



BOARD of VOTER REGISTRATION  
& ELECTIONS of PICKENS COUNTY  
e v e r y v o t e m a t t e r s , e v e r y v o t e c o u n t s

# Organizational Rules

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## **SECTION I. AGENCY NAME AND DESCRIPTION**

The Board of Voter Registration and Elections of Pickens County (“Board”) is an independent county agency created by SC Code of Laws Section 7-5-10 et seq. which establishes this agency and governs its command structure and operations. Operations of the agency are funded by the Pickens County Council and supervised by the SC State Election Commission as required by state law.

## **SECTION II. AGENCY MISSION STATEMENT**

The mission of the Board is to offer every citizen the opportunity to register to vote and to conduct legal, fair, and efficient elections so all citizens are assured their vote will be counted.

## **SECTION III. AGENCY FUNCTIONS**

The following are some (but not all) of the functions of the Board:

1. Manages and conducts all federal, state, county, and municipal elections held within Pickens County, South Carolina
2. Processes all county voter registration applications and change of address forms
3. Maintains county voter registration records
4. Validates signatures from petitions for candidates and new political parties
5. Accepts candidate filing for school Board, soil and water conservation districts, watersheds, some partisan offices, etc., and oversees municipal candidate filing
6. Appoints, trains, and supervises all poll clerks, poll managers, and other election personnel as needed
7. Maintains county election equipment, and prepares county election equipment and supplies for every election
8. Publishes election notices
9. Prints and distributes ballots
10. Provides the proper number of voting machines for each polling place
11. Accurately and publicly tabulates election results
12. Certifies election results
13. Hears protests of elections, excluding primaries

14. Facilitates absentee voting for all federal, state, county, and municipal elections within the county
15. Updates voter information and address files after the redrawing of precinct or other district boundaries due to growth in population or following reapportionment
16. Determines the voting locations of precincts with the approval of the Legislative Delegation
17. Makes recommendations to the Legislative Delegation concerning number of registered voters and boundaries of precincts
18. Conducts voter outreach, educational sessions, and voter registration drives
19. Maintains web presence of the Department and Board
20. Invoices municipalities for all costs associated with conducting their elections; submits reimbursement requests to the State Election Commission for state elections

#### **SECTION IV. POLITICAL ACTIVITY PROHIBITION**

Board Members, the Executive Director, and all staff are required to comply with SC Code of Law 7-13-75, which prohibits from engagement in political activity to ensure elections are conducted in a fair, impartial, and nonpartisan manner. Board Members, the Executive Director, and all staff may not participate in political management or in a political campaign over whose election the agency has jurisdiction. Neither Board Members, the Executive Director, nor staff may contribute to a candidate or knowingly attend a fundraiser held for the benefit of a candidate over whose election the agency has jurisdiction. Neither Board Members, the Executive Director, nor staff should display candidate campaign signs, endorse a candidate, or sign a candidate's petition for the benefit of a candidate over whose election the agency has jurisdiction. Nothing in this prohibition shall prevent Board Members, the Executive Director, or staff from voting in a party's primary election or in any other election.

#### **SECTION V. APPOINTMENT OF BOARD MEMBERS**

Board Members are appointed in accordance with State Law. SC Code of Laws Section 7-5-10 states:

1. The Governor shall appoint, upon the recommendation of the Legislative Delegation, competent and discreet persons in each county, who are qualified electors of that county and who must be known as the 'Board of Voter Registration and Elections of [Pickens] County'. The total number of members on the Board must not be less than

five nor more than nine persons. At least one appointee on the Board shall be a member of the majority political party represented in the General Assembly and at least one appointee shall be a member of the largest minority political party represented in the General Assembly.

2. After their appointment, Board Members must take and subscribe, before any officer authorized to administer oaths, the following oath of office prescribed by Section 26, Article III of the Constitution:

'I do solemnly swear (or affirm) that I am duly qualified, according to the Constitution of this State, to exercise the duties of the office to which I have been elected (or appointed), and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect and defend the Constitution of this State and of the United States. So help me God.'

3. The oath must be filed immediately in the office of the clerk of court of common pleas of the county in which the commissioners are appointed, or if there is no clerk of court, in the office of the Secretary of State.
4. The Governor shall notify the State Election Commission in writing of the appointments. The members appointed are subject to removal by the Governor for incapacity, misconduct, or neglect of duty.
5. The Governor shall appoint the initial appointees within six months of the effective date of this section. Four of the initial appointees shall serve two-year terms, and the remaining initial appointees shall serve four-year terms. Upon expiration of the terms of those members initially appointed, the term of office for the members of the Board is four years, and until their successors are appointed and qualify. Members may succeed themselves.
6. A member must be present at a meeting in order to vote.
7. If a member misses three consecutive meetings of the Board, the Chairperson or their designee immediately shall notify the Governor who shall then remove the member from office.
8. In case of a vacancy on the Board, the vacancy must be filled in the same manner as an original appointment, as provided in this section, for the unexpired term.

## **SECTION VI. DUTIES OF BOARD MEMBERS**

It is the duty of the members of the Board of Voter Registration and Elections to:

1. Meet monthly, and as needed, on a date agreed upon by the Board to review operations of the agency, establish policy and procedures, and discuss upcoming elections and events.
2. Hire and supervise the agency's Executive Director.
3. Review the agency's budget request for county funds prior to its submission to the County.
4. Visit assigned precincts on election day to see if poll managers have any needs, and to express sincere thanks to the managers for their willingness to serve.
5. Provide security for the tabulating process and assist with the transfer and check-in of voting materials from precinct poll clerks at the election headquarters.
6. Tabulate absentee ballots on election day by running ballots through scanners.
7. Receive election returns after the polls close, and signoff on unofficial results.
8. Meet as the County Board of Canvassers to determine the validity of challenged ballots and to certify all votes cast.
9. Conduct hearings of all cases under protest and contest of county and less than countywide offices, excluding primaries and municipal elections.
10. Complete, within eighteen months after their appointment or reappointment, a training and certification program conducted by the State Election Commission and maintain annual recertification thereafter.
11. While all staff decisions are made exclusively by the Director, the Board shall assist the Director in recruiting sufficient poll managers, clerks, and office staff.
12. Make recommendations to the Legislative Delegation regarding matters concerning the number of registered voters and boundary lines of precincts.
13. Report concerns on election matters to the Legislative Delegation.
14. Assist the Director in obtaining necessary funding for materials or personnel.
15. It is recommended that Board Members maintain a separate email provided by the Department to use specifically for all Board related correspondence, subject to FOIA requests.
16. Closely guard any Security Access Badges that may be issued by Pickens County to provide the Board Member access to the agency office. Lost or stolen badges must be reported to the Director immediately.

## **SECTION VII. OFFICERS.**

The Members of the Board of Voter Registration and Elections shall elect from among their members a Chairperson, Vice Chairperson, and Secretary at the first meeting in January, for a two-year term. The elections of officers shall take place on odd numbered years. The Board shall then notify the State Election Commission in writing of the name of the persons elected as Chairperson and officers of the Board.

### **1. Chairperson**

The Board shall elect one of its members to serve as Chairperson for a term of two (2) years. Any vacancy in the Chairpersonship shall be filled by the Board for the un-expired portion of the term. The Chairperson shall conduct all regular and special meetings of the Board. As required by state law, the Chairperson must notify the Office of the Governor immediately if a member of the Board misses three consecutive meetings of the Board.

### **2. Vice Chairperson**

The Board shall elect one of its members to serve as Vice Chairperson for a two (2) year term; if the Chairperson shall be temporarily absent or unable to serve, the Vice Chairperson shall serve as Chairperson in their stead.

### **3. Secretary**

The Board shall elect one of its members to serve as Secretary for a two (2) year term for the purpose of recording minutes of all the meetings. In the event a vacancy should occur in the office of Vice Chairperson, the Secretary will then become the Vice Chairperson, thereby, creating a vacancy in the position of Secretary to be filled immediately. It is the responsibility of the Secretary to write and maintain the meeting minutes and provide them to the Director to distribute to all Board Members for review prior to the next regular Board meeting.

## **SECTION VIII. REMOVAL OF BOARD MEMBERS**

Board Members appointed are subject to removal by the Governor for incapacity, misconduct, or neglect of duty. The Board Chairperson must notify the Governor if a Board Member misses three or more consecutive meetings.

If a vacancy occurs on the Board, the Chairperson must notify the Legislative Delegation. The Board may submit names of persons to the Legislative Delegation it recommends filling the vacant seat. Board Members are appointed by the Governor in accordance with SC Code of Law Section 7-5-10(A).

## **SECTION IX. EXECUTIVE DIRECTOR**

As provided by the SC Code of law, the Board shall hire an Executive Director (“Director”), who is not a member of the Board, who shall be the chief executive and administrative head of the agency and shall oversee day to day agency operations and personnel.

Selection of the person to be Director is entirely the decision of the Board.

The employment of the Director shall be at the pleasure of the Board and they shall be entitled to such compensation for their services as the Pickens County Administrator and Council may determine and shall also be subject to all personnel and leave policies as described in the Pickens County Handbook.

1. Duties of the Director shall include, but not be limited to the following:
  - a. to serve as the chief executive and administrative officer of the agency;
  - b. to execute daily activities in accordance with Title 7 of the South Carolina State Code of Laws;
  - c. to direct and coordinate the administrative activities of the agency;
  - d. to abide by County personnel policies as set forth in the Pickens County Employee Handbook;
  - e. to oversee the staff in the Voter Registration and Elections office in accordance with the County personnel policies to include hiring and firing of office personnel;
  - f. to establish their work schedule and that of staff;
  - g. to oversee the Poll Clerks, Poll Managers, Rovers, and Technicians that staff various election day positions to include appointing, training, and firing of personnel.
  - h. to prepare an annual operating budget for submission to the County Administrator;
  - i. to supervise the expenditure of budgeted funds;
  - j. to supervise the execution of agency functions defined in Section III of these organizational rules and comply with all federal and state election laws;
  - k. to cooperate with the audit processes of the SC State Election Commission;
  - l. to assist with preparation of Board meeting agendas;
  - m. to provide an oral report at every regular monthly Board meeting on the status of current operations of the agency, preparation for any upcoming election, and any matter of relevance that the Board needs to be made aware of;
  - n. to keep the Board informed of all important matters or importance between meetings

via email;

- o. to maintain security and access control (including power to grant and revoke access) to all agency offices, equipment, computers, and records;
- p. and to complete, within eighteen months after hiring, a training and certification program conducted by the State Election Commission and maintain annual recertification thereafter.

## 2. Budgets:

The Director shall prepare an annual operating budget for the agency, taking into consideration all upcoming planned elections in the budgeted year in addition to normal operating expenses. As part of the budget, the Director shall make requests for equipment and/or additional personnel positions that the Director deems appropriate along with supporting documentation. The Director shall present this budget request to the Board for review at the Board meeting immediately following the submission to the County Administrator.

## 3. Review of The Director:

The Director shall be evaluated annually not later than the regularly scheduled monthly meeting in January of the following year by the members of the Board of Voter Registration and Elections in accordance with standard review procedures of the County in executive session. The Board shall evaluate the Director based on their execution of the job responsibilities and overall agency operation during the evaluation period. This process will be accomplished by members of the Board completing standard evaluation forms and concluding with a conference between the Board and the Director. Copies of the required forms, a list of the evaluation objectives, and a description of the process are available in the County Human Resources Office. As part of the review process the Board may, at its sole discretion, consider submitting a request for a merit increase for the Director to the County Administrator for consideration. The Board Chairperson must file the signed performance evaluation in the Director's personnel file in the County Human Resources Office.

## 4. Subordinate Staff

The Director shall oversee agency staff in accordance with county personnel policies and procedures, to include the hiring and firing of office personnel. The Director shall determine qualifications and structure staff positions to best meet the needs of the agency. Selection of persons to fill staff positions is entirely the decision of the Director.

The Board shall deal with any employees who are subject to the supervision of the Director solely through the Director, and neither the Board nor its members shall give direct orders or



instructions to any employees. The Director shall have full authority over the staff.

Board Members will not micromanage the Director. While individual Board Members may provide the Director with advice, information, or suggestions, it is understood that individual Board Members cannot provide orders to the Director. Only when a vote is taken in an official meeting of the Board are instructions from the Board binding on the Director. The Board shall take no vote on the management, hiring, firing, disciplining, or promotion of staff, as this is reserved for the Director.

#### 5. Absence or Disability

In the event of short-term absence of the Director, the Director shall select an individual from among the staff to supervise agency operations during their short-term absence. Examples of a short-term absence shall include time when the Director is on vacation, out due short-term illness, or away attending training classes or a conference.

During an extended absence or disability of the Director lasting a month or longer (such as a medical leave or military deployment), the Board shall designate or appoint a person to serve as Acting Director to supervise agency operations until such time as the Director is no longer absent. When the Director returns from their extended absence, he shall resume their full powers and responsibilities and the Acting Director position shall be eliminated.

#### 6. Salary/Leave/Vacation/Benefits

The Director and staff will receive salary and benefits commensurate with their respective job classification, pay scale, and years of service policies of the County, as would other County Employees. Salaries are set by the County Administrator and County Council.

#### 7. Termination of the Director:

The Director serves at the pleasure of the Board. It shall require a 2/3rds Vote of the Board of Voter Registration and Elections of Pickens County as a whole and take two readings at least thirty days apart to terminate the employment of the Director.

The Director may resign at any time by delivering notice to the Chairperson of the Board. A resignation is effective when the notice is delivered unless the notice specifies a later effective date. If a resignation is made effective at a later date and the Board accepts, the Board may fill the pending vacancy before the effective date if the Board provides that the successor does not take office until the effective date of the pending vacancy.

## **SECTION X. MEETINGS OF THE BOARD**

The Board shall hold its regular meeting for the transaction of official business once each month in accordance with the schedule adopted by the Board. Special meetings may be called by the Chairperson, acting Chairperson, or majority of the Board, but no special meetings shall be held unless all members and the public are notified 24 hours in advance of such meeting as stated in the SC Freedom of Information Act. A simple majority of the members of Board shall constitute a quorum for the transaction of official business.

### **1. Meetings to Be Open to the Public Except Authorized Executive Sessions**

All meetings of the Board shall be open to the public except where authorized pursuant to Freedom of Information Act, Section 30-4-70 of the Code of Laws of South Carolina, 1976, as amended.

### **2. Conduct of Meetings**

The Director shall assist the Board Secretary with the preparation of the agenda for each meeting of the Board. The agenda shall be posted at least 24-hours in advance of the meeting on the agency bulletin Board and website.

### **3. Meeting Minutes**

The Board Secretary shall write and maintain meeting minutes. The Secretary shall provide the minutes to the Director to disseminate to all members of the Board. The Board shall amend and/or approve the minutes at the next regularly scheduled Board meeting. Minutes are not public until approved by the Board. While the Secretary maintains the minutes of each meeting, a copy of these approved minutes must be maintained for public inspection in the agency office, and may be available on the agency website, for a minimum of six months.

### **4. Public Comments**

Each regular or special Board meeting will have public comment period. This is an opportunity for citizens to come before the Board with various issues. Citizens who wish to speak do not have to register or signup in advance. Each person is limited to 5-minutes of speaking time. Maximum total public comment time is 20 minutes.

### **5. Requests to Speak**

Should any person, group, or organization request to be heard and believe they may need more than 5-minutes of speaking time, they should request the Director to place such matter on the agenda for the meeting by 12:00 noon at least seven (7) days prior to the date set for the meeting. This requirement may be waived only by unanimous consent of all members present in cases of great urgency, if the matter is presented in writing, and every member of the Board provided with a copy prior to the meeting.

## 6. Attendance

SC Code of Laws 7-5-10(A)(3) states:

If a member misses three consecutive meetings of the Board, the Chairperson or their designee immediately shall notify the Governor who shall then remove the member from office.

## **SECTION XI TRAINING**

Training and Certification is mandatory for all Board Members and fulltime office personnel, SC Code of Laws Section 7-5-10(A) states:

Each member, and each staff person designated by the Board, must complete, within eighteen months after a member's initial appointment or their reappointment following a break in service, or within eighteen months after a staff person's initial employment or reemployment following a break in service, a training and certification program conducted by the State Election Commission. When a member or staff person has successfully completed the training and certification program, the State Election Commission must issue the member or staff person a certification, whether the member or staff person applies for the certification.

If a member does not fulfill the training and certification program as provided in this section, the Governor, upon notification, must remove that member from the Board unless the Governor grants the member an extension to complete the training and certification program based upon exceptional circumstances.

Following completion of the training and certification program required in item (1), each Board Member, and each staff person designated by the Board or commission, must take at least one training course each year.

## **SECTION XII PARLIAMENTARY PROCEDURE**

The Board will use Roberts Rules of Order in conducting all meetings.

### **SECTION XIII AMENDMENTS**

To amend the Organizational Rules for the Board of Voter Registration and Elections of Pickens County:

1. It shall require two thirds vote of the Board as a whole, and
2. It shall take two readings, at least thirty days apart, to pass the Amendment.

### **SECTION XIV. SEVERABILITY**

Provisions of Federal and State law supersede these organizational rules. In the event of any conflict with Federal or State law, the law shall prevail. In the event and to the extent that any provision of the Organizational Rules for the Board shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable the remainder of that provision or any other provision or part of a provision of the Organizational Rules.