

MINUTES
Fairfax County Electoral Board
January 11, 2023

The Fairfax County Electoral Board (Board) met on Tuesday, January 3, 2023, in Conference Room 315 at the Fairfax County Government Center located at 12000 Government Center Parkway, Fairfax. During the meeting, the Board received the election materials necessary to canvass the returns and ascertain the results of the Special Election, 35th House of Delegates, held on January 10, 2023. Present were Chairman Hon. Katherine K. Hanley; Vice Chairman Jeffrey K. Shapiro; Secretary Amb. (ret.) Christopher P. Henzel; General Registrar Eric L. Spicer; and Clerk to the Electoral Board Beth Dixon Methfessel. In addition, rovers and Office of Elections (Office) were present to conduct the Canvass.

Ms. Hanley called the meeting to order at 10:05 a.m. and introduced the Board. She welcomed the Canvass workers, authorized party representatives, and observers. Ms. Hanley reviewed the agenda, and then asked the Elections Operations Manager Ravi Udeshi to give instructions on conducting the Canvass. Mr. Udeshi explained how to complete the Canvass Checklist (attached and made a part of this record) to the four assembled teams. The Canvass was divided into two phases to be completed concurrently. In the first phase, the teams verified the election results. This part included organizing, reordering, and verifying the completion of the machine tapes, comparing the machine tapes to the ERM (Election Results Management-ElectionWare), and confirming that the statements of results were completed properly. In the second phase of the canvass, the teams reviewed all the forms and signatures to ensure that they were returned, completed, and signed (where required). Any issues or problems regarding the Canvass were brought to the Board's attention. The Chief's Notes were set aside for Board review.

At 11:45 a.m. the Canvass concluded for all 20 precincts, as well as the voter satellite office and the Fairfax County Government Center.

At 12:00 p.m. in Conference Room 232, the Electoral Board convened the provisional part of the Canvass as required by Va. Code § 24.2-653 to allow voters casting provisional ballots in the January 10, 2023, Special Election, to present any information that might prove they are qualified, registered voters in the precinct where they cast their provisional ballot. As Ms. Hanley noted that no provisional voters appeared to present their qualifications or any other relevant information to be considered by the Board. If a provisional voter would like to appear before the Board, the Board will reconvene on Saturday, January 14, 2023, at 10:00 a.m. to allow them to present their case.

At 12:04 p.m. Ms. Hanley recessed the Canvass.

Saturday, January 14, 2023
Reconvened Canvass and Provisional Ballot Meeting

At approximately 10:00 a.m. the Electoral Board reconvened the Canvass in Conference Room 315/319 as required by Va. Code § 24.2-653 to allow voters casting provisional ballots in the January 10, 2023, Special Election to present any information that might prove they are

qualified, registered voters in the precinct where they cast their provisional ballot. No provisional voters appeared in person.

At 10:05 a.m. Ms. Hanley moved that the Board enter a Closed Session for the purpose of considering whether each person who submitted a provisional vote at the election was qualified to do so. Other than appropriate staff and legal counsel of the Electoral Board, attendance at this meeting shall be permitted for the persons whose provisional votes are being considered with their legal counsel, if present, as well as one authorized representative of each political party or independent candidate, as specified in §24.2-653(B). The authorized representative for the Fairfax County Republican Committee (FCRC) was Christine Brim; there was no authorized representative for the Fairfax County Democratic Committee (FCDC).

At 10:30 a.m. the Board concluded the Closed Session. Ms. Hanley moved that the Fairfax County Electoral Board certify that in the Closed Session just concluded, the only matters discussed were the qualifications of provisional voters, as permitted by Virginia Code § 24.2-653, and as identified in the motion to close the meeting pursuant to the Virginia Freedom of Information Act. The motion passed by a vote of 3-0.

Ms. Hanley moved that 84 out of the 89 Provisional Ballots cast and entered as qualified on the Master Provisional Ballot Log be **accepted and counted** for the reasons determined by a majority vote of the Electoral Board. The Provisional Ballot Log shall be retained and incorporated into the Minutes of the Canvass for the January 10, 2023, Special Election. The motion passed by a vote of 3-0.

Ms. Hanley moved that the remaining 5 out of the 89 Provisional Ballots cast and entered as disqualified on the Master Provisional Ballot Log be **rejected** for the reasons determined by a majority vote of the Electoral Board. The Provisional Ballot Log shall be retained and incorporated into the Minutes of the Canvass for the January 10, 2023, Special Election. The motion passed by a vote of 3-0.

The 84 qualified provisional ballots were extracted and scanned on the DS200. Once completed, the results were uploaded into ERM (Fairfax County's election results management system).

The Canvass of the Central Absentee Precinct commenced at 10:34 a.m. and was completed at 10:55 p.m.

Once the results from the provisional adjudication and the CAP Canvass were uploaded and verified in the ERM system, the Board completed the Statement of Results for the qualified provisional voters for the January 10, 2023, Special Election. The Board then certified the results of the election. The Board signed the Abstracts that were then sent electronically for review to the Department of Elections.

Mr. Henzel moved that there being no further business, the Board conclude the January 10, 2023, Special Election. By a vote of 3-0, and without objection, the Board adjourned at 12:23 p.m.

With attachment

Hon. Katherine K. Hanley, Chairman

Jeffrey K. Shapiro, Vice Chairman

Amb. (ret.) Christopher P. Henzel, Secretary

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