

MINUTES
Fairfax County Electoral Board
August 27, 2019

The Fairfax County Electoral Board (Board) met on Tuesday, August 27, 2019, in Conference Room 315/319 at the Fairfax County Government Center located at 12000 Government Center Parkway, Fairfax. Chairman Stephen M. Hunt; Vice Chairman Bettina M. Lawton; Secretary Katherine K. Hanley; Public Information Officer Brian Worthy; General Registrar Gary Scott; Deputy Registrar Viki Kinsman; Election Manager Eric L. Spicer; IT Manager Travis Potter; Voting Equipment Manager Alexander Russell; Election Officer Manager Ravi Udeshi; Assistant Registrars Patricia Ferguson and Holland Markwalter; Inventory and Supply Manager Kay Garrison; and Clerk to the Board Beth Dixon Methfessel were in attendance. Keith Damon representing the Fairfax County Republican Committee (FCRC); Dan Lagana, Frank Anderson, Stephen Spitz, and Christopher Schäffer representing the Fairfax County Democratic Committee (FCDC); Aryeh Kalender representing Dalia Palchik for Supervisor; John Murray representing Jeff McKay for Chairman; Eric Darcey representing Helmer for Virginia; Therese Martin, Maggi Luca, and Rachael Hamlet representing the League of Women Voters (LWV); and Monique Anthis-Hunt, Fairfax County resident, also attended the meeting.

Mr. Hunt called the meeting to order at 7:31 p.m. and introduced the Board. Ms. Hanley moved to approve the agenda, and by a vote of 3-0, the August 27, 2019, meeting agenda was adopted.

Mr. Scott explained that because the death of Paul Bolon, qualified Republican candidate for Providence District Supervisor, occurred on August 11, 2019, more than 25 days before the election, the Department of Elections (ELECT) informed Timothy Hannigan, Chairman of the FCRC, that Va. Code §24.2-540 permits them to select another candidate before 4:30 p.m. on Friday, October 11, 2019. This statute also opens the Providence District Supervisor's race to non-party (independent) candidates if they file before the October 11 deadline (email dated August 20, 2019, from Matthew Abell, Elections Administrator, Department of Elections to Timothy Hannigan, Chairman, FCRC, attached and made part of this record).

Further complicating this process is the statutory requirement (Va. Code §24.2-612) to make printed ballots available for absentee voting starting September 20, 2019.

Additionally, Va. Code §24.2-541 specifies that if additional candidates qualify under this provision, no votes cast for any candidate in the Providence District Supervisor's race prior to the October 11 deadline shall be counted. Providence District voters who fall within this exception, however, will be mailed a new ballot that includes all qualified candidates who filed by October 11, 2019, for Providence District Supervisor. The new ballot would only contain this one contest.

Mr. Scott indicated that this development complicates the currently planned absentee voting calendar which provided for in-person absentee voting to begin at the Government Center on Friday, September 20, 2019, with hours on Monday, Tuesday, Wednesday, and Friday from 8 a.m. until 4:30 p.m. and Thursday from 8 a.m. until 7 p.m. Scheduled Saturdays included October 5, 12, 19, 26, and November 2 from 9 a.m. until 5 p.m. Satellite voting was set to begin on Saturday, October 12, and continue on Tuesday, October 15 (after the Monday, October 14 Columbus Day holiday) with hours from 3 p.m. until 7 p.m. on the weekdays and 9 a.m. until 5 p.m. on Saturdays, October 12, 19, 26, and November 2.

The Board asked Mr. Scott what steps need to be taken to maintain the current in-person absentee voting calendar. Mr. Scott responded that after the deadline expires at 4:30 p.m. on Friday, October 11, any independent candidate petitions must be verified, the new ballot built, and artwork approved by ELECT. The approved ballot could be printed in-house prior to 9:00 a.m. the next day, October 12, however, the in-house ballot printer is capable of creating enough ballots for in-person absentee operations *only* (emphasis added) at the Government Center on that date.

Mr. Scott continued to explain that to begin in-person absentee voting at the nine satellite locations after ballot approval, machine testing must begin immediately on Saturday, October 12. A print order could be submitted by the end of the day Saturday, October 12. Due to the Columbus Day holiday on Monday, the ballots will be shipped from the North Carolina printer and should arrive by Wednesday, October 16. Organization and distribution of voting equipment and ballots to the satellite locations could be completed in time for the nine locations to open on Thursday, October 17, 2019, at 3:00 p.m.

Additionally, the Providence District Supervisor race appears on 7 of the 76 ballot styles offered for the November 5, 2019, General Election. Because there is the potential for three different approved ballots that include the Providence District Supervisor race, staff recommended that any ballot containing a Providence District Supervisor race be held and counted in the Central Absentee Precinct (CAP) on Election Day.

Discussion ensued with questions and suggestions regarding this process. FCDC submitted a letter outlining their proposal for keeping in-person absentee voting open at all locations as previously scheduled even if a new ballot is required (attached and made a part of this record). Ms. Hanley addressed the first paragraph that states, “the State Electoral Board placed unnecessary hardship on the county electoral board and staff by affording any candidate – Republican or independent – unprecedented opportunity to file as late as October 11th for the position.” She clarified that neither the State Board nor ELECT “placed unnecessary hardship” on the Board because the process is prescribed by statute. FCRC requested that her comments regarding the FCDC position letter be entered into the record.

Mr. Hunt moved that the 2019 schedule for in-person absentee voting, beginning on September 20, 2019, remain unchanged at the Fairfax County Government Center. Satellite voting, however, will not begin on Saturday, October 12, 2019, but will commence on Thursday, October 17, 2019, with hours on the weekdays and Saturdays unchanged. No ballots cast for the Providence District Supervisor race will be counted until Election Day. As

such, extensive training will be provided to the managers of the satellites to ensure that no ballots containing the Providence District Supervisor race will be counted until Election Day. Ms. Lawton seconded, and the motion passed by a vote of 3-0.

There being no further business, Ms. Lawton moved to adjourn. The motion carried, and without objection, the meeting was adjourned at 8:59 p.m.

Attachments

Stephen M. Hunt, Chairman

Bettina M. Lawton, Vice Chairman

Katherine K. Hanley, Secretary

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