

MINUTES
Fairfax County Electoral Board
December 11, 2023

The Fairfax County Electoral Board (Board) met on Monday, December 11, 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; Deputy Director Cheryl Jones; and Clerk to the Electoral Board Beth Dixon Methfessel were present. Secretary Amb. (ret.) Christopher P. Henzel and General Registrar Eric L. Spicer participated remotely.

IT Manager Cord Whitehouse; Election Manager Ravi Udeshi; Public Information Officer Brian Worthy; Deputy Registrar for Voter Registration Bushra Ardalan; Deputy Registrar for Voter Satellite Offices Florence Brown; Voting Equipment and Logistics Manager Tyrone Allen; Election Officer Manager Gretchen Coleman; Supply Manager Kay Garrison; Ann Hines and B. Gissell Jimenez (Office of Elections (Office) staff); Christine Brim and Andi Bayer (Fairfax County Republican Committee (FCRC) Election Integrity Task Force); Gregory Brandon (Fairfax County Democratic Committee (FCDC) Central Communications); Donna Rostant (member FCDC); Pat O'Brien and Lin-Dai Kendall (members FCRC); Maggi Luca (League of Women Voters (LWV) – Fairfax) and and Debra Tisler (candidate for School Board - Springfield District).

The following individuals participated using the Zoom videoconferencing platform: Human Resources Manager Yoon Choi-Lee; FOIA Coordinator Pat Ferguson; IT Business Analyst George Panagakos; Office staff and/or rovers Lisa Hogle, Kathryn Martin, Dan Per-Lee, Jean Thoensen, and Fily Vilasanta; Carol Allen (FCDC Election Law and Voter Protection); Maria Vorel (FCDC Precinct Operations); Stephen Spitz (member FCDC); Deb Wake (President, Virginia LWV); Arina van Breda (Director, Voter Registration and Voter Information LWV - Fairfax); Helen Chaikovsky, William Denk, Mark Lenz, and David Lopez (Fairfax County election officers and/or residents of Fairfax County or neighboring jurisdictions).

Ms. Hanley called the meeting to order at 4:30 p.m. and introduced the Board. Ms. Hanley asked Mr. Henzel to state for the record his location and why he was participating remotely. Mr. Henzel replied that he was on business and calling in from New York, New York. Ms. Hanley called for a motion that Mr. Henzel's voice can be adequately heard and that his remote participation comports with the Electoral Board's Remote Participation Policy. Mr. Shapiro so moved, and the motion passed 2-0.

Mr. Shapiro moved approval of the agenda, and the motion passed by a vote of 3-0. Mr. Shapiro moved to adopt the Draft Minutes of the Board meetings held on October 30, 2023, and November 8, 2023. Ms. Hanley offered two corrections to the Draft Minutes of October 30, 2023; on page 1, paragraph 2, change Pat O'Brien's political affiliation to FCRC, and on page 2, paragraph 1, change the number of appointed election officers from 255 to 347. By a vote of 3-0, the Minutes of the Board meeting held on October 30, 2023, as amended, and the Minutes of the Board meeting held on November 8, 2023, were adopted.

Under the General Registrar's (GR) report dated December 11, 2023 (attached and made a part of this record), Mr. Spicer updated the voter registration numbers since the last Electoral Board meeting:

Voter Registration

Registered Voters	As of December 6, 2023	Change from 10/27
Active registered voters	720,689	3,249
Inactive registered voters	67,703	-1,877
TOTAL	788,392	+1,372

Registration Transactions	October/November (10/1 to 11/30)	Year-to-Date (1/1 to 11/30)
DMV online voter registration transactions	29,700	167,265
Web voter registration transactions	9,208	19,465
Third-party voter transactions	934	4,130
Other voter registration transactions	6,000	24,242
TOTAL	45,842	215,102

Voter Cancellations	October/November (10/1 to 11/30)	Year-to-Date (1/1 to 11/30)
Deceased	738	4,009
Out-of-state	1,463	10,360
Other	199	7,448
TOTAL	2,400	21,817

Breakdown of DMV Transactions	10/1 – 11/30
Change of Address	7,390
New Registrant	6,423
Transferred In	3,341
Administrative Duplicate Match	8,308
Name and/or Address Change	1,624
Other (Includes voters who moved out of Fairfax County, moved out of the State, were reactivated, and/or identified themselves as non-citizens)	2,614
Total DMV Transactions	29,700

Mr. Shapiro asked for a brief explanation of the Administrative Duplicate Match. Ms. Ardalan responded that any voter registration application submitted with information that matches 100% to a registration already in the VERIS system is processed as an Administrative Duplicate. No new voter registration postcard is generated. These transactions result in no change to the active voter numbers.

After mailing the sample ballot brochure, 22,338 were returned as undeliverable. This information was scanned and added to the voter's record. In October, an address update questionnaire was sent to the forwarding addresses of these 22,338 voters, asking the voter to confirm if their current address is correct or if they have moved, and to return the form with any corrections. If the form is returned and signed by the voter, it can be used to immediately update or cancel the voter's registration. So far, 3,495 responses to the mailing have been received. Mr. Shapiro commended staff for this initiative and commented that the most important function is to keep the voter rolls clean. He asked what action would be taken for the remaining 18,843 voters. Mr. Spicer responded that the address confirmation process would begin for these voters.

In support of the office's continuing commitment to list maintenance and providing quality voter services, another permanent absentee voter opt-out notice will be sent during the week of December 18 to the approximately 60,000 county voters on the Permanent Absentee Voter list. The postcard will remind voters of their permanent absentee status and ask them to return an attached postcard if they wish to opt out. Additionally, opt-out forms will continue to be available at polling locations and on the Office website, or emailed or mailed to voters who contact the office requesting to be removed from the permanent absentee list. Ms. Hanley commented that this action is in response to the numerous inquiries by voters questioning why they are on a permanent absentee list. This opt-out notice will alleviate confusion for voters by offering them the choice to remain or be removed from the permanent absentee list prior to the presidential election next year.

On December 5, 2023, the Board of Supervisors approved the temporary relocation of the polling place for Greenspring precinct. The original polling place, Greenspring Conference Center at Hunter's Crossing, is undergoing renovation, and is being replaced by Village Square. This new location will be used through the June 2024 primary elections, after which Greenspring's management expects the polling place to return to the Conference Center in time for the November 2024 Presidential Election.

Early voting for the March 5, 2024, Presidential Primary Election will occur at sixteen locations, as in past primary elections. The start and finish dates for early voting are as follows:

- Friday, January 19: the Fairfax County Government Center, Mount Vernon Governmental Center, and North County Governmental Center.
- Saturday, February 24: Thirteen additional locations.
- Saturday, March 2: Last day of early voting.

The following table lists the dates, times, and locations for early voting:

Friday, January 19 through Saturday, March 2

Fairfax County Government Center 8:00 a.m. to 4:30 p.m. on weekdays
(except Monday, February 19 – Presidents Day holiday)
9:00 a.m. to 5:00 p.m. on two Saturdays: February 24, March 2

Mount Vernon Governmental Center 1:00 p.m. to 7:00 p.m. on weekdays
North County Governmental Center (except Monday, February 19 – Presidents Day holiday)
9:00 a.m. to 5:00 p.m. on two Saturdays: February 24, March 2

Saturday, February 24 through Saturday, March 2

13 additional locations 1:00 p.m. to 7:00 p.m. on weekdays
9:00 a.m. to 5:00 p.m. on two Saturdays: February 24, March 2

Election officers (EOs) will be assigned to both early voting satellites and precincts in accordance with Code of Virginia requirements regarding party parity among officers. If it is a dual-party primary, each location will be assigned a Chief EO representing the Republican party, an Assistant Chief EO representing the Democratic party, and an equal number of regular EOs of each major party affiliation, as well as independent EOs. If it is a single-party primary, each location will be assigned a Chief and Assistant Chief EO representing the party conducting the primary. Regular EOs will also primarily represent the party conducting the primary. Independent EOs may also be used. Each location will be assigned an SDR Specialist to help with the provisional process.

The Office is in the process of replacing the barcode inventory system with a Radio Frequency Identification technology (RFID) tracking system. Voting machines, electronic pollbooks, voting location equipment carts, and boxes of voted ballots will be tagged. All tags attached to items within a specified range of an RFID hand scanner will respond and record tag numbers, allowing a staff member to quickly identify all pieces of inventory. The RFID system stores inventory information in a central database providing easy, secure access, and tracks a single item or group of items over time. Staff anticipates finalizing the contract and acquiring the necessary hardware to begin implementation during the Logistics and Accuracy (L&A) process for the upcoming March Presidential Primary Elections.

The L&A schedule for the March 5, 2024, Presidential Primary Elections is as follows:

- Early voting equipment: January 9-12, 2024
- Precinct equipment and DS850s: January 23-February 9, 2024
- The schedule for Poll Pad and Ballot on Demand L&A testing has not been set but will take place within the same timeframe as the voting equipment L&A without overlapping.

The Office is recruiting for an Assistant Satellite Manager to fill the vacancy created when Florence Brown was promoted as well as an IT Analyst to replace Khamthakone Betts. The positions for a Training/Operations Manager and an Administrative Assistant for Voter Services are currently being advertised.

Under the Chairman's report, on December 5, 2023, Ms. Hanley addressed the Board of Supervisors (BOS) (presentation attached and made a part of this record) publicly thanking the Office for their extraordinary effort during the November election. She explained to the BOS that this was the longest ballot with 117 candidates for 61 offices requiring a 19-inch ballot. She thanked the BOS for supporting and including in their legislative package the extension of the certification deadline for elections by three days to the second Friday following any election. She also reported that the Board of Supervisors approved the split precinct waiver for all elections held in 2024. This waiver covers Pioneer, Garfield, Penderbrook, and Burke #2 precincts who currently have no registered voters. Ms. Hanley suggested that the law be changed to require a waiver only if there is a change in the number of voters in split precincts. Mr. Shapiro asked if the BOS intends to support the Office's 2025 budget. Ms. Hanley responded that she included budget testimony in her post-election presentation, explaining that 2024 will be a larger election with increased expenses.

Under the Vice Chairman's report, Mr. Shapiro commended and thanked the staff for their hard work in a compressed period of time during the November election.

Under the Secretary's report, Mr. Henzel echoed Mr. Shapiro's comments by thanking the Office for a successful November election.

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.

Lin-Dai Kendall, Chief of Cherry Run precinct for the November 2024 election raised concerns about the possibility of vote flipping by the DS200 voting machines. She requested "a hand-count in a random amount of precincts in traditionally Republican voting areas to confirm that our DS200 tapes truthfully and exactly report the voter choices as cast." She also asked when the election results in Fairfax County were certified. Mr. Shapiro responded that as required by law, the Fairfax County Electoral Board certified on Tuesday, November 14, 2023, within seven days after the election. Ms. Hanley asked Ms. Kendall to submit the specific audit request in writing to the Clerk. Mr. Henzel also suggested that she contact the FCRC Election Integrity Working Group.

Debra Tisler questioned certain manual entries on November 16, 2024, in the change logs available through the Department of Elections website with respect to 3900 provisional ballots for the Springfield District School Board contest. Ms. Tisler also asked for a "full compliance audit of the Fairfax County electoral administrative process" with an end-to-end compliance review. Ms. Hanley asked Ms. Tisler to provide this request in writing. Mr. Shapiro inquired about the margins between the candidates and whether the provisional entries would have altered the outcome. Ms. Tisler mentioned that combining the 3900 provisional ballots plus other votes listed as undervotes, or no choice made, might dictate a different outcome. Mr. Shapiro suggested that she include all this information in her request. Mr. Henzel asked if she

discussed these issues with the FCRC Election Integrity Group. Ms. Tisler replied that she had not made contact with this group.

Arina van Breda asked for a breakdown of the number of SDR registrations per precinct. Ms. Jones asked Ms. van Breda to email this request to voting@fairfaxcounty.gov.

Ms. Hanley moved that the Board go into Closed Session to discuss personnel matters, as permitted by Va. Code § 2.23711(A)(1). Without objection, and by a vote of 3-0, the Board entered a Closed Session at 5:06 p.m.

At 5:28 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. Shapiro moved to adjourn. The motion carried, and without objection, the meeting was adjourned at 5:29 p.m.

Attachments

Hon. Katherine K. Hanley, Chairman

Jeffrey K. Shapiro, Vice Chairman

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