

MINUTES  
Fairfax County Electoral Board  
February 4, 2021

The Fairfax County Electoral Board (Board) met on Thursday, February 4, 2021, in Conference Room 315 at the Fairfax County Government Center located at 12000 Government Center Parkway, Fairfax. Chairman Stephen M. Hunt; Vice Chairman Bettina M. Lawton; Secretary Katherine K. Hanley; and Clerk to the Board Beth Dixon Methfessel were present. Judy Flaig, member of Fairfax County Republican Committee (FCRC) also attended the meeting in person.

The following individuals participated through Zoom's video conferencing service: General Registrar Gary Scott; Election Manager Eric L. Spicer; Election Officer Manager Ravi Udeshi; Assistant Registrars Cheryl Jones, Pat Ferguson, and Helen Chaikovsky; IT Manager George Panagakos; Supply Manager Kay Garrison; 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; Chris Ambrose, Richard Chew, John Farrell, Donna Rostant, Maria Vorel, and Janice Yohai, members of the FCDC; Deb Wake, Maggi Luca, and Arina van Breda, members of the League of Women Voters (LWV); Andrea Bayer, Melissa Beaudoin, and Jean Thoensen, Fairfax County residents; and Kathryn Martin, Office of Elections (Office) staff.

Mr. Hunt called the meeting to order at 5:00 p.m. and introduced the Board. Mr. Hunt instructed the Zoom participants to use the "raise hand" function to make a comment after the conclusion of the General Registrar's report, or during the discussion of motions under consideration.

Ms. Hanley moved to approve the agenda, and by a vote of 3-0, the February 4, 2021, meeting agenda was adopted.

Mr. Hunt asked for approval of the Draft Minutes of the Board meeting held on January 11, 2021. Ms. Hanley moved approval, and by a vote of 3-0, the Minutes of the Board meeting held on January 11, 2021, were adopted.

Mr. Hunt asked for a motion to appoint 11,193 election officers (6,167 Democrats, 3,018 Independents, and 2,008 Republicans) for a two-year term beginning March 1, 2021, and ending February 28, 2023. These numbers include 7,734 active officers as well as 3,459 individuals who applied to serve for the November 2020 election, received party endorsement, but have not yet had an opportunity to serve. The numbers take into account the 79 individuals not endorsed for the new appointment term by the FCRC but will be offered an opportunity to serve as an unaffiliated election officer (see Status of Election Officer Reappointment Process attached and made a part of this record). Training must be taken before any of the appointees are eligible to serve in their first election of the new appointment term. Ms. Hanley moved to adopt the appointment list, and by a vote of 3-0, the Board appointed 11,193 election officers (6,167 Democrats, 3,018 Independents, and 2,008 Republicans) for a two-year term beginning March 1, 2021, and ending February 28, 2023.

Under the General Registrar's report dated February 3, 2021, (attached and made a part of this record), Mr. Scott stated that the Department of Elections (ELECT) has not yet scheduled February's list maintenance for those voters placed on inactive status in 2017 and 2018. Overall registration has dropped as a result of ELECT's updating the rolls to remove deceased voters or those with felony convictions.

The Office is continuing to communicate with the schools about registration of eligible seniors. Some options that have been considered are mailing an application to every eligible student with a return envelope and providing the forms to school administrators for distribution. The first option is dependent on the school system supplying the address information which is not likely. The second option relies solely on administration to distribute the forms in a timely manner.

The statewide risk-limiting audit will be conducted in late February with training and guidance forthcoming from ELECT. A team from the Office has been at the Fairfax County Courthouse for the past week organizing and labeling the absentee, precinct, and provisional ballot boxes. Ms. Hanley confirmed that Fairfax County will conduct its portion of the statewide audit on Wednesday, February 24, 2021. FCRC questioned the low number of ballots (approximately 100) required of Fairfax County for the audit. Mr. Hunt explained the logistics of the type of audit that will be performed. Ms. Flaig asked if the public would be allowed to observe. Mr. Scott responded that he expected that there will be some accommodation for the public, but social distancing requirements must be considered. Mr. Hunt suggested the parties pick up to three observers and wait until the final number of outside observers is determined by the Clerk of Court. Mr. Scott reported that the audit will take place in the cafeteria in the atrium on the first floor of the Fairfax County Courthouse.

Under the Secretary's report, Ms. Hanley covered the polling place changes that will be submitted to the Board of Supervisors on February 23, 2021, to authorize a public hearing on March 23, 2021.

- In Lee District, changing the name of Lee High School to Lewis High School
- In Mason District, moving the polling place for the Skyline precinct from Three Skyline Place to the Bailey's Community Center. Three Skyline Place has been sold and will no longer be available for voting.
- In Mount Vernon District, moving the polling place for the Belleview precinct from the Martha Washington Library to the Belle View Elementary School. In April 2019, Belle View Elementary underwent renovation. With construction is now complete, this change will return the polling place to Belle View Elementary School.
- In Providence District, moving the polling place for the Oak Marr precinct from the Oak Marr Recreation Center to the Oakton Library. This proposed change will provide a more accessible and convenient facility for the voters in this precinct.

- In Springfield District, moving the polling place for the Centerpointe precinct from The Waterford at Fair Oaks to the Herrity Building. The Waterford at Fair Oaks has been closed permanently and will no longer be available for voting.
- In Sully District, changing the name of Episcopal Church of the Epiphany to Epiphany Episcopal Church.

Ms. Hanley also reported that, as now required by statute, a public hearing will be requested on March 23, 2021, to add the Burke Centre Library as an additional voter satellite office. No voter satellite offices will be removed, and other locations are still under consideration.

Ms. Hanley thanked the FCDC for their letter dated February 4, 2021, (attached and made a part of this record) summarizing observations and recommendations about early voting in 2020. She did note that one of the recommendations suggested the use of gel pens. Ms. Hanley commented that the voting equipment vendor specifically discouraged the use of gel pens as they leave a residue that could jam the ballot reader. Ms. Hanley also noted that voting outside the polling place [curbside] must occur within 150 feet of the entrance [§ 24.2-649(A)]. She mentioned that a bill is being proposed in the current General Assembly session requiring the reporting of election results by precinct. Passage would necessitate approximately 250 ballot styles unless a print-on-demand system is used. Print-on-demand would require approximately 50 printers at each voter satellite office. Ms. Thoensen commented that the energy that the printers to operate is significant and must be considered. Additionally, given the number of voter satellite offices in Fairfax County, direct access to Virginia's Election and Registration Information System (VERIS) to check-in early/absentee voters must be maintained. Ms. Hanley opined that it would be helpful if implementation could be delayed in order to address the significant administrative challenges presented with reporting by precinct. FCRC requested a copy of the FCDC letter.

Under the Vice Chairman's report, Ms. Lawton added that an exploration of alternate sites for the Herndon Library will be scheduled within the next few weeks.

Under the Chairman's report, Mr. Hunt remarked that the logistics of reporting by precinct would require the accommodation of every single voting option to capture specific precinct data. This would challenge reporting any results on election night. Ms. Jones added that if reporting by precinct is passed, it would require hand-count tally sheets for every ballot style. This would necessitate more physical space for sorting and hand-counting the ballots as well as producing a lengthy and unwieldy statement of results.

Under Public Comments, Ms. Luca noted that Virginia has ruled that ballots received after Election Day must be post-marked as of Election Day to be counted. FCDC asked about the status of the search for a new General Registrar. Mr. Hunt responded that the interview process is moving forward. Mr. Farrell asked if sturdier drop-off boxes will be provided. Mr. Hunt responded that this will be considered if legislation mandates drop-off boxes for future elections. Mr. Scott added that a dedicated, permanent drop-off box for the Fairfax County Government Center will be procured. He also asked if staff researched the efficacy of adding a Sunday to the absentee voting calendar. Mr. Scott answered that staff has not yet addressed the logistics of adding a Sunday. Ms. Hanley commented that although the Board voted to

“consider” adding Sunday, at some point the availability of Sunday voting will be provided. Ms. Lawton added that there is ample time to hire and train appropriate staff prior to the November election.

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 6:04 p.m.

At 7:30 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 7:31 p.m.

Attachments

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Stephen M. Hunt, Chairman

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Bettina M. Lawton, Vice Chairman

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Katherine K. Hanley, Secretary