

MINUTES  
Fairfax County Electoral Board  
July 22, 2021

The Fairfax County Electoral Board (Board) met on Thursday, July 22, 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; General Registrar Scott O. Konopasek; Election Manager Eric Spicer, Assistant County Attorney Martin Desjardins, and Clerk to the Electoral Board Beth Dixon Methfessel were present.

Jack Kiraly, Executive Director of the Fairfax County Democratic Party (FCDC); Gregory Brandon (FCDC Central Communications), James Bierman (FCDC Dranesville District Chair), and Richard Chew (FCDC Hunter Mill District Chair); Christine Brim, Johnna Sachse, Jeffrey Shapiro, and Susan Swiatek, members of the Fairfax County Republican Committee (FCRC) Election Integrity Committee; Arina van Breda and Maggi Luca, representing the League of Women Voters (LWV); Tyler Lincks, representing Print Elect; Assistant Registrars Cheryl Jones, Pat Ferguson, and Helen Chaikovsky; IT Manager George Panagakos; Supply Manager Kay Garrison; Voting Equipment Manager Tyrone Allen; Acting Supervisor of Voter Registration Bushra Ardalan; Election Officer Assistant Coordinator Alina Selnick-Escobar; Voter Satellite Office Assistant Florence Brown; and Dan Heily, Jean Thoensen, and Russell Vane, Fairfax County residents, also attended the meeting in person.

The following individuals checked in through the Polycom service: Election Officer Manager Ravi Udeshi; Kristin Cabral and Stephen Spitz (FCDC Election Law and Voter Protection); Donna Rostant (FCDC General Counsel), Maria Vorel (FCDC Precinct Operations), and Janice Yohai (FCDC Voter Registration and Education); and Kimberly Adams, Jason Buntin, Jill Mobley, and Robert Whearty, Fairfax County residents.

Mr. Hunt called the meeting to order at 5:02 p.m. and introduced the Board.

Ms. Hanley moved approval of the agenda. By a vote of 3-0, and with no objection, the July 22, 2021, meeting agenda was adopted.

Mr. Hunt asked for approval of the Draft Minutes of the Board meetings held on June 3, 2021, and June 9, 2021. Ms. Hanley moved approval, and by a vote of 3-0, the Minutes of the Board meetings held on June 3, 2021, and June 9, 2021, were adopted.

Mr. Hunt asked for a motion to appoint 77 election officers (25 Democrats, 16 Independents, and 36 Republicans) for a term ending on February 28, 2023. Ms. Hanley moved approval, and by a vote of 3-0, the Board appointed 77 election officers (25 Democrats, 16 Independents, and 36 Republicans) for a term ending February 28, 2023.

Under the General Registrar's report dated July 20, 2021, (attached and made a part of this record), Mr. Konopasek explained that the General Registrar's report will now track deltas in voter registration numbers to show trends. The NVRA mandated list maintenance in June canceled almost 15,000 inactive Fairfax County voter registration records. Mr. Konopasek

explained that these voters were placed on inactive status on or before August 2018, did not respond to multiple notices, did not vote in any election, and did not update their voter registration for two federal elections.

Mr. Konopasek informed the Board that the Commissioner of the Department of Elections (ELECT) Chris Piper indicated that representatives of Virginia's General Registrar community would play a role in the implementation of the new statewide voter registration community. Mr. Konopasek informed Mr. Piper that Fairfax County must participate in this phase to ensure the successful implementation of the new system.

In compliance with new legislation effective July 1, 2021, 15,693 voters were notified that their annual absentee ballot application would be changed to a permanent application unless an opt-out notification was submitted to the Office of Elections (Office). To date, 212 opt-out requests have been received.

Beginning in July, ES&S upgraded firmware/software in all voting machines. Both political parties were notified that representatives could observe the process. The upgrade of the ExpressVote machines enhanced usability features to encourage the use of the EV as a viable option for voters who want a ballot marking device.

Mr. Konopasek reviewed the changes that were implemented during the 2021 June primary election. In parallel with the call-in return sheets, the electronic media was returned on election night in order to produce election results. This plan will be implemented in November, and if successful, the call-in sheets will no longer be used. The canvass order was changed to focus first on the examination of the election results. This reorganization was effective and will become a permanent change. Mr. Hunt asked if all previous steps taken to review election materials were still performed. Mr. Konopasek clarified that no tasks were dropped in the canvassing of the election materials.

Changes to election law now allows localities to outsource to a third party the processing and mailing of absentee ballots. Three different service providers are currently being evaluated. The scope of work only covers the preparation and mailing of the absentee ballots to voters who have requested an absentee ballot (emphasis added); all returned absentee ballots will continue to be processed by Office staff. Ms. Lawton asked how many absentee ballots were mailed for the June Primary election. Ms. Jones responded that 17,676 ballots were mailed out in June. Mr. Hunt asked if the third party printers are able to print the VERIS (Virginia's Election Registration and Information System) barcodes on the absentee ballot envelopes. Mr. Konopasek responded that ELECT is facilitating the use of third-party mail houses by modifying its data export to include the barcodes. ELECT is also allowing localities who are automating their mailing to go from the four traditional envelopes to two envelopes, subject to their approval, as well as approval by the United States Postal Service. This modification will significantly reduce the resources required for absentee ballot preparation and mailing.

Mr. Konopasek asked the Board to approve staff's recommendation for the following schedule of proposed locations, dates, and hours for early in-person voting. Due to the lack of accessible facilities with public transportation in the southeastern part of the county, absentee voting will be staged in the parking lot at the Gerry Hyland Government Center (formerly South

County Government Center). This location was approved by the Board of Supervisors on June 22, 2021.

- ❖ Fairfax County Government Center room 2/3 (45 days prior to Election Day)
  - Open during the week, Friday, September 17 through October 29
  - Saturdays: September 18, October 23 and October 30
  - Sunday: October 24
  - Hours:
    - Weekdays: 8:00 am to 4:30 pm
    - Saturdays: 9 am to 5 pm
    - Sunday: 1 pm to 5 pm
  
- ❖ Mount Vernon Government Center and North County Government Center (45 days prior to Election Day)
  - Open during the week, Friday, September 17 through October 29
  - Saturdays: September 18, October 23 and October 30
  - Sunday: October 24
  - Hours:
    - Weekdays: 12 pm to 7 pm
    - Saturdays: 9 am to 5 pm
    - Sunday: 1 pm to 5 pm
  
- ❖ 13 Satellites - Open Thursday, October 21 to Saturday, October 30
  - Burke Centre Library
  - Centreville Regional Library
  - Franconia Government Center
  - Gerry Hyland Government Center
  - Great Falls Library
  - Herndon Fortnightly Library
  - Mason Government Center
  - McLean Government Center
  - Providence Community Center
  - Sully Government Center
  - Thomas Jefferson Library
  - Tysons-Pimmit Regional Library
  - West Springfield Government Center

Ms. Hanley commended staff for standardizing the schedule, as well as providing ten contiguous days of absentee voting with all locations now open on Sunday, October 24. She moved to approve the staff's recommendation for the November 2021 voter satellite schedule. Mr. Shapiro asked if the number of voters at each satellite voter office would be captured to aid in future planning. The Board responded that traffic at the satellite voter locations is tracked and recorded. The Board passed the motion by a vote of 3-0.

Mr. Konopasek submitted for the record a series of questions and responses contained in a July 22, 2021, email from Jeffrey Shapiro on behalf of the FCRC (attached and make a part

of this record). Ms. Hanley thanked Mr. Shapiro for acting as a single point of contact and providing all the questions in one document.

Under the Chairman's report, with the expiration of the state of emergency in Virginia, Mr. Hunt asked for clarification of certain procedures, specifically, the requirement for the witness signature, and how many ballots can be cast by one individual in a drop-off ballot box. Mr. Konopasek will follow up with ELECT on these questions.

Mr. Hunt welcomed Jeff Shapiro as the new FCRC representative, replacing long-serving Keith Damon. Mr. Hunt publicly recognized Mr. Damon for his many years of dedicated service and thanked him for his time and commitment. Ms. Hanley echoed Mr. Hunt's comments and expressed appreciation for the many opportunities she worked with Mr. Damon over the last several years.

There was no Vice Chairman's report.

Under the Secretary's report, Ms. Hanley explained the challenges faced by Fairfax County to provide a visual platform for remote participation of the public in the meetings of its boards, authorities, and commissions. The Electoral Board's lack of a fixed schedule and location for the meetings creates further complications. Ms. Rostant urged the Board to provide a visual platform, rather than the Polycom, for public remote participation.

There was no New Business.

Under Public Comments, Ms. Sachse asked if voters who request permanent absentee ballot status and subsequently show up on the NCOA (National Change of Address) report continue to receive an absentee ballot. Mr. Konopasek answered that inactive voters are flagged and are not sent an absentee ballot. Ms. Sachse asked if the post office places postmarks on ballot mail. Mr. Konopasek explained that certain business mail is often not postmarked. He will follow up on state guidance regarding missing or illegible postmarks.

Mr. Heily asked the Board to verify if Judicial Watch's claim that Fairfax County has more registered voters on its rolls than those who are of voting age. Mr. Hunt responded that people remaining on inactive status for up to two years may exaggerate the total number of registered voters. Additionally, the notifications due to death or felony convictions may also lag behind. Mr. Konopasek added that list maintenance is performed on a daily basis to ensure the accuracy of the voter rolls.

Mr. Shapiro commented that Virginia is not a "ballot harvesting state," and he questioned how the provisions in Va. Code 24.2-705 controlling emergency applications and absentee ballots for individual emergencies will be enforced. Updated guidelines will be solicited from ELECT.

Mr. Russell asked if the address of the location of the voting machines is classified. Mr. Konopasek responded that the equipment is stored in Fairfax County's Logistics Center in Springfield, Virginia.

Mr. Brandon asked about the security measures for the voting structure at the Gerry Hyland Government Center. Mr. Konopasek explained that a security contractor would be on-site at all times. All sensitive material will be locked in secure containers under constant surveillance by security personnel.

Ms. Brim asked if the Board received any indication that absentee ballot applications from third parties would be mailed and if these applications will suggest that voters apply for permanent absentee ballot status. Mr. Konopasek commented that he was aware that certain groups would be sending out these mailers. Mr. Hunt responded that the Office has no control over the content of these mailers as evidenced by one group, in 2020, confusing the return address between counties and cities that share the same name. Ms. Hanley added that this type of mailer is sent out not only by private groups, but candidates as well.

Mr. Kiraly asked if there would be a conflict with the Government Center's ongoing vaccination clinic and November's early voting schedule. Ms. Hanley replied that the Health Department is currently reducing its footprint in the Government Center, however, this situation will continue to be monitored. Mr. Hunt added that if the health crisis warrants a ramping up of the space needed to provide vaccinations, there are two other early voting locations opening 45 days prior to the election to help reduce the impact of restricted use of the Government Center.

Ms. Swiatek asked that comprehensive guidance on drop-off boxes be provided to the precinct election teams in November. The previous training was not clear on how many ballots could be cast by an individual or how the drop-off boxes should be monitored.

There being no further business, Ms. Hanley moved to adjourn. The motion carried, and without objection, the meeting was adjourned at 6:21 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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