

MINUTES
Fairfax County Electoral Board
March 8, 2018

The Fairfax County Electoral Board met on Thursday, March 8, 2018, in Conference Room 315 at the Fairfax County Government Center located at 12000 Government Center Parkway, Fairfax. Chairman Stephen M. Hunt, Vice Chairman Seth T. Stark, Secretary Katherine K. Hanley, General Registrar Cameron Glenn Sasnett, Deputy Registrar Gary Scott, Election Manager Eric L. Spicer, IT Manager Travis Potter, Election Officer Manager Ravi Udeshi, Machine Custodian Alexander Russell, and Clerk to the Board Beth Dixon Methfessel were present. Keith Damon representing the Fairfax County Republican Committee (FCRC); Brian McConville and John Farrell representing the Fairfax County Democratic Committee (FCDC); Jim Lyle, member of FCRC; Christopher Schaffer, member of FCDC; Maggi Luca, Therese Martin, Judy Helein, Rachael Hamlet, and Jacob Hurst representing the Fairfax League of Women Voters (LWV); and Fairfax County resident Jean Thoensen attended the Electoral Board meeting. Various Office of Elections (Office) staff members were also present at the Electoral Board meeting.

Mr. Hunt called the meeting to order at 5:15 p.m. and introduced himself, Vice Chairman Stark and Secretary Hanley (Board.) Mr. Hunt called for a motion to approve the March 8, 2018, meeting agenda. Ms. Hanley moved to approve the agenda, with the addition of “Town of Herndon ballot issue at satellites” added under Old Business. By a vote of 3-0, the March 8, 2018, agenda, as amended, was adopted.

Mr. Hunt called for the reorganization of the Board. Ms. Hanley moved that Stephen Hunt be reelected as Chairman. The motion passed by a vote of 3-0. Mr. Stark moved that Katherine Hanley be reelected as Secretary. Ms. Hanley moved that Seth Stark be reelected as Vice Chairman. The motion passed by a vote of 3-0.

Mr. Hunt asked for approval of the Draft Minutes of the Electoral Board meeting held on February 6, 2018. Ms. Hanley moved for approval, and by a vote of 3-0, the February 6, 2018, Minutes, were adopted.

Mr. Hunt asked for a motion to appoint 62 election officers (33 Democrats, 5 Independents, and 24 Republicans) for a term ending February 29, 2020. Ms. Hanley moved to adopt the 62 election officer appointments as presented, and by a vote of 3-0, the Board appointed 62 individuals (33 Democrats, 5 Independents, and 24 Republicans) to serve as election officers.

Mr. Sasnett presented the General Registrar’s (GR) report (see attached March 6, 2018, GR Report).

Under Accountability and Standards, the Department of Management and Budget (DMB) has mitigated the third quarter deficit to approximately \$88,000 by covering the

remaining cost of the Special Election on August 29, 2017, and adding the \$200,000 carryover from the beginning of fiscal year 2018.

Under Technology and Innovations, as part of Fairfax County's (County) initiative, thirty-two outdated employee workstations will be upgraded with computers configured with Windows 10 and Microsoft 365. Finalization of the procurement for the election night reporting software and the execution of an acceptable contract with the vendor may allow for a pilot during the June 12 Primary elections. Mr. Hunt asked if the County was migrating to the Internet for office functions. Mr. Sasnett and Mr. Potter responded that Microsoft's new operating system is Cloud-based, and full licenses allow access through the Internet to County data, however, sensitive information can be stored locally. Mr. Hunt asked if the Pollpads would be transmitting results from the precincts to the Office through the Internet. Mr. Potter explained that if results are transmitted from the Pollpads, information would be verified through a secure site before the data is conveyed to the Office or the State Board of Elections (SBE). No personal information would be transmitted. FCDC expressed concern that utilizing the Pollpads to transmit results may expose the voter file. Mr. Hunt explained that Virginia Information Technologies Agency (VITA) scrutinized the security of the Pollpads and concluded it was on par with military grade. Ms. Hanley added that all the transmitted numbers will be backed-up by the machine tapes and the Statement of Results. The election results will continue to remain unofficial until after the canvass. FCDC also referenced a New York Times article alleging that the ES&S DS200's are "imminently hackable" through its remote-sensing software feature. This allows a technician to remotely access the machines for certain repairs. FCDC queried whether the County had disabled this software. Mr. Sasnett responded that the County's DS200s do not have the hardware to support remote-sensing software because SBE will not permit the purchase of voting equipment with this capability.

Under Election Administration, Mr. Spicer officially joined the Office on February 12, 2018. Mr. Ravi Udeshi was selected as the new Election Officer Manager, with a start date of March 5, 2018. On February 6, 2018, 4,781 appointment letters, oaths, and direct deposit forms were mailed to those individuals appointed at the February 6, 2018, Electoral Board meeting. Mr. Spicer reported that 1,500 have already been returned. Mr. Spicer and Mr. Udeshi have been developing a training plan to comply with statute requiring all election officers to train before serving in their first election in a new appointment term. The plan will also include training approximately 500 chiefs and assistant chiefs prior to the June 12 Primary elections. If new training manuals are being contemplated, FCDC asked to review them.

Under Voter Registration, the absentee voting team is preparing for the Town of Clifton and Town of Vienna elections on May 1, 2018, as well as updating the ongoing absentee ballot application lists.

Under Miscellaneous, staff has been comparing the VERIS street file analysis to the County's unified address system. Approximately 13,000 addresses (less than 1% of all county addresses) were identified as possibly mismatched, and if necessary, are being corrected. Mr. Farrell asked if the 333 registered voters that the Office reported at the January 10, 2018, Electoral Board meeting as improperly assigned had been corrected. Ms. Hanley answered

that all corrections have been made. Mr. Sasnett added that with the assistance of the GIS department, a regular review protocol will now be instituted to ensure the accuracy of geocoding new streets to the correct election districts.

Staff has been tracking office traffic on Thursdays after 4:30 p.m. One phone call was received, and three election officers presented themselves to turn in their oaths and appointment forms.

All candidates for the Town of Clifton and the Town of Vienna elections on May 1, 2018, have been certified. All available slots were filled for each race on the ballot, so no race will be contested. Write-in candidates are permitted for these elections.

Ms. Hanley asked if proposed legislation will change the threshold for write-in certifications from 5% to 10%. Mr. Sasnett responded that he expects this will pass. Ms. Hanley asked for an update on the bill to remove the requirement to provide the last four digits of the social security number on in-person absentee ballot applications. Mr. Sasnett replied that this legislation is also expected to pass.

Under the Chairman's report, Mr. Hunt reported that he and Ms. Hanley attended the annual VEBA meeting at the Homestead. The proposed legislation requiring a risk-limiting audit was discussed, with a focus on the standards that will be used, and the timing of the audits.

There was no Vice Chairman's report.

Under the Secretary's report, Ms. Hanley indicated that the resource allocation for the June 12 Primary elections would be reviewed at the next Electoral Board meeting. The proposed date for the meeting is April 12, 2018. The Town of Clifton and the Town of Vienna elections will be on Tuesday, May 1, 2018, with an Electoral Board meeting and canvass on Wednesday, May 2, 2018. The pre-election meeting for the June 12 Primary elections is tentatively set for Thursday, June 7, 2018. The canvass of the primaries will be Wednesday, June 13, 2018 and will probably last two days. A public hearing will be held before the Board of Supervisors on March 20, 2018, to move the polling location for Vienna No. 2 precinct back to the Vienna Community Center. Also, Ms. Hanley reported that a new satellite location at Tysons Pimmit Library, as proposed at the February Board meeting, will not be realized because the library cannot accommodate its schedule to the requirements necessary for satellite voting.

Ms. Hanley recognized the effort Mr. Spicer and Mr. Udeshi for creating a training schedule that will adequately cover the number of election officers needed for the May Town elections and the June 12 Primary elections. Ms. Hanley raised the issue of having enough Republican Chief or Assistant Chief election officers to not only staff a dual primary in the 10th Congressional District (CD), but for what is also expected to be single party Republican primaries in the 8th CD and 11th CD. She asked FCRC to consider various options to address this dilemma, such as assigning a Democratic Assistant Chief. Mr. Hunt added that FCRC has been informed of the likelihood that Democratic election officers being assigned to staff

the 8th CD and the 11th CD Republican primaries, and a plan on how to staff the Primary elections will be forthcoming. FCRC asked the Board to forward a summary of these concerns to the FCRC Chairman.

Under Old Business, Ms. Hanley asked for an update on how in-person absentee Town of Herndon voters would be processed to ensure that they receive a ballot that includes the Herndon municipal candidates. Mr. Sasnett explained that ES&S would be willing to pilot a process that creates a barcode on ExpressVote cardstock when a voter checks in through VERIS. This barcode would ensure that in-person voters always receive the correct ballot style. ES&S has offered to provide the additional machines for the pilot. Ms. Hanley expressed concern that relying on the ExpressVote in the satellites may create long lines. Additionally, purchasing the necessary number of ExpressVotes to ensure enough are available to avoid lines may be cost prohibitive. Ms. Hanley asked if other jurisdictions that hold municipal elections in November were contacted to find out their protocol for ensuring municipal voters receive the correct ballot. The Board asked Mr. Sasnett to follow-up on this issue with other jurisdictions. Mr. Hunt also emphasized making sure the satellite teams are well-prepared through training to ensure all in-person voters receive the correct ballot.

There was no New Business.

Under Public Comments, FCRC, referring to the GR's Report, asked Mr. Sasnett if the individuals reported as non-citizens that were removed from the voter rolls had a voting history. Mr. Sasnett responded that when a notice of non-citizenship is received, the voter history is not reviewed. A letter of confirmation is sent, and if citizenship is affirmed within fourteen days, then no further action is taken. If no response is received, the individual is cancelled.

FCDC asked for an update on the issue reported at the January Board meeting that voter registration updates received from the DMV were considered incomplete due to missing data, etc. Mr. Hunt commented that the new Commissioner of Elections, Chris Piper, is continuing to research the issue and will provide guidance. Mr. Sasnett added that the Voter Registrars Association of Virginia (VRAV) will also make recommendations to Commissioner Piper on how the update process should work.

FCDC commented that a reported change in the procedure for processing absentee ballots in the Central Absentee Precinct (CAP) made it difficult for party observers to determine which ballots were rejected. According to FCDC, in the past, when rejected absentee ballots were set aside for adjudication on Election Day, the ballots were separated by precinct, allowing observers to follow along with their absentee lists. Last November in the 11th CD CAP, FCDC claims that ballots were not organized by precinct, making it almost impossible for observers to maintain and update their records. Mr. Hunt suggested that the use of the DS850, the County's high-speed scanner, might no longer require the same type of organization. Mr. Sasnett explained that the CAP can now create a county-wide pollbook to check in absentee voters, thus eliminating the need for processing by individual precinct. This upgrade has vastly increased the efficiency of the CAP by not having to separate ballots

by precinct. FCDC asked for clarification, and Mr. Sasnett indicated he would follow-up with appropriate staff.

Ms. Luca referred to a Board action taken at the January 2018 meeting asking for an Attorney General's opinion on how to process the update/transfer transactions from the DMV considered incomplete. Mr. Sasnett replied that this submission was put on hold to accommodate Commissioner Piper's request to manage the process, including the entities involved.

Mr. Hunt moved that the Board enter into a Closed Session to discuss specific personnel matters, as permitted by Va. Code § 2.2-3711(A)(1); and protocol for maintaining for maintaining public security and risk assessments of specific local electoral procedures, where discussion of such matters in open meeting would compromise the safety of any government facility or persons using such facility, as permitted by Va. Code § 24.2-3711(A)(19). Without objection, and by a vote of 3-0, the Board entered into Closed Session at 7:05 p.m.

At 9:15 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

There being no further business, Mr. Stark made a motion to adjourn. The motion carried, and without objection, the meeting was adjourned at 9:17 p.m.

Attachments

Stephen M. Hunt, Chairman

Seth T. Stark, Vice Chairman

Katherine K. Hanley, Secretary