

MINUTES
Fairfax County Electoral Board
April 10, 2018

The Fairfax County Electoral Board met on Tuesday, April 10, 2018, in Conference Room 319 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 General Registrar Gary Scott, Election Manager Eric L. Spicer, Election Officer Manager Ravi Udeshi, Voting Equipment Custodian Alexander Russell, Assistant Registrars Viki Kinsman and Cheryl Jones, Public Information Officer Lisa Connors, and Clerk to the Board Beth Dixon Methfessel were present. The Honorable Shelia Olem, representing the Town Council of Herndon; Keith Damon representing the Fairfax County Democratic Committee (FCRC); Brian McConville representing the Fairfax County Democratic Committee (FCDC); Christopher Schaffer, member of FCDC; Therese Martin, Judy Helein, Rachael Hamlet, and Jacob Hurst representing the Fairfax League of Women Voters (LWV); and Fairfax County residents Bettina Lawton and 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 5:14 p.m. and introduced himself, Vice Chairman Stark and Secretary Hanley (Board). Mr. Hunt called for a motion to approve the April 10, 2018, meeting agenda. Ms. Hanley moved to approve the agenda, and by a vote of 3-0, the April 10, 2018, agenda, was adopted.

Mr. Hunt asked for approval of the Draft Minutes of the Electoral Board meeting held on March 8, 2018. Ms. Hanley asked that Travis Potter and Maggi Luca be added to the list of those attending the meeting. By a vote of 3-0, the March 8, 2018, Minutes, as corrected, were adopted.

Mr. Damon questioned the low number (12) of Republican election officers (EO) on the appointment list because of the higher number (38) of that were approved by the FCRC through PollChief since the last Board meeting. Mr. Udeshi explained that the list did not include those individuals who were appointed in February 2018, however, switched party affiliation since that time. The Board agreed that appointments are made based on party, therefore, if any EO “switches” parties, including to Independent, they shall need to be reappointed by the Board. This motion was tabled until a new appointment list was run based on this guidance.

Mr. Sasnett presented the General Registrar’s (GR) report (see attached April 9, 2018, GR Report).

Under Voter Registration Statistics, FCRC asked why the voting history for individuals cancelled due to non-citizen status is not researched. Mr. Sasnett replied that the Commonwealth’s Attorney (CA) has indicated that unless criminal intent is established, no action will be taken. Mr. Sasnett further commented that no CA in Virginia will pursue

prosecution based on data originating from the Division of Motor Vehicles (DMV). Mr. Hunt requested that the voting record for the 23 individuals reported as cancelled for non-citizen status be examined.

Under Accountability and Standards, Department of Management and Budget (DMB) and the County Executive requested that the Board of Supervisors provide a third quarter adjustment that only covers the remaining balance of the incurred cost of the August 2017 Special Election. This supplement, coupled with the \$200k that was carried over at the beginning of FY18, will currently track the Office deficit to \$88,464. Additional cost reduction discussions will continue with DMB to further mitigate the size of the deficit.

The Office will be closed on July 6 for an off-site training event that will also celebrate the retirement of Deputy General Registrar Gary Scott.

Under Technology and Innovations, the June 12 primary elections will require four ballot styles, DEM-10th Congressional District (CD); REP-8th CD; REP-10th CD; and REP-11th CD. The Department of Elections (ELECT) approved the ballot artwork, and staff is generating the audio ballot for the ExpressVote (the audio English version was approved by ELECT on April 10, 2018), testing the ballot styles, and finalizing the election database for ballot production and media configuration. Warehouse preparation will begin on April 17. Staff is working with GIS to implement the absentee wait time application for the June 12 Primary elections. The app will report the line length and expected voter wait times at the Fairfax County Government Center, as well as for the satellites.

The PollPads will be updated to iOS 11.3. Mr. Hunt asked about the status of approving the waiver for the PollPad's use of the Internet. While no decision has been reached, Mr. Sasnett remarked that more localities are acquiring the PollPads and this will hopefully lead to a favorable outcome. FCDC asked Mr. Hunt to clarify the comments from the March EB meeting about the groups reviewing the security of the PollPads. Mr. Hunt explained that as a professional courtesy, a colleague from his company evaluated the security of the PollPads. Virginia Information Technologies Agency (VITA) undertook the official examination. FCRC asked which "cloud" is used for the PollPads, and Mr. Hunt replied that Amazon Web Service (AWS) is the location where the PollPad data is maintained.

Under Election Administration, the following is the summary of the resource allocation for the June 12 Primary elections:

- Ballots: Recommendation for ballot printing and production amounts:
 - 10th Congressional District = R – 30%; D – 30%
 - 11th Congressional District = R – 20%
 - 8th Congressional District = R – 15%

- EO Staffing: Recommendations for staffing:
 - 10th Congressional District plus Saint Albans = 6 EOs (party balanced)
 - 8th & 11th Congressional District Precincts = 4.5 EOs (Republicans, as far as practicable)

- Voting Equipment: Recommendations for staffing:
 - All Precincts –
 - 1 primary and 1 backup DS200 Scanner and Ballot Box
 - 2 ExpressVote Ballot Marking devices
 - 3 PollPads

Mandatory training for EOs began on April 3, with the expectation to train approximately 1,300 prior to the June 12 Primary elections. FCDC requested a copy of the training materials.

Under EO Assignments, to fully staff the June 12 Primary elections, the Office plans to assign 486 Chiefs/Assistant Chiefs and approximately 700 EOs (including 89 half-day Officers). Over 700 Republicans have indicated that they are available to serve in the June 12 Primary elections. This includes 211 individuals who last served as a Chief or Assistant Chief, as well as 164 individuals who expressed an interest in serving in a leadership capacity and have been contacted to enroll in a leadership training. The priority is to fill Republican leadership roles in the 8th and 11th CDs. Staff is currently calling a list of 600 Republicans who did not respond to availability emails. Out of this number, 150 EOs have responded that they are available for the June 12 Primary elections. Bilingual Democratic EOs (Spanish, Vietnamese, or Korean) will be given preference in the 8th and the 11th CDs if no bilingual Republican EOs are available.

Staff has called all 496 individuals who identified as bilingual (Spanish, Vietnamese, or Korean) to assess their language skills by having them translate a series of election terms and phrases. Screenings have been completed on 250 individuals so far and 214 were found to be proficient in their bilingual language skills. Mr. Hunt commented that given the Department of Justice’s comments and observations after the June 2017 Primary elections regarding bilingual EOs, he recommends assigning a language EO with lesser proficiency as opposed to not assigning any language officer in those precincts with a higher concentration of Spanish, Vietnamese, or Korean language speakers.

Under Voter Services, 11,753 notices will be mailed to Town of Vienna voters. The notices will cover the change in the polling locations for both the Town of Vienna and #214 Vienna No. 2 precinct.

Saturday absentee voting will be available April 28 (Final day for absentee in the Town elections), June 2 (Celebrate Fairfax relief), and June 9 (statutory requirement). Satellites will only be open on June 9. The hours for all locations will be 9 a.m. to 5 p.m.

Under Miscellaneous Updates, Department of Homeland Security and the Election Assistance Commission has expressed interested in hosting a joint “Election IT Manager” class in Fairfax with the goal of filming and distributing it.

On April 12, Mr. Sasnett will participate with ELECT, the Virginia Department of Emergency Management, and the Virginia Emergency Operations Center, for the first planning meeting of the Election Contingency Planning Workgroup.

U.S. State Department Foreign Press Corps will meet with staff on April 17 to discuss and plan for visits in November.

Herndon Councilwoman Sheila Olem reminded the Board that this November will be the second time the Town of Herndon will hold its municipal election in conjunction with the General Election. It appears that the voter cards for the Town of Herndon have been corrected to reflect one of the three Herndon polling locations for all elections. She commented that she received complaints from approximately 12 Town of Herndon absentee voters that said they did not receive the Town of Herndon ballot last November. Mr. Hunt responded that numerous discussions have been held to address and correct this problem for future elections. Ms. Hanley offered condolences for the loss of Herndon Councilman Jeff Davidson.

Mr. Sasnett referred a handout of a street map showing lots on John Marshall Drive illustrating how certain voters can be improperly assigned in the wrong district based on the nuances of the street file ranges in VERIS (attached and made a part of this record).

Under the Vice Chairman's report, Mr. Stark announced that he would be resigning from the Electoral Board effective at 11:59 p.m. on April 10, 2018. He thanked all the past and current Board members and General Registrars with whom he served over the last seven years. He recognized various staff members from the Office and other County agencies, the party representatives, and he thanked, "most of all, all of the Office staff and election officials at the polls who have worked so tirelessly over the years to ensure that elections in Fairfax County run smoothly, and that every qualified voter is entitled to cast his or her vote, and have that vote properly counted." He introduced his successor, Bettina Lawton, as "an attorney with many years of election law experience who will no doubt be a tremendous addition to the Board." He ended by thanking everyone "for the opportunity to serve our wonderful Fairfax County community" and acknowledging "its citizens will be extremely well-served for many years to come." FCRC thanked Mr. Stark for his service on the Electoral Board, and his fair treatment of all those who participate in the electoral process. LMV echoed this compliment. Mr. Sasnett thanked this Board for appointing him as General Registrar, and he wished Mr. Stark the best for the future.

Under the Chairman's report, Mr. Hunt thanked Mr. Stark for his long service on the Electoral Board. He expressed how much he enjoyed working with him, especially his calm and collected demeanor in the tense situations that often arise during elections.

Under the Secretary's report, Ms. Hanley thanked Mr. Stark for his guidance, leadership, and endurance especially through the challenges Electoral Boards face when overseeing elections.

Under Old Business, Ms. Hanley thanked Travis Potter and Alexander Russell for their diligent work to complete the security plan for the Board's review in Closed Session. If approved, the report will be submitted to ELECT by May 1, 2018.

Ms. Hanley handed out a list of criteria used in the Central Absentee Precinct (CAP) when qualifying absentee ballots (attached and made a part of this record). The handout

outlined material omissions to ensure consistency in processing. She further explained that no absentee ballot is rejected in the pre-processing phase; rather, it is set aside for review on Election Day. Party representatives may still observe pre-processing, as well as the adjudication process on Election Day. Ms. Hanley remarked that only 1.4% of the absentee ballots cast in Fairfax County in 2017 were rejected for a material omission. She also explained that after Fairfax County acquired the DS850 high-speed scanner in 2014, organizing absentee ballots by precinct was no longer necessary.

Under New Business, Mr. Spicer reviewed the resource allocation for the June 12 Primary elections (attached and made a part of this record). He was very encouraged by the willingness of experienced Republican EOs to consider taking the Chief/Assistant Chief training. This will increase the pool of Republican EOs available for leadership assignments. FCRC thanked Mr. Spicer and staff for this initiative. Ms. Theonsen questioned whether 4.5 EOs in the 8th and 11th CDs would be adequate to cover all of the tasks and responsibilities required for the polling locations. During discussion, budget considerations, potential turn-out, and time to set-up a polling location were raised.

Ms. Hanley made a motion to amend the resource allocation to remove the half-day officer from the 8th and 11th CDs and replace with a full-day EO. This action will assign 5 EOs in the precincts with a single-party primary, and 6 EOs in the precincts with a dual-party primary. The motion passed by a vote of 3-0.

Mr. Udeshi distributed a new appointment list, based on Board guidance to include those individuals who were appointed in February 2018, but have since switched their party affiliation. Mr. Hunt asked for a motion to appoint 116 election officers (71 Democrats, 7 Independents, and 38 Republicans) for a term ending February 29, 2020. Ms. Hanley moved to adopt the 116 election officer appointments as presented, and by a vote of 3-0, the Board appointed 116 individuals (71 Democrats, 7 Independents, and 38 Republicans) to serve as election officers for a term ending February 29, 2020.

Under Public Comments, FCDC asked if any other jurisdictions that hold municipal elections in November were contacted regarding their check-in procedures. Mr. Sasnett answered that this research is still ongoing.

FCDC asked if any updates had been received from ELECT regarding the transfer/update issue raised by Mr. Sasnett at the January 10, 2018, Electoral Board meeting. Mr. Sasnett replied that Commissioner Piper is still investigating the all of the issues, and resolving the problems remain one of his highest priorities.

FCRC asked the Board to consider allowing the parties to provide input before technical decisions are made, such as the information available through PollChief, the use of the Cloud, etc. The Board acknowledged that user input for modifications to PollChief would be helpful. Mr. Udeshi commented that enhancements to the party portal would be released within the next few weeks.

The next Board meeting will be at 9:00 a.m. on Wednesday, May 2, 2018, to canvass the returns for the elections in the Town of Clifton and the Town of Vienna on Tuesday, May 1, 2018.

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 7:30 p.m.

At 9:25 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

Mr. Stark moved that the Board adopt the security policy as presented to the Board in Closed Session which will be filed on or before May 1, 2018 with ELECT, with the understanding that there will be additional edits and formatting changes prior to submission. The motion passed by a vote of 3-0.

There being no further business, Mr. Stark made a motion to adjourn. The motion carried, and without objection, the meeting was adjourned at 9:28 p.m.

Attachments

Stephen M. Hunt, Chairman

Bettina M. Lawton, Vice Chairman

Katherine K. Hanley, Secretary

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