

MINUTES
Fairfax County Electoral Board
November 8, 2017

The Fairfax County Electoral Board (Board) met at 9:00 a.m. on Wednesday, November 8, 2017, in Conference Rooms 2 and 3 at the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax to receive the election materials necessary to canvass the returns and ascertain the results of the General and Special Election held on November 7, 2017. Chairman Stephen M. Hunt, Vice Chairman Seth T. Stark, Secretary Katherine K. Hanley, General Registrar Cameron Glenn Sasnett, Election Manager Judy Flaig, and Clerk to the Board Beth Dixon Methfessel were present. In addition, rovers and Office of Elections (Office) staff were present to conduct the Canvass. Observers and party representatives were also in attendance.

Mr. Hunt called the Canvass to order at 9:08 a.m. and was welcomed by a round of applause. Mr. Hunt introduced the Electoral Board and welcomed the Canvass workers, authorized representatives, and observers. Mr. Sasnett explained that on election night the election materials were sealed in Conference Room 315. A voter contacted the Office early this morning in an effort to recover her driver's license which she needed to board an airline flight. Multiple staff was present as the room was entered and the driver's license retrieved. No other election material was disturbed.

Staff reported that there will be approximately 700 provisional ballots to adjudicate. Approximately 80 voters cast provisional ballots because they did not have an acceptable form of photo ID. Staff will require confirmation from the Division of Motor Vehicles of certain information on approximately 20 provisional voters. The schedule approved by the Board to hear provisional voters and to adjudicate provisional ballots will run as follows:

- Thursday, November 9 8am-4:30pm
- Friday, November 10 Board not in session
- Saturday, November 11 2pm-6pm
- Sunday, November 12 2pm-6pm
- Monday, November 13 9am-12pm

Mr. Sasnett added that advance notice to the public was given to announce that the office will be open for accepting IDs and creating voter photo IDs on Friday, November 10, from 8:00 a.m. until 4:30 p.m., and Saturday and Sunday, November 11 and 12, from 10:00 a.m. until 4:00 p.m.

The Board, and the General Registrar then unsealed Conference Room 315 containing the election materials. Donna Rostant, representing the Fairfax County Democratic Committee (FCDC) and Keith Damon, representing the Fairfax County Republican Committee (FCRC) observed the unsealing of the election materials. The provisional ballots were given to the General Registrar for research purposes.

Ms. Flaig reviewed the County's emergency evacuation plan for the Canvass. Due to the statistical tie in the 40th House of Delegates (HD) race, the Canvass teams will begin with

the precincts in that district first. Staff reported that 36 provisional ballots were cast in the 40th HD. All of the statement of results (SORs) in the 40th HD will be double-checked after the first Canvass team's examination. Corrections to the SORs should be made in red and initialed by the Canvass team. Any issues or problems regarding the Canvass should be brought to the Board.

The write-in percentage for the contests in the 35th, 36th, 37th, 39th, 41st, 43rd, 44th, and 48th HD exceeded the 5% threshold required for write-in certification. Staff will immediately begin the process of completing the write-in certifications for these 8 districts.

Mr. Hunt reported that an absentee ballot (not from the 40th HD) was found in the Central Absentee Precinct (CAP) that should have been processed and run through the voting machine. In order to give the voter credit, the outer envelope will be processed. The envelope will then be opened, and the ballot removed and delivered to the Canvass to be hand-counted and tallied with the CAP statement of results.

John Farrell, representing FCDC, requested that if the non-confidential information was provided for the 36 provisional voters in the 40th HD, including the disclosure of which provisional ballots are unsigned, then it would waive its request to receive the remaining provisional ballot log for the rest of the county. FCRC agreed with the request to waive the full log, but asked if the issue regarding the disclosure of voters who did not sign the provisional envelope had been resolved. Ms. Hanley responded that ELECT has not yet given guidance, therefore, the decision on whether or not to release this information will be made by the Board.

Ms. Flaig then reported that a transcription error in the recording of the results on the call sheet from 925 Old Mill had been discovered. The tapes showed **354** votes cast for Tim Hugo, however, **254** was written on the call sheet and **254** was the number entered into VERIS, the statewide election management system. This error, once corrected, resulted in a 100 vote flip in favor of Tim Hugo. The statement of results, and the machine tapes were then reviewed by the Board, the General Registrar, Counsel for Tim Hugo, as well as FCDC and FCRC representatives.

Ms. Hanley reported that there were no unsigned provisional ballot envelopes in the 40th HD. Mr. Stark moved that the Board direct staff to contact those provisional voters who did not sign the provisional envelope. A column should be added to the provisional log for the 40th HD indicating whether or not the provisional envelope was signed. The parties waived their right to the provisional ballot log with respect to any other race except for the 40th HD. The motion passed by a vote of 3-0.

Mr. Hunt moved that the Board enter into a Closed Session for the purpose of discussing specific personnel matters, as permitted by Va. Code § 2.2-3711(A)(1). Without objection, and by a vote of 3-0, the Board entered into Closed Session at 11:05 a.m.

At 11:55 p.m. the Board concluded the Closed Session. Chairman Hunt 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 Hanley then called the roll for the vote on the above statement:

Voting Yes: Chairman Hunt
 Vice Chairman Stark
 Secretary Hanley

Office of Public Affairs (OPA) informed the Board that a picture was tweeted last night of the first call sheet. Inadvertently in the picture was voter registration material that included a social security number. When OPA was alerted last night that this personal information was in the picture, it was immediately removed. The voter will be notified that this incident occurred.

FCDC requested that a copy of the statement of results, the machine tapes, and the call sheet for 925 Old Mill be provided to both parties.

At 12:00 p.m. Mr. Hunt stated that no provisional voters have appeared to present their qualifications or relevant information to be considered by the Board. The Electoral Board will proceed with their agenda. If a provisional voter does appear, the Board will convene a Closed Session to allow them to present their case.

The Canvass teams recessed for lunch at 12:15 noon. Conference Rooms 2 and 3 were then locked. At 1:15 p.m. the conference rooms were reopened, and the Canvass resumed.

Copies of the statements of results, the machine tapes, and the call sheet for 925 Old Mill requested by FCDC were provided to the authorized representatives of FCDC and FCRC.

Mr. Hunt moved that the Board enter into a Closed Session for the purpose of discussing specific personnel matters, as permitted by Va. Code § 2.2-3711(A)(1). Without objection, and by a vote of 3-0, the Board entered into Closed Session at 3:00 p.m.

At 4:09 p.m. the Board concluded the Closed Session. Chairman Hunt 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 Hanley then called the roll for the vote on the above statement:

Voting Yes: Chairman Hunt
 Vice Chairman Stark
 Secretary Hanley

At 4:09 p.m. Mr. Hunt recessed the Canvass. The doors to Conference Rooms 2 and 3, as well as Conference Room 315 in Suite 323 containing the provisional ballots and other election material, were locked and sealed by the Electoral Board and the General Registrar until the Canvass reconvenes at approximately 9:00 a.m. on Thursday, November 9, 2017.

Thursday, November 9, 2017
Reconvened Canvass and Provisional Ballot Meeting

At approximately 9:10 a.m., the Electoral Board unsealed Conference Rooms 2 and 3 and reconvened the Canvass. No authorized representatives of the political parties were present.

At 11:48 a.m. the Canvass concluded for all 243 precincts, as well as the Central Absentee Precincts (CAP) in the 8th, 10th, and 11th Congressional Districts. Staff reported that there will be **686** provisional ballots to adjudicate. Approximately **80** voters cast provisional ballots because they did not have an acceptable form of photo ID. Staff sent **13** requests for additional research to the Division of Motor Vehicles.

The Board recessed for lunch at 12:00 p.m. and will reconvene at 1:00 p.m. in Conference Room 7 to adjudicate provisional ballots in the 40th HD only.

The Board reconvened at 1:05 p.m. FCRC and FCDC strongly urged the Board to release of the names of provisional voters in the 40th HD whom the Board qualifies. Releasing the names will eliminate the need for the parties to contact voters who do not need to appear in person to defend their provisional ballot. Mr. Sasnett cited Va. Code § 24.2-406 that indicates only ELECT may release a list of persons who voted in this election. After discussion, the Board concluded that releasing names of these voters may reveal the reason why they voted provisionally, information ELECT guidance has deemed confidential. The Board directed staff to script two clear messages, identifying an Office staff member, for voters in the 40th whose provisional ballot will be counted. One message will be for individuals who answer the phone, and the other, when a message must be left.

Mr. Hunt moved that the Board enter into 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 motion passed by a vote of 3-0 and the Board moved into Closed Session at 1:17 p.m. The authorized representative for the FCDC was John Farrell, and the authorized representative for the FCRC was Keith Damon.

At 1:20 p.m. the Board concluded the Closed Session. Mr. Hunt 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.

Mr. Hunt moved that **16** of the 16 Provisional Ballots entered as recommended on the Master Provisional Ballot Log 1, containing only provisional voters in the 40th HD, for the November 7, 2017, General and Special Elections, be **qualified** for the reasons determined by a majority vote of the Electoral Board. The Provisional Ballot Log 1 shall be retained and incorporated into the Minutes of the Canvass for the November 7, 2017, General and Special Elections. Provisional Ballot Log 1 contained only provisional voters in the 40th HD. The motion passed by a vote of 3-0.

The Board clarified that the remaining twenty 40th HD provisional ballots will be considered within the previously determined schedule to allow those voters the same opportunity to appear to defend their provisional ballot. If a voter appears during the prescribed schedule, and the ballot has already been adjudicated, the Board will still hear the testimony and if applicable, reconsider their decision.

Mr. Hunt moved that the Board enter into a Closed Session for the purpose of discussing specific personnel matters, as permitted by Va. Code § 2.2-3711(A)(1). Without objection, and by a vote of 3-0, the Board entered into Closed Session at 1:24 p.m.

At 2:43 p.m. the Board concluded the Closed Session. Chairman Hunt 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 Hanley then called the roll for the vote on the above statement:

Voting Yes: Chairman Hunt
 Vice Chairman Stark
 Secretary Hanley

The Board approved a total of **16** provisional ballots on Thursday, November 9, 2017.

At 2:44 p.m. Mr. Hunt recessed the Canvass. The Canvass will reconvene at approximately 2:00 p.m. on Saturday, November 11, 2017.

Saturday, November 11, 2017
Reconvened Provisional Ballot Meeting

At 2:15 p.m. in Conference Room 7, the Electoral Board reconvened the provisional part of the canvass as required by Va. Code § 24.2-653 to allow voters casting provisional ballots in the November 7, 2017, General and Special Elections, to present any information that might prove they are qualified, registered voters in the precinct where they cast their provisional ballot.

Mr. Hunt moved that the Board enter into 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 motion passed by a vote of 3-0 and the Board moved into Closed Session at 2:10 p.m. The authorized representative for the FCDC was John Farrell; the authorized representative for the FCRC was Michael Ginsberg. Erin Ward and Martin Desjardins, representing the County Attorney's office, were also present.

At 2:43 p.m. the Board concluded the Closed Session. Mr. Hunt 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.

Mr. Hunt moved that **299** of the 299 Provisional Ballots entered as recommended on the Master Provisional Ballot Log 2, for the November 7, 2017, General and Special Elections be **qualified** for the reasons determined by a majority vote of the Electoral Board. The Provisional Ballot Log 2 shall be retained and incorporated into the Minutes of the Canvass for the November 7, 2017, General and Special Elections. The motion passed by a vote of 3-0.

The Board approved a total of **299** provisional ballots on Saturday, November 11, 2017. The Board approved a total of **315** provisional ballots as of Saturday, November 11, 2017.

Mr. Hunt moved that the Board enter into 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 motion passed by a vote of 3-0 and the Board moved into Closed Session at 4:20 p.m. The authorized representative for the FCDC was John Farrell; the authorized representative for the FCRC was Michael Ginsberg.

Two voters presented additional information regarding their provisional ballots.

At 6:02 p.m. the Board concluded the Closed Session. Mr. Hunt 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.

At 6:03 p.m. Mr. Hunt recessed the Canvass. The Canvass will reconvene at approximately 2:00 p.m. on Sunday, November 12, 2017.

Sunday, November 12, 2017
Reconvened Provisional Ballot Meeting

At 3:51 p.m., in Conference Room 7, the Electoral Board reconvened the provisional part of the canvass as required by Va. Code § 24.2-653 to allow voters casting provisional ballots in the November 7, 2017, General and Special Elections, to present any information that might prove they are qualified, registered voters in the precinct where they cast their provisional ballot.

Mr. Hunt moved that the Board enter into 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 motion passed by a vote of 3-0 and the Board moved into Closed Session at 3:51 p.m. The authorized representative for the FCDC was John Farrell; there was no authorized representative for the FCRC. Erin Ward and Martin Desjardins, representing the County Attorney's office, were also present.

One voter presented additional information regarding her provisional ballot.

At 4:06 p.m. the Board concluded the Closed Session. Mr. Hunt 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.

Mr. Hunt re-read the motion from Saturday, November 11, 2017, approving 299 of the provisional ballots on Log 2, to be incorporated into the Minutes of the Canvass for the November 7, 2017, General and Special Elections. The motion passed by a vote of 3-0.

The provisional ballot meeting re-located from Conference Room 7 to Conference Room 315.

Mr. Hunt moved that the Board enter into 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 motion passed by a vote of 3-0 and the Board moved into Closed Session at 4:16 p.m. Erin Ward and Martin Desjardins, representing the County Attorney's office, were also present. Although informed of the adjudication, no authorized representatives from FCRC and FCDC were present.

Mr. Hunt moved that **35** of the 37 Provisional Ballots entered as recommended on the Master Provisional Ballot Log 3, for the November 7, 2017, General and Special Elections be **qualified** for the reasons determined by a majority vote of the Electoral Board. Provisional ballots #2-4098 and #12-3878 will be deferred until Monday, November 13, 2017. The Provisional Ballot Log 3 shall be retained and incorporated into the Minutes of the Canvass for the November 7, 2017, General and Special Elections. The motion passed by a vote of 3-0.

The Board approved a total of **35** provisional ballots on Sunday, November 12, 2017. The Board approved a total of **350** provisional ballots as of Sunday, November 12, 2017.

At 5:55 p.m. Mr. Hunt recessed the Canvass. The Canvass will reconvene at approximately 9:00 a.m. on Monday, November 13, 2017.

Monday, November 13, 2017
Reconvened Provisional Ballot Meeting

At 10:06 a.m. in Conference Room 315, the Electoral Board reconvened the provisional part of the canvass as required by Va. Code § 24.2-653 to allow voters casting provisional ballots in the November 7, 2017, General and Special Elections, to present any information that might prove they are qualified, registered voters in the precinct where they cast their provisional ballot.

Mr. Hunt reviewed the schedule for adjudication and processing of the provisional ballots.

Mr. Hunt moved that the Board enter into 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 motion passed by a vote of 3-0 and the Board moved into Closed Session at 10:07 a.m. The authorized representative for the FCDC was John Farrell; the authorized representative for the FCRC was Ashley Stow. Erin Ward and Martin Desjardins, representing the County Attorney's office, were also present.

At 11:07 a.m. the Board concluded the Closed Session. Mr. Hunt 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.

Mr. Hunt moved that **18** of the 18 Provisional Ballots entered as rejected on the Master Provisional Ballot Log 4, containing only provisional voters in the 40th HD, for the November 7, 2017, General and Special Elections be **disqualified** for the reasons determined by a majority vote of the Electoral Board. The Provisional Ballot Log 4 shall be retained and incorporated into the Minutes of the Canvass of the November 7, 2017, General and Special Elections. The motion passed by a vote of 3-0. Only two outstanding provisional ballots remain to be adjudicated in the 40th, and both are ID Provisionals.

FCDC petitioned the Board to reconsider the disqualification of Prov Voter 3504. This voter had limited proficiency in English. She was assigned as an election officer but not in her home precinct. She had not voted absentee before Election Day and requested to leave to vote in her home precinct. The Chief denied her request, therefore, she voted a provisional ballot in her assigned precinct. FCDC submitted that the Chief should have reduced her full-day shift to a half-day shift to accommodate her request to vote. As such, FDCD requested that this provisional ballot be counted. Mr. Sasnett explained that she was trained in May of 2017, and accepted her assignment for the November election on October 29, well before the deadline for in-person absentee voting (Saturday, November 5). In training, all election officers are encouraged to vote absentee in case they are assigned or even re-assigned outside of their home precinct. Prov Voter 3504 admitted to having read the email that included an additional reminder for election officers to vote absentee, but did not follow through.

Mr. Hunt moved that **5** of the 5 Provisional Ballots entered as recommended on the Master Provisional Ballot Log 5, for the November 7, 2017, General and Special Elections be **qualified** for the reasons determined by a majority vote of the Electoral Board. The Provisional Ballot Log 5 shall be retained and incorporated into the Minutes of the Canvass for the November 7, 2017, General and Special Elections. The motion passed by a vote of 3-0.

Mr. Hunt moved that **1** of the 2 Provisional Ballots entered as recommended on the Master Provisional Ballot Log 6, for the November 7, 2017, General and Special Elections be **qualified** for the reasons determined by a majority vote of the Electoral Board. The Provisional Ballot Log 6 shall be retained and incorporated into the Minutes of the Canvass for the November 7, 2017, General and Special Elections. The motion passed by a vote of 3-0.

Mr. Hunt moved that **1** of the 2 Provisional Ballots entered as recommended on the Master Provisional Ballot Log 6, for the November 7, 2017, General and Special Elections be **disqualified** for the reasons determined by a majority vote of the Electoral Board. The Provisional Ballot Log 6 shall be retained and incorporated into the Minutes of the Canvass of the November 7, 2017, General and Special Elections.

The Board recessed for lunch at 11:25 a.m. and will reconvene to adjudicate the remaining provisional ballots.

Mr. Hunt moved that the Board enter into 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 motion passed by a vote of 3-0 and the Board moved into Closed Session at 12:10 p.m. The authorized representative for the FCDC was John Farrell; the authorized representative for the FCRC was Keith Damon. Erin Ward and Martin Desjardins, representing the County Attorney's office, were also present.

At 12:41 p.m. the Board concluded the Closed Session. Mr. Hunt 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.

Mr. Hunt moved that **1** of the 311 Provisional Ballots (#4117) entered as rejected on the Master Provisional Ballot Log 7, for the November 7, 2017, General and Special Elections be **qualified** for the reasons determined by a majority vote of the Electoral Board. The Provisional Ballot Log 7 shall be retained and incorporated into the Minutes of the Canvass for the November 7, 2017, General and Special Elections. The motion passed by a vote of 3-0.

Mr. Hunt moved that **5** of the 5 Provisional Ballots entered as recommended on the Master Provisional Ballot Log 5, for the November 7, 2017, General and Special Elections be **qualified** for the reasons determined by a majority vote of the Electoral Board. The Provisional Ballot Log 5 shall be retained and incorporated into the Minutes of the Canvass for the November 7, 2017, General and Special Elections. The motion passed by a vote of 3-0.

Mr. Hunt moved that **301** of the 311 Provisional Ballots entered as rejected on the Master Provisional Ballot Log 7, for the November 7, 2017, General and Special Elections be **disqualified** for the reasons determined by a majority vote of the Electoral Board. The Provisional Ballot Log 6 shall be retained and incorporated into the Minutes of the Canvass of the November 7, 2017, General and Special Elections. The motion passed by a vote of 3-0.

Mr. Hunt moved that the adjudication on the following 9 provisional ballots be postponed for the General Registrar to provide additional research: #242-4307, #248-3541,

#256-3824, #257-3855, #277-4218, #283-4217, #291-4286, #294-4312, and #308-4656. The motion passed by a vote of 3-0.

Mr. Hunt moved that the Board enter into 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 motion passed by a vote of 3-0 and the Board moved into Closed Session at 1:34 p.m. The authorized representative for the FCDC was John Farrell; the authorized representative for the FCRC was Keith Damon. Erin Ward and Martin Desjardins, representing the County Attorney's office, were also present.

At 1:43 p.m. the Board concluded the Closed Session. Mr. Hunt 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.

Mr. Hunt moved that **3** of the 9 Provisional Ballots requiring additional research (#248-3541, #257-3855, and #291-4268) and entered as rejected on the Master Provisional Ballot Log 7, for the November 7, 2017, General and Special Elections be **qualified** for the reasons determined by a majority vote of the Electoral Board. The Provisional Ballot Log 7 shall be retained and incorporated into the Minutes of the Canvass of the November 7, 2017, General and Special Elections. The motion passed by a vote of 3-0.

Mr. Hunt moved that **6** of the 9 Provisional Ballots requiring additional research (#256-3824, #277-4218, #283-4217, #242-4307, #294-4312, and #308-4656) and entered as rejected on the Master Provisional Ballot Log 7, for the November 7, 2017, General and Special Elections be **disqualified** for the reasons determined by a majority vote of the Electoral Board. The Provisional Ballot Log 7 shall be retained and incorporated into the Minutes of the Canvass of the November 7, 2017, General and Special Elections. The motion passed by a vote of 3-0.

The Board approved a total of **10** provisional ballots on Monday, November 13, 2017. The Board approved a total of **360** provisional ballots as of Monday, November 13, 2017.

The Board then opened and scanned the qualified provisional ballots (97 in the 8th CD; 74 in the 10th CD; 189 in the 11th CD). The Board then completed the Statement of Results for the General and Special Elections in the 8th, 10th, and 11th Congressional Districts.

The Board then certified the election results for the November 7, 2017, General and Special Elections, and signed the abstracts. All paperwork will be submitted to the Department of Elections by 5:00 p.m. on Tuesday, November 14, 2017.

Mr. Stark, with the Board concurring, again praised staff for its preparation, attention to detail, organization and effort in conducting the election and the Canvass. He applauded Mr. Hunt for choosing to participate from Election Day through the last day of the Canvass.

Mr. Stark made a motion that there being no further business, the Board conclude the November 7, 2017, General and Special Elections. By a vote of 3-0, and without objection, the Board adjourned at 6:25 p.m.

Attachments

Stephen M. Hunt, Chairman

Seth T. Stark, Vice Chairman

Katherine K. Hanley, Secretary