however, in his opinion he sees the relevance in time cut short and waiting for the official Senate ruling. Mayor Pro-Tem Mabry requested some corrections to the proposed Ordinance to reflect additional verbiage to include an amendment to our current election ordinance to reflect the changes coming from HB3734.

**Motion Carries at 7:37 PM (To keep April 2024 election and go forward with November Elections to begin 2025)**

- Councilman Drennan- Yea
- Councilman Jackson- Yea
- Councilwoman Spires- Nay
- Mayor Pro-Tem Mabry- Yea
- Mayor Campbell- Nay

**IV. Adjournment:**

The council, on the motion of Mayor Campbell, seconded by Councilman Jackson , voted to adjourn the meeting at 7:38 PM. Motion carried with unanimous vote of council.

Kerri Charlton

Attested by:  
Kerri Charlton,  
Municipal Clerk

Cindy Campbell

Approved by:  
Cindy Campbell,  
Mayor

9.19.2023

Date Approved