

MINUTES  
Fairfax County Electoral Board  
June 13, 2022

The Fairfax County Electoral Board (Board) met on Monday, June 13, 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; Public Information Officer Brian Worthy; 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 Ardalan; Supply Manager Kay Garrison; Election Officer Assistant Coordinator Alina Selnick-Escobar; IT Business Analyst George Panagakos; Absentee Manager Sean Stewart; Office of Elections staff Nazila Arefi; Jeffrey Shapiro (Fairfax County Republican Committee (FCRC) Liaison to the Electoral Board); Gregory Brandon (Fairfax County Democratic Committee (FCDC) Central Communications); Christine Brim and Andi Bayer (FCRC Election Integrity Committee); Keith Damon and Judy Flaig (members FCRC); Audrey Dutton, Dianna Hashemi, Kathrin Hashemi, Robert Maggi, Jill Mobley, and Jean Thoensen (Fairfax County election officers and/or residents of Fairfax County or neighboring jurisdictions) also attended the meeting in person.

The following individuals participated using the Zoom videoconferencing platform: Florence Brown, Linus Bumbaca, Joe Gofus, Lisa Hogle, Gary Klinger, Dan Per-Lee, Abigale Peters, and Jerald Taylor, Office of Elections (Office) staff and/or rovers; Jack Kiraly (FCDC Executive Director); Maria Vorel (FCDC Precinct Operations); Carol Allen (FCDC Election Law and Voter Protection); Arina van Breda and Maggi Luca (League of Women Voters - LWV); Stephen Spitz (member FCDC); Sandra Bellinghoven, Jason Buntin, William Denk, Phyllisa Goldenberg, Laurie Moore, and Debbie van Opstal (Fairfax County election officers, and/or residents of Fairfax County or neighboring jurisdictions).

Mr. Henzel called the meeting to order at 3:03 p.m. He requested that those who wish to offer a comment to identify themselves and any organization they represent. The comments should be directed to the Board, and the Board will determine the appropriate staff member to respond. Any staff member called on will come to the front table to speak so the Zoom participants can see and hear the response.

Ms. Hanley moved approval of the agenda. By a vote of 3-0, and with no objection, the June 13, 2022, meeting agenda was adopted.

Ms. Hanley moved approval of the Draft Minutes of the Board meeting held on May 12, 2022, and by a vote of 3-0, the Minutes of the Board meeting held on May 12, 2022, were adopted.

Ms. Hanley moved appointment of 45 election officers (EO) (23 Democrats, 9 Independents, and 13 Republicans) for a term ending February 28, 2023. The motion passed by a vote of 3-0. Mr. Henzel confirmed with Mr. Spicer that appointment of election officers could be presented at each Board meeting.

Under the General Registrar’s (GR) report dated June 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 6/6/22	Change from 5/6/22
Active registered voters	750,732	+1,229
Inactive registered voters	37,537	-184
<b>TOTAL</b>	<b>788,269</b>	<b>+1,045</b>

Mr. Henzel confirmed with Mr. Spicer that most of the 87,000 registration transactions since January 1, 2022, are address updates within the Commonwealth.

On May 17, 2022, the redistricting mailing was sent to all active and inactive voters. Approximately 37,000 of the mailers have been returned as undeliverable. These voters will be flagged in VERIS and as a result, will receive an address confirmation mailing asking the voter to either verify their residential address or cancel their voter registration. Mr. Spicer explained that the voter identification number present on the redistricting mailing is embedded in the address information provided by the Department of Elections (ELECT) when requested by any of the localities in the Commonwealth. The confirmation mailing is a government-issued document and can be used as identification to vote.

Mrs. Hanley reported that some voters have expressed concern that the Fairfax redistricting mailing provides incorrect electoral representation. She explained that information on the mailer is the correct information that implements the 2022 redistricting lines drawn for the Congressional, State Senate, House of Delegates and local Magisterial Districts. ELECT completed entering all those Fairfax County changes in VERIS, however several localities have yet to finish their redistricting. Ms. Hanley added that the state House redistricting changed the numbering system as well. When Fairfax voters look up their new districts on the public portal, they get the new information, but when they refer to the chart of who represents that new district, they get the names of the person pre-redistricting.

Fairfax County’s MY Neighborhood continues to show electoral representation based on who was last elected in the district. To help avoid confusion, the following statement was added to MY Neighborhood:

*The following information regarding your Congressional, State Senate, and House of Delegates representatives does not reflect the 2022 redistricting now in effect that was enacted as a result of the 2020 census. Your districts may have changed. For current election information please call the Fairfax County Office of Elections at 703-222-0776.*

To help voters understand which district they live in and who represents them, pre-redistricting and post-redistricting, maps will be posted on the Office’s website.

At the June 7, 2022, Public Hearing, the Board of Supervisors approved the following precinct and polling place changes:

- 1) The polling place for North Point #1 was moved to Aldrin Elementary School, and the precinct was renamed “North Point.” North Point #2 will continue to vote at St. Thomas á Becket, and the precinct was renamed “Piney Run.”
- 2) The polling place for Lorton precinct was moved back to Lorton Community Center.
- 3) Mosby Woods Elementary School, the current polling place for Mosby #1 and Mosby #2 precincts, was renamed Mosaic Elementary School.
- 4) Fairfax Station precinct’s polling place was moved to the Burke Centre Library.

Also at the June 7, 2022, Public Hearing, the Board of Supervisors changed the number of voter satellite offices as follows:

- 1) Lorton Community Center was added as a voter satellite office, and Laurel Hill Golf Club will be removed.
- 2) The Richard Byrd Library was added as a voter satellite office.

Mr. Stewart reported that approximately 200 mailed absentee ballots were returned as undeliverable by the post office. These voters will also be flagged in VERIS.

Four of five appointed positions have been filled with the fifth position pending as follows:

Deputy Registrar:	Cheryl Jones
Voting Equipment Manager:	Tyrone Allen
Absentee Manager:	Sean Stewart
Satellite Voting Manager:	Helen Chaikovsky
Assistant Satellite Voting Manager:	Being filled by Florence Brown

George Panagakos was promoted to a Business Analyst I position for the IT Division. The hiring process is in motion to fill the Election Operations Manager position and recruitment will soon be underway for an Assistant Voting Equipment Custodian and a Voter Services Manager.

The GR report detailed the process for confirmation mailings, undeliverable voter registration mail, the non-citizens’ report, jury questionnaires, death of a voter, mentally incapacitated adjudications, and the statutory requirements for each category that must be followed to cancel an individual’s voter registration. Mr. Spicer corrected the information provided in the GR report for death of a voter. The form to report the death of a registered voter is no longer valid. Only ELECT’s death hopper may be used to remove a deceased voter. Local registrars do not take action on a deceased voter’s registration.

The Fairfax County Government Center opened for early voting on Friday, May 6. The other five early voting locations will open on Saturday, June 11. The last day of early voting will be Saturday, June 18.

An additional 200 Poll Pads will be leased to bring the total number of Poll Pads to 1,200. These Poll Pads will run searches quicker and allow better customer service at early voting locations and precincts.

L&A testing for the voting machines to be used at precincts on Election Day began on May 10 at the Springfield Logistics Center and was completed on May 24. To maintain the security of election materials, the research has begun on replacing the 20-year-old voting equipment carts.

Since no adjustment has been made since 2013 and to keep pace with neighboring jurisdictions, Mr. Spicer proposed an increase in election officer stipends. To cover this possible increase for the November 2022 election, carry-over funds will be requested. The Board had no objection to Mr. Spicer carrying over funds to fund a potential increase in election officer stipends.

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

Under the Secretary's report, Ms. Hanley read the following motion from the May 5, 2012, Electoral Board meeting:

*Under Items for Board Action, Provisional Ballot Process Change, Mr. von Spakovsky moved to accept the Registrar's recommendation that authorizes staff to retrieve and open the 1A Provisional Ballot envelope on election night. This will allow considerable lead-time to begin research for the provisional ballot meeting the following day. Staff will lock up the material from the 1A envelopes before leaving on election night. The motion passed by a vote of 3-0.*

While this policy has been followed since 2012, Ms. Hanley moved to reaffirm this policy with the understanding that the General Registrar is the custodian of the provisional ballots in the 1A, 1B, and any other envelopes that may be added by ELECT, beginning on election night, and continuing for the duration of the provisional process. Under discussion, the Board clarified that this delegation of custody to the General Registrar and authorized staff allows for provisional research to begin immediately and grants access to any provisional ballot envelopes as needed without the physical presence and supervision of the Board. The motion passed by a vote of 3-0.

There was no New Business.

Under Public Comments, Mr. Shapiro asked what happens to the redistricting mailers returned as undeliverable. He also inquired about what action could be taken on mailers that are delivered to an address of an individual who no longer resides there. Mr. Spicer answered that every voter's record will be updated to reflect the return of a redistricting mailer. The mailers that are delivered to someone who no longer resides at the residence address should be returned

to sender. If not, the confirmation process will not be initiated, and election mail will continue to be delivered. Additionally, the voter who moved can also submit a request to cancel their registration.

Ms. Mobley raised concerns that K&H Printers (K&H), a Seattle-based company, is not registered to conduct business in Virginia. She pointed out that K&H did not exercise the appropriate “standard of care” because K&H did not certify in their oath that all imperfect ballots will be destroyed. Additionally, Ms. Mobley asked why the oath stating that the ballots delivered to Fairfax County for the November 2, 2021, election was dated February 4, 2022. She asked the Board to consider local vendors for ballot printing. Mr. Spicer responded that the administrative code [1VAC20-70-90] outlines the requirements for the use of a third-party printer. K&H’s scope of work was reviewed by the County attorney, as well the County’s contract specialist. For the November 2022 election, K&H will no longer print the ballots for the precincts and early voting in person, but will continue to print, assemble, and mail the absentee ballots. Mr. Spicer assured Ms. Mobley that the absentee ballots were not mailed in February 2022. The absentee ballots were mailed to voters as required by statute. Only the printer oaths were not completed and forwarded in a timely manner. Mr. Henzel encouraged Ms. Mobley to bring her concerns about K&H to the State Board of Elections (SBE).

Ms. Hashemi explained that she recently served as a Republican poll watcher and was given a sticker to wear indicating that she was a Republican. She was later told that she should not have worn a sticker designating her party. She asked if this labeling was appropriate. Mr. Udeshi explained that statute regulates how many poll watchers from each party are permitted inside the polling place. Identifying that party on the name badge helps the Chief EO ensure that only the correct number of poll watchers from each party are present. Ms. Mobley asked why election officers are not then identified by party when certain functions like curbside voting require one EO from each party. Ms. Lawton commented that election officers are assigned on a partisan basis but are charged with conducting the election in a non-partisan manner. The poll watchers, on the other hand, are authorized representatives from one of the political parties, and operationally, it is more efficient to identify that party on a badge than continue to ask a poll watcher what party they represent. Mr. Henzel remarked that great progress has been made to achieve party balance in the assignment of EOs, and any concern regarding EOs can be set aside with respect to this issue. Mr. Udeshi will follow-up on badging requirements for authorized representatives in the polling place.

Ms. Moore asked a series of questions about K&H, the “scope of work” being provided by the company, whether the scope of work has been filed with the SBE, if the representative to observe the printing process is an employee of K&H, and if the oaths for the November election have been received. Mr. Henzel asked Ms. Moore to provide her questions in writing to the General Registrar.

Ms. Brim requested a copy of the revised Statement of Results. Mr. Spicer responded that the document can be found in the Chief’s Notebook on pg. 11.18 published on the Office website. Ms. Hanley clarified for Ms. Brim that provisional ballots cast in early voting are processed no differently than those cast on Election Day. Ms. Brim commented that as much information about the results that can be provided to the public on election night would be appreciated.

Ms. Bayer asked if the returned as undeliverable mail in 2022 will be processed the same way as the returned as undeliverable mail from 2020 and 2021, specifically, were confirmation mailings sent in 2020 and 2021. Mr. Spicer responded that ELECT did not perform an annual address match until December 2020, so VERIS did not generate confirmation mailings in 2020. The 2021 address match was conducted in July 2021. Ms. Ardalan further specified VERIS was not marked for undeliverable mail from 2020 until 2021. Ms. Bayer asked what part of the ExpressVote ballot is read by the DS200 scanner. Ms. Lawton responded that a bar code is read by the DS200 scanner. Ms. Bayer opined that if voter registration can be allowed at various state agencies (DMV), these same agencies should make available the opportunity for people to unregister to vote. Ms. Hanley added that every voter registration application, irrespective of its origin, must be submitted and processed by the locality where the applicant has chosen to register. This local control protects the statewide voter registration system and ensures that the voter rolls are as accurate and secure as possible. Ms. Bayer asked why BallotScout, the ballot tracking system used by ELECT, could not accommodate Fairfax County. Mr. Henzel suggested inquiring with the state why this choice was made. Mr. Stewart explained that Fairfax County began using BallotTrax in November 2021 because it provided more seamless integration with the printer vendor and with the tracking service of the U.S. Postal Service. These factors allowed for faster and more accurate access to information.

There being no further business, Ms. Hanley moved to adjourn. The motion carried, and without objection, the meeting was adjourned at 4:32 p.m.

Attachments

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

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Bettina M. Lawton, Vice Chairman

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Katherine K. Hanley, Secretary