

MINUTES
Fairfax County Electoral Board
July 21, 2022

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

IT Manager Cord Whitehouse; Assistant to the General Registrar Pat Ferguson; Assistant Registrar for Voter Satellite Offices Helen Chaikovsky; Election Officer Manager Ravi Udeshi; Election Equipment and Logistics Manager Tyrone Allen; Voter Registration Supervisor Bushra Ardalani; IT Business Analyst Khamthakone Betts; Absentee Voting Manager Sean Stewart; Office of Elections staff Nazila Arefi; Jack Kiraly (Executive Director, Fairfax County Democratic Committee (FCDC)); Gregory Brandon (FCDC Central Communications); Richard Weiss and Peggy Morrison (FCDC Voter Registration and Education); Geoff Akey and Judy Flaig (members FCRC); Richard Chew (member FCDC); Arina van Breda and Maggi Luca (League of Women Voters - LWV); Jill Mobley and Jean Thoensen (Fairfax County election officers and/or residents of Fairfax County) also attended the meeting in person.

The following individuals participated using the Zoom videoconferencing platform: IT Business Analysts Sonia Skipper and George Panagakos; Election Officer Assistant Coordinator Alina Selnick-Escobar; Supply Manager Kay Garrison; Steve Barch, Florence Brown, Leonard Bumbaca, Lisa Hogle, Gary Klinger, Dan Per-Lee, Bill Lewers, Abigale Peters, Sandra Raedels, Norma Rangel, Todd Strelow, and Jean Thompson, Office of Elections (Office) staff and/or rovers; Maria Vorel (FCDC Precinct Operations); Harold Sinnett (member FCRC); Deb Wake (President, LWV-VA) Sandra Bellinghoven, Nick Collins, William Denk, Audrey Dutton, David Lopez, Barbara Tengs-Palmer, and Kelly Price (Fairfax County election officers, and/or residents of Fairfax County or neighboring jurisdictions).

Mr. Henzel called the meeting to order at 12:00 p.m. and the Board members introduced themselves. Mr. Henzel requested that those who wish to comment introduce themselves along with the organization, if any, that they represent. He asked that all comments be addressed to the Board. If necessary, the Board will identify the appropriate staff member to respond. Mr. Henzel also asked that those participating by Zoom to provide their real name on the screen.

Ms. Hanley moved approval of the agenda. By a vote of 3-0, and with no objection, the July 21, 2022, meeting agenda was adopted.

Ms. Hanley moved approval of the Draft Minutes of the Board meetings held on June 13, 2022, and June 22, 2022. Ms. Hanley explained that the draft minutes posted for June 22, 2022, was incorrectly dated as June 9, 2021, but this error has been corrected. By

a vote of 3-0, the Minutes of the Board meetings held on June 13, 2022, and June 22, 2022, were adopted.

Ms. Hanley moved the appointment of 153 election officers (EO) (91 Democrats, 44 Independents, and 18 Republicans) for a term ending February 28, 2023. The motion passed by a vote of 3-0.

Under the General Registrar’s (GR) report dated July 20, 2022 (attached and made a part of this record), Mr. Spicer updated the voter registration numbers since the last Electoral Board meeting:

Registered Voters	As of July 18, 2022,	Change from 6/6
Active registered voters	751,725	+993
Inactive registered voters	37,350	-187
TOTAL	789,075	+806

More than 68,000 of the approximately 750,000 redistricting notices sent to Fairfax County voters were returned by the U.S. Postal Service as undeliverable. In response, and to fulfill the requirements of Va. Code §§ 24.2-428(C)-(E) and -428.1, the Office asked ELECT if a second state confirmation mailing could be sent to these affected voters or if ELECT could provide a list of these voters so the Office could prepare and send the confirmation mailings directly. Due to technical and timing constraints, the Commissioner indicated that ELECT could not send a second state confirmation mailing this year or be able to provide a mailing list to allow Fairfax County to directly mail confirmation notices to affected voters. The Commissioner indicated that ELECT would send these confirmation mailings during its 2023 list maintenance process. Mr. Henzel welcomed the attempt of the General Registrar and staff to secure a second state confirmation mailing and while he expressed disappointment that it didn’t happen, he does not fault the efforts of Fairfax County. Mr. Spicer acknowledged that while list maintenance is ELECT’s responsibility, he is preparing a communication to the Commissioner of ELECT asking for clarification on what actions the localities are permitted to perform to ensure the integrity of the voter rolls.

Ravi Udeshi was recently promoted to a Management Analyst II position and will serve as the Election Operations Manager. In this capacity, Mr. Udeshi will accept responsibility for many of the functions previously performed by the Election Manager position which remains vacant. The Election Officer Manager position (presently vacant) and Satellite Manager (Ms. Chaikovsky) will report to Mr. Udeshi in his new position. Khamthakone Betts was hired as a Business Analyst I for the IT Division. She will take over various responsibilities from Sonia Skipper who plans to retire in early September. Ms. Skipper has been a greatly valued member of the Office team for many years.

Ms. Chaikovsky presented the in person early voting schedule for the November 2022 General and Herndon Town Elections (attached and made a part of this record). The schedule followed for the November 2021 election is recommended because the dates and

hours sufficiently handled the volume of voters, the hours allowed people to vote during lunch and after work, and the repetition of the same schedule will enable voters to become accustomed to the dates and hours. Three locations will open on Friday, September 23, forty-six (46) days in advance of Election Day and continue through Saturday, November 5 – Government Center (weekdays, 8:00 a.m. to 4:30 p.m.) and Mount Vernon Governmental Center and North County Governmental Center (weekdays 1:00 p.m. to 7:00 p.m.). The three Saturdays for voting at these locations include September 24, October 29, and November 5 from 9:00 a.m. to 5:00 p.m. The thirteen additional sites will open on Thursday, October 27 and remain open through Saturday, November 5 (weekdays, 1:00 p.m. to 7:00 p.m.) including two Saturdays for voting on October 29 and November 5 from 9:00 a.m. to 5:00 p.m. This schedule includes early voting at all locations on Sunday, October 30 from 9:00 a.m. to 5:00 p.m.

Mr. Henzel asked if there were any significant complaints, including from staff, about Sunday voting. Ms. Chaikovsky explained that some staff prefer not to work on Sunday, but there are adequate personnel to cover the day. Voters who could not easily vote on any other day due to work and religious commitments appreciated the opportunity to vote on Sunday. She clarified that most of the staff working on Sunday would be seasonal personnel that do not get paid overtime. Merit staff would be entitled to overtime if their hours exceed 40/week. To the extent possible, Mr. Henzel commented that he supports assigning the two supervisors for each satellite voter offices from the two political parties. Ms. Chaikovsky confirmed that she will make every effort to do so. Ms. Lawton moved to approve the staff's recommendation for the satellite locations and hours as presented in the July 18, 2022, Memorandum from Helen Chaikovsky to Eric Spicer. The motion passed by a vote of 3-0.

Based on the successful results of the Ballot on Demand pilot at the in-person satellite voting locations in June, the Office will secure a Ballot on Demand system for use at all satellite voting locations and for emergency voting in the future. The purchase will include forty printers; two printers for most of the satellite voting locations and three for larger locations. Ms. Chaikovsky reported that only five (5) pre-printed ballots were used for the June primary. She proposed to eliminate the pre-printed ballots for November. The back-up will be the ExpressVote machines. Mr. Spicer reported that Mr. Whitehouse secured a battery back-up to ensure the laser ballot printers will continue to function even with a loss of power.

Ms. Hanley remarked that it is unknown how many provisional ballots will result from same-day registration. To allow flexibility for the provisional adjudication, she asked the Board to keep their schedule completely open from Election Day, November 8 through the following Tuesday, November 15, the day the election must be certified. Mr. Henzel expressed his concern that same-day registrations may cause problems, and full guidance from ELECT has not yet been received. Ms. Lawton observed that Friday, November 11 is the Veteran's Day holiday. The deadline to receive postmarked absentee ballots will therefore be extended to Monday, November 14. Ms. Lawton asked Mr. Spicer to proactively mitigate these issues by providing adequate encouragement to register to vote before Election Day.

The Office is in the process of securing 300 iPads to provide one at each satellite voting location and polling place. The new iPads will be used for the following functions:

- Provide information for provisional ballot requests
- Secure backup election results at the end of the Election Day
- Provide other information that is usually provided with paper forms such as compensation sheets

Mr. Spicer explained that a robust set of FAQs are now available on the Office website to provide information on a variety of topics including voter registration, voter lists, absentee voting, absentee ballot drop boxes, voting machine security, and security policies and laws. The FAQs are found at <https://www.fairfaxcounty.gov/elections/> by clicking on the new ? icon in the top row. Mr. Henzel commented that there should be an ongoing effort to keep the FAQs up to date.

There were no Chairman or Vice Chairman's Reports.

Under the Secretary's report, Ms. Hanley explained that the maps for pre- and post-redistricting are not yet posted on the Office's website. Due to staff shortages in the GIS Department, it has been challenging to design maps that reflect the changes but are also easy to read when posted on the website. Mr. Henzel confirmed that any member of the public can type in their street address in the Citizen's Portal on ELECT's website to find their current precinct and electoral information. Ms. Ardalan added that a link is available on the Office's website linking to ELECT's Citizen's Portal, or voters can call the Office to find out this information.

There was no New Business.

Under Public Comments, Ms. Mobley confirmed with the Board that in 2023 ELECT will send the confirmation mailings for the 68,000 Fairfax County voters whose redistricting mailings were returned. For a more specific date, Mr. Henzel suggested contacting ELECT.

Ms. van Breda confirmed with Ms. Chaikovsky that after the books close on October 17, 2022, same-day registration will be available at Government Center, Mount Vernon Governmental Center, and North County Governmental Center. Ms. Hanley confirmed that the November ballot will include the 8th, 10th, and 11th Congressional Races as well as the Herndon Town Election. There will be no referendum on the ballot.

Ms. Hanley responded to Mr. Brandon's question regarding renaming the Mosby #1 and #2 precincts that the timing for any precinct name changes will be determined by the Board of Supervisors.

Ms. Vorel confirmed that signage will be posted at the buildings that are no longer being used as polling places. For example, signage at Kingstowne Library will direct voters to their new polling place at Newington Division of Vehicle Services (DVS). Co-located precincts will be provided additional directional and specific precinct signage to minimize

voter confusion. Mr. Spicer added that Fairfax County's sample ballot mailing will also include updated precinct and polling information. Ms. Vorel thanked the Office for providing the list of polling place entrances for the June primary.

Mr. Denk asked if a Virginia Election and Registration Information System (VERIS) training manual is available to the public. Ms. Hanley responded that only trained, approved personnel can access VERIS. She stated that Electoral Boards and the public are not permitted to access VERIS. ELECT will be consulted to determine if a training manual is available to the public. Mr. Spicer added that ELECT will complete the update of the General Registrar/Electoral Board (GREB) Handbook in August with two exceptions. The chapters on Same-Day Registration and Risk-Limiting Audit will be released at a later date.

Responding to questions regarding returned mail, Ms. Ardalan confirmed that each piece of mail returned as undeliverable is individually scanned into VERIS. This process triggers the confirmation mailing which is a letter sent by ELECT to the voter requesting action. Even if the yellow Nixie label on the returned mail includes a forwarding address, the address in VERIS cannot be changed unless the voter authorizes it. Mr. Henzel expressed disappointment that ELECT decided not to use the useful information generated from processing the 68,000 pieces of undeliverable redistricting mail, and as such, the voter rolls will remain with outdated information which will lead to additional out-of-date mailings and other inefficiencies. He thanked Mr. Spicer for continuing to follow-up with ELECT.

Mr. Lopez asked the Board to respond to the following question, "In a training class taught by Clara Belle Wheeler with the Republican Party of Virginia, she taught that the Virginia Code specifically permits Registrars to receive citizen requests/statements in response to jury duty summons. She also taught that there is no prohibition on the Registrars use of that information for application to the Voter rolls." Mr. Henzel responded that he is disappointed that ELECT has given some guidance that Fairfax County should not do this. He added that he is pleased that Mr. Spicer will continue his debate with ELECT regarding this issue.

Mr. Henzel moved that the Board enter a Closed Session to discuss personnel matters, specifically the annual review of the General Registrar as required by Va. Code § 24.2-109; and election officer performance reviews as permitted by Va. Code § 2.2-3711(A)(1).

Without objection, and by a vote of 3-0, the Board entered Closed Session at 12:56 p.m.

At 2:20 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

There being no further business, Ms. Hanley moved to adjourn. The motion carried, and without objection, the meeting was adjourned at 2:21 p.m.

Attachments

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

Bettina M. Lawton, Vice Chairman

Katherine K. Hanley, Secretary