



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods, and diverse communities of Fairfax County

Electoral Board

Hon. Katherine K. Hanley
Chairman

Jeffrey K. Shapiro
Vice Chairman

**Amb. (ret.)
Christopher P. Henzel**
Secretary

Eric L. Spicer
General Registrar and
Director of Elections

ELECTORAL BOARD MEETING

Date: June 14, 2023

Time: 4:00 p.m.

Location: Conference Room 315

AGENDA

- I. Call to Order, Welcome, and Introduction
- II. Adoption of the Agenda
- III. Approval of the Minutes
 - May 1, 2023
- IV. Election Officer Appointments
- V. General Registrar's Report
- VI. Electoral Board Reports
- VII. Public Comment
- VIII. Closed Session for the following reason:
 - Specific personnel matters, as permitted by Va. Code § 2.2-3711(A)(1) specifically, the completion of the annual review of the General Registrar as required by Va. Code § 24.2-109.1.
- IX. Adjourn

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Election Administration
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12000 Government Center Parkway
Suite 323
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MINUTES
Fairfax County Electoral Board
May 1, 2023

The Fairfax County Electoral Board (Board) met on Monday, May 1, 2023, in Conference Room 315 at the Fairfax County Government Center located at 12000 Government Center Parkway, Fairfax. Chairman Hon. Katherine K. Hanley; Vice Chairman Jeffrey K. Shapiro; Secretary Amb. (ret.) Christopher P. Henzel; General Registrar Eric L. Spicer; Deputy General Registrar Cheryl Jones; and Clerk to the Electoral Board Beth Dixon Methfessel were present.

IT Manager Cord Whitehouse; Election Manager Ravi Udeshi; Public Information Officer Brian Worthy; Deputy Registrar for Voter Registration Bushra Ardan; Deputy Registrar for Voter Satellite Offices Helen Chaikovsky; Deputy Registrar for Absentee Voting Sean Stewart; Election Equipment and Logistics Manager Tyrone Allen; Supply Manager Kay Garrison; Financial Specialist Teresa Maza; Jean Thoensen, Gillie Cuda, and Elise Young (Office of Elections (Office) staff); Gregory Brandon (Fairfax County Democratic Committee (FCDC) Central Communications); Christine Brim (Fairfax County Republican Committee (FCRC) Election Integrity Task Force); Barbara Palmer-Tengs (member FCRC); Tyler Lincks (Printelect) and Jill Mobley (Fairfax County election officer and/or resident of Fairfax County) also attended the meeting in person.

The following individuals participated using the Zoom videoconferencing platform: IT Business Analyst Khamthakone Betts; Office staff and/or rovers Steve Barch, Lisa Hogle, B. Gissell Jimenez, Gary Klinger, Kathryn Martin, Abigale Peters, Sandy Raedels, Todd Strelow, and Jerald Taylor; Andi Bayer (FCRC Election Integrity Task Force); Peggy Morrison (FCDC Voter Registration and Education); Carol Allen (FCDC Election Law and Voter Protection); Maria Vorel (FCDC Precinct Operations); Deb Wake (VA League of Women Voters (LWV)); Arina van Breda and Maggi Luca (Fairfax LWV); Donna Rostant and Stephen Spitz (members FCDC); Mark Beale, Audrey Dutton, Alejandra Malanowski, and Elizabeth Woodruff (Fairfax County election officers and/or residents of Fairfax County or neighboring jurisdictions).

Ms. Hanley called the meeting to order at 4:00 p.m. and introduced the Board. Mr. Henzel moved approval of the agenda, and the motion passed by a vote of 3-0. Mr. Henzel made a motion to adopt the Draft Minutes of the Board meeting held on April 12, 2023. Ms. Hanley asked for a friendly amendment that the last sentence on page 5 include the underlined and read as follows, “She also explained that last year at the 2022 annual convention, the Covid pandemic caused VEBA to postpone the 2022 elections and extend the terms of the Executive Board.” Mr. Henzel accepted the friendly amendment, and by a vote of 3-0, the Minutes of the Board meeting held on April 12, 2023, were adopted as amended.

Mr. Henzel moved appointment of 163 election officers (EO) (74 Democrats, 16 Republicans, and 73 Unaffiliated,) for a term ending February 28, 2025. Under discussion, Mr. Shapiro asked if 73 unaffiliated is a normal number. Mr. Udeshi explained that it is a higher number than usual because it reflects recruitment of election officers for the June primary and includes the appointment of office staff that did not appear on the two-year appointment list in February. Mr. Shapiro asked if the Office vets the unaffiliated, and Mr. Udeshi responded that

there is no vetting process for those who choose not to select a party affiliation. Mr. Henzel commented that unaffiliated EOs are less likely to receive an Election Day assignment. Ms. Hanley added that the total number of EOs assigned for each precinct may not be more than one third who do not represent a political party. Mr. Shapiro asked Mr. Udeshi how this would affect the assignment of EOs for the June primary elections. Mr. Udeshi responded that the target was to assign only Democratic EOs, however, this target may fall slightly short, and unaffiliated EOs will be used to fill the deficit. The motion passed by a vote of 3-0.

Under the General Registrar’s (GR) report dated May 1, 2023 (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 1, 2023	Change from 4/10
Active registered voters	715,101	+94
Inactive registered voters	64,684	-1,249
TOTAL	779,785	-1,155

Registration Transactions	April 2023 (4/11 to 4/30)	Year-to-Date (1/1 to 4/30)
DMV online voter registration transactions	9,421	56,705
Web voter registration transactions	436	2,387
Third-party voter transactions	388	2,120
Other voter registration transactions	2,550	13,202
TOTAL	12,795	74,414

Voter Cancellations	April 2023 (4/11 to 4/30)	Year-to-Date (1/1 to 4/30)
Deceased	2,323	3,503
Out-of-state	360	5,958
Other	42	6,954
TOTAL	2,725	16,415

Mr. Spicer explained that the Department of Elections (ELECT) recently examined its data sharing relationship with the Virginia Department of Health (VDH) and requested a review of all VDH death records going back to 1960. VDH discovered death records that had not been previously shared with ELECT. After additional data analysis by ELECT staff, 18,990 records of registered voters were identified including 1,669 deceased voters in Fairfax County. On April 19, 2023, ELECT sent the records for these deceased voters through VERIS to local registrars for processing. In Fairfax County, staff removed 1,669 deceased voters from the rolls. Mr. Spicer added that inactive voters have been removed from the permanent absentee list. Mr. Shapiro commended Mr. Spicer for identifying and removing these voters.

Mr. Spicer reported that on April 24, 2023, Erickson Senior Living (Erickson) informed the Office of Elections that the polling place located at the Greenspring Conference Center, 7430 Spring Village Drive (Hunter's Crossing) was under renovation and not available for use as the polling place for #426 Greenspring precinct for the primary elections on June 20, 2023. Erickson suggested a temporary relocation at 7410 Spring Village Drive (Village Square). Ms. Methfessel inspected the proposed location on April 25, 2023, and the facility met the statutory requirements for a polling place including ADA compliance. She recommended that the Board approve the relocation and approve an internal 40-ft prohibited area to allow distribution of campaign materials within the building if the electioneering is 40 feet from the entrance to the voting room.

Mr. Spicer provided the Board with a copy of the list of candidates who qualified for the June primary ballots (attached and made part of this record). Ms. Hanley corrected a remark from the April 12, 2023, Board meeting. She previously stated that there would be five races on every ballot, but there will be six contests on every ballot. Mr. Spicer noted that because of the ten-day extension in the filing deadline approved by ELECT, ballot information for the candidates and contests was not received until Tuesday, April 25. This delay pushed the Logic and Accuracy (L&A) testing schedule for the Poll Pads and early voting equipment to May 1-2. Mr. Henzel asked if the parties were notified of this change, and Mr. Spicer responded that the Democratic Party was informed of the revised L&A timeline.

Mr. Spicer stated that as requested by the Electoral Board at the April 12, 2023, Board meeting, staff sent a request to the Facilities Management Department (FMD) to trim the tree branches that are partially obstructing one of the two cameras that monitor the permanent drop box at the main Government Center complex. Staff will follow up with FMD to ensure that the tree branches are trimmed, and that the camera's view of the drop box is not obstructed.

Additionally, as requested by the Board at the April 12, 2023, Board meeting, Mr. Spicer contacted ELECT and requested that the provisional turnout statistics for November 2022 and January 2023 be corrected to include Same Day Registration (SDR) provisional ballots. ELECT responded that they were in the process of making those changes, however, as of April 28, no updates have been reflected on ELECT's website. As directed by the Board, the following notice was posted on the elections result page of the Office website:

Note on Election Results Page – Fairfax County Office of Elections

Note: The provisional voter turnout (ballots cast) figures in the November 8, 2022, general election and the January 10, 2023, special election are correct in the reports below. The Turnout Statistics charts on the Department of Elections website do not include the number of provisional ballots that were cast as part of same-day registration.

Mr. Henzel asked if ELECT was aware of the notice on the Fairfax County website, and Mr. Spicer responded that ELECT may be unaware of the notice but would inform them of its addition on Fairfax County's website.

Under the Chairman's report, Ms. Hanley explained that in the November 2022 election, the disAbility Law Center (DLCV) of Virginia cited five schools for non-compliant door

handles, specifically, that the doors could not be opened with a closed fist. Ms. Methfessel explained that these facilities would be inspected to ensure that the doors meet ADA requirements. Ms. Hanley added that the school division will be responsible for any corrective action. Ms. Hanley congratulated the satellite staff for addressing the complaints about the early voting flyer and designing one that is much less confusing and easier to follow (schedule attached and made a part of this record).

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

Under New Business, Mr. Henzel moved that the polling place for #426 Greenspring precinct place be temporarily relocated from the Greenspring Conference Center, 7430 Spring Village Drive (Hunter's Crossing) to 7410 Spring Village Drive (Village Square). The motion passed by a vote of 3-0. Mr. Henzel also moved that the Board approve the establishment of an internal 40-foot prohibited area at the temporary relocation in Village Square. The motion passed by a vote of 3-0.

Under Public Comments, Ms. Hanley reminded the public that comments are limited to three minutes. The Board may provide the information; however, an answer may be deferred if more research is required.

Ms. van Breda asked if the early voting flyer would be posted on the Office website. Ms. Jones responded that a link on the website to a pdf flyer would be provided within the next several days.

Ms. Bayer asked why deceased voters were not identified by ERIC (Electronic Registration Information Center). Ms. Hanley indicated that this inquiry requires additional follow-up.

Responding to Ms. Allen's question regarding how many federal elections must pass before an inactive voter is removed from the rolls, Ms. Hanley confirmed that two consecutive federal elections must occur before an inactive voter is removed.

Ms. Hanley moved that the Board go into Closed Session, pursuant to Virginia Code Section 2.2-3711(A)(1) to discuss personnel matters, as permitted by Va. Code § 2.23711(A)(1), specifically, the annual review of the General Registrar as required by Va. Code § 24.2-109.1; and 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 a Closed Session at 4:23 p.m.

At 5:57 p.m. the Board concluded the Closed Session. Chairman Hanley 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 Henzel then called the roll for the vote on the above statement:

Voting Yes: Chairman Hanley
 Vice Chairman Shapiro
 Secretary Henzel

Mr. Henzel moved that the 2023 security plan be approved and directed the General Registrar to submit it to ELECT. The motion passed by a vote of 3-0.

Mr. Henzel moved to appoint Eric Spicer to a four-year term as General Registrar and Director of Elections beginning July 1, 2023. Mr. Shapiro expressed his pleasure at having Mr. Spicer serve as registrar and remarked that he is well-deserving of the appointment. The motion passed by a vote of 3-0.

The Board set their next meeting for Wednesday, June 14, 2023, at 4:00 p.m.

There being no further business, Mr. Henzel moved to adjourn. The motion was carried, and without objection, the meeting was adjourned at 6:01 p.m.

Attachments

Hon. Katherine K. Hanley, Chairman

Jeffrey K. Shapiro, Vice Chairman

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

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County of Fairfax, Virginia

GENERAL REGISTRAR'S REPORT

DATE: June 12, 2023

TO: Hon. Katherine K. Hanley, Chairman of the Fairfax County Electoral Board
Jeffrey K. Shapiro, Vice Chairman of the Fairfax County Electoral Board
Amb. (ret.) Christopher Henzel, Secretary of the Fairfax County Electoral Board

FROM: Eric L. Spicer, General Registrar and Director of the Office of Elections

CC: Beth Dixon Methfessel, Clerk to the Electoral Board
Office of Elections – All staff

SUBJECT: General Registrar's Report for the June 14, 2023, Electoral Board Meeting

Voter Registration

Registered Voters	As of June 12, 2023	Change from 5/1
Active registered voters	717,116	2,109
Inactive registered voters	63,821	-2,112
TOTAL	780,937	-3

Registration Transactions	June 2023 (4/30 to 6/12)	Year-to-Date (1/1 to 6/12)
DMV online voter registration transactions	16,155	63,439
Web voter registration transactions	1,412	3,363
Third-party voter transactions	517	2,249
Other voter registration transactions	1,316	11,968
TOTAL	19,400	81,019

Voter Cancellations	June 2023 (4/30 to 6/12)	Year-to-Date (1/1 to 6/12)
Deceased	594	1,774
Out-of-state	331	5,929
Other	128	7,040
TOTAL	1,053	14,743

Emergency Relocation of the Polling Place for #426 Greenspring Precinct

On April 24, 2023, Erickson Senior Living (Erickson) informed the Office of Elections that the polling place located at the Greenspring Conference Center, 7430 Spring Village Drive (Hunter's Crossing) was under renovation and not available for use as the polling place for #426 Greenspring precinct for the primary elections on June 20, 2023. Erickson suggested a temporary relocation at 7410 Spring Village Drive (Village Square). We secured authorization for this emergency relocation, and we have notified the voters in this precinct as required by state law. Greenspring will also publicize this change within the community and increase shuttle service to the new polling place on the day of the primary elections.

June 2023 Democratic Party Primary Election – Absentee by Mail Voting

Absentee Ballots Mailed and Returned

As of June 10, we have received 39,747 ballot applications for the June 2023 Democratic Party Primary Election. This includes 37,349 permanent applications, 1,067 overseas applications, and 1,331 one-time applications for the June 2023 Primary Election only. Beginning on July 1, 2021, voters could choose to be added to the permanent absentee list so they would receive a ballot for each election without submitting a new application. Currently, we have 55,740 voters on the permanent absentee list.

A total of 12,376 absentee ballots have been returned including 11,306 ballots returned by mail and 1,070 ballots returned by Drop Box.

Ballots Requiring Curing

As of June 10, voter statements on 277 of the 11,306 returned absentee by mail ballots have required curing. 114 of those have been cured.

Pre-Processing of Mail Absentee Ballots

We will begin pre-processing absentee by mail ballots on Tuesday, June 13. This process will continue through Monday, June 19.

June 2023 Democratic Party Primary Election – Early In-Person Absentee Voting

We began in-person early voting at Government Center, Mount Vernon, and North County on Friday, May 5. We opened an additional 13 in-person satellite voting locations on Saturday, June 10. As of June 10, a total of 5,508 individuals voted in person at these 16 locations.

As of June 10, we have had 21 Same Day Registration (SDR) voters at the satellites.



June 2023 Democratic Party Primary Election – ID Confirmation Statements (through June 10)

As of June 10, eleven voters out of 5,508 used ID Confirmation Statements in lieu of IDs to cast their ballots at early voting satellite locations.

Voting Equipment, Logistics, and Supplies and Materials Division

The Voting Equipment team have completed or are working on the following critical tasks:

- May 26 L&A of all voter equipment (EV's, DS's and BOD's) completed.
- May 25 L&A DS850 completed
- June 5 - 7 Delivery of equipment/supplies to (13) early voting sites
- June 5 -16 Delivery of equipment/supplies to all precinct sites will be completed.

Supply and materials staff have prepared 265 sets of signs, and posters for the precincts and are in the final stages of preparing sets of election day forms and other critical supplies.

Poll Pad Testing, Updating, and Preparation

The update to the Poll Pad operating system has been installed on all units. Poll Pads for in-person absentee voting were tested and assigned before voting began, and on June 18 we will complete the logic and accuracy testing for those that will be used on Election Day. At that time, we will process a supplemental voter status update on each Poll Pad to ensure that the latest changes are included, and records match the expected counts for each precinct. The updated Poll Pads will then be boxed for their respective precincts and delivered to assigned depots for pickup.

Poll Pad and Election Supply Pickup

Chief election officers will pick up their Poll Pads, black kits, and other election supplies on Monday, June 19 at one of four depots: the Fairfax County Government Center, Mount Vernon Governmental Center, North County Governmental Center, or Marshall High School.

They will take the Poll Pads and election supplies directly to their polling place. The Poll Pads will never be taken home. Monday, June 19, is the Juneteenth holiday, however we have arranged for all FCPS facilities used as polling places to be open and available to election officers for a 4-hour period.



Office Personnel

Bushra Ardalan has been promoted to the position of Voter Services/SDR Manager. In this capacity, Bushra will be responsible for managing and overseeing all voter registration, voter services, and SDR functions.

Gretchen Coleman was hired as the Election Officer Manager and she will start working in this position on August 21.

We are continuing our recruitment efforts for a Training and Operations Coordinator.

Provisional/Same Day Registration Experts

We have created a new election officer position, SDR Specialist, to help process same day registration voters at each precinct. Officers in this new position will help assist SDR voters, ensure SDR voters correctly and fully complete their provisional ballot envelope and voter registration application, and enter these voters in the provisional ballot log.

For this primary election, we are assigning SDR Specialists in the 25 largest precincts. We expect to assign an SDR Specialist in all 265 precincts for the November general election.

Election Officers

Election Officer Assignments

All assignments have been made and confirmed and we are filling daily cancellations with replacements. All 265 chiefs and 247 assistant chiefs represent the Democratic Party, and 18 assistant chiefs are unaffiliated officers.

Election Officer Training

As this year marks the beginning of a new appointment term, all officers are required to complete training. All officers assigned in this election have completed an Election Officer Basics class to meet state requirements.

All chief officers and SDR specialists have also completed an SDR Basics training class. In addition, we offered optional in-person SDR workshops, which many chiefs and SDR specialists attended.

In the final week before the election, we provided additional training specifically for chiefs and assistant chiefs, including a review of procedural and legal updates and a live online question-and-answer session with senior office staff.



Schedule for the Remainder of the June 2023 Democratic Party Primary Election

Tuesday, June 13	Pre-Processing of absentee by mail ballots begins
Saturday, June 17	Last day for in-person early voting
Sunday, June 18	Updating and preparation of electronic pollbooks, final preparation of election supplies and materials
Monday, June 19	Main office open from 8:00 a.m. to 5:00 p.m. for candidates and support. In-person emergency voting until 2:00 p.m. (with a reason) Setup of polling places Pre-Processing ends
Tuesday, June 20	Election Day
Wednesday, June 21	Canvass – Begins at 10:00 a.m.
Thursday, June 22	Hand-counting of ballots (primarily overseas voters) begins
Friday, June 23	Noon deadline for receiving absentee by mail ballots
Saturday, June 24	Provisional ballot adjudication and CAP canvass
Tuesday, June 27	Election certification deadline

Request to Trim Tree Branches Partially Obstructing Drop Box Camera

As requested by the Electoral Board during the April 12, 2023, Electoral Board meeting, staff sent a request to the Facilities Management Department (FMD) to trim the tree branches that were partially obstructing one of the two cameras that monitors the permanent drop box at the main Government Center complex. FMD completed the requested work during the week of May 29. Staff, in coordination with County Security, have confirmed that the camera's view of the drop box is not obstructed.

Information Concerning Provisional Turnout Statistics

In my April 11, 2023 report to the Electoral Board, I noted that on March 13, we informed ELECT that the turnout statistics posted in their official results for the November 2022 and January 2023 elections do not include Same Day Registration (SDR) provisional ballots. As requested by the Electoral Board during the April 12 Board meeting, I asked ELECT to correct their provisional turnout statistics for November 2022 and January 2023 to include SDR provisional ballots.

ELECT was able to correct VERIS so that going forward SDR provisional ballots will be included in the turnout statistics. However, they were not able to make the change retroactive. As a result, the provisional turnout figures on the state's website for past elections will continue to be inaccurate and not match those on the Fairfax County website.

We requested ELECT add a note to their election night results turnout statistics web page to explain to viewers that SDR provisional ballots are not included in the provisional turnout figures prior to June 2023. However this has not been done. We do have a note about the discrepancy with the state's provisional statistics on our "Elections Results" web page.



Voting Equipment and Replacement Project

In late July, we planned to schedule a voting equipment demonstration with the four voting equipment vendors that are certified in Virginia. However, we cancelled this event because only one company, our current vendor ES&S, offers voting equipment designed to meet the new VVSG 2.0 standards and the other three vendors declined our request for a demonstration. The new VVSG 2.0 standards include the requirement for two-factor authentication. In the future the federal testing lab will only test voting equipment designed to meet these standards.

We have pivoted and are gathering pricing, specifications, and other information from the four companies certified in Virginia, including ES&S, on any equipment they have or that they are developing to meet the new 2.0 standards.

Poll Pad Replacement Project

The three-year lease with KnowInk for our current electronic pollbooks will end in early 2025, at which time we will replace them. In the interim, we are collecting pricing and information from vendors on their electronic pollbooks certified in Virginia. We will continue using our current Ballot on Demand devices at the satellites in conjunction with the new check-in devices that we select.

