

MINUTES
Fairfax County Electoral Board
April 23, 2020

The Fairfax County Electoral Board (Board) met on Thursday, April 23, 2020, in Conference Room 315 at the Fairfax County Government Center located at 12000 Government Center Parkway, Fairfax. Due to the State of Emergency caused by the COVID-19 pandemic, the following 10 persons attended the meeting in person: Chairman Stephen M. Hunt; Secretary Katherine K. Hanley; General Registrar Gary Scott; Election Manager Eric L. Spicer; Election Officer Manager Ravi Udeshi; Voting Systems Manager Alexander Russell; Assistant Registrar Cheryl Jones; Supply Manager Kay Garrison; Clerk to the Board Beth Dixon Methfessel; and Jean Thoensen, Fairfax County resident. The following participants attended remotely by telephone: Vice Chairman Bettina M. Lawton; Deputy Registrar Viki Kinsman; Assistant Registrar Pat Ferguson; Chairman of the Fairfax County Democratic Committee (FCDC) Bryan Graham; Executive Director of FCDC Jack Kiraly; Keith Damon representing the Fairfax County Republican Committee (FCRC); Kristin Cabral and Stephen Spitz, members of FCDC; and Maggi Luca, Deb Wake, and Rachael Hamlet representing the League of Women Voters (LWV).

Mr. Hunt called the meeting to order at 5:00 p.m. and introduced himself and Secretary Hanley. Mr. Hunt made the following motion:

In accordance with Section 2.2-3708.2(A)(2) of the Virginia Code and Section 5(a) of the Electoral Board's Policy to Permit Participation in Board Meetings by a Member from a Remote Location, Board Member Bettina Lawton has informed me she is unable to physically attend this meeting due to a temporary medical condition, and that she intends to attend the meeting remotely. I move that Board Member Bettina Lawton be permitted to remotely attend this meeting due to a temporary medical condition, and that the Board confirm she has satisfied the requirements of Virginia law and Section 5(a) of the Electoral Board's Policy.

Ms. Hanley seconded, and the motion passed by a vote of 2-0. Mr. Hunt stated that the minutes shall record that the motion passed, and that Ms. Lawton is unable to physically attend this meeting due to a temporary medical condition; that Ms. Lawton is permitted to attend the meeting remotely pursuant to Section 2.2-3708.2(A)(2) of the Virginia Code and Section 5(a) of this Electoral Board's Policy to Permit Participation in Board Meetings by a Member from a Remote Location; and that Ms. Lawton will be attending remotely from her residence.

Ms. Hanley asked if Ms. Lawton could hear both the participants in the room and on the phone. Ms. Lawton confirmed that she could hear both Mr. Hunt and Ms. Hanley, as well as the other participants on the phone and in the room. Ms. Hanley confirmed that the Board, as well as the other participants in the meeting, both in person and via telephone, can both hear and speak to Vice Chairman Lawton.

Mr. Hunt welcomed all participants and provided instructions on how comments will be taken during the meeting. Mr. Hunt explained that he would call the name of each person participating by phone, and if the participant would like to comment, he/she would be recognized by the chair. Ms. Hanley moved to approve the agenda, and by a vote of 3-0, the April 23, 2020, meeting agenda, was adopted.

Mr. Hunt called for a motion to appoint 264 election officers (EOs) (141 Democrats, 61 Independents, and 62 Republicans) for a term ending February 29, 2021. 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 March 4, 2020. By a vote of 3-0, the March 4, 2020, Minutes were adopted.

Under the General Registrar's report dated April 22, 2020, (attached and made a part of this record), Mr. Scott informed the Board that preparations for the May Town Elections and June Primary Elections have been challenged by the difficulty in securing sanitary supplies for the office staff and the election officers. He reported that hand sanitizer and hand wipes have not yet been obtained from normal supply chains nor from the Department of Procurement and Material Management (DPMM). The Department of Elections (ELECT) is attempting to provide safety kits to each locality to be used in the precincts.

Under the emergency provisions of Virginia Code § 24.2-603.1, Governor Ralph Northam pushed back the date of the June Primaries two weeks, from June 9 to June 23. The proposal to move the municipal elections from May 5 to November 3 was ultimately rejected by the General Assembly. Governor Northam will continue to consider delaying the date of the municipal elections from May 5 to May 19, an action that does not require approval from the General Assembly. Until such decision is made, the office will anticipate conducting the Clifton and Vienna Town Elections on May 5.

There is ongoing concern about the accessibility of polling places located in non-governmental buildings, however, initial feedback from these private facilities indicates that the majority will be available for voting on June 23. Because they are closed to the public, it is anticipated that three of the four precincts (Marlan, Crossroads, Chesterbrook) with polling places situated in retirement communities will be relocated using the emergency provisions outlined in Virginia Code § 24.2-310(D). The sites chosen as the temporary polling place for these precincts will be school facilities, most of which currently serve as the polling place for an existing precinct. Mr. Hunt asked why the retirement communities would choose to relocate their on-site polling place, in effect requiring residents to "leave to vote." Mr. Scott elaborated that the three precincts most likely to seek a temporary relocation have a substantial number of individuals who vote at the facility but do not reside within the facility itself. The remaining precinct, Greenspring, has no registered voters who do not live within the community. It is expected that they will not choose to relocate their on-site polling place.

Because the citizen's portal allows users to apply for elections whether they are eligible or not, a higher than anticipated number of denials have been issued. Due to the ongoing health

crisis, satellite locations will not be used for the upcoming primary elections. Outreach activities have also been discontinued.

Mr. Spicer and election management compiled a robust and comprehensive Covid-19 safety plan for the polling places. The staffing plan includes placing six EOs in the precincts in the 8th and 10th Congressional Districts (CD). In the 11th CD with the dual primary, seven EOs will be used.

Logic and Accuracy testing will take three weeks longer due to the restrictions in place at the Logistics Center, but deployment of the voting equipment is expected to be on schedule.

Ms. Lawton asked if it was realistic to expect that ELECT would have greater success than the office staff in obtaining the sanitizing supplies. Mr. Scott responded that ELECT is dealing with a vendor offering the supplies as a package tailored for polling places, but the cost to secure a kit for every polling place may be prohibitive.

Ms. Lawton asked how training would be conducted for Chief and Assistant Chief EOs. Mr. Spicer answered that all training would be provided on-line. In order to receive an assignment for the June Primaries, the deadline to sign up to be an election officer is June 1. The on-line training must be completed no later than June 3.

Mr. Hunt suggested that the pens used to mark the ballot could be offered in a bin or box. Once used, they could be placed in another container and cleaned in bulk as opposed to cleaning them one at a time after voters finish marking their ballot. A concern was raised, however, that unless the pens are taken by voters with gloved hands, it would contaminate the entire container. Mr. Scott commented that there may be a method to allow the voter to pull a sanitized pen out of its cap placed on the base of the pen. The used pens would then be sanitized, and the caps placed back on the base to be used again. Ms. Thoensen observed that when the pens are wiped down, they should be given a few moments to dry before being offered to a voter. There is also the possibility that ELECT may provide disposable pens. Mr. Hunt opined that requiring EOs to wear gloves would be challenging because they would need to be changed after handling each voters' photo ID. Ms. Hanley commented that she thinks voters will expect to see EOs wearing gloves. Mr. Hunt commented that the town elections will be a good opportunity for testing sanitizing protocols.

FCDC raised the question about the health and welfare of Goodwin House voters if they are relocated to the Glen Forest Elementary School. Ms. Hanley explained that management at Goodwin House requested the relocation and will encourage absentee voting. She also mentioned there are no other public facilities closer and more accessible than Glen Forest Elementary School. She added that the Board is open to suggestions.

FCRC asked if Republicans would be assigned as the Chief EO in the 8th and 10th CDs and Assistant Chiefs in the 11th CD. Mr. Spicer expressed confidence that the 8th and 10th CD precincts would all be served by Republican Chief EOs.

FCRC asked Mr. Scott to clarify if voters can apply for an absentee ballot for the June Primaries or the November General Election even if they are not eligible to vote in the May Town Elections. Mr. Scott answered that voters can apply for absentee ballots for elections up to one year, so all requests for June and November are being processed. Mr. Scott explained, however, that the voters must be eligible to vote in the election for which they are requesting the absentee ballot.

FCRC asked if the bill extending the time that a [postmarked by Election Day] absentee ballot can be returned and counted would apply for the June Primaries. Ms. Hanley answered that this requirement goes into effect on July 1, 2020, and would not be in force until the November 3, 2020, General Election.

FCDC asked if appropriate signage would be in place to guide voters whose polling place has been relocated to schools with an existing polling place. Ms. Hanley stated that signs will be posted, and the Greeter EOs will also assist people in finding the correct voting room. Mr. Scott added that a notice will also be sent to voters whose polling place has been temporarily moved.

There were no Chairman's or Vice Chairman's Reports.

Under the Secretary's Report, Ms. Hanley explained that as of July 1, 2020, the governing body of each locality must establish by ordinance satellite voter offices, if any such offices are desired. A request for a public hearing on July 14, 2020, will be made on June 9, 2020, to establish 14 satellite voter office locations.

Under New Business, Ms. Hanley reviewed the Allocation Plan for Clifton and Vienna 2020 Town Elections (attached and made a part of this record). Ms. Hanley moved adoption of the plan. The motion passed by a vote of 3-0. The preliminary resource allocation for the June Primaries was distributed (attached and made a part of this record.)

There was no Old Business.

Under Public Comments, FCRC asked why 5 additional satellite voting locations are being requested. Ms. Hanley explained that with the establishment of "no excuse" absentee voting on July 1, 2020, the number of voters expected to cast absentee ballots will increase. To meet this demand, along with the possibility of a resurgence of the Covid-19 virus requiring continued social distancing, it was determined that additional satellite locations should be secured.

Ms. Thoensen asked if a mailer would be sent to registered voters encouraging them to vote by absentee ballot. Ms. Hanley remarked that a mailer is not planned, but information on how to vote by absentee ballot will be disseminated by the Office of Public Affairs. She also urged FCRC and FCDC to publicize information on voting by absentee ballot for the June Primaries. Ms. Hanley added that a How-To instruction sheet is sent with every absentee ballot. Mr. Hunt asked if online instructions are available on the absentee ballot process. Mr. Scott commented that ELECT offers such a video and a link can be publicized.

There being no further business, Ms. Hanley moved to adjourn. The motion carried, and without objection, the meeting was adjourned at 6:08 p.m.

Attachments

Stephen M. Hunt, Chairman

Bettina M. Lawton, Vice Chairman

Katherine K. Hanley, Secretary

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