

MINUTES
Fairfax County Electoral Board
August 25, 2016

The Fairfax County Electoral Board (Board) met on Thursday, August 25, 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, IT Director Erica Newsome, Accountability & Standards Director Autumn Hawley, Public Information Officer Lisa Connors, and Clerk to the Board Beth Dixon Methfessel were present. Keith Damon and Jim Lyle representing the Fairfax County Republican Committee (FCRC); Donna Rostant representing the Fairfax County Democratic Committee (FCDC); John Farrell, member of FCDC; Olga Hernandez and Therese Martin representing the Fairfax League of Women Voters (LWV) also were in attendance. Various Office of Elections (Office) staff members also attended the Electoral Board meeting.

Mr. Hunt called the meeting to order at 5:00 p.m. and introduced himself, Vice Chairman Stark and Secretary Hanley. Mr. Hunt called for a motion to approve the August 23, 2016 meeting agenda. Ms. Hanley moved to approve the agenda and by a vote of 3-0, the agenda was adopted.

Mr. Sasnett demonstrated PollChief, the Office's new election management system. The FCDC observed that because the sign-up page does not offer the opportunity to serve for a half-day, it might discourage recruitment. FCDC and FCRC requested that the export function for information on new election officers include all contact information, as well as their training level. Additionally, Ms. Hanley asked if the Approved tab could provide a cumulative and up-to-date list of approved officers. Responding to a question on partisan balance by Mr. Farrell, Mr. Sasnett explained that the system allows for customizable settings for each precinct. Mr. Farrell raised the question whether the date which election officers will be assigned without respect to party affiliation will be closer to Election Day. The Board responded that the date for 2016 probably will not change, however, the date may be reconsidered for future elections.

Mr. Hunt called for a motion to approve the Draft Minutes from the July 21, 2016 Electoral Board meeting. Ms. Hanley moved for approval, with two amendments added for clarity. The Fairfax County electronic pollbooks will be described as PollPads (pg 2 of 6), and '2017' will be added to clarify the legislative initiative (pg 3 of 6.) Mr. Hunt added the words 'and efficiency' to the following sentence, "Mr. Hunt suggested this method be mocked-up for training *and efficiency* purposes" (pg 4 of 6.) By a vote of 3-0, the July 21, 2016 Minutes, as amended and corrected, were adopted.

Mr. Hunt asked for a motion to appoint 377 election officers (218 Democrats, 71 Independents, and 88 Republicans) for a term ending February 28, 2018. Ms. Hanley moved

to adopt and by a vote of 3-0, the Board appointed 377 (218 Democrats, 71 Independents, and 88 Republicans) individuals to serve as election officers.

Mr. Sasnett presented the General Registrar's report (see attached August 23, 2016 Registrar's Report and Attachments.)

Under Absentee Voting/Application Statistics, FCRC asked what the percentage of the 10,914 approved absentee ballot applications are "evergreen" [annual, FPCA, State 701.] Mr. Sasnett will provide that breakdown.

Under Election Officer (EO) Training and Staffing, assignment of Chiefs, Assistant Chiefs, and election officers is well ahead of prior November elections. FCDC and FCRC requested the list of assigned Chief and Assistant Chief EOs. Mr. Hunt mentioned that it has been reported to him that only two training classes are being offered on the website. This may deter untrained EOs and potential applicants if they are unavailable to take those classes. Ms. Flaig explained that when the training classes fill up, they are removed from the website and new classes are added. This will hopefully deter EOs from waiting until October to train. She also added that no EO will be assigned until he or she has completed training. To date, 2,145 experienced EOs and 728 new EOs have received training.

Mr. Hunt asked how the 67 (21 Democrats, 38 Independents, 4 Republicans) technical specialists were identified. Mr. Sasnett responded that staff reviewed the Chief's Notes for recommendations and contacted these EOs. A blanket solicitation has not yet been sent out. FCDC expressed concern about the partisan imbalance of the current selection of technical specialists.

Under Accountability and Standards, the Office will begin moving merit staff away from paper time-sheets to start fully utilizing the time-reporting function of the FOCUS system.

Under Technology and Innovation, Vaco has completed the audit of the KNOWiNK PollPads and the final report should be available in two weeks. The deadline to use a new version of the PollPads for the November 2016 election is September 15, 2016. To attempt to meet this date, Mr. Hunt asked if an executive summary could be provided earlier than the release of the final report.

The Office is working through a non-disclosure agreement with a local vendor to begin the voter registration-scanning project. Contract negotiations with ElectionInsights, the post-election data analysis tool, include reducing the cost of the program by half over a four-year period for an unlimited number of elections.

Sixteen additional workstations have been secured in Suite 427 at the Government Center for voter registration and absentee ballot processing.

Under Election Administration, the go-live date for PollChief is Thursday, September 8, 2016. The current election management system will continue to be maintained. Mr. Sasnett

will train the FCDC and FCRC staff on how to use the party approval portal in PollChief. Two final recruitment events for EOs will be open houses at the Government Center on October 3 and October 7. The Board suggested holding this type of event earlier in the election season. Recruitment will end on October 15 with October 21 as the last date for new EO training. Three new EO trainers have been hired. Mr. Hunt requested a copy of the trainer's training manual.

The ballot order requisition has been transmitted to PrintElect, however, Mr. Sasnett reported that there are 6 non-party candidates working through the petition process with the Department of Elections (ELECT.) Hopefully, the certification will be completed by the August 30, 2016 State Board of Elections (SBE) meeting so the ballot order can be finalized.

New, heavier curbside voting signs have been ordered. The signs have a larger space for displaying the Chief Election Officer's phone number.

With respect to the new requirement allowing voters to provide or state their name and address upon checking in to vote, ELECT is working through guidance on scenarios that were raised by Fairfax County. FCDC asked how the authorized representatives (AR) would get the voter's name and address when voters are no longer required to say it, and the AR cannot hear it when the EO verbally states this information. This question includes whether or not the AR can inspect the document on which the voter provided his or her name and address. Mr. Hunt noted that Va. Code requires EOs to repeat, in a voice audible to party and candidate representatives present, the full name and address provided by the voter. Mr. Hunt added that this provision should be part of ongoing EO training.

Under Voter Registration, 422 registered voters were cancelled after the Virginia Supreme Court overturned the executive orders restoring felony voting rights. An additional 200 incomplete applications were denied because they were pending final confirmation of restoration status when the ruling was handed down.

On voter registration applications, Ms. Hanley reminded FCDC and FCRC that the middle name is required and if an applicant has no middle name, the box indicating "No Middle Name" should be checked. Ms. Hanley also commented that any third party conducting a voter registration drive and requesting more than 25 applications, must complete the mandatory training from ELECT.

After the start of in-person absentee voting on September 23, an all-registered voter mailer will be sent including a voter-specific sample ballot, including polling place, acceptable photo id guidelines, and absentee satellite voting locations and hours of operation.

Lisa Connors presented the Office of Public Affairs' (OPA) communication strategy and timeline for the November election. Centreville, McLean and Mount Vernon been identified as areas for additional election officer recruitment. Library receipts will now include information on how to serve as an EO. Other social media messages include checking voter registration status, and absentee voting. She thanked FCDC, FCRC and LWV for helping to push information out through Fairfax Votes, Facebook, and Twitter and

encouraged them to continue their efforts. Spanish language versions will be made available to Spanish media outlets. Two podcasts are scheduled. On September 19, a media briefing round table is planned to cover what is new since the 2012 Presidential election. On Election Day, three Public Information Officers (PIO) will be deployed to assist with media requests.

Staff met with local postal service representatives to arrange for additional deliveries and pick-ups as Election Day approaches.

The Board of Supervisors will issue a proclamation at their meeting on September 20, 2016 recognizing Voter Registration Week.

Loudoun County supports Fairfax County's 2017 legislative initiative to permit a subdivision boundary to be used as a precinct boundary.

Under the Chairman's report, Mr. Hunt asked about the status of the VITA502 (Virginia Information Technologies Agency) audit to allow the PollPads access to Amazon's cloud-based system. Mr. Sasnett explained that the report is completed and the release is being finalized. Mr. Hunt also asked if one of the media information releases might include how the Central Absentee Precinct (CAP) works, including the counting of *all* (emphasis added) absentee ballots on Election Day. Mr. Hunt stressed that training of election officers, including Chiefs and Assistant Chiefs, should be correct and consistent.

There was no Vice Chairman's report.

Under the Secretary's report, Ms. Hanley confirmed that the deadline to submit a copy of acceptable photo ID for provisional purposes will be Monday, November 14, 2016 at 12:00 noon. The election results, however, must be certified by 11:59 p.m. on Tuesday, November 15, 2016. All Division of Motor Vehicles (DMV) service centers will now offer electronic voter registration. Ms. Hanley commented that the Golden Gazette already published election information. The Board of Supervisors is being encouraged to include election information in their newsletters, Facebook page, etc. She distributed color-coded maps showing the location of election officers by party (attached and made a part of this record.) She commented that authorized representatives must be a qualified voter from any jurisdiction in the Commonwealth and have written authorization signed by the county or city chairman of the political party, or the state or district chairman of the political party, or signed by the independent candidate. In other words, party candidates cannot authorize their own representatives. In October 2012, and further clarified in 2013, the Electoral Board extended this policy to the satellite voting locations.

Under Old Business, Mr. Sasnett presented the specific job description, training outline, and criteria for demonstrating proficiency for the technical/procedural specialist (TPS.) During discussion, FCDC and FCRC expressed concern that the description and training as presented overemphasizes the administration of the provisional ballot, as opposed to the mechanical process, and may lead to a perception that the TPS is the provisional ballot officer/supervisor. Mr. Sasnett agreed to set a meeting with FCDC and FCRC to work

through their concerns. The revisions should be completed by September 14, 2016 and will be forwarded to the Board, FCRC, and FCDC.

Mr. Farrell asked for the formula used to develop the resource allocation for the November election.

The next Electoral Board meeting will take place on Monday, September 19, 2016, 4:00 p.m.

Under New Business, Mr. Hunt opened discussion on the implementation of HB1223 allowing voters to give their name and address orally or in writing [§ 24.2-643(B).] He suggested that if a voter chooses to provide this information in writing, it should be done at the check-in table. Ms. Hanley noted that the intent behind the statutory change was not privacy, but greater access for voters with limited English proficiency. Asking a voter to write their name and address at check-in may not be possible for these voters, or voters with a disability that may limit their ability to hear or write. Mr. Stark added that implementing this practice may delay the check-in process. FCDC commented that a disparity of treatment is created when certain voters are required to write their name and address down when others are permitted to bring this information into the precinct. Mr. Farrell added that to interpret the statute in such a manner would be objectionable because it would place an additional burden on the voter. FCRC agreed with Mr. Hunt's suggestion. LWV commented that in discussion with Delegate Watts, the patron of HB1223, the intent behind the change was to make it easier for election officers to locate voters in the pollbook if their *names* (emphasis added) are more difficult to pronounce. Hanley asked Mr. Sasnett if SBE has provided guidance with respect to this statutory change. Mr. Sasnett replied that the newly revised What Ifs guide [8/16/2016] states, "A voter may state verbally, write down, or otherwise provide in written form their residence address. The latter option includes the ability to indicate that the address on the previously provided voter ID be used." Ms. Flaig added that small notepads and pens are always included in the supplies provided to the precincts.

Under Public Comments, FCDC asked that EO training include a reminder that anyone may assist a voter after filling out proper documentation. FCDC requested that when absentee voting begins, the red curbside voting flag be posted at the Government Center. Lastly, FCDC drew attention to a polling place located in a church that disallowed campaign signage to be posted in certain areas on its property as violating "a first amendment right."

Mr. Hunt moved that the Board enter into a Closed Session to discuss specific personnel matters, as permitted by Va. Code § 2.2-3711(A)(1); and protocols for maintaining public security and risk assessments of specific local electoral procedures, where discussion of such matters in open meeting would compromise the safety of any government facility or persons using such facility, 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 7:58 p.m.

At 9:22 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 9:23 p.m.

Attachments

Stephen M. Hunt, Chairman

Seth T. Stark, Vice Chairman

Katherine K. Hanley, Secretary