

MINUTES
Fairfax County Electoral Board
June 23, 2016

The Fairfax County Electoral Board met on Thursday, June 23, 2016, at 5:00 p.m. in Conference Room 232 at the Fairfax County Government Center located at 12000 Government Center Parkway, Fairfax. Chairman Stephen M. Hunt, Vice Chairman Seth T. Stark, Secretary Katherine K. Hanley, General Registrar Cameron Glenn Sasnett, Election Manager Judy Flaig, Accountability & Standards Director Autumn Hawley, Public Information Officer Lisa Connors, and Clerk to the Board Beth Dixon Methfessel were present. Keith Damon representing the Fairfax County Republican Committee (FCRC); Donna Rostant representing the Fairfax County Democratic Committee (FCDC); John Farrell and David Daugherty, members of FCDC; Therese Martin representing the Fairfax League of Women Voters (LWV); David Skiles representing Vectre on behalf of PrintElect/ES&S also were in attendance. Fairfax County residents David and Keith Eldridge and various Office of Elections (Office) staff members also attended the Electoral Board meeting.

Mr. Hunt called the meeting to order at 5:04 p.m. and introduced himself, Vice Chairman Stark and Secretary Hanley (Board.) Mr. Hunt called for a motion to approve the June 23, 2016 meeting agenda. Ms. Hanley moved to approve the agenda. There was a friendly amendment by Mr. Stark to place setting the date and time for the next Board meeting before the Closed Session. The friendly amendment was accepted by Ms. Hanley, and by a vote of 3-0, the agenda was adopted.

Ms. Hanley welcomed Keith and David Eldridge. Keith explained that he is attending the meeting to satisfy a requirement for his Boy Scout Flight badge.

Mr. Sasnett presented the General Registrar's report (see attached June 17, 2016 Registrar's Report and Memorandums.)

Under Voter Registration Statistics, FCDC commented on the confusion generated by the state requirement to provide a Petition for Appeal (filing fee \$10) when a voter registration form has been denied. Mr. Sasnett said that Fairfax County provides a detailed letter explaining the appropriate steps to take after a denial of voter registration because of an incomplete application (attached and made a part of this record.) Ms. Hanley suggested that this issue be raised next week at the annual training meeting in Richmond.

Under Election Officer Training and Staffing, Mr. Stark asked how the current numbers compare with 2012 election officer recruitment numbers. Mr. Farrell commented that the numbers for FCDC are higher at this point and asked if the June 23, 2016 appointment list is reflected in the active numbers. Ms. Hanley responded that because the last appointment was on May 4, 2016, the numbers might be slightly less if some of those appointed have not yet completed paperwork. Mr. Sasnett added that the first availability letter would go out later in the summer.

Under Fiscal/Budget, in response to Supervisor Herrity's request at the Lines of Business (LOBS) meeting, the Office is formulating a statewide peer survey for cost comparative analysis of elections based on votes cast. Once the fiscal year ends, this survey will be completed and sent to other localities in Virginia.

To allow for greater accountability, the operational budget for the Office will be divided into four divisions, Voter Registration Operations, Election Administration, Innovations & Technology, and Accountability & Standards.

Carryover is expected to be \$179,000 with an additional \$253,000 in encumbrances. The Office budget was pre-loaded with an additional \$1M as promised by the Board of Supervisors. The Office is working with the Department of Information Technology (DIT) on the 104 fund to ensure that future voting projects are funded.

Under Administrative and Projects, more detailed documents (travel, professional development) are being added for staff accountability. Position and job descriptions are being reviewed to determine if any should be upgraded. The I-9 approval process will be transferred from Election Administration to Accountability & Standards.

A COOP (Continuity of Operations) exercise was held on June 15, 2016. Performance evaluations should be completed by the end of July. The alpha card (the retained portion of the voter registration card) scanning project continues to move forward.

Fairfax County's GIS offered to develop a line-length application for use in the satellites. It will display voter wait-times at each of the locations. A high school page might be recruited to collect this data. If successful, this could be employed at the precincts, but Mr. Sasnett pointed out that publicly displaying long lines might deter voter participation. Mr. Hunt commented that being alerted to longer wait times might allow resources to move more quickly to alleviate them.

The potential for accessing VERIS (Virginia Election and Registration Information System) wirelessly in the satellites is being examined. Mr. Hunt expressed concern and recommended caution so that Fairfax County would not expose VERIS to a "hackable environment." Mr. Sasnett responded that DIT is evaluating security protocols to determine if a separate, secure network can be created.

Additional satellite locations are being scouted and current satellite locations are being evaluated for new infrastructure technologies. Ms. Hanley opened for discussion whether every satellite should have the same hours of operation. This flexibility may alleviate long lines in certain locations at specific times. During discussion, the need for uniformity and consistency to prevent voter confusion and the perception of special treatment for certain areas and thus, certain voters, was pointed out. This issue will remain open for comments and suggestions.

ES&S along with PrintElect will be performing annual equipment maintenance on the DS200s and the DS850 the week of July 18-22. Mr. Hunt requested that the latches on the bins be examined and that folded ballots be part of the testing.

The Board of Supervisors will meet on July 12 to approve polling place and precinct changes. The proposed changes are available on the Office's website.

DemTech has been selected as the election night results reporting (ENR) vendor. GIS will assist getting the data optimized as quickly as possible from the electronic pollbooks (EPB). Mr. Stark asked if a demonstration could be set up. The parties requested notification once this is scheduled.

PollChief, the Office's new election management software, is being evaluated and customized.

The KNOWiNK PollPads are undergoing a VITA502 audit to ensure that Amazon's Cloud Drive will meet the requirements set by VITA for non-Commonwealth hosted environments. A response is expected in early July. Mr. Damon asked if VITA grants Cloud approval, would these functions be available for the November election. Mr. Sasnett responded that the Office is moving forward with the current iteration of the PollPad that requires the data to be loaded via removable media. Even with VITA approval, the transition to the wireless capability would be minimal for November.

Mr. Sasnett noted that ELECT has outsourced the redesign of the Statement of Results (SOR) and the provisional ballot envelope to the Center for Civic Design. Ms. Hanley asked if Judy Flaig's SOR was offered as an example. Mr. Sasnett responded that a copy would be submitted at the 2016 Uniformity Training Conference. Mr. Stark reiterated the request made to ELECT at the annual meeting that all changes must be made no later than July 14 so that training can be adjusted, supply kits correctly packed, etc. Ms. Hanley added that at the last State Board meeting, she spoke to the July 14 "deadline", along with other election-related issues. She said, however, that she did not ask for clarification on selfies in the precinct. Mr. Sasnett added that proposed changes to the regulations on electronic devices were open for public comment in April. Next week the State Board will review these comments and take final action. The new voter registration form will also be available next week, along with updated third-party registration information.

There was no Chairman or Vice Chairman report.

Under the Secretary's report, Ms. Hanley said the Board of Supervisors approved adding to the two constitutional amendments already on the ballot, 4 additional referenda, one being a meals tax. She was selected to replace the Hon. Jean Jenson as co-chair, along with the Hon. John Hager, for the GR/EB Work Group.

Under Board Action Items, Mr. Hunt called for a motion to approve the Draft Minutes from the May 4, 2016 Electoral Board meeting. Ms. Hanley moved for approval and by a vote of 3-0, the May 4, 2016 Minutes were adopted.

Mr. Hunt asked for a motion to appoint 451 election officers (223 Democrats, 41 Independents, and 187 Republicans) for a term ending February 28, 2018. Ms. Hanley then moved to adopt, with the addition of Daniel Rushlow (D), and by a vote of 3-0, the Board

appointed 452 (224 Democrats, 41 Independents, and 187 Republicans) individuals to serve as election officers.

Under Old Business, Mr. Sasnett reintroduced the proposal to create a technical/procedural specialist, more specifically described in a memorandum to the Board dated June 17, 2016 (attached and made a part of this record.) He received input from the FCRC and the FCDC. After discussion, the following comments were noted: 1) reinforce the authority of the Chief Election Officer; 2) regarding provisional ballots, focus on the provisional process (after Chief determination); 3) preferably, the Chief or Assistant Chief would not also be the technical/procedural specialist; and 4) concentrate placing this election officer in precincts with historically high numbers of provisional voters. The LWV supported the creation of this position, noting that it will provide added support during the critical set-up time before the polls open.

Mr. Stark moved to approve, in concept, the proposal to create a Technical/Procedural Specialist Officer as presented in a memorandum dated June 17, 2016, but requested that a specific job description incorporating the comments, a training outline, and a criteria for demonstrating proficiency be developed for discussion at the next Board meeting. By a vote of 3-0, the motion was approved.

Under New Business, Mr. Sasnett solicited input from the Board regarding a legislative initiative for the 2017 General Assembly. Current recommendations are listed in a memorandum to the Board dated June 17, 2016 (attached and made a part of this record.) Ms. Hanley suggested that enhanced language on the following initiatives be presented at the next Board meeting:

- Permit hand counting of certain absentee ballots before 7 pm
- Adjust the deadline to apply for an absentee ballot by mail to accommodate extended routing schedules of the US Postal Service
- Permit a subdivision boundary to be used for a political boundary
- Permit opportunities to register voters in locations and times not currently allowed for by statute

The Board may consider other initiatives and will make a decision at their July meeting. The parties may submit their comments.

Under Public Comments, FCRC pointed out that the Republican Party filed suit to nullify the order that restored voting rights to 206,000 Virginia felons. If the suit prevails, FCRC asked if felons registered since the Governor's order could be identified. Mr. Sasnett explained the registration records could be determined. FCRC asked if a general confirmation mailing will be sent to all Fairfax County voters. Mr. Sasnett answered that on an annual basis, confirmation mailings are sent only to voters that Fairfax County has received information on through certain sources (Electronic Registration Information Center, National Change of Address.) He added that for the presidential election, however, a registered voter mailer would be sent. If any of these are returned undeliverable, a confirmation mailing will be initiated.

Mr. Farrell reported that the Public Interest Law Project's (PILP) lawsuit brought in Alexandria was dismissed. LWV stated that Fairfax County was responsible to request clarification of PILP's original claim.

Mr. Daugherty asked for an explanation on the differences between precincts and satellites, including the appropriate response to the request to “early vote.” Ms. Hanley responded that training continues to reinforce the answer should always reflect the positive, specifically that voters are eligible if they meet one of the 19 reasons for absentee voting.

The next meeting of the Board will take place on Thursday, July 21, 2016.

Mr. Hunt moved that the Board enter into a Closed Session for the purpose of discussing specific personnel matters, as permitted by Va. Code § 2.2-3711(A)(1); and to complete the annual review of the General Registrar, as specified by Va. Code § 24.2-109.1; and 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 into Closed Session at 7:23 p.m.

At 8:35 p.m. the Board concluded the Closed Session. Chairman Hunt 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 Hunt
	Vice Chairman Stark
	Secretary Hanley

There being no further business, Ms. Hanley made a motion to adjourn. The motion carried, and without objection, the meeting was adjourned at 8:37 p.m.

Attachments

Stephen M. Hunt, Chairman

Seth T. Stark, Vice Chairman

Katherine K. Hanley, Secretary

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