

MINUTES
Fairfax County Electoral Board
June 12, 2019

The Fairfax County Electoral Board (Board) met at 9:00 a.m. on Wednesday, June 12, 2019, 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 Democratic Party Primary held on Tuesday, June 11, 2019. Chairman Stephen M. Hunt, Vice Chairman Bettina M. Lawton, Secretary Katherine K. Hanley, Election Manager Eric Spicer, 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.

Mr. Hunt called the Canvass to order at 9:00 a.m., introduced the Board, and welcomed the Canvass workers. The Board then unsealed Conference Room 315 containing the election materials. The provisional ballots were given to the General Registrar for research purposes. No authorized representatives from the political parties were present.

Staff reported that there will be approximately 90 provisional ballots to adjudicate, 21 of which were voters who cast provisional ballots because they did not have an acceptable form of photo ID.

Mr. Spicer reviewed the County's emergency evacuation plan for the Canvass. All of the statement of results (SORs) 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. The Board must be informed of all corrections to the SORs. Any issues or problems regarding the Canvass must be brought to the Board.

At 12:00 p.m. in Conference Room 8, the Electoral Board convened the provisional part of the canvass as required by Va. Code § 24.2-653 to allow voters casting provisional ballots in the June 11, 2019, Democratic Party Primary, to present any information that might prove they are qualified, registered voters in the precinct where they cast their provisional ballot. No voters appeared to defend their provisional ballot. Mr. Hunt recessed the provisional ballot meeting subject to the call of the chair, as permitted by Virginia Code § 24.2-653.

The Canvass teams recessed for lunch at 12:00 p.m. Conference Rooms 2 and 3 were then locked. At 1:00 p.m. the conference rooms were reopened, and the Canvass resumed.

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); and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, pursuant to Virginia Code § 2.2-3711(A)(7). While the Board is in Closed Session, Eric Spicer will supervise the Canvass.

Without objection, and by a vote of 3-0, the Board entered into Closed Session at 1:03 p.m.

At 3:17 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 Lawton
	Secretary Hanley

At 3:25 p.m. the Canvass concluded for all 243 precincts, as well as the Central Absentee Precincts (CAP).

Mr. Hunt addressed the lawsuit against the Electoral Board that was filed recently by the previous registrar, Cameron Sasnett. He explained that the Electoral Board’s decision to terminate the employment of Cameron Sasnett was made in compliance with Virginia law, under the advice of counsel, and followed correct and proper procedures. The Board would not have taken this action if they did not deem it absolutely necessary, and if the case goes to trial, the Electoral Board will vigorously defend its actions in court.

At 3:36 p.m. Mr. Hunt recessed the Canvass. The door to Room 319.1 containing the provisional ballots and other election material was locked and sealed by the Electoral Board until the Canvass reconvenes at approximately 12:00 p.m. on Friday, June 14, 2019.

Friday, June 14, 2019
Reconvened Canvass and Provisional Ballot Meeting

At approximately 12:00 p.m., the Electoral Board unsealed Room 319.1 and reconvened the Canvass.

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 12:17 p.m. Chris Schäffer was the authorized representative for Steve Descano, candidate for Commonwealth's Attorney.

At 12:26 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 **33** of the 90 Provisional Ballots entered as recommended on the Master Provisional Ballot Log 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 June 11, 2019, Democratic Party Primary. The motion passed by a vote of 3-0.

Mr. Hunt moved that **57** of the 90 Provisional Ballots entered as rejected on the Master Provisional Ballot Log 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 June 11, 2019, Democratic Party Primary. The motion passed by a vote of 3-0.

The Board approved a total of **33** provisional ballots on Friday, June 14, 2019.

The Board then opened and scanned the qualified provisional ballots. The Board completed the Statement of Results and signed the abstracts for the June 11, 2019, Democratic Party Primary.

Ms. Lawton moved that there being no further business, the Board conclude the June 11, 2019, Democratic Party Primary. By a vote of 3-0, and without objection, the Board adjourned at 4:27 p.m.

Attachments

Stephen M. Hunt, Chairman

Bettina M. Lawton, Vice Chairman

Katherine K. Hanley, Secretary

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