

MINUTES
Fairfax County Electoral Board
June 14, 2023

The Fairfax County Electoral Board (Board) met on Wednesday, June 14, 2023, in Conference Room 315 at the Fairfax County Government Center located at 12000 Government Center Parkway, Fairfax. Chairman Hon. Katherine K. Hanley; Vice Chairman Jeffrey K. Shapiro; Secretary Amb. (ret.) Christopher P. Henzel; General Registrar Eric L. Spicer; Deputy General Registrar Cheryl Jones; and Clerk to the Electoral Board Beth Dixon Methfessel were present.

IT Business Analyst Khamthakone Betts; Election Manager Ravi Udeshi; Deputy Registrar for Voter Registration Bushra Ardan; Deputy Registrar for Voter Satellite Offices Helen Chaikovsky; Deputy Registrar for Absentee Voting Sean Stewart; Voting Equipment and Logistics Manager Tyrone Allen; Supply Manager Kay Garrison; Financial Specialist Teresa Maza; Jean Thoensen, and Elise Yang (Office of Elections (Office) staff); Gregory Brandon (Fairfax County Democratic Committee (FCDC) Central Communications); Andi Bayer, Jim Emery, and Shari Emery (Fairfax County Republican Committee (FCRC) Election Integrity Task Force); Barbara Palmer-Tengs, Pat O'Brien and Troella Tyznik (member FCRC); Tyler Lincks (Printelect); Maggi Luca (Fairfax League of Women Voters (LWV)) and Jean Thoensen (Office staff and/or rovers) also attended the meeting in person.

The following individuals participated using the Zoom videoconferencing platform: FOIA Coordinator Pat Ferguson; Office staff and/or rovers Florence Brown; Lisa Hogle, Ben Jarratt, B. Gissell Jimenez, Dan Per-Lee, Abigale Peters, Todd Strelow, and Jerald Taylor; Christine Brim (FCRC Election Integrity Task Force); Peggy Morrison (FCDC Voter Registration and Education); Maria Vorel (FCDC Precinct Operations); Deb Wake (VA LWV); Arina van Breda (Fairfax LWV); Stephen Spitz (member FCDC); Audrey Dutton, Phyllisa Goldenberg, David Lopez, Jill Mobley, and Elizabeth Woodruff (Fairfax County election officers and/or residents of Fairfax County or neighboring jurisdictions).

Ms. Hanley called the meeting to order at 4:00 p.m. and introduced the Board. Mr. Henzel moved approval of the agenda, and the motion passed by a vote of 3-0. Mr. Henzel made a motion to adopt the Draft Minutes of the Board meeting held on May 1, 2023. By a vote of 3-0, the Minutes of the Board meeting held on May 1, 2023, were adopted.

Mr. Henzel made a motion to appoint of 173 election officers (EO) (95 Democrats, 16 Republicans, and 62 Unaffiliated) for a term ending February 28, 2025. The motion passed by a vote of 3-0.

Under the General Registrar's (GR) report dated May 1, 2023 (attached and made a part of this record), Mr. Spicer updated the voter registration numbers since the last Electoral Board meeting:

Registered Voters	As of June 12, 2023	Change from 5/1
Active registered voters	717,116	2,109
Inactive registered voters	63,821	-2,112
TOTAL	780,937	-3

Registration Transactions	June 2023 (4/30 to 6/12)	Year-to-Date (1/1 to 6/12)
DMV online voter registration transactions	16,155	63,439
Web voter registration transactions	1,412	3,363
Third-party voter transactions	517	2,249
Other voter registration transactions	1,316	11,968
TOTAL	19,400	81,019

Voter Cancellations	June 2023 (4/30 to 6/12)	Year-to-Date (1/1 to 6/12)
Deceased	594	1,774
Out-of-state	331	5,929
Other	128	7,040
TOTAL	1,053	14,743

Mr. Henzel asked if any extra or ongoing effort was made by the Office or the Department of Elections (ELECT) to cause the decrease in the number of inactive voters. Mr. Spicer responded that the number of inactive voters is a result of routine, ongoing list maintenance.

ELECT authorized the emergency temporary relocation of Greenspring precinct's polling place. As required by law, the voters in this precinct have received the official notification of the new polling place.

As of June 10, 2023, 39,747 ballot applications have been received for the June 2023 Democratic Party Primary Elections (June Primaries). This includes 37,349 permanent applications, 1,067 overseas applications, and 1,331 one-time applications for the June Primaries only. Pre-processing absentee by mail ballots will begin on Tuesday, June 13. This process will continue through Monday, June 19.

In-person early voting began at Government Center, Mount Vernon, and North County on Friday, May 5. An additional thirteen in-person satellite voting locations will open on Saturday, June 10. As of June 10, a total of 5,508 individuals voted in person at these sixteen locations with 39 Same Day Registration (SDR) voters at the satellites.

As of June 10, voter statements on 277 of the 11,306 returned absentee by mail ballots required curing. Of the 277, 114 were cured. Mr. Henzel asked if all the 114 cured ballots will be counted. Ms. Jones responded that the cured ballots will now continue through the process with a second review by the absentee ballot processing team. Mr. Shapiro asked about the status of the remaining 167, and Ms. Jones replied that all 277 voters were notified but 167 have not yet responded. Mr. Steward added that all curing must be completed by noon on the Friday after the Primary Elections (June 23).

Chief EOs will pick up Poll Pads, black kits, and other election supplies on Monday, June 19 at one of four depots: the Fairfax County Government Center, Mount Vernon Governmental Center, North County Governmental Center, or Marshall High School. Chief EOs will take Poll Pads and election supplies directly to their assigned polling place. Monday, June 19 is the Juneteenth holiday, however, Fairfax County Public Schools (FCPS) agreed to a 4-hour set-up window in all FCPS facilities used as polling places.

Bushra Ardalan received a promotion to the position of Voter Services/SDR Manager. In this capacity, Bushra will be responsible for managing and overseeing all voter registration, voter services, and Same Day Registration (SDR) functions. Gretchen Coleman was hired as the Election Officer Manager, and she will start working on August 21. Recruitment efforts are ongoing for a Training and Operations Coordinator.

As requested by the Electoral Board during the April 12, 2023, Electoral Board meeting, staff sent a request to the Facilities Management Department (FMD) to trim the tree branches that were partially obstructing one of the two cameras that monitor the permanent drop box at the main Government Center complex. FMD completed the requested work during the week of May 29. Staff, in coordination with County Security, have confirmed that the camera's view of the drop box is not obstructed.

A new EO position, SDR Specialist, was created to help process same day registration voters at each precinct. EOs in this new position will help assist SDR voters, ensure SDR voters correctly and fully complete their provisional ballot envelope and voter registration application, and enter these voters in the provisional ballot log. For the Primary Elections, SDR Specialists will be assigned in the 25 largest precincts with the expectation to assign an SDR Specialist in all 265 precincts for the November general election.

All assignments for the Primary Elections have been confirmed with 265 chiefs and 247 assistant chiefs representing the Democratic Party, and 18 assistant chiefs are unaffiliated officers.

The tentative schedule for the canvass was discussed, and the Electoral Board tentatively set the provisional ballot adjudication meeting for 10:00 AM, Saturday, June 24.

In late July, a voting equipment demonstration was scheduled with the four voting equipment vendors certified in Virginia. This event, however, has been cancelled because only one company, the County's current vendor ES&S, offers voting equipment designed to meet the new VVSG 2.0 standards. The other three vendors declined the request for a demonstration. The new VVSG 2.0 standards include the requirement for two-factor authentication. In the future the federal testing lab will only test voting equipment designed to meet these standards. Staff will continue to gather pricing, specifications, and other information from the four certified companies, including ES&S, on any equipment they have or are developing to meet the new 2.0 standards. During discussion, realistic expectations for the deployment of new voting equipment will be 2025.

The three-year lease with KnowInk for the current electronic pollbooks will end in early 2025, at which time they will be replaced. In the interim, staff is collecting pricing and information from vendors on their electronic pollbooks certified in Virginia. The current Ballot on Demand devices at the voter satellite offices will continue and will be compatible with the electronic pollbooks that are selected.

Under the Secretary's report, Mr. Henzel attended the State Board of Elections (SBE) meeting on May 30, 2023. He reported that the SBE discussed and encouraged localities to considering Rank Choice Voting (RCV) compatible new voting equipment. He mentioned that draft guidance was adopted, but he has not seen or received it. Ms. Hanley mentioned that Arlington County will be testing RCV for the Primary Elections, and it will be interesting to hear the results. At the SBE meeting, Mr. Henzel also commented to the SBE that given the challenges of understanding the RCV process and to maintain voter confidence in the system, both parties should have insight into each step of the development of the RCV guidance. Discussions with staff after the meeting were not encouraging, and from his point of view, reinforced his deep skepticism about RCV, but he noted that he does not sense it will be implemented in Fairfax County.

Under the Vice Chairman's report, Mr. Shapiro expressed his appreciation for the successful tree trimming operation.

There was no Chairman's report.

Under Public Comments, Ms. Hanley reminded the public that comments are limited to three minutes. The Board may provide the information; however, an answer may be deferred if more research is required.

Mr. Brandon expressed concern about adequate parking at the new polling place for Tysons precinct, the PARC at Tysons. Ms. Hanley responded that parking is available at the back of the building, which is where voters will enter, but staff will follow up.

Ms. Wake also attended the SBE meeting and mentioned that because legislation now allows localities to opt in to RCV, the SBE was attempting to set code-compliant standards for the opt in process. Mr. Henzel opined that despite reassurances from staff that the canvass would afford oversight, the standards did not adequately provide for input from authorized

representatives of the political parties. Mr. Henzel remarked that he looks forward to reviewing the SBE guidance when it becomes available.

Ms. Hanley moved that the Board go into Closed Session, pursuant to Virginia Code Section 2.2-3711(A)(1) to discuss personnel matters, as permitted by Va. Code § 2.23711(A)(1), specifically, to complete the annual review of the General Registrar as required by Va. Code § 24.2-109.1. Without objection, and by a vote of 3-0, the Board entered a Closed Session at 4:27 p.m.

At 4:42 p.m. the Board concluded the Closed Session. Chairman Hanley read the following statement:

“In accordance with *Virginia Code* § 2.2-3712(D), I am asking the Secretary of the Electoral Board to conduct a roll call vote to certify that to the best of each member’s knowledge that (i) only public business matters lawfully exempted from open meeting requirements of the Virginia Freedom of Information Act were conducted in the closed meeting and (ii) only such public business as was identified in the motion for the closed meeting, by which the closed meeting was convened, was heard, discussed or considered in the closed meeting of the Electoral Board. That roll call vote shall be recorded and included in the minutes of the Electoral Board.”

Secretary Henzel then called the roll for the vote on the above statement:

Voting Yes:	Chairman Hanley
	Vice Chairman Shapiro
	Secretary Henzel

Mr. Henzel made the following motion:

At the May 1, 2023, meeting, the Fairfax County Electoral Board appointed Eric Spicer to a new four-year term as General Registrar and Director of Elections, beginning July 1, 2023. At that time, his compensation was not established because, according to our understanding, the General Assembly had not completed the 2023 session budget actions. As of today, nothing new has happened. Therefore, I move that beginning July 1, 2023, the Registrar/Director’s annual base salary will be \$173,677, which is the appropriate amount calculated for Fairfax County listed in the adopted state budget. Additionally, he will receive the Fairfax County approved 5.44% cost of living increase and the merit bonus of 2%, for a total annual salary of \$186, 787.

The motion passed by a vote of 3-0.

There being no further business, Mr. Henzel moved to adjourn. The motion was carried, and without objection, the meeting was adjourned at 4:45 p.m.

Attachments

Hon. Katherine K. Hanley, Chairman

Jeffrey K. Shapiro, Vice Chairman

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