

MINUTES
Fairfax County Electoral Board
September 21, 2021

The Fairfax County Electoral Board (Board) met on Tuesday, September 21, 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, and Clerk to the Electoral Board Beth Dixon Methfessel were present.

DIT Architect Kim Satterthwaite; Voting Systems Manager Tyrone Allen; Assistant Registrars Cheryl Jones and Helen Chaikovsky; IT Manager George Panagakos; Acting Supervisor of Voter Registration Bushra Ardan; Election Officer Assistant Coordinator Alina Selnick-Escobar; Office of Elections (Office) staff Florence Brown; Johnna Sachse and Jeffrey Shapiro, members of the Fairfax County Republican Committee (FCRC) Election Integrity Committee; Jack Kiraly, Executive Director of the Fairfax County Democratic Party (FCDC); Gregory Brandon (FCDC Central Communications); Richard Chew (FCDC Hunter Mill District Chair); Chris Ambrose and Carol Allen, FCDC members; Christine Brim, Judy Flaig, and Geoffrey Akey, FCRC members; and Jean Thoensen, Fairfax County resident, also attended the meeting in person.

The following individuals participated using the Zoom videoconferencing platform: Public Information Officer Brian Worthy; Election Officer Manager Ravi Udeshi; Assistant Registrar Pat Ferguson; Supply Manager Kay Garrison; Lisa Hogle, B. Gissell Jimenez, Kathryn Martin, Sean Stewart, and Jerald Taylor, Office staff; Andrea Bayer (FCRC Providence District); 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), members of FCDC; Arina van Breda representing the League of Women Voters (LWV); Sarah Thomas with Vectre Corporation; and Sandra Bellinghoven, Jason Buntin, Harold Stinnett, and Sue Swiatek, Fairfax County residents.

Mr. Hunt called the meeting to order at 5:00 p.m. and introduced the Board.

Ms. Hanley moved approval of the agenda. By a vote of 3-0, and with no objection, the September 21, 2021, meeting agenda was adopted.

Mr. Hunt asked for approval of the Draft Minutes of the Board meeting held on August 26, 2021. Ms. Hanley moved approval, and by a vote of 3-0, the Minutes of the Board meeting held on August 26, 2021, were adopted.

Mr. Hunt asked for a motion to appoint 189 election officers (45 Democrats, 62 Independents, and 82 Republicans) for a term ending on February 28, 2023. Ms. Hanley moved approval, and by a vote of 3-0, the Board appointed 189 election officers (45 Democrats, 62 Independents, and 82 Republicans) for a term ending February 28, 2023.

Under the General Registrar’s report dated September 18, 2021, (attached and made a part of this record), Mr. Konopasek updated the voter registration numbers as of September 17, 2021:

	<u>Change since August 18, 2021</u>
Active Voters: 730,140	-2,709
Inactive Voters: 42,052	-1,194
Total: 772,192	+1,515

On September 2, 2021, the technical issues in VERIS issues were resolved, and the following new precincts were created: Lane #1, Lane #2, Baileys #1, Baileys #2, Weyanoke #1, Weyanoke #2, Camelot #1, and Camelot #2.

The following guidance was provided by Garry Ellis at the Department of Elections (ELECT) regarding ballots deposited in drop boxes:

“If a voter is returning a ballot in person directly to the general registrar or staff, then the voter must turn in their own ballot and only their own ballot VA Code 24.2-707(B).

If a voter is returning ballots to a dropbox or staffed drop-off location (including at the GR's office) there is no rule that says the voter can return only their own ballot. (See 24.2-707(B) and 24.2-707.1). At drop-off locations, EOs should neither ask voters for ID nor question voters for returning more than one ballot to the drop-off location”.

Job offers have been extended for the Human Resources (HR), and the Financial Specialist positions. The HR hire will begin on October 18, 2021.

Mr. Konopasek explained that in the implementation phase for the November 2021 election, the emphasis will be on processes which increase and enhance the security, accuracy, and transparency (SAT) of the election. SAT educational programs are being developed for staff, election officers, and the public that explain how both new and on-going procedures directly enhance security, accuracy, or transparency. Mr. Konopasek added that increasing understanding of these principles promotes trust and confidence in elections.

Early voting began on September 17, 2021. Ms. Chaikovsky reported that 2,673 people have cast their ballots at one of the three locations, Government Center, North County, or Mount Vernon. All three locations are using the Poll Pad for check-in which is providing near real-time synchronization across the early voting locations. Poll Pad technology is also being utilized to print a ballot card that can then be used for the ExpressVote [Fairfax County’s ballot-marking device]. The ballot card includes a bar code that ensures the ExpressVote will provide the correct ballot to the voter. Mr. Konopasek reported that 98% of early voters have used this option. Some concerns and complaints have been received that the ExpressVote is being “over marketed,” and staff has been instructed to offer voters a choice between the pre-printed ballot and the ExpressVote. Ms. Hanley asked if every voter is given a ballot card after check-in. Ms. Chaikovsky explained that if a voter chooses the pre-printed ballot, a ballot card is not always generated. Mr. Hunt confirmed that the ballot card does include

human readable information that allows the correct ballot style to be provided to the voter should they choose to surrender it in favor of the pre-printed ballot. The machine-readable bar code is then spoiled to void the ballot card.

To meet statutory ballot mailing requirements, on September 17, 2021, approximately 40,000 absentee ballots were mailed or emailed to voters. Of the ballots mailed, approximately 6,000 were to military or overseas voters. ELECT's ballot tracking vendor, BallotScout, is unable to accommodate the size and complexity of Fairfax County. To comply with the state requirement to provide a mail ballot tracker for voters, BallotTrax was retained by Fairfax County. BallotTrax will provide more information for the voter than BallotScout and interfaces smoothly with K&H, the County's ballot mailing vendor. The BallotTrax web interface may be accessed from the County's website and the tracking information, as well as return messages to voters on their ballot status, will be provided in four languages. Fairfax County voters will not be able to access this tracking information from the state citizen portal, but ELECT indicated that it would provide a link on its website referring Fairfax County voters to BallotTrax on the Fairfax County's website. All Fairfax County absentee voters will receive instructions on how to track the status of their ballot using BallotTrax. The icon "Track Ballot" on the Office's website links directly to BallotTrax. Ms. Thoensen commented that Fairfax County is not listed on the BallotTrax website [wheresmyballot.com] as one of the localities using its service. Mr. Konopasek asked Ms. Jones to follow up with BallotTrax to update their web information.

Ms. Jones explained that there are two phases in how returned absentee ballots are handled. First, they are "Checked in" [status in VERIS: "Marked"]. This phase will begin on Monday, September 27, 2021. Second, the ballots without omission are "Pre-processed." The ballot envelopes without omission are opened, removed and scanned through the 850 high-speed scanner [status in VERIS: "Pre-processed"]. This phase will begin, depending on volume, on October 25, 2021. Observers are welcome to observe both of these phases. Ms. Jones also reported that 12 ballots have been returned by mail and 74 have been returned to the drop-boxes. Ms. Hanley asked if observers need permission, and Mr. Konopasek replied that party representatives do need to bring written authorization, and up to three observers per party can be accommodated.

Because the Poll Pads in Fairfax County function with the highest standard of security and encryption, ELECT chose Fairfax County to participate in a pilot program to permit the same full functionality of the Poll Pad on Election Day as utilized during the early voting period. This connectivity will allow the precincts to report voter data throughout the day on a near real time basis. The pilot does not include voting machines which will never be connected to the Internet.

Mr. Spicer presented the Resource Allocation for the November 2021 election (attached and made a part of this record). The 989,000 ballot order for the election is allocated as follows:

- Ballots for Logic and Accuracy Testing - 1,750 ballots
- Ballots for three 45-day In-Person Satellite Voting Locations - 64,660 ballots

- Ballots for Precincts (75% of Registered Voters) - 564,450 ballots
- Ballots for 13 In-Person Satellite Voting Locations - to be determined.
- Ballots for Absentee Mailings - printed on an ongoing basis.

Mr. Udeshi explained that a change to streamline the availability process now considers the 3,670 officers who have completed an oath for the current term eligible for assignment, unless they indicate they are unavailable. This change enables staff to consider the best and most regular officers for assignment, even if they do not immediately respond to an availability notice. All election officers will be called to confirm their assignment. All Chief and Assistant Chief Election officers have been assigned and confirmed.

An Operational and Procedural update online Zoom class will be required for all officers. This training will cover procedural changes for the upcoming November election. All election officers must take this class to be eligible to serve.

Under Electoral Board Reports, there was no Chairman's report.

Under the Vice Chairman's report, Ms. Lawton visited both the North County and the Mount Vernon voter satellite offices. Good feedback regarding the online training was received from the election teams at these locations. Ms. Lawton mentioned that the drop-off boxes were not conspicuously located at these two voter satellite offices. She queried whether or not they could be placed outside so people do not have to enter the polling location to drop off their ballots. Mr. Konopasek responded that he would follow-up to ensure that the drop-off boxes are clearly visible whether they are placed inside or outside the building.

Under the Secretary's report, Ms. Hanley informed the Board that as of September 20, 2021, 89 absentee by mail voters have chosen to vote early in person instead. Out of this number, 2 voters returned and surrendered their mailed absentee ballot, and 87 did not bring their mailed absentee ballot and therefore were required to sign the Statement of Voter [also referred to as the "goldenrod" statement (attached and made a part of this record)] before being permitted to vote in person. Ms. Hanley asked that the requirements to surrender an absentee ballot must be clearly and widely publicized.

The page program went live on September 20, 2021. The application process will follow the same steps as 2020 with eligible students taking an online training class, and then passing a quiz before their application can be accepted. Ms. Hanley pointed out that in 2020 the Office recorded double the number of high schools with participating students.

Under New Business, the Board acknowledged and accepted the Resource Allocation (attached and made a part of this record) for the November 2021 election. The Chiefs will rotate their election officers through all required positions on Election Day. An election officer will always be monitoring the drop-off box.

Under Public Comments, Ms. Bayer asked Mr. Udeshi if a sufficient pool of reserve Chief and Assistant Chief election officers have been secured to replace these positions if the currently assigned officers cancel. Mr. Udeshi explained that a sufficient number of Chiefs and Assistant Chiefs are available to serve up to and including Election Day.

Ms. Flaig shared some observations from early voting experiences, both personal and reported to FCRC. She commented that while the ExpressVote screen is bright and easy to use, there was not enough privacy for voters utilizing this voting option. Similarly, voters are often unaware that casting the ExpressVote ballot in the DS200 requires the use of the smaller, upper tray. When assisted by an election officer in locating this tray and successfully guiding the ballot into it, voters should be reminded that the DS200 accepts ballots face up or face down. Facing a ballot down will ensure their choices cannot be viewed by the assisting election officer. She also noticed the lack of sanitation of the ExpressVote screen after its use. Mr. Konopasek remarked that certain changes have been made to ensure greater voter privacy including reorienting the machines, using the privacy screens, and ensuring the election officers stand in front of the machines while the voters cast their ballot.

Ms. Yohai asked if a people can drop off their ballot in the drop-off box at the Government Center from their cars. Mr. Konopasek responded that the drop-off box is accessible, but it is not curbside. Mr. Hunt added that all ballots cast in the drop-off boxes are counted in the Central Absentee Precinct (CAP).

Ms. Cabral asked how the CAP would be tabulated, and a discussion ensued as to the timeline of when the results would be reported out of the CAP.

Ms. Brim asked if any ExpressVote machines have been removed from service. Mr. Allen responded that all issues with the ExpressVote machines were resolved on site without removing the machines from service, except for one at the Government Center. This machine was replaced.

There being no further business, Ms. Lawton moved to adjourn. The motion carried and without objection, the meeting was adjourned at 6:06 p.m.

Attachments

Stephen M. Hunt, Chairman

Bettina M. Lawton, Vice Chairman

Katherine K. Hanley, Secretary

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