

MINUTES
Fairfax County Electoral Board
July 14, 2020

The Fairfax County Electoral Board (Board) met on Tuesday, July 14, 2020, in Conference Rooms 2 and 3 at the Fairfax County Government Center located at 12000 Government Center Parkway, Fairfax. Chairman Stephen M. Hunt; Vice Chairman Bettina Lawton; Secretary Katherine K. Hanley; General Registrar Gary Scott; Deputy Registrar Viki Kinsman; Election Manager Eric L. Spicer; Election Officer Manager Ravi Udeshi; Assistant Registrar Pat Ferguson; Supply Manager Kay Garrison, and Clerk to the Board Beth Dixon Methfessel were present. The following participants attended remotely by telephone: Public Information Officer Brian Worthy; Keith Damon representing the Fairfax County Republican Committee (FCRC); Kristin Cabral and Stephen Spitz, representing the Fairfax County Democratic Committee (FCDC); John Farrell, member of the FCDC; Cindy Kalkwarf, Maggi Luca, Judi Ornoff, Marion Stillson, and Deb Wake representing the League of Women Voters (LWV); and Jean Thoensen, Fairfax County resident.

Mr. Hunt called the meeting to order at 6:30 p.m. and introduced the Board. Ms. Hanley moved to approve the agenda, and by a vote of 3-0, the July 14, 2020, meeting agenda, was adopted.

Mr. Hunt asked for approval of the Draft Minutes of the Electoral Board meetings held on June 17, 2020, and June 24, 2020. By a vote of 3-0, the June 17, 2020, and June 24, 2020, Minutes were adopted.

Under the General Registrar's report dated July 13, 2020, (attached and made a part of this record), Mr. Scott reported that since voter registration opened after the June Primaries, almost 10,000 applications have been processed. There has been a significant increase in submissions in the last two weeks, with an average of 400 applications per day.

Changes were made to furnish better information to voters in the covered language groups. The Department of Elections (ELECT) is providing new registration forms and absentee ballot forms, as well as supplying posters and pamphlets for the polling in the covered languages. The Office of Elections (Office) has updated the website to give information without the need to use the translation function. Absentee ballot marking instructions translated in all four languages will be included when the absentee ballots are mailed out. An insert that covered important election information in all four languages was included in the July personal property tax mailout.

In the June Primaries, over half of the ballots cast were by absentee voters. Over 12,000 applications for Democratic primaries in the 8th and 10th Congressional Districts were denied because Democratic primaries were not held in these districts. Ms. Hanley pointed out that the way ELECT lists the order of elections on its website may have contributed to voter confusion when requesting an absentee ballot. FCRC requested that the Board make a statement to ELECT that the current way elections are listed on their website is unacceptable.

Under Election Management, all 243 precincts were fully staffed and opened on time for the June Primaries. Even with cancellations up to and including Election Day, over 50 reserve election officers (EOs) were still available after filling these vacancies. In the post-election surveys, EOs were asked how they felt about the safety precautions and personal protective equipment (PPE) at the polling places. Over 95% responded that the level was either just right or too much. Over 80% of the respondents estimated that 95% of voters wore a mask.

Mr. Hunt inquired if any EO became ill after serving in the June Primaries. Mr. Scott responded that two EOs reported testing positive for Covid-19, however, the County Health Department determined that their exposure was after Election Day.

All attention is now being devoted to preparing for the November General Elections. The following initial steps have been taken:

- A second DS850 has been acquired for absentee ballot processing.
- Additional space has been made available in the main Government Center for data processing and absentee ballot handling.
- County Human Resources office has offered to provide 300 county employees to assist with election activities.
- ELECT has made available \$443,000 in Federal CARES for Fairfax County.
- The Government Center mail room is investigating the purchase of an automated mail sorter for processing returned mail using CARES funding.
- Discussions have been held with the USPS concerning expedited handling of returned ballots. Plans include separate extended ZIP codes for use with the return envelopes for each Congressional District, color coding the envelopes, and direct delivery of election material to the Government Center.
- Office has worked with Human Resources to fill some of the vital agency staff vacancies. Due to the County hiring freeze, this requires authorization from the County Executive.
- Single-use “I Voted” pens will replace the traditional “I Voted” stickers.
- Safety vests, disposable rain ponchos, and waterproof folders will be provided to the polling places in anticipation of higher levels of curbside voting.

FCDC asked if drop boxes would be provided in the 14 satellite voting locations. Mr. Scott responded that drop boxes are currently not permitted under the Code of Virginia, however, voters can turn in their absentee ballots at the satellite locations. Additionally, the County Attorney determined that the receptacle outside the Government Center may not be used as a drop box. Ms. Hanley mentioned that the General Assembly will convene on August 17 and drop boxes for the November election may be part of the discussion.

There was no Chairman’s or Vice Chairman’s Report.

Under the Secretary's Report, Ms. Hanley discussed the hour-by-hour check-in chart for the June Primaries (attached and made a part of this record). The highest totals were reported later in the day, from 5:00 to 6:00 p.m. This is a departure from the traditional early morning turn-out for Fairfax County and may be directly connected to the higher number of people not working or working from home. It is too early to predict if this shift will carry forward to November, however, with the Board of Supervisor's approval of fourteen (14) satellite locations, the long, early morning lines may now be mitigated.

Under New Business, Ms. Hanley summarized the new legislation that will be in effect for the November 3, 2020, General Election (attached and made a part of this record). Legislation includes establishing voter satellite offices by ordinance; no excuse absentee voting; deadline extended to apply for an absentee ballot other than in-person; deadline extended to return an absentee ballot; paper pollbooks must be provided in the precincts; student pages permitted to work in the central absentee precinct (CAP); training required for election officers when election procedures changed by statute; residence address of voter no longer announced by election officer; change in the term of electoral board members; yellow permitted as a color of paper for unofficial sample ballots; repeal of photo ID requirement; acceptance of out-of-state student identification; automatic voter registration (no longer opt-in but opt-out); notification of denial of voter registration from 14 to 5 days.

FCRC asked how results would be reported with the extension to return postmarked absentee ballots on the third day after the election. Ms. Hanley responded that an initial or preliminary result would be reported on Election Day, essentially "CAP 1." The second CAP could be reported on Friday in conjunction with the qualified provisional results. FCRC also asked if an out-of-state driver's license is considered acceptable identification. Mr. Scott answered that this is not an acceptable ID in Virginia and election officers will be instructed accordingly, along with all of the newly enacted changes.

There were no Public Comments.

Ms. Hanley, on behalf of the Electoral Board, thanked the staff for their hard work and creative solutions that led to administering an issue-free primary given the challenging circumstances. FCRC and Jean Thoensen added praise for the diligent and conscientious work of Election Officer Manager Ravi Udeshi.

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), including the evaluation of the General Registrar, pursuant to Va. Code § 24.2-109.1. Without objection, and by a vote of 3-0, the Board entered into Closed Session at 7:13 p.m.

At 8:57 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

There being no further business, Ms. Hanley moved to adjourn. The motion carried, and without objection, the meeting was adjourned at 8:58 p.m.

Attachments

Stephen M. Hunt, Chairman

Bettina M. Lawton, Vice Chairman

Katherine K. Hanley, Secretary