

MINUTES
Fairfax County Electoral Board
May 12, 2022

The Fairfax County Electoral Board (Board) met on Thursday, May 12, 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; Election Officer Manager Ravi Udeshi; Election Equipment and Logistics Manager Tyrone Allen; Voter Registration Supervisor Bushra Ardalan; Supply Manager Kay Garrison; Election Officer Assistant Coordinator Alina Selnick-Escobar; IT Business Analyst George Panagakos; IT Technician Logan Mongilutz; Assistant for Absentee Voting Sean Stewart; Jack Kiraly (Executive Director Fairfax County Democratic Committee - FCDC); Gregory Brandon (FCDC Central Communications); Carol Allen (FCDC Election Law and Voter Protection); Christine Brim and David Lopez (Fairfax County Republican Committee (FCRC) Election Integrity Committee); and Robert Maggi (Fairfax County election officer and/or resident) also attended the meeting in person.

The following individuals participated using the Zoom videoconferencing platform: Assistant to the General Registrar Pat Ferguson; Nazila Arefi, Steve Barch, Linus Bumbaca, Florence Brown, Jeanne Faubell, Wes Fontaine, Lisa Hogle, B. Gissell Jimenez, Bill Lewers, Kathryn Martin, Kurt Mockenhaupt, Sonia Skipper, Todd Strelow, Jerald Taylor, and Cary Threat, Office of Elections (Office) staff and/or rovers; Jeff Shapiro (FCRC Liaison to the Electoral Board); Maria Vorel (FCDC Precinct Operations); Arina van Breda and Maggi Luca, (League of Women Voters - LWV); Harold Sinnett (member FCRC); Stephen Spitz (member FCDC); William Denk, Phyllisa Goldenberg, Dianna Hashemi, Bill Millhouser, Jean Thoensen, and Debbie van Opstal (Fairfax County election officers, and/or residents).

Mr. Henzel called the meeting to order at 3:00 p.m. He announced that since the last meeting, new audio/visual equipment was installed in the conference room. He explained that the procedure for Public Comments has not changed; the “Raise Hand” function found in Reactions should 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 asked the Zoom participants if they could hear the Board, and all responded affirmatively.

Ms. Hanley moved approval of the agenda. By a vote of 3-0, and with no objection, the May 12, 2022, meeting agenda was adopted.

Ms. Hanley moved approval of the Draft Minutes of the Board meeting held on April 14, 2022, and by a vote of 3-0, the Minutes of the Board meeting held on April 14, 2022, were adopted.

Ms. Hanley moved appointment of 65 election officers (EO) (23 Democrats, 15 Independents, and 27 Republicans) for a term ending February 28, 2023. The motion passed by a vote of 3-0.

Under the General Registrar’s report dated May 9, 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 May 6, 2022	Change from 4/11
Active registered voters	749,503	2,900
Inactive registered voters	37,721	-197
TOTAL	787,224	2,703

The voter notification of changes to precincts and/or polling places will be mailed within the week. Staff is continuing to check and verify that all changes are accurately reflected in the statewide voter registration and information system (VERIS).

On May 24, 2022, the Office of Elections requested the Board of Supervisors to authorize a Public Hearing on June 7, 2022, to approve the following precinct and polling place changes. Ms. Hanley explained that in addition to precinct and polling place changes, the Board of Supervisors must authorize, through an ordinance, any change to the number of voter satellite offices. Voter satellite offices used for an election must be posted 55 days in advance of that election. No changes may be made to a polling place within 60 days of an election.

- 1) St. Thomas á Becket Catholic Church, the current polling place for both North Point #1 and North Point #2 precincts, notified the Office of Elections that it could not logistically accommodate voting for both precincts. North Point #1 precinct will be moved to Aldrin Elementary School and be renamed “North Point.” North Point #2 will continue to vote at St. Thomas á Becket and to avoid voter confusion, the precinct will be renamed “Piney Run.”
- 2) The polling place for Lorton precinct was temporarily relocated in March 2020 to accommodate construction and expansion of its polling place at Lorton Library. The library, as part of the newly expanded Lorton Community Center, will reopen in August 2022. The polling place for Lorton precinct will be moved back to Lorton Community Center.
- 3) The Fairfax County School Board voted to change the name of Mosby Woods Elementary School, the current polling location for Mosby #1 and Mosby #2 precincts, to Mosaic Elementary School. The Board of Supervisors will recognize and adopt this change.
- 4) St. Peter’s in the Woods Church, the current polling location for Fairfax Station precinct, notified the Office of Elections that it will be undergoing renovation expected to last for

the next two years. The polling place will be moved to the Burke Centre Library, a location within one mile of the precinct boundary.

Also on May 24, 2022, a public hearing will be requested on June 7, 2022, to change the number of voter satellite offices.

- 1) Lorton Library, previously used as a satellite voting location due to its ideal location in southern Fairfax County, was unavailable for consideration as a voter satellite office due its closure as part of the expansion of the proposed Lorton Community Center. The project is now complete and is expected to reopen in August 2022. The newly expanded Lorton Community Center will provide a more central location and improved accessibility for voters than Laurel Hill Golf Club, therefore Lorton Community Center will be added as a voter satellite office and Laurel Hill Golf Club will be removed.
- 2) In response to the anticipated construction of the Franconia Governmental Center, and to provide additional support for early voting in Springfield, the proposed ordinance will also establish an additional voter satellite office at the Richard Byrd Library.

Recruitment is underway for a Business Analyst I for the IT Division, followed by advertisements for the positions of Election Operations Manager, Assistant Voting Equipment Custodian, and Voter Services Manager. Once all essential vacant positions are filled, a Workforce Planning analysis will be undertaken for all positions in the agency.

A ballot order for 59,200 was received for use in the June primary with a minimum of 25% of ballots for each precinct and up to 35% of ballots for new precincts and precincts with high turnout in comparable elections. An order of 20,800 ballots was received to provide emergency backup for early voting satellites, with a minimum of 7% of ballots for each precinct and 11% of ballots for precincts closest to each voter satellite office. These pre-printed ballots will only be used if there is a problem with the ballot on demand system.

Logic and Accuracy (L&A) testing was completed last month for the voting equipment to be used at early voting satellites and the voting equipment to be used in the Central Absentee Precinct (CAP). L&A testing for the voting machines to be used at the precincts for the June primary began on May 10 at the Springfield Logistics Center and will be completed within one to two weeks. Mr. Henzel asked for the schedule of the ongoing L&A testing. Mr. Allen responded that testing begins every day at 7:30 a.m. and concludes at 2:30 p.m.

On Friday, May 6, the first day of absentee voting, 10,719 ballots were mailed to voters with 146 email ballots sent to overseas and military voters for the 8th Congressional District. Eighty-two styles (82) of precinct-specific ballots will be used for the June 21, 2022, Democratic Party Primary. The results will be reported by precinct for this election. The Government Center opened for early voting on May 6 with twelve people (12) voting that day. Effort will now be directed to prepare the five voter satellite offices that open on June 11. Training for the staff and supervisors at these locations will begin on May 31.

On April 19, ELECT informed the Office that the live pilot for the Election Day Electronic Pollbook (EPB) will not be supported for the June primary. For the June primary, the Poll Pads will be stored in the gray equipment cart, and the Chief EO will be instructed to update them with the latest voter file on Monday evening during the pre-election set-up.

As a pilot test, each Election Day precinct, as well as the voter satellite offices, will be given one additional iPad. This device will not function as an EPB; it will be used primarily by the Chief EO to input the provisional ballot log. The paper log will also be used concurrently to track provisional ballots. If successful, the digital provisional ballot log will streamline the process of preparing the provisional voter log after Election Day.

Under the Secretary's Report, Ms. Hanley asked Ms. Methfessel to elaborate on the enhancement to the Office website that improves public access to information. Ms. Methfessel explained that the draft minutes will continue to be posted 3-5 days before the Electoral Board meetings. No later than 24 hours prior to the meetings, the documents that will be under discussion will be posted on the Electoral Board's landing page (under the link "Meetings"). The documents will no longer be sent as email attachments and will remain accessible on the website. Ms. Hanley commented that in 2016, the law required the posting of minutes, but now other documentation, such as the General Registrar's report, will be available. Henzel clarified that only the minutes are currently posted from 2016 to present. Ms. Lawton asked how people will be notified of the Board meetings. Ms. Methfessel responded that anyone can ask to be added to the Electoral Board Notification List. She will continue to send a reminder about the meetings that will include the link to the documents. The Zoom link will not be posted to the website, however, if a request for the Zoom link is received by the Clerk, the instructions will be sent as soon as the Zoom link for the meeting is created.

Ms. Hanley encouraged voters who would like to verify their current electoral districts to check their registration status in VERIS. As soon as full confidence in the accuracy of the re-precincting data in VERIS is established, voter notification notices will be sent to all registered voters. Posting to the Office website of maps that further inform voters of their electoral representation will also be considered.

The locations for the voter satellite offices for the November 2022 election will be established once the June primary is concluded.

Under the Vice Chairman's report, Ms. Lawton asked Mr. Spicer for a list of precincts needing Vietnamese-speaking EOs. Mr. Udeshi will provide this information. Given that there is only one hour (from 5 a.m. to 6 a.m.) to set-up on Election Day, Ms. Lawton expressed concern about the possibility of election teams also having to sync and update the Poll Pads. Mr. Spicer explained that over 90% of the Poll Pads will be updated on Monday evening. The small number of election teams that need to wait until Tuesday will have multiple support staff to assist them. Ms. Hanley added that the Poll Pads can't be updated until after the conclusion of early voting on Saturday, June 18.

Under the Chairman's report, Mr. Henzel commented that he has received numerous questions regarding third-party registration drives and third-party absentee ballot application drives. Staff confirmed that the Board will be informed when these drives are scheduled.

Currently there are two voter registration drives underway with the League of Women Voters conducting one of them. There are no active absentee ballot drives.

There was no New Business.

Under Public Comments, Mr. Henzel instructed the attendees that all questions and comments are to be addressed to the Board, and the Board will determine the appropriate response and refer it to staff if necessary. Mr. Henzel asked staff members to come forward to the microphone to respond.

Ms. Brim asked about the status of the request to ELECT to transcribe email and unscannable ballots. Mr. Spicer responded that a hand count is planned for the June primary.

Mr. Lopez asked if data from the jury questionnaires is being sent from the Clerk of the Fairfax County Circuit Court (Court) to the Office and if this information is cross-checked in VERIS. Ms. Ardalan responded that the mentally incapacitated list is received monthly from the Court, and if an active voter is on the list, their record in VERIS is cancelled. Mr. Henzel asked if the non-citizen report is provided by the Court. Ms. Ardalan clarified that the non-citizen report originates with the Division of Motor Vehicles (DMV) and is sent to ELECT. ELECT populates the local hoppers with this information. If an individual from the non-citizen report is found in VERIS, they will be sent a notification of intent to cancel for non-citizenship. If an affirmation of citizenship is not received within two weeks, the voter's registration record will be cancelled. Mr. Henzel asked if the Court sends a list of non-citizenship based on responses to the jury questionnaires. Ms. Ardalan answered that she is unaware of the Court providing a list of potential jurors responding on the questionnaire that they were non-citizens. Ms. Hanley remarked that at some point in the past this information may have been provided by the Court. Ms. Lawton recalled that a question was raised that it may be a violation of privacy for the Clerk of Court to send responses from the jury questionnaires to the local registrars. The Board asked Mr. Spicer to follow-up on this issue.

Mr. Brandon asked for a broad characterization of the Freedom of Information Act (FoIA) submissions over the past several months. Mr. Spicer responded that the FoIA requests cover a broad range of topics, including the printer oaths and statements, individual voting records, and grants from non-governmental entities.

Mr. Shapiro suggested posting the Board documents online from January 1, 2022. Mr. Henzel asked staff to consider this request. Mr. Shapiro asked if a procedure is in place to handle the returned voter notifications of changes to precincts and/or polling places. Ms. Jones responded that the same process is applied to these notifications as to any undeliverable election mail. Ms. Ardalan answered that the returned mail will be entered into VERIS which will generate a national confirmation of address (NCOA) mailing. The voter will receive a notification that their address must be confirmed within thirty (30) days. If no response is received, the voter is marked as Inactive. If there is no election activity for two federal general elections, the voter's registration record is purged from VERIS. Mr. Henzel asked what would happen if an inactive voter shows up in their precinct to vote. Ms. Ardalan answered that the voter must sign an Affirmation of Eligibility. If the voter provides all required information and signs the document, they are permitted to vote a regular ballot. The Affirmation of Eligibility forms are returned in Envelope #8 and the voter's record is updated in VERIS.

Ms. Vorel asked about the scope of the problem regarding non-citizens attempting to vote given the level of concern that has been expressed at the last several Board meetings. Mr. Henzel noted that he is interested in this issue but did not offer any numbers. Mr. Spicer added that there are no statistics on the number of people who are turned away from voting due to lack of citizenship. Ms. Ardalan answered that non-citizen records are cancelled and therefore these individuals would not appear on the voter rolls. Mr. Henzel expressed concern that DMV's process is essentially based on the honor system, and as such, creates a potential vulnerability. While it has been established that there aren't that many cases where this has been discovered, he opined that there is no way to know how often it happens because it is "hard to know." Mr. Henzel asked that any additional statements on this subject be submitted in writing and they will be entered in the record.

Mr. Brandon submitted that the DMV is now providing a driver's license (Real ID) that requires proof of citizenship.

There being no further business, Ms. Hanley moved to adjourn. The motion carried, and without objection, the meeting was adjourned at 3:49 p.m.

Attachments

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

Bettina M. Lawton, Vice Chairman

Katherine K. Hanley, Secretary