

ORDINANCE NUMBER : 525

**AN ORDINANCE TO TRANSFER AUTHORITY TO CONDUCT
THE CITY OF BELTON MUNICIPAL ELECTIONS SCHEDULED
FOR ODD NUMBERED YEARS TO THE ANDERSON COUNTY
REGISTRATION AND ELECTIONS COMMISSION.**

WHEREAS, Section 5-15-45, South Carolina Code, 1976, as amended, authorizes municipalities to transfer authority for conducting municipal elections to the county elections commission, and authorizes county elections commissions to conduct municipal elections; and,

WHEREAS, the same section of state law requires, as a condition of the transfer of authority, that the governing bodies of the municipality and the county must agree to the terms, and must respectively state what authority is being transferred and must accept the authority being transferred; and,

WHEREAS, The City of Belton desires to transfer authority to the Anderson County Registration and Elections Commission and the Anderson County Registration and Elections Staff to conduct The City of Belton Municipal Elections scheduled for November of odd numbered years, and the Anderson County Registration and Elections Commission and the Municipal Election Commission (MEC) have recommended such transfer.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELTON, SOUTH CAROLINA, THAT;

1. Pursuant to the Section 5-15-45, South Carolina Code, 1976, as amended, and contingent upon the successful enactment of a municipal ordinance by the City of Belton transferring the following stated authority, Belton City Council hereby transfers the authority to the Anderson County Registration and Elections Commission and the Anderson County Registration and Elections staff to conduct the City of Belton municipal elections scheduled for November of odd numbered years, on behalf of the City of Belton, and the Municipal Election Commission (MEC) pursuant to the following terms and conditions; and
2. It is specifically agreed to by and between the City of Belton and Anderson County, their respective elections commissions and staffs, that this transfer and acceptance of authority to conduct the City of Belton municipal elections scheduled for November of odd numbered years will be no cost to the County and at no responsibility to the Anderson County Registration and Elections Commission. All commission responsibilities, including but not limited to proofing of elections material and submissions for the purchased of elections material will be the responsibility of the City of Belton Municipal Election Commission (MEC). The Anderson County Registration and Elections staff will serve as staff, only, to the City of Belton Municipal Election Commission (MEC). All responsibility for public relations, media notice, and media contact will be that of the Municipal Election Commission. The Anderson County Registration and Elections staff will answer to and report to the City of Belton Municipal Election Commission (MEC) for the purposes of conducting the City of Belton Municipal Elections scheduled for November odd numbered years pursuant to this transfer and acceptance of authority.

3. The specific terms, conditions, and provisions of the municipal elections to be conducted by the Anderson County Registration and Elections staff are contained in Attachment "A" attached hereto and made a part hereof this ordinance. That Attachment "A" is hereby fully incorporated herein by reference thereto, as fully and completely as if that were specifically spelled out in this ordinance. All terms, conditions, and provisions of that Attachment "A" are specifically adopted as parts of this ordinance and the agreement between the City of Belton and the County of Anderson for transfer of such authority and the actual terms for conducting said elections.
4. The City of Belton Municipal Election Commission (MEC) has traditionally used paper ballots for City of Belton Municipal Elections. Anderson County traditionally uses the South Carolina State adopted electronic voting system known as iVotronics for conducting Anderson County elections. The agreed upon method for conducting the municipal elections shall be the electronic voting machines known as iVotronics. As with all other aspects of this transfer and acceptance of authority, all costs for the method of balloting will be the sole responsibility of the City of Belton.
5. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed to the extent of such inconsistency or conflict. All State laws and City ordinances not inconsistent herewith shall remain in full force and effect, and shall be applicable to all future elections.
6. This transfer and acceptance of authority will remain in effect indefinitely and will affect all City of Belton election in November of odd numbered years until cancelled or revoked by ordinance by either City of Belton or Anderson County.

BE IT FURTHER ORDAINED that this ordinance shall take effect upon the successful completion of the following necessary actions prerequisite under federal and state laws to effect the changes called for hereunder:

- (a) Adoption of an appropriate ordinance by the Governing Body of Anderson County accepting the authority being transferred hereunder; and
- (b) Submission to the United States Justice Department and subsequent receipt of pre-clearance and positive response to the transfer of authority for conducting municipal elections which would be effected hereunder.

DONE AND RATIFIED in Council assembled on the 29 day of September 2015.

FIRST READING: 9/1/15

SECOND READING: 9/29/15

Wendell Page

MAYOR:
WENDELL PAGE

James B. Bright

COUNCIL MEMBER:
JAMES BRIGHT WARD 1

Hattie S. Green

COUNCIL MEMBER
HATTIE S. GREEN WARD 2

Jay West

COUNCIL MEMBER
JAY WEST WARD 3

Kellie Hembree

COUNCIL MEMBER
KELLIE HEMBREE WARD 4

Lynda McCoy

COUNCIL MEMBER
LYNDA MCCOY WARD 5

Ricky Campbell

COUNCIL MEMBER
RICKY CAMPBELL WARD 6

ATTEST:

Laurie E. Kennedy

LAURIE E. KENNEDY, CITY CLERK

William Epps Jr.

WILLIAM EPPS JR., CITY ATTORNEY

ATTACHMENT "A"

REQUIREMENTS FOR CONDUCTING MUNICIPAL ELECTIONS

- I. NOTICE OF ELECTION
 - A. CALENDAR OF DATES
 - B. DESIGNATION OF RESPONSIBILITY

- II. PETITIONS
 - A. PETITION HEADING
 - B. NUMBER OF SIGNATURES REQUIRED
 - C. CANDIDATES' INFORMATION
 - D. DISTRIBUTION/RETURN OF PETITIONS & ETHICS FORMS
 - E. VALIDATION OF SIGNATURES
 - F. CERTIFICATION OF PETITIONS

- III. CANDIDACY FORM
 - A. CANDIDATES' INFORMATION
 - B. DISTRIBUTION/RETURN OF CANDIDACY FORM & ETHICS FORMS
 - C. VALIDATION OF RESIDENCY WITHIN THE DISTRICT
 - D. CERTIFICATION OF CANDIDACY

- IV. ETHICS COMMISSION
 - A. NOTICE OF ELECTION
 - B. CANDIDATES QUALIFIED/ECONOMIC INTEREST
 - C. ELECTION CONFIRMATION

- V. LEGAL NOTICE
 - A. PREPARATION OF LEGAL NOTICE
 - B. PROOF
 - C. SUBMISSION TO NEWS MEDIA

- VI. BALLOTS
 - A. TYPE
 1. PAPER
 2. ELECTRONIC
 - B. PREPARATION
 - C. BALLOT RETURNS
 - D. TABULATION OF RESULTS

- VII. POLL MANAGERS
 - A. APPOINTMENT
 1. REG/ELECT OR MEC
 2. LIST OF CERTIFIED IN CITY
 3. NOTIFICATION OF MANAGERS
 4. AMOUNT OF COMPENSATION
 5. SUBMISSION OF PAYROLL

- VIII. MATERIALS
 - A. PACKAGING
 - B. DISTRIBUTION
 - C. RETURN

All certification of petitions, candidacy forms, and elections will be the responsibility of the MEC. All media contact will be through MEC...announcing of filings, certifications, election results, etc. NO INFORMATION WILL BE GIVEN FROM THIS OFFICE. All expenses will be borne by the MEC.

ATTACHMENT "A" (continued)

**MUNICIPAL ELECTION COMMISSION RESPONSIBILITIES
CITY OF BELTON**

1. Responsible for all election costs.
2. Will distribute petitions, and/or candidacy forms, State Ethics forms, maps, instructions, or any other information helpful to the candidates.
3. Will verify that candidate is an active, registered voter of the geographical area and district in which they propose to run.
4. Will advise candidate of eligibility after Anderson County Elections Office verifies signatures and MEC certifies petition.
5. Will be responsible for notifying and/or communicating with the Media all aspects of the election including but not limited to filing dates, candidate qualifications, certifications, election issues, election results, etc.
6. Will advise Elections Office, in writing, the names of candidates qualifying, the office and/or position running for, and the way the names should appear on ballot.
7. Will advise Elections Office the title of offices, the # to vote for, and the terms of office.
8. Is the final authority on all decisions regarding elections. All certifications will be done by MEC and any challenges or hearings will be responsibility of MEC.

ANDERSON COUNTY ELECTION COMMISSION RESPONSIBILITIES

1. Will accept petitions and verify signatures and/or candidacy forms from MEC. THIS OFFICE WILL NOT NOTIFY OR DISCUSS WITH CANDIDATE OR MEDIA. Media interaction will be limited to the scope of the responsibilities and authorities of the County Election Commission and Staff.
2. Will order Voter Registration Books from Columbia.
3. Will assist with preparation of legal notice.
4. Will set up and man absentee precinct.
5. Will define and layout the election ballots for absentee, emergency, failsafe, and Election day.
6. Will name, notify, and train Poll Managers.
7. Will prepare, package, and distribute all Election materials to Poll Managers.
8. Will answer routine questions on Election Day.
9. Will assist MEC with Election Day duties.
10. Will assist with Election night return of materials and tabulating election results.

11. Will assist with official certification on Thursday by providing election returns, any and all evidence for challenge ballot hearings, forms to be used for certification, and final tabulation.
12. Will prepare Poll Manager Payroll and Election Expense Invoice to submit to MEC.
13. Will assist MEC in any other capacity desired pertaining to the scope of that election.
14. ALL MATERIALS MUST BE PROOFED AND AUTHORIZED BY MEC.