

MINUTES
Fairfax County Electoral Board
October 21, 2021

The Fairfax County Electoral Board (Board) met on Thursday, October 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.

Human Resources (HR) Generalist Blanca Arciniega; Election Officer Manager Ravi Udeshi; DIT Architect Kim Satterthwaite; Voting Systems Manager Tyrone Allen; Assistant Registrars Cheryl Jones and Helen Chaikovsky; IT Manager George Panagakos; Supervisor of Voter Registration Bushra Ardalan; Election Officer Assistant Coordinator Alina Selnick-Escobar; Jack Kiraly, Executive Director of the Fairfax County Democratic Committee (FCDC); Gregory Brandon (FCDC Central Communications); Geoffrey Akey, Christine Brim, Johnna Sachse, and Jeffrey Shapiro, members of the Fairfax County Republican Committee (FCRC) Election Integrity Committee; Arina van Breda and Deb Wake representing the League of Women Voters (LWV); John-David Coker, Cook, Craig & Francuzenko, PLLC; and Jean Thoensen and Sue Swiatek, Election Officers and Fairfax County residents, also attended the meeting in person.

The following individuals participated using the Zoom videoconferencing platform: Public Information Officer Brian Worthy; Assistant Registrar Pat Ferguson; Supply Manager Kay Garrison; Lisa Hogle, B. Gissell Jimenez, Logan Mongilutz, and Jerald Taylor, Office of Elections (Office) staff; Kristin Cabral (FCDC Election Law and Voter Protection), Donna Rostant (FCDC General Counsel), Maria Vorel (FCDC Precinct Operations), and Janice Yohai (FCDC Voter Registration and Education); Catharine Trauernicht, FCRC member; Maggi Luca, member of LWV; Sarah Thomas with Vectre Corporation; Donald Craig and Sandra Bellinghoven, Fairfax County residents.

Mr. Hunt called the meeting to order at 5:30 p.m. and introduced the Board.

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

Mr. Hunt asked for approval of the Draft Minutes of the Board meeting held on September 21, 2021. Ms. Hanley moved approval, and by a vote of 3-0, the Minutes of the Board meeting held on September 21, 2021, were adopted.

Mr. Hunt asked for a motion to appoint 139 election officers (39 Democrats, 37 Independents, and 63 Republicans) for a term ending on February 28, 2023. Ms. Hanley moved approval, and by a vote of 3-0, the Board appointed 139 election officers (39 Democrats, 37 Independents, and 63 Republicans) for a term ending February 28, 2023.

Under the General Registrar’s report dated October 19, 2021, (attached and made a part of this record), Mr. Konopasek updated the voter registration numbers as of October 15, 2021:

	<u>Change since September 17, 2021</u>	
Active Voters:	734,022	+3,882
Inactive Voters:	40,993	-1,059
Total:	775,015	+2,823

The new HR manager, Blanca Arciniega, started this week.

The sample ballot and voting information mailer was sent to all active voters during the last week. The mailer contained personalized polling location information and a facsimile of the voters’ ballot. For the first time, the mailer was in all four required languages.

The Department of Elections (ELECT) notified the Office today that it was cancelling the EPB pilot which would have allowed the syncing of data between the precincts on Election Day. The Poll Pads will now be used in the traditional way with no connectivity to external data. The Poll Pads will sync internally only within their polling location and will only permit the checking in of voters assigned to that polling location. No change in the configuration of the Poll Pads is required. The Chief Election Officers will follow instructions to update their Poll Pads either Sunday or Monday before Election Day with voter status as of Saturday, October 30, 2021, the last day for voting early in person. Staff will be able monitor this process to ensure that all PollPads have been updated. This pre-Election Day download replaces the use of the precinct specific thumb drive (delivered to the Chief Election Officers in the Sheriff’s Envelope) that was inserted into each PollPad on Election Day morning. ELECT gave no specific reason nor consulted with the participating counties prior to the cancellation of the pilot program.

Ms. Chaikovsky reported that the first three early voting locations opened on September 17. As of closing on Monday, October 18th, a total of 23,514 people voted in person. The peak voting so far occurs between 12:00 p.m. and 3:00 p.m.

	<u>Total in person voters to 10/18</u>	<u>Daily record</u>
Government Center	13,290	924 voters
Mount Vernon	5,011	402 voters
North County	5,213	516 voters

Voters are encouraged to use the ExpressVote but are offered a choice between the ExpressVote and a printed paper ballot. At the Government Center, 30-35% have used printed paper ballots, North County approximately 15%, and Mount Vernon less than 5%. The ExpressVote generates a ballot marked according to the voter’s selections and is scanned by the DS200 just like the printed paper ballot.

As of October 17, 78,096 absentee ballots have been mailed out and 28,456 voted ballots have been returned. Returned ballot envelopes are reviewed and marked as processed in VERIS within a day of receipt. When an absentee ballot is returned and the Voter Statement

is missing critical information, ELECT guidelines instruct that a letter or email be sent to the voter asking them to provide a new Voter Statement or affidavit. When this affidavit is returned, it is attached to the voter's unopened ballot envelope. Even though an affidavit is mailed to all voters whose ballot requires "curing", voters can come into the office to submit the new affidavit. The main reason a ballot requires curing is the lack of witness signature. The returned absentee ballot does not require the last four digits of the social security number so this is not a consideration for curing on the absentee ballot envelope.

Preprocessing will take place October 25 through November 1. During this this time frame, absentee ballots will be extracted from envelopes and placed into the digital scan machine. A notice has been sent to the chairpersons of the Fairfax County Democratic and Republican committees.

Under Election Day Operations, Logic and Accuracy (L&A) testing of all voting equipment to be used at the satellites, precincts, and for the Central Absentee Precinct (CAP) has been completed. Delivery of election materials to the precincts will begin on October 18 and last about one (1) week. All election materials should be on site at every polling place by the October 25. Chief Election Officers will begin picking up their supplies on Monday, October 25.

All election teams have been assigned and confirmed as follows.

- 247 Chiefs (247 Democrats, 0 Republicans, 0 Independents)
- 247 Assistant Chiefs (0 Democrats, 247 Republicans, 0 Independents)
- 1420 Regular Election Officers (760 Democrats, 499 Republicans, 161 Independents)
- 161 Language Officers (75 Democrats, 28 Republicans, 58 Independents)

Mr. Konopasek recognized the diligence of the election administration team and expressed confidence that all precinct teams will be prepared to competently serve the voters on Election Day.

Early voting will be offered for the first time on a Sunday, October 24 from 1:00 p.m. to 5:00 p.m.

Under the Chairman's report, Mr. Hunt asked Mr. Konopasek what methodology he uses to determine a voter's eligibility to receive an absentee ballot when the voter's absentee ballot application is missing the last four digits of the social security number (SSN). Ms. Lawton objected to the question, stating that the Board, and the General Registrar, have been sued over this issue. A hearing has been scheduled next week. She commented that an "off-the-cuff" response would be inappropriate since the matter is before the court. Mr. Konopasek responded that he would respectfully decline to answer the question or make any comment about the subject matter of litigation. Mr. Hunt asked if there are contingencies in place to comply with a ruling against the General Registrar. Mr. Konopasek responded that while he is confident of prevailing, a methodology is in place that identifies and segregates the ballots returned from applicants who did not provide a social security number on their applications. Although the hearing is set for a date after the deadline for requesting an absentee ballot (Friday, October 22),

absentee ballot applications will continue to be processed according to the current criteria set by the General Registrar.

There was no Vice Chairman's report.

Under the Secretary's report, Ms. Hanley announced that the Board of Supervisors received official notification (attached and made a part of this record) that the only polling place that will continue to be unavailable for voting is Vinson Hall (302 Chesterbrook precinct). Three facilities that were unavailable for the June Primaries have returned to their legally mandated polling place for the November 2021 Elections:

- 225 Hughes – Hughes Middle School (from South Lakes High School)
- 514 Crossroads – Goodwin House Bailey's Crossroads (from Glen Forest Elementary School)
- 609 Marlan – Paul Spring Retirement Community (from Hollin Meadows Elementary School)

The high school student page program was offered, and like 2020, all the training as well as the application process was conducted online. Twenty-three high schools participated with 169 students trained and assigned to cover 135 precincts.

There was no New Business.

During Public Comments, the question was raised as to how many absentee ballot applicants received a ballot without providing at least the last four digits of the SSN. Mr. Konopasek indicated that approximately 500 were processed successfully without this information.

FCRC requested guidance on the participation of election night observers. Mr. Konopasek explained that all processes are open for public observation subject to Va. Code and ELECT guidelines.

FCDC asked if additional signage for accessible parking could be deployed at the voter satellite offices, specifically the McLean Governmental Center. Ms. Chaikovsky explained that maintaining dedicated parking for voters is challenging since many of the parking lots are shared with other activities and county functions. She will follow up with the reported lack of signage at the McLean Governmental Center.

FCRC requested a spreadsheet of the serial numbers for the election media to allow observers to check off when these devices are returned on election night. Mr. Konopasek responded that staff would inventory the election media as it is returned. After the election and consultation with legal counsel, a list may be available for inspection.

FCRC also asked what steps are followed if any of the election media fails. Mr. Konopasek answered that initially the Election Day plan called for only one of the two DS200s to be opened for voting, but for continuity of voting in the event of a failure with one of the machines, both will now be operational for voting. If a thumb drive fails, a decision

will be made on a case-by-case basis whether to swap out the media or replace the DS200. For security, accuracy, and transparency, the preference is to swap out the machine. To maintain the chain of custody, documentation will be completed when the media must be replaced in a machine, or if a new machine is deployed.

FCRC asked about the COVID policy on Election Day. If an election officer is symptomatic, or develops symptoms on Election Day, he or she will no longer be eligible to serve. Masks must be worn by election officers in all polling places. Mr. Konopasek also asked for support from the political committees to encourage citizens to wear a mask when voting.

FCRC asked whether the images from the media would be archived in a manner that would allow an audit to determine where the images originated. Mr. Konopasek explained that the images are associated with a particular machine in a precinct. The images also reflect the precinct where the ballot was cast. The labeling convention for the ballot boxes stored at the courthouse remains unchanged.

Mr. Konopasek explained that on election night, only cumulative results will be uploaded to the County's website. Machine generated precinct results reports will be used for the Canvass beginning on Wednesday, November 3. To preserve the write-in results, the ballot image upload will begin on Wednesday, November 3. The upload of ballot images will be a permanent part of the archives of this election's database. In the event of a catastrophic media failure, Mr. Konopasek would seek the recourse of recounting the paper ballots.

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

Stephen M. Hunt, Chairman

Bettina M. Lawton, Vice Chairman

Katherine K. Hanley, Secretary

This page intentionally left blank.