

MINUTES
Fairfax County Electoral Board
November 4, 2020

The Fairfax County Electoral Board (Board) met at 9:00 a.m. on Wednesday, November 4, 2020, in the cafeteria 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 General and Special Elections held on November 3, 2020. Chairman Stephen M. Hunt, Vice Chairman Bettina M. Lawton, Secretary Katherine K. Hanley, General Registrar Gary D. Scott, 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. Observers and party representatives were also in attendance.

Mr. Hunt called the Canvass to order at 9:00 a.m., introduced the Board, and welcomed the Canvass workers, authorized representatives, and observers. The Board then unsealed Conference Room 315 containing the election materials. The provisional ballots were given to the General Registrar for research purposes.

Staff reported that there will be approximately 4000 provisional ballots to adjudicate.

Mr. Spicer reviewed the County's emergency evacuation plan for the Canvass. Corrections to the SORs should be made in red and initialed by the Canvass team and brought to the immediate attention of the Mr. Spicer. Any issues or problems regarding the Canvass should be brought to the Board.

The Canvass teams recessed for lunch at 12:00 p.m. Security detail was posted to the cafeteria. At 1:00 p.m. the cafeteria was reopened, and the Canvass resumed.

At 12:00 p.m. in Conference Room 232, 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 November 3, 2020, General and Special Elections, to present any information that might prove they are qualified, registered voters in the precinct where they cast their provisional ballot.

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 12:00 p.m. There were no authorized representatives. **Nine** voters presented information regarding their provisional ballots.

At 2:45 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.

The Board will commence hearing provisional voters on Thursday, November 5, 2020, from 1:00 p.m. until 4:30 p.m.

Bonnie Fite, an absentee election official from the Centreville Regional Library voter satellite office, explained the circumstances surrounding a voter who mistakenly cast a blank ballot. The individual was allowed to cast a provisional ballot. The information provided by Ms. Fite will be taken into consideration by the provisional ballot research team.

Gary Groves, District Coordinator for AARP TaxAide of Northern Virginia, submitted a request to borrow the plexiglass sneeze guards deployed for the election to assist with the preparation of taxes for seniors and low to moderate income individuals and families (attached and made a part of this record).

The Board received two reports of damage to polling places (attached and made a part of this record). One report originated from a school that claimed the gym floor was damaged by the use of unauthorized tape; the other incident was from a church that reported damage to the retractable stanchions loaned to the election team to assist with line control.

At 4:00 p.m. Mr. Hunt recessed the Canvass. The election material was locked and sealed in Conference Room 120 by the Electoral Board. The Canvass will reconvene at approximately 9:00 a.m. on Thursday, November 5, 2020.

Thursday, November 5, 2020
Reconvened Canvass and Provisional Ballot Meeting

At approximately 9:00 a.m., the Electoral Board unsealed Conference Room 120 and reconvened the Canvass.

At 1:56 p.m. in the Electoral Board Conference Room, the Electoral Board reconvened the provisional part of the canvass as required by Va. Code § 24.2-653 to allow voters casting provisional ballots in the November 3, 2020, General and Special Elections, to present any information that might prove they are qualified, registered voters in the precinct where they cast their provisional ballot.

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 1:57 p.m. There were no authorized representatives. **One** voter presented information via conference call regarding his/her provisional ballot.

At 3:05 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.

At 2:15 p.m. the Canvass concluded for all 243 precincts. Staff reported that there will be **4,375** provisional ballots to adjudicate.

At 4:30 p.m. Mr. Hunt recessed the Canvass. The Canvass for the Central Absentee Precinct (CAP) will begin on Saturday, November 7, 2020, at 1:00 p.m. The Provisional Ballot Meeting will reconvene on Sunday, November 8, 2020, at a time and location to be determined.

Saturday, November 7, 2020
Reconvened Canvass (Central Absentee Precinct)

At approximately 4:00 p.m., the Electoral Board unsealed Conference Room 120 and reconvened the Canvass.

The Canvass of the Central Absentee Precinct concluded at 10:15 p.m. Mr. Hunt recessed the Canvass until Sunday, November 8, 2020, at 2:00 p.m. in Conference Room 315. The Board will begin the adjudication of the provisional ballots.

Sunday, November 8, 2020
Reconvened Canvass (Provisional Ballot Meeting)

At 3:15 p.m. in Conference Room 315, the Electoral Board reconvened the provisional part of the canvass as required by Va. Code § 24.2-653 to allow voters casting provisional ballots in the November 3, 2020, General and Special Elections, to present any information that might prove they are qualified, registered voters in the precinct where they cast their provisional ballot.

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 3:16 p.m. Christine Brim was the authorized representative for the Fairfax County Republican Committee (FCRC). There was no authorized representative for the Fairfax County Democratic Committee (FCDC).

At 4:52 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 **3,335** out of the 4,375 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 November 3, 2020, General and Special Elections. The motion passed by a vote of 3-0.

Mr. Hunt moved that **1,039** out of the 4,375 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 November 3, 2020, General and Special Elections. The motion passed by a vote of 3-0.

The Board qualified a total of **3,335** provisional ballots distributed as follows for the three congressional districts (CD); 1694 in the 11th CD; 502 in the 10th CD; and 1139 in the 8th CD.

The Board began opening and scanning the qualified provisional ballots. Approximately 2,000 were scanned by 8:36 p.m. when Mr. Hunt recessed the Provisional Ballot meeting until Monday, November 9, 2020, at 9:00 a.m.

Monday, November 9, 2020
Reconvened Canvass (Provisional Ballot Meeting)

The Provisional Ballot meeting reconvened at 9:00 a.m. Scanning was completed at 12:00 p.m. Hand-counting was completed at 5:30 p.m. An error in the total number of provisional ballots was discovered that resulted in an additional 15 provisional ballots that should have been disqualified due to the voter having already a cast a ballot.

Ms. Hanley moved that Dan Per-Lee be appointed as the Deputy Machine Custodian. The motion passed by a vote of 3-0.

Mr. Hunt moved that **15** out of the 15 Provisional Ballots entered as rejected on the Auxiliary Provisional Ballot Log be **disqualified** for the reasons determined by a majority vote of the Electoral Board. The Auxiliary Ballot Log shall be retained and incorporated into the Minutes of the Canvass of the November 3, 2020, General and Special Elections. The motion passed by a vote of 3-0.

The Board disqualified a total of **1,054** provisional ballots.

The Board completed the Statement of Results for the qualified provisional voters in the 8th, 10th, and 11th CDs for the November 3, 2020, General and Special Elections.

The Board then certified the election results for the November 3, 2020, General and Special Elections, and signed the abstracts. All paperwork will be submitted to the Department of Elections on Tuesday, November 10, 2020.

Ms. Lawton moved that there being no further business, the Board conclude the November 3, 2020, General and Special Elections. By a vote of 3-0, and without objection, the Board adjourned at 8:50 p.m.

Attachments

Stephen M. Hunt, Chairman

Bettina M. Lawton, Vice Chairman

Katherine K. Hanley, Secretary

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