

MINUTES
Fairfax County Electoral Board
August 24, 2020

The Fairfax County Electoral Board (Board) met on Monday, August 24, 2020, in Conference Room 315 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; Election Manager Eric L. Spicer; Election Officer Manager Ravi Udeshi; Assistant Registrars Pat Ferguson and Cheryl Jones; Voting Equipment Manager Alexander Russell; Public Information Officer Brian Worthy; Supply Manager Kay Garrison, and Clerk to the Board Beth Dixon Methfessel were present. Jean Thoensen, Fairfax County resident; and Judy Flaig, member of the Fairfax County Republican Committee (FCRC) also attended the meeting. The following individuals participated remotely by telephone: Keith Damon representing the FCRC; Jack Kiraly, Executive Director of the Fairfax County Democratic Committee (FCDC); Kristin Cabral and Stephen Spitz, also representing the FCDC; Donna Rostant and John Farrell, members of the FCDC; Maggi Luca, Wayne Knight; and Deb Wake representing the League of Women Voters (LWV); and Tony Olivo of the Washington Post.

Mr. Hunt called the meeting to order at 6:02 p.m. and introduced the Board. Ms. Hanley moved to approve the agenda, and by a vote of 3-0, the August 24, 2020, meeting agenda was adopted.

Mr. Hunt asked for approval of the Draft Minutes of the Electoral Board meetings held on July 14, 2020. Ms. Hanley moved approval, and by a vote of 3-0, the July 14, 2020, Minutes were adopted.

Mr. Hunt called for a motion to appoint 1988 election officers (EOs) (1155 Democrats, 721 Independents, and 112 Republicans) for a term ending February 29, 2021. Ms. Hanley moved approval, and the motion passed by a vote of 3-0.

Under the General Registrar's report dated August 22, 2020, (attached and made a part of this record), the Office of Elections (Office) has received over 110,000 applications for absentee ballots. This has stretched staff's capacity to respond and additional staff has been recruited to include a night shift. The initial mail-out is estimated to be 125,000 to 140,000 ballots. In comparison, the initial mail-out in 2016 was 37,000.

The recent mailing by the Center for Public Information had a huge negative impact on operations. The entire registration and absentee application processing staff spent five days fielding telephone calls and emails from concerned voters. This was essentially five lost days for productive work. A representative of the organization contacted the office and offered a reimbursement for the lost time; therefore, a bill will be sent to them for \$18,725.

Due to the expected requirement to provide postage paid return envelopes, not all mailing materials have been printed. The print vendor is working on behalf of the Office to

establish Business Reply Mail accounts for this election to be applied to the return ballots. Although ELECT will reimburse for the postage, the County will have to absorb the costs of creating and maintaining the account. Mr. Scott added that a postmark is not required if the absentee ballot is received before noon on the Friday after the election. The return envelope has a barcode that will allow a returned absentee ballot to be scanned for VERIS (Virginia Election and Registration Information System). The barcode includes the name and the election.

On Friday, August 20, the Federal Court in Lynchburg ruled the witness signature on the return absentee ballot envelope will not be required. The Department of Elections will issue additional guidance on how to proceed. Mr. Scott indicated that Envelope B will be printed without a witness signature line. Mr. Hunt remarked that the witness signature is not required if the voter does not believe they may have a witness safely present while completing the absentee ballot. Those that feel safe may want a witness, and as such, the witness signature should be not be removed.

More personal protective equipment (PPE) is available for the polling places and satellites. Staff secured enough face masks, face shields, gloves, hand sanitizer, sanitizing wipes, cleaner for the working surfaces and paper towels and wipes to supply all poll workers. Mr. Spicer identified a source of portable transparent acrylic shields (sneeze guards) and one will be provided for each check-in station at the polls and the satellites. The County Facilities Management Division (FMD) will provide COVID 19 safety signs and distance markers for use at the polling places. Although voters cannot be required to wear a face covering, all election workers, including authorized representatives, must wear a face covering in the voting room.

With the expectation that the General Assembly will authorize the use of drop-off boxes for the voter satellite offices and inside the polling places on Election Day, the Office procured a locked, collapsible drop-off box. For safety and security reasons, there will be no curbside drop-off box at the polling places for these locations. Voters must come into the facility, but not the voting room and stand in line, to cast their absentee ballot in a drop-off box. Satellite drop-off boxes will be emptied at least daily with ballots returned to the Government Center. The rovers who will be assigned to collect the ballots will be designated as Assistant Registrars. The drop-off boxes will only available when the satellites are open. Additional staff and election officers will always be assigned to monitor the drop-off boxes. Mr. Hunt asked how the election officers will respond to a voter who attempts to cast a “handful” of ballots, i.e., is there any mechanism being considered that will match a voter to the absentee ballot being cast in the drop-off box. Mr. Scott responded that the Department of Elections (ELECT) has not yet issued guidance on this question. Ms. Thoensen commented that the General Assembly has not determined if ballots may be dropped off by family members. Ms. Thoensen further expressed a concern that election officers will become “bouncers” of the drop-off box if guidance is not clear. FCRC asked if the drop-box at the Government Center will be available on September 18. Mr. Scott responded that ballots can be returned to the Government Center starting on that date. FCRC asked if curbside voters can ask an election officer to take their absentee ballot inside and cast it in the drop-off box. Ms. Lawton explained that the Code does not legally offer a provision for an election officer to retrieve and cast the absentee ballot of a curbside voter. LWV asked if the drop-off box outside of the Government Center will be available 24/7. Mr.

Scott replied that the outside utility payment box that is sometimes used by voters to deposit an absentee ballot is not compliant under current Virginia Code. Once guidance is issued by ELECT, this receptacle may be modified to comply with the security requirements that will allow for this method of absentee ballot drop-off.

Under Election Administration, 989,000 ballots will be ordered for the November election. Separate ballots will be provided for English, Spanish, Vietnamese, and Korean. To meet the deadline for the first mailing on September 18, the 10 ballot proof styles must be to the printer by September 4. This assumes that all candidates have been qualified and ELECT has approved the artwork for the ballot.

A minimum of two scanners and 2 ExpressVote machines will be allocated to each precinct. Twelve to twenty EOs will be assigned to each precinct for a total of almost 4,000 EOs deployed countywide. Approximately 100 new EO applications are received daily. This response will ensure that an appropriate amount of reserve officers will be available to replace the approximately 1,000 EOs who will cancel before Election Day. This high response level of applicants also includes individuals interested in the seasonal positions available for absentee ballot processing. FCRC asked if the Office will attempt to balance the EO assignments between Democrats and Republicans. Ms. Hanley replied that partisan balance is always the goal, considering that one-third of the number [outside of the Chief and Assistant Chief] can be Independent EOs.

For the November election, one PPE EO will receive special training on social distancing requirements and PPE supplies. This individual will be responsible for ensuring that all social distancing signs are posted, extra tables are placed in front of each check-in table for social distancing, social distancing signs are posted on the floor, and that all election officers and party observers wear a face covering or face mask at all times when they are at their work station and/or in the voting room. This individual will also be responsible for managing the use of PPE supplies and ensuring that items such as single-use pens and single-use privacy folders are not recirculated or used by a second voter. This individual will also be responsible for sanitizing voting booths, check-in tables, and all other surfaces throughout the day.

Mr. Knight asked if the Chief and Assistant Chief briefings will be held on-line and how Election Day materials would be distributed to these officers. Mr. Hunt responded that all training will be on-line and the process for picking up supplies will mirror the same plan followed for the June Primaries. Chiefs and Assistant Chiefs will schedule a pick-up time to allow for social distancing.

Under the Chairman's report, Mr. Hunt reported that a member of the Roanoke Electoral Board reached out to inquire if the voter satellite offices will offer the same services as the Office. Mr. Hunt explained that the voter satellite offices are offered to provide in-person absentee voting. A voter registration form can be submitted at these locations, but it will be returned to the Office for processing. A colleague at the University of Virginia's School of Engineering has asked Mr. Hunt to address his classes on applying engineering to public service. Mr. Hunt expressed concern on the guidance covering a voter attempting to cast more than one ballot in a drop-box. Mr. Hunt asked if identification is solicited from a voter casting an absentee ballot in

the Government Center. Mr. Scott responded that while there is no attempt to identify the voters casting absentee ballots in the Office, voters are not permitted to cast more than one ballot.

There no Vice Chairman's Report.

Under the Secretary's report, Ms. Hanley moved that all those working or volunteering at the voter satellite offices, Election Day polling places, pre-processing areas, Central Absentee Precinct activities, the Logistics Center, the Office of Elections, including temporary locations, and the post-election canvass, be required to wear face coverings, and that all outside observers at these activities must meet the same requirements. Furthermore, the Electoral Board will notify the political parties and the candidates of this requirement. The motion passed by a vote of 3-0.

The Board clarified that the type of face coverings will be up to the individual and includes masks and face shields.

The name of Pioneer precinct's polling place will be changed from Robert E. Lee High School to John R. Lewis High School, and Hidden Meadow precinct's polling place name will change from Episcopal Church of the Epiphany to Epiphany Episcopal Church. All voters in these two precincts will receive a notification of these name changes.

Under New Business, Ms. Hanley moved that the Electoral Board authorize forty (40) additional assistant registrar designated positions for the period October 14 through November 3, 2020. These positions will be located at the fourteen (14) voter satellite offices and the extension of the Office of Elections at the Government Center. The motion passed by a vote of 3-0.

Ms. Methfessel updated the Board on the changes to the High School Student Election Day Participation Program (Page Program). She explained that all training will be on-line, and applicants must be receive a score of 80% on the material covered before an application can be submitted. Election Day assignments will be sent electronically. The requirements for the program expanded to allow students to apply who are at least 16 years old, enrolled in a high school civics class, and reside in Virginia. Ms. Methfessel informed the Board that interest in the program from both parents and students remains high, even with the understanding that all participants will be assigned inside a polling place and must adhere to all health and social distancing guidelines.

Under Public Comments, Mr. Farrell asked for the last date a previously qualified candidate can file to drop-out of their contest without affecting the printing of the ballot. Mr. Scott responded that as soon as the final presidential candidates are qualified, the ballot must immediately be sent to the printer. This date is expected to be no later than September 1, 2020. Mr. Knight asked if there is a policy for handling voters who are not wearing a face covering. Mr. Hunt answered that current guidance requires that voters without face coverings must be allowed to vote. Ms. Flaig asked for clarification on the hours of the voter satellite offices. Ms. Hanley responded that the published hours are 1 p.m. until 7 p.m. but subject to revision if in-

person absentee voting runs higher than expected. Saturdays will be from 9 a.m. until 5:00 p.m. on October 17, 24, and 31. The Government Center hours for in-person absentee voting will be 8:00 a.m. until 4:30 p.m. Mr. Scott added that once the voter satellite offices open, the Government Center hours will be extended until 7:00 p.m. or to any closing time of the voter satellite offices if extended by the Board. The Government Center will be open for absentee voting on September 19. All Saturday hours are 9:00 a.m. to 5:00 p.m.

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). Without objection, and by a vote of 3-0, the Board entered into Closed Session at 7:16 p.m.

At 8:05 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 8:06 p.m.

Attachments

Stephen M. Hunt, Chairman

Bettina M. Lawton, Vice Chairman

Katherine K. Hanley, Secretary

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