

MINUTES
Fairfax County Electoral Board
April 14, 2022

The Fairfax County Electoral Board (Board) met on Thursday, April 14, 2022, in Conference Room 315 at the Fairfax County Government Center located at 12000 Government Center Parkway, Fairfax. Chairman Amb. (ret.) Christopher P. Henzel; Vice Chairman Bettina M. Lawton; Secretary Katherine K. Hanley; General Registrar Eric L. Spicer; Deputy Registrar Cheryl Jones; and Clerk to the Electoral Board Beth Dixon Methfessel were present.

IT Manager Cord Whitehouse; Assistant Registrar for Voter Satellite Offices Helen Chaikovsky; Assistant to the General Registrar Pat Ferguson; Election Officer Manager Ravi Udeshi; Voting Equipment Manager Tyrone Allen; Voter Registration Supervisor Bushra Ardalan; Supply Manager Kay Garrison; Assistant for Absentee Voting Sean Stewart; Andrea Bayer (FCRC Providence District); Christine Brim and Jeffrey Shapiro (Fairfax County Republican Committee (FCRC) Election Integrity Committee); Keith Damon (member FCRC); Bryan Graham (Chairman of the Fairfax County Democratic Committee – FCDC); Jack Kiraly (Executive Director FCDC); Gregory Brandon (FCDC Central Communications); Carol Allen (Election Law and Voter Protection – FCDC); Stephen Spitz (member FCDC); Tyler Lincks (Printelect/ES&S); and Jason Buntin, Robert Maggi, and Jean Thoensen (Fairfax County election officers and/or residents) also attended the meeting in person.

The following individuals participated using the Zoom videoconferencing platform: Public Information Officer Brian Worthy; Administrative Division Manager Kathleen Culbertson; Election Officer Assistant Coordinator Alina Selnick-Escobar; Human Resources (HR) Generalist Blanca Arciniega Maldonado; IT Specialist George Panagakos; Steve Barch, Larry Danforth, Lisa Hogle, B. Gissell Jimenez, Bill Lewers, Kathryn Martin, Dan Per-Lee, Todd Strelow, Jerald Taylor; Jean Thompson, Cary Threat, Sam Walker, Bill Warnock, and Leonard Wolfenstein, Office of Elections (Office) staff and/or rovers; Maria Vorel (FCDC Precinct Operations); Arina van Breda, Maggi Luca, and Deb Wake (League of Women Voters - LWV); Harold Sinnett (member FCRC); William Denk, Phyllisa Goldenberg, Laurie Moore, and Marion Stillson (Fairfax County election officers, and/or residents).

Mr. Henzel called the meeting to order at 5:00 p.m. He asked those present to sign the attendance sheet. He instructed those attending by Zoom to provide their full name on the Zoom screen. During public comments, he requested that the “Raise Hand” function found in Reactions be used for those who want to make a comment. Those recognized to offer a comment must identify themselves and any organization they represent. Ms. Hanley explained that at the last Board meeting, the recording device used by the Clerk lost functionality and has been replaced.

Ms. Hanley moved approval of the agenda. By a vote of 3-0, and with no objection, the April 14, 2022, meeting agenda was adopted.

Ms. Hanley moved approval of the Draft Minutes of the Board meeting held on March 24, 2022, and by a vote of 3-0, the Minutes of the Board meeting held on March 24, 2022, were adopted.

Under the General Registrar’s report dated April 13, 2022 (attached and made a part of this record), Mr. Spicer updated the voter registration numbers since the last Electoral Board meeting:

	April 11, 2022	March 22, 2022	Change
Active Voters	746,603	745,095	+1,508
Inactive Voters	37,918	30,049	+7,869
Total	784,521	775,144	+9,377

Mr. Henzel asked how staff identifies “third-party” voter registrations. Ms. Ardalan explained that third-party voter registrations must be delivered in person. When the applications are delivered, the third-party representative logs in the registrations and provides their name and phone number. The voter registrations are then recorded as “T” for third-party. Ms. Hanley added that to conduct a third-party registration, the third party must also register for and complete required training. With respect to absentee ballot applications, Ms. Ardalan explained that a third party can mail an application to a voter, however, the voter must mail in the completed application. Mr. Henzel commented that the office would have no way of knowing whether an absentee ballot application received this way had with the help of a third party.

On April 12, 2022, the Certification of No Objection was granted by the Office of the Attorney General for redistricting changes.

Staff met the Department of Elections (ELECT) March 31, 2022, deadline requiring that all redistricting changes be entered in the planned environment in VERIS. Twenty-seven new precincts were created, 10 precincts eliminated, boundaries adjusted for 87 precincts, and more than 16,000 street segments were moved from existing precincts to new or modified precincts. In total, this work required approximately 2,500 staff hours to complete.

Once VERIS has been updated with the redistricting changes, a notice will be mailed to all active Fairfax County voters with redistricting information that will also provide them with their updated district, district number, and/or precinct. The notice is prepared and has been delivered to the printer, so the mailing will be sent as soon as the updated voter data is provided to the printer.

The 8th Congressional District (CD) is the only CD with at least two candidates who qualified, therefore, the June Primary will be held in the 82 voting precincts that now constitute the 8th CD. Due to the uncertainty of ELECT’s timeline for VERIS updates, only one congressional district ballot style will be printed. As of April 11, 2022, 50,660 absentee ballot applications were received for the June 2022 Democratic Primary, including 49,950

permanent applications, 710 overseas applications, and 130 one-time applications. Of these totals, 10,656 absentee applications were from voters in the 8th CD.

Ms. Hanley reported that she recently learned that ELECT's priority is to make all redistricting changes in VERIS for those localities with a June congressional primary. She was unsure if this VERIS update would include magisterial, state senate, and delegate districts or if ELECT plans to only update the congressional information and circle back to make the local changes. She expressed concern that Fairfax County voters will be confused when they check ELECT's Citizen Portal because only those who currently reside in the 8th CD will have up-to-date information. She proposed posting maps on the County website showing the magisterial districts with precinct lines that reflect all current redistricting changes.

Cheryl Jones was appointed as Deputy Registrar, at a Management Analyst III level, effective April 11, 2022. Cheryl has been with the office for 10 years, including serving as Assistant Registrar for Absentee Voting for the last 5 years. Ms. Jones will serve as the back-up to the General Registrar, the liaison with ELECT, and the manager for voter services, absentee mail voting, and outreach.

In accordance with the work-from-home policy established in early February (2 days per week maximum), office staff will stop working from home on April 22 (60 days before election day). Office staff may resume work-from-home after Election Day once the election is certified, and all critical work is complete.

New laws now permit the use of a third-party ballot mailer. For the November 2021 election, ballot mailing operations, including ballot printing services for precincts and in-person absentee satellites, were moved to K&H Integrated Print Solutions. The ballot mailing operation resulted in a significant reduction in the space and staffing that was previously required for this operation, however, because K&H is in Everett, Washington, it took much longer to receive precinct and satellite ballots. The increased distance also resulted in a significant increase in freight/shipping costs. Taking this into account, Printelect will be retained to print precinct and voter satellite ballots with K&H continuing to be used for the absentee ballot mailing program.

The following is the Logic and Accuracy Testing schedule for the upcoming election:

- L&A for DS850:
Tuesday April 26, 2022, 9:00 a.m. at the Fairfax County Government Center
- L&A for voting machines to be used at early voting satellites:
Thursday April 28-29, 2022, 9:00 a.m. at the Springfield Logistics Center
- L&A for voting machines to be used at precincts on Election Day:
Tuesday May 10, 2022, 9:00 a.m. at the Springfield Logistics Center

After careful consideration of the requirements of Va. Code §§ 24.2-701(C) and 24.2-706 and in consultation with the Electoral Board, Mr. Spicer determined in his judgement that the absence of the last four digits of the social security number (SSN) is a material omission that disqualifies the applicant, however, applicants will be given the opportunity to provide any information that is missing on their absentee ballot application. Effective immediately, staff will follow the absentee ballot process used to collect missing information including

contacting an applicant by email if an email address is available. The voter will not be required to submit a new absentee application unless they choose to do so. Voters will be permitted to provide all missing information by phone, email, or fax except for a missing signature.

On April 13, 2022, a postcard was mailed to voters on the permanent absentee list who requested an absentee ballot without identifying on their application the type of ballot they wished to receive. The purpose of this mailing is to determine if any of these individuals want to receive a ballot for the Democratic Party primary.

Absentee ballots that cannot be scanned on the voting machines, such as those returned by mail with extraneous marks or submitted by overseas email voters, must be hand-counted. Staff has requested authorization from ELECT to conduct a pilot duplication process to count unscannable ballots. The proposed transcription method would be more accurate and enable all results to be produced electronically. If a ballot duplication pilot is not approved by ELECT, all necessary measures will be undertaken to improve the hand-count process.

There will be six (6) early voting locations, one in each magisterial district in the 8th CD. Each location will be staffed by approximately eight people each day, including the supervisor and assistant supervisor. Poll Pads will be used to check in voters, and a paper ballot will be the primary means of voting. ExpressVote ballot marking devices will be set up and available for voters who prefer this option.

The Fairfax County Government Center will open on Friday, May 6, 2022, from 8:00 AM to 4:30 PM on all weekdays (excluding Memorial Day) and 9:00 a.m. to 5:00 p.m. on the last two Saturdays before the June primary (June 11 and June 18). Five additional voter satellite offices will open on June 11, 2022, ten (10) days before the June primary from 1:00 p.m. to 7:00 p.m. on weekdays and 9:00 AM to 5:00 PM on the last two Saturdays (June 11 and June 18). The last day to vote early in person is Saturday, June 18.

Early voting locations:

- Fairfax County Government Center (open 45 days before election day)
- Franconia Governmental Center (open 10 days before election day)
- Mason Governmental Center (open 10 days before election day)
- McLean Governmental Center (open 10 days before election day)
- Mount Vernon Governmental Center (open 10 days before election day)
- Thomas Jefferson Library (open 10 days before election day)

A ballot-on-demand solution from KNOWiNK will be piloted at three early voting locations for the June primary. The vendor has provided three ballot-on-demand printers and associated equipment at no cost and will be assisting in setup and training. If successful, a ballot-on-demand solution will be considered for all early voting sites in November. On July 1, 2022, new legislation requires a unique ballot style for each precinct. With an expected 264 total ballot styles, this will be difficult and expensive without a ballot-on-demand solution. This solution will also provide consistency between early voting and Election Day when voters primarily use paper ballots.

Some voter confusion was experienced finding the absentee ballot slot in the large drop box located in front of the Fairfax County Government Center. Improved signage at this drop-off box should mitigate this problem.

The voting machines used at the voter satellite offices will be set up to print results tapes. The machines will be closed and secured when in-person absentee voting ends on the Saturday before the election. On Election Day, the results will be tabulated, and results tapes will be printed in the Central Absentee Precinct (CAP). A Statement of Results (SOR) for each satellite will be prepared and canvassed the day after the election with all Election Day precinct SORs. An opening zero report and a results tape will be attached to the SOR for each voter satellite office. The results from the satellites will be combined and, as required by state law, the results will not be disseminated until 7:00 p.m. on election night.

For the June primary and future elections, a zero (opening) tape and a results tape from each precinct voting machine will be attached to each copy of the SOR and to the yellow printed return sheet. Instead of posting results on hand-written call sheets at the door to each polling place, copies of the zero (opening) tape and results tape for each voting machine will be posted. All counted and unused ballots will be securely boxed and labeled in the precincts by each precinct election team for transportation to the Fairfax County courthouse on the night of the election.

Continuing the practice started for the November 2021 election, ERM results reports will be used in place of called-in results. Election Day results will be posted on the Office website as the election media is received from the precincts and uploaded to the ERM system. A team will check that the results loaded in the state system (VERIS) match the results from the ERM process.

In the November 2021 election, the issue with the election media at five satellite voting locations was caused by the improper removal of the media from the voting machines. Beginning with the June primary and for all future elections, the election media will not be removed from the voting equipment until all the results tapes are produced. Once the tapes are printed, the election media will be removed and uploaded in the ERM system.

The resource allocation plan (attached and made a part of this record) is based on comparable elections. For the June primary, each precinct will receive ballots for at least 25% of registered voters, with some precincts receiving 30%. Ballot paper for the ballot-on-demand pilot and sufficient pre-printed ballots will be ordered for use at the voter satellite offices. Leftover satellite ballots will be used as a backup supply for the day of the primary. Each precinct will receive three (3) to five (5) Poll Pads, two (2) ExpressVote ballot marking devices, and two (2) DS200 scanners. As in the primary election one year ago, all precincts will be assigned 5 to 7 election officers (EO). Ms. Hanley pointed out that the resource allocation includes all the precincts, however, only those precincts in the 8th CD will be subject to the primary. Ms. Hanley moved to approve the resource allocation. The motion passed by a vote of 3-0.

Mr. Spicer explained that the assignment process for half-day officers remains unchanged. Staff will assign half-day officers if there are not enough full-day officers. As a result of improved recruitment and retention, enough full-day officers are available to serve

in most precincts. Using full-day officers offers better election integrity as the same team opens and closes the polling place.

As of Friday, April 8, all Chiefs, Assistant Chiefs, and Language Officers have been assigned, and staff is now confirming these assignments. All Chiefs and Assistant Chiefs represent the Democratic Party. Most election officers also represent the Democratic Party except for some language skill officers.

Staff recommends that the per-mile mileage reimbursement be converted to a flat travel stipend for officers who transport pollbooks, ballots, or other sensitive election materials. This change will greatly reduce administrative time and costs involved with processing mileage reimbursements and bring the Office into compliance with Department of Finance requirements. A travel stipend will be added to an election officer's regular stipend and can be processed at the same time, so the election officer would receive only one payment.

After review of typical mileage reimbursement expenses in past elections and Code of Virginia requirements, staff recommends offering a \$10 travel stipend for each day that an officer transports pollbooks or ballots.

There are two categories of officers that would qualify for such travel stipends:

- Each Chief would be eligible to receive a total of \$20, which includes \$10 for picking up pollbooks before Election Day and \$10 for returning pollbooks and voted ballots on Election Day. (If an Assistant Chief returns materials election night, they would receive the second \$10 travel stipend instead of the Chief.)
- Each Collector Officer would be eligible to receive a \$10 travel stipend. This is for returning absentee ballots on Election Day from the drop box at their polling place to the Fairfax County Government Center.

Ms. Hanley moved to pay qualified officers a flat travel stipend for each day of travel based on the above stated recommendations. The motion passed by a vote of 3-0.

Language Officers are currently assigned for three (3) required languages: Spanish, Vietnamese, and Korean. While there are sufficient Spanish-speaking officers, recruitment of officers who speak Vietnamese or Korean must be enhanced. Staff recommends adoption of a \$25 one-time referral bonus for election officers who recruit a new language officer in these languages to be paid only if the recruited officer serves in that role in that election.

Ms. Lawton moved to approve the adoption of a \$25 one-time referral bonus to current election officers who recruit a new language officer who serves in that role. The motion passed by a vote of 3-0.

There was no Chairman's report or Vice Chairman's report.

Under the Secretary's report, Ms. Hanley reviewed the 2022 Changes to Virginia's Election Laws (attached and made a part of this record).

Ms. Hanley moved that the Electoral Board authorize fifteen (15) additional assistant registrar positions for a term from May 6, 2022, through June 18, 2022. These positions will provide supervision at the five (5) voter satellite offices and the Office of Elections at the Government Center. The motion passed by a vote of 3-0.

Under Public Comments, Mr. Damon asked if VERIS will be updated with redistricting changes in time for the November 2022 election. Ms. Hanley responded that re-precincting in VERIS is expected to continue through the summer, however, ELECT is aware of the timeline for completion. Mr. Damon asked for clarification of several election night closing and reporting functions, including ballot transcription. Ms. Jones reviewed the transcription process for the hand-count ballots using the ExpressVote machines. She concluded that while transcribing the hand-count ballots took the same amount of time as a hand tally, the results provided by the transcription method afforded more accuracy. Mr. Spicer added that despite this result, ELECT did not authorize the use of the results obtained by transcription, and the hand count ballots were hand tallied. The expectation is that ELECT will reconsider a pilot transcription process for the November 2022 election.

Mr. Brandon asked if a turnover among Chief and/or Assistant Chief EOs is expected in November, and what recruitment efforts will be undertaken to fill vacant positions. Mr. Udeshi responded that based on responses from the pool of Chief and Assistant Chief EOs, it is expected that 100% of the Chief EOs in November will represent the Republican Party and those EOs who previously served as Democratic Chief EOs will serve as Assistant Chief EOs. Recruitment efforts over the summer to ensure this changeover will be comprehensive and robust.

Ms. Bayer asked if the voter satellite office will be staffed by seasonal staff or EOs. Mr. Spicer responded that seasonal employees will be assigned to work at the voter satellite offices.

Ms. Brim asked Mr. Whitehouse what software version is currently being used in the Poll Pads. She questioned the connectivity of the new Poll Pads. Mr. Whitehouse responded that the Poll Pads have connectivity built in that utilizes the Verizon cellular network, so a separate MiFi is no longer needed. Negotiations are still underway with ELECT to determine what version of software the Poll Pads will utilize. Ms. Brim asked how voter credit will be uploaded. Mr. Whitehouse answered that the Poll Pads are returned and synchronized with ePulse, KNOWiNK's central hub, to securely transfer data after 7 p.m. on election night. A voter credit file can then be created that will be uploaded into VERIS. During the early voting period, the Poll Pads have an active network connection and are continually syncing and updating data in ePulse, from which data is exported and then imported into VERIS.

Mr. Denk asked about the requirements for precinct reporting. Mr. Spicer answered that Fairfax County chose to report by precinct in November 2021, but as of July 1, 2022, the law will require reporting by precinct.

Mr. Sinnott asked when a voter registration application is received, how are the pieces of information (name, address, SSN) verified in VERIS? Ms. Ardan responded that the voter registration application is a legal document that requires a signature confirming that all

information is true and correct. When the registration information is entered into VERIS, if the SSN is already used in the system, VERIS will indicate that the SSN is a duplicate. This happens quite often with students. If the SSN is a duplicate, the Division of Motor Vehicles (DMV) records are checked. If the SSN belongs to someone else, the application is denied. By law, the applicant must be contacted by phone or email to correct the information. If no contact information is provided or the applicant cannot/does not respond, the application is denied. If any information is missing, the application is denied in writing. Mr. Henzel suggested creating a simple FAQ to post on the Office website. Any question can also be sent to staff at voting@fairfaxcounty.gov

Ms. Moore asked how vital information (citizenship, SSN, address) will be confirmed for same-day registration. Mr. Spicer responded that guidance from ELECT is forthcoming on how to process individuals who register on Election Day. Ms. Ardalan said VERIS does not confirm citizenship and if all information is provided on the application and the application is signed, it will be processed. Ms. Lawton commented that the voter registration application is signed under felony penalty for any false information. Mr. Henzel opined that lacking a method to verify citizenship is a “weakness in the system” and suggested the issue might be raised with elected officials in Richmond. Ms. Ardalan mentioned that if requested, ELECT will send a SAVE (Systematic Alien Verification for Entitlements) report. She added that if an applicant indicates on the voter registration application that they are not a U.S. citizen, a verification letter will be sent that must be returned or the registration application will be denied. Ms. Ardalan also explained that a same-day registration process is available for active military that allows them to vote in their precinct on Election Day.

There was no New Business.

Mr. Henzel moved that the Board enter a Closed Session to discuss protocols for maintaining the security of ballots or voting and counting equipment, or risk assessments of specific local electoral procedures, where discussion of such matters in open meeting would compromise the security of any election, as permitted by Va. Code § 24.2-3711(A)(19).

Without objection, and by a vote of 3-0, the Board entered Closed Session at 6:23 p.m.

At 6:55 p.m. the Board concluded the Closed Session. Chairman Henzel 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 Henzel
 Vice Chairman Lawton
 Secretary Hanley

Mr. Henzel call for a motion to approve the security plan. Ms. Hanley moved to approve and adopt the revised April 14, 2002, Election Systems Security Policy and Procedures document. The motion passed by a vote of 3-0.

There being no further business, Ms. Hanley moved to adjourn. The motion carried, and without objection, the meeting was adjourned at 6:57 p.m.

Attachments

Amb. (ret.) Christopher P. Henzel, Chairman

Bettina M. Lawton, Vice Chairman

Katherine K. Hanley, Secretary

This page is intentionally left blank.