

MINUTES
Fairfax County Electoral Board
February 20, 2019

The Fairfax County Electoral Board (Board) met on Wednesday, February 20, 2019, in Conference Room 315 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 Special Election, Member, Virginia House of Delegates, District 86, held on Tuesday, February 19, 2019. Chairman Stephen M. Hunt, Vice Chairman Bettina M. Lawton, Secretary Katherine K. Hanley, General Registrar Gary D. Scott, Election Manager Eric Spicer, Deputy Registrar Viki Kinsman, Assistant Registrar Cheryl Jones, Machine Custodians Alexander Russell and Tom Bjerke, and Clerk to the Board Beth Dixon Methfessel were present. Rover Mike Epps was also present to conduct the Canvass.

Mr. Hunt called the Canvass to order at 12:15 p.m. and introduced the Board. Mr. Hunt called for a motion to approve the February 20, 2019, meeting agenda. Ms. Hanley moved to approve the agenda, and by a vote of 3-0, the February 20, 2019, meeting agenda, was adopted.

The Board and the General Registrar then unsealed Room 315 containing the election materials. Due to the advent of inclement weather, the provisional ballots had been given to the General Registrar for research purposes upon their receipt after the closing of the polls. No authorized representatives from the political parties were present.

The Board began the provisional part of the Canvass as required by Va. Code § 24.2-653 to allow voters casting provisional ballots in the February 19, Special Election, Member, Virginia House of Delegates, District 86 to present any information that might prove they are qualified, registered voters in the precinct where they cast their provisional ballot. John Farrell was the authorized representative for the Fairfax County Democratic Committee (FCDC), however, he was not present. No voters appeared to defend their provisional ballot.

Mr. Hunt asked for approval of the Draft Minutes of the Electoral Board meeting held on January 31, 2019. By a vote of 3-0, the January 31, 2019, Minutes, were adopted.

There were no Electoral Board reports.

There were no Public Comments.

At 1:15 p.m. the Canvass concluded for all 13 precincts, as well as the Central Absentee Precincts (CAP). Staff reported that there will be 3 provisional ballots. There were no ID 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 candidate, as specified in §24.2-653(B). Without objection, and by a vote of 3-0, the Board entered in to Closed Session at 1:22 p.m.

At 1:25 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 the 1 Provisional Ballot entered on the Provisional Ballot Log for the February 19, 2019, Special Election, Member, Virginia House of Delegates, District 86 be **qualified** for the reasons determined by a majority vote of the Electoral Board. The Provisional Ballot Log shall be retained and incorporated into the Minutes of the Canvass for the February 19, 2019, Special Election, Member, Virginia House of Delegates, District 86. The motion passed by a vote of 3-0.

Mr. Hunt moved that 2 of the 2 Provisional Ballots entered as rejected on the Master Provisional Ballot Log for the February 19, 2019, Special Election, Member, Virginia House of Delegates, District 86 be **disqualified** for the reasons determined by a majority vote of the Electoral Board. The Provisional Ballot Log shall be retained and incorporated into the Minutes of the Canvass of the February 19, 2019, Special Election, Member, Virginia House of Delegates, District 86. The motion passed by a vote of 3-0.

The Electoral Board qualified and counted a total of 1 out of the 3 provisional ballots cast for the February 19, 2019, Special Election, Member, Virginia House of Delegates, District 86.

The Board opened and scanned the qualified provisional ballot and completed the Statement of Results for the February 19, 2019, Special Election, Member, Virginia House of Delegates, District 86. The Board then certified the election results by signing the abstract. All paperwork will be submitted to the Department of Elections by 5:00 p.m. on Wednesday, February 20, 2019. Pursuant to Va. Code § 24.2-612, the official ballot, marked as VOID, will be sent with the abstract. A second ballot, also marked VOID, will be retained with the archived election material in the Office of Elections.

Ms. Lawton made a motion that there being no further business, the Board conclude the February 19, 2019, Special Election, Member, Virginia House of Delegates, District 86. By a vote of 3-0, and without objection, the Board adjourned at 1:59 p.m.

Attachments

Stephen M. Hunt, Chairman

Bettina M. Lawton, Vice Chairman

Katherine K. Hanley, Secretary