

MINUTES  
Fairfax County Electoral Board  
April 22, 2021

The Fairfax County Electoral Board (Board) met on Thursday, April 22, 2021, in Conference Room 315/319 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 General Registrar Scott O. Konopasek were present. Jean Thoensen, Susan Swiatek, and David Lopez, Fairfax County residents, also attended the meeting in person.

The following individuals participated through Zoom's video conferencing service: retiring General Registrar Gary Scott; Clerk to the Board Beth Dixon Methfessel; Public Information Officer Brian Worthy; 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; Voting Equipment Manager Tyrone Allen; Deputy Machine Custodian Tom Bjerke; 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; John Farrell, Donna Rostant (General Counsel), Maria Vorel Precinct Operations); and Janice Yohai (Voter Registration and Education), members of the FCDC; Clay Percle, Chairman of the FCRC Election Integrity Committee; Nancy Boldosser, Christine Brim, Johnna Sachse, Jeffrey Shapiro, and J.D. Evans, members of FCRC Election Integrity Committee; Deb Wake, Beth Tudan, Maggi Luca, Arina van Breda, and Wayne Knight, members of the League of Women Voters (LWV); Peter Burke, Fairfax County resident; and Otis Langford, Alina Selnick-Escobar, Sean Stewart, and Jerald Taylor, 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, during the discussion of motions under consideration, and for Public Comments.

Ms. Hanley moved to approve the agenda with the removal of Item 3 under New Business "FCRC Request for Contact Information Report for Republican Election Officers." By a vote of 3-0, and with no objection, the April 22, 2021, meeting agenda, as amended, was adopted.

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

Mr. Hunt asked for a motion to appoint 108 election officers (69 Democrats, 11 Independents, and 28 Republicans) for a term ending on February 28, 2023. With thanks to the political committees for submitting timely approvals of their election officer applicants, by a vote of 3-0, the Board appointed 108 election officers (69 Democrats, 11 Independents, and 28 Republicans) for a term ending February 28, 2023.

Under the General Registrar's report dated April 21, 2021, (attached and made a part of this record), Mr. Konopasek, the new General Registrar and Director of Elections, introduced himself. He thanked the staff for their welcome and commented that he was looking forward to the Vienna Town election and the June Primary election as opportunities to learn how to serve the voters in Fairfax County. Weekly two-hour long planning meetings will be held for all managers and functional leads in order to develop and coordinate a comprehensive election plan for the November and future elections.

With respect to the June 8 Democratic Party Primary, the Government Center will open for voting on Friday, April 23. At the Government Center, staff will pilot providing a DS200 in the tent for curbside voters to eliminate couriering the ballots into the building to be cast. Mount Vernon Government Center and North County Government Center will open on Saturday, April 24<sup>th</sup>. A list and map of early voting locations is attached and made a part of this record.

Mr. Percle of FCRC's Election Integrity Committee welcomed Mr. Konopasek to Fairfax County. He asked Mr. Konopasek what impact, if any, did the outage in the statewide voter registration system (VERIS) that occurred prior to the statewide Republican convention have on voter registration, and what accommodations were made, if any, to allow for voter registration during this outage. Mr. Konopasek responded that he will follow-up on these concerns.

Ms. Rostant, General Counsel for FCDC, also welcomed Mr. Konopasek. Ms. Rostant asked if a non-routine specialist will be used for the June Primary election. Mr. Udeshi responded that a non-routine specialist will not be assigned for this election.

Mr. Scott, the retiring General Registrar, reported on legislative changes under the Governor's current budget amendment that will impact the May Town and/or the June Primary elections. If the state of emergency continues, these changes will remain in effect for the November election. Most language in the budget amendment restored and authorized changes implemented for the November 2020 election, such as prepaid postage for absentee ballot returns, no requirement for a witness signature, ballot curing, and drop-off boxes. A permanent, monitored drop-off box will be installed at the Government Center within the next few weeks.

On behalf of the Electoral Board, Mr. Hunt welcomed Mr. Konopasek and thanked him for onboarding so quickly. Mr. Hunt thanked Mr. Scott for his many years of dedicated service, first in the United States Navy, and after his military career, to the Office of Elections.

Under the Secretary's report, Ms. Hanley summarized the following precinct and polling changes passed by the Board of Supervisors on March 23, 2021:

- The name of the polling place for #409 Pioneer precinct changed from Lee High School to Lewis High School.
- The polling place for the Skyline precinct was moved from Three Skyline Place to the Bailey's Community Center.

- The polling place for the Belleview precinct moved from the Martha Washington Library to the Belle View Elementary School.
- The polling place for the Oak Marr precinct moved from the Oak Marr Recreation Center to the Oakton Library.
- The polling place for the Centerpointe precinct moved from The Waterford at Fair Oaks to the Herrity Building.
- The name of the polling place for #908 Hidden Meadow precinct changed from Episcopal Church of the Epiphany to Epiphany Episcopal Church.

Ms. Hanley explained that in 2020 the General Assembly passed legislation requiring each precinct be wholly contained within a single congressional district, Senate district, House of Delegates district, and election district used for the election of one or more members of the governing body or school board for the county or city. There was an expectation that this law would apply to redistricting, however, due to the pandemic, census data was delayed, and redistricting has not yet occurred. Nevertheless, the statute is specific that split precincts must be eliminated, and Fairfax County must address the five precincts, Lorton, Lane, Baileys, Weyanoke, and Camelot, split by House of Delegate district boundaries. One precinct, Lorton, cannot be split because it would create a precinct with fewer than 100 voters. The governing body of each locality must request a waiver to administer Lorton as a split precinct. Ms. Hanley moved that the Electoral Board request the Board of Supervisors to apply to the State Board of Elections for a waiver to administer split precincts for those that would qualify according to Virginia Code § 24.2-307. The motion passed by a vote of 3-0.

Under New Business, the Electoral Board acknowledged the Resource Allocation for the June Primary election (attached and made a part of this record). Ms. Lawton asked that flexibility be maintained as the allocation is based on a 30% turnout, and media reports indicate that the turnout may be closer to 40%. Mr. Scott added that an additional 20% was allocated for absentee voting, therefore, enough ballots are available for up to a 50% turnout.

Ms. Hanley moved that the Electoral Board authorize forty-two (42) additional assistant registrar designated positions for the period April 23, 2021, through June 5, 2021. These positions will be located at the sixteen (16) voter satellite offices and the extension of the Office of Elections at the Government Center. The motion passed by a vote of 3-0.

Under Public Comments, many participants thanked Mr. Scott for his many years of service and offered best wishes in his retirement. Additional comments welcomed Mr. Konopasek to Fairfax County and expressed enthusiasm for working with him.

Mr. Farrell asked if staff submitted a proposal to add Sunday voting. Ms. Hanley responded that a plan for Sunday voting will be considered for the November election once the June Primary election is concluded.

Mr. Spitz asked if the inconsistencies in curbside voting across the various voter satellite offices that occurred during the November election have been addressed. Ms. Chaikovsky

responded that after the November election, a number of changes will be implemented. At the Government Center, an outside tent will be added to process curbside voters more quickly and efficiently by providing VERIS access. Curbside voters will cast their ballots directly into a ballot box that will be returned to the Government Center at set intervals. Mr. Konopasek added that he will monitor the plans currently in place to efficiently handle all curbside voters, including lack of cell phone reception at precincts.

Ms. Sachse asked for copies of the ES&S contract for the voting equipment with all amendments, including the specifications for the original (2014) purchase of the DS850 high-speed scanner as well as the DS850 purchased in 2020. She included in her request copies of all contracts with KnowInk, Konnech, or any other vendor providing equipment or services to the Office of Elections. Ms. Sachse asked for the purchase order with EnterCycle LLC, the manufacturer of the permanent drop-box, and those used at the satellite voting locations and the precincts. Mr. Konopasek will follow-up on this request.

Ms. Vorel pointed out that in addition to the inside set-up of the polling locations, equal consideration must be given to managing those functions occurring outside such as curbside voting, line management, signage, and traffic control.

Ms. Thoensen asked if a county-wide flyer will be sent to registered Fairfax County voters prior to the June Primary election. Ms. Hanley responded that because voters do not register by party, targeting the flyer's recipients would be problematic. There are plans, however, to provide this mailing for the November election.

Ms. Swiatek asked the Board to explain the responsibilities of the drop-off box election officers. In addition to monitoring voters from other jurisdictions so that they do not cast their ballots in these drop-off boxes, Ms. Hanley replied that these election officers ensure that no one damages or moves the drop-off box. Additionally, it provides an unbroken chain of custody of live ballots cast in the drop-off boxes. Mr. Hunt commented that the election officers also ensure that the absentee ballot is sealed in the absentee ballot envelope.

Mr. Shapiro pointed out that last year the Office of Elections accepted a large grant from CTCL (Center for Tech and Civic Life). He asked what reciprocity was expected for accepting this funding. Mr. Scott explained the grant could not be allocated for any item within the approved fiscal year budget. Of the \$1.434 million, \$1.28 million was spent on overtime staffing, an additional DS850 high speed voting machine, personal protective equipment and supplies, additional ballots, and enhanced building security at the Government Center and the voter satellite offices. Mr. Shapiro expressed concern that if the Office of Elections is underfunded, and therefore plans to accept this type of money in the future, how will the process allow for full transparency to ensure that no outside source gains influence in the conduct of Fairfax County's elections. Mr. Konopasek agreed that transparency is critical, and if a grant is considered in the future, a public process will be utilized to develop the spending plan. Mr. Hunt added that he was unaware of any requirements placed on localities for accepting the grant money.

Mr. Scott thanked the Electoral Board, staff, the political committees, and the League of Women Voters for their assistance and support over the many years he served as Deputy

Registrar and also as General Registrar. He wished Mr. Konopasek many successful years as the new General Registrar.

There being no further business, Ms. Hanley moved to adjourn. The motion carried, and without objection, the meeting was adjourned at 6:30 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

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