



**OFFICE OF THE ELECTORAL BOARD
GENERAL REGISTRAR
City of Fairfax**



June 3, 2016 Emergency Electoral Board Meeting Minutes

1. Call to Order

The Secretary called the meeting to order at 9:31 a.m. Present were Richard Herrington, Secretary; John Harold, Chairman; Thomas Ross, Vice Chairman; Brenda Cabrera, Director of Elections/General Registrar and Nancy Tingen, Chief Deputy Registrar.

2. May 3, 2016 City Council Election – Petition for Recount

- a. The Secretary entered into the record that all members of the Board and the General Registrar attending the June 1, 2016 hearing in the 19th Circuit Court concerning the recount; a panel of three judges dismissed all motions for dismissal and ordered a recount of the City Council Election. There has never been a multi-candidate recount in Virginia, so this recount is breaking new ground. Attorneys for both sides asked for the assistance of the Board and General Registrar during a recess of the hearing because the two sides must provide information to the court so the court can prepare the appropriate order. It is anticipated the “test deck” of ballots for L&A testing may be as many as 100 ballots. The court will issue an order on June 3, 2016 and that order dictate how the recount is to be performed.
- b. The Registrar reported several individuals had contacted her office requesting information and documentation (SORs, etc.); all requests were satisfied. There were questions about the EPBs (electronic poll books) and the Registrar will take the PAM EPB to the Court on Wednesday June 8, 2016 in the event there are any questions raised about poll book numbers. Additionally, the Registrar had learned there was a conference call scheduled for the counsels and the court at 9:00 a.m. June 3, 2016 to discuss the detailed guidance which would be in the order and the numbers of recount officials needed. In response to the many inquiries received, the Registrar sent an email to all OEs with the information known about the recount and specifically the schedule for activities as now known. The Registrar will send an update to the email as soon as the court issues the order. Additionally, the Registrar and staff have made identification badges for recount observers; OEs should be able to use their OE ID badge.
- c. Based on the information now available, the Secretary, Vice Chairman and Sign and Signal personnel will meet at Green Acres on June 7, 2016 at 12:30 p.m. to remove four (4) sets of voting equipment (OVO/OVI/Ballot Box) from secure storage and deliver the equipment to the Clerk of the Court. Because of the large number of voting equipment to be used and



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the size of the test deck for L&A testing, the equipment will be staged in the room that will also be used to conduct the recount on June 8, 2016.

- d. The Registrar indicated the recount forms available from ELECT were not applicable to this recount because they were designed for binary recounts. Discussion followed; the Secretary will work with the Registrar to modify ELECT forms for this recount and then ask ELECT for its approval of the 'new' forms. If ELECT does not respond in a timely manner, the Board and General Registrar shall make the forms created for this recount available to the court and ask for court approval.

3. Approval of the May 25, 2016 Electoral Board Meeting Minutes

The Deputy Registrar distributed copies of the minutes for the May 25, 2016 Board meeting. The Secretary asked the Board members to review the minutes.

4. Banner for Public Outreach Events

As the Board was reviewing the May 25, 2016 meeting minutes, the Registrar announced the banners had arrived. The banners (one horizontal and one vertical) had been ordered last week. When unpacked, the banners proved to be excellent! The banners and associated stand for the vertical banner will be stored at Green Acres with voting equipment.

5. November 2016 General Election Preparations

- a. The Vice Chairman reported he was engaged with staff at George Mason University (GMU) and hoped his efforts would lead to a number of students becoming involved in the 2016 Presidential Election as perhaps OEs and perhaps pages. Many of the course at GMU are associated with public service and the election may be a great opportunity to get students involved.
- b. The Registrar reported the Registrar office continued efforts to recruit OEs.
- c. The Vice Chairman asked about training materials that were specifically related to Board duties and responsibilities. The Secretary will send the Vice Chairman a number of presentations that address Board duties and responsibilities.

6. Succession Planning

The Chairman reported the City of Fairfax Democrat Committee had been made aware of the desire of the Electoral Board to have a plan in place to address any planned or unplanned vacancies in Electoral Board membership. Several individuals had been vetted and the Chairman indicated that was one individual who would be most willing to step forward. More information will be made available in the future.



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7. City Activities of Note

The Vice Chairman reported there will be a dedication ceremony at Van Dyke Park on June 11, 2016 at 4:00 p.m. The ceremony commemorates the efforts of Ms. Armistice Tutora to make playing fields available.

The Chairman reminded the Board and General Registrar that the Fall Festival, scheduled for October 8, 2016 would be an excellent opportunity to demonstrate the voting equipment to City residents. Discussion followed. The Chairman will follow up with the City (contact number 703.385.7858) to determine if the BOARD can obtain a booth space where equipment can be demonstrated.

8. Recess

The Secretary thanked the Board members and the Registrar for attending the emergency meeting and asked that they make themselves available throughout the day in anticipation of receiving the order of the court. The Chairman moved that the Board meeting recess awaiting the order of the Court. The Vice Chairman seconded the motion and it was approved unanimously. The Board recessed at 10:20 a.m.



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**Continuance of the Emergency Electoral Board Meeting Minutes
June 3, 2016 on June 9, 2016**

1. Call to Order

The Secretary reconvened the Board meeting on June 9, 2016 at 10:12 a.m. Present were Richard Herrington, Secretary; Dean Thomas Ross, Vice Chairman and Brenda Cabrera, Director of Elections/General Registrar. John Harold, the Chairman of the Board could not be reached. As a quorum of Board members were present, the Board voted unanimously to continue the meeting.

2. Voting equipment

The Secretary reported that all voting equipment had been removed from the courthouse and placed into secure storage at Green Acres. To expedite the process, the Secretary had placed the equipment in a manner that will allow a quick redistribution of OVO/OVI in matched sets for future L&A testing associated with the general election in November, 2016.

3. Certified Recount Results

The Registrar reported that she had not yet received the Certification of the Results of the recount from the Clerk of the Court the Court.

4. Recount Complete

The recount was completed on June 8, 2016 and social media was active with speculation. Discussion of social media and inquiries received by the Registrar and various Board members necessitated the development and release of a statement to the press which addressed all aspects of the recount. The Secretary and Registrar agreed to start the process awaiting the assembly of the full Board.

5. Press Release

At 10:38 a.m., the Vice Chairman moved and the Secretary seconded a motion that the Board recess until all Board members could be present. The motion passed unanimously.

6. The meeting recessed at 10:39 a.m.



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**Continuance of the Emergency Electoral Board Meeting Minutes
June 3, 2016 on June 9, 2016**

1. Call to Order

The Secretary reconvened the Board meeting on June 9, 2016 at 4:06 p.m. Present were Richard Herrington, Secretary; John Harold, the Chairman; Dean Thomas Ross, Vice Chairman Brenda Cabrera, Director of Elections/General Registrar and Nancy Tingen, Deputy General Registrar.

2. Certification of Recount and Press release

The Registrar received the Certification of the Recount from the Clerk of the Court a few hours earlier and had prepared the necessary document for the Board to certify the recount. Additionally, the Registrar had prepared a draft press release.

- a. The Board and General Registrar discussed the press release; after minor modifications, the press release was submitted to the City Attorney for review.
- b. The Board reviewed the court certification of the City Council contest and completed the certification of the May 3, 2016 City Election.

3. Performance of the General Registrar and Staff

The Secretary, Chairman, and Vice Chairman congratulated the General Registrar and her staff for their performance during the preparation and conduct of the recount of the City Council contest. This is the first time a multi-candidate contest had been recounted in Virginia. The success of the recount was clearly the result of the Registrar's attention to the many logistical and administrative tasks needed to make the recount efficient and accurate. The manner in which the City of Fairfax Director of Elections conducted this recount will influence how any multi-candidate contests would be recounted in the future in Virginia.

- 4. The Chairman moved and the Vice Chairman seconded a motion to recess the Board meeting until such time in the immediate future a meeting will be conducted to adjourn the emergency meeting of the Board. The motion passed unanimously.**

- 5. The Board recessed at 4:49 p.m.**



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**Continuance of the Emergency Electoral Board Meeting Minutes
June 3, 2016 on June 9, 2016**

1. Call to Order

The Secretary reconvened the Board meeting on June 9, 2016 at 4:08 p.m. Present were Richard Herrington, Secretary; John Harold, Chairman; Dean Thomas Ross, Vice Chairman and Brenda Cabrera, Director of Elections/General Registrar.

2. Signage for Elections

- a. Discussion of signage (placement of and number of signs) to support elections revealed that Mark Dickson from Sign and Signal had contacted the Registrar and wanted to meet to discuss how to better improve signage to support Election Day.
- b. June 23, 2016 was suggested as a time where the Board and Mr. Dickson could meet. The Registrar will coordinate with Sign and Signal; it may be possible to have an Board meeting that day to go over the possible solutions.
- c. It was suggested the Board use this meeting as an opportunity to address ADA issues; ELECT had recommended each locality review polling locations to ensure they are ADA compliant. The sense of the Board is the City of Fairfax is in compliance, but a survey should be conducted to confirm compliance.

3. Thank You Letters for Recount Support

- a. The General Registrar stated she had written several thank you letters to individuals who had assisted in recount efforts.
- b. The Secretary stated he was going to draft thank you letters for the Clerk of the Court and staff to acknowledge their support. Discussion followed and it was decided the Secretary would craft the thank you letters and all member of the Board would sign.

4. Recount Actions

- a. The Secretary stated that on June 15, 2016 he had signed and sealed the certificates of election which would be presented to the Mayor, City Council, and School Board on June 30, 2016. The Secretary stated he believed that action was the last official act associated with the recount of the City Council contest. As an adjunct to the recount, the Secretary stated he had put together a file which contained copies of all court orders, recount forms, recount procedures, state documents and lessons learned associated with a recount action. The file would be maintained in the Board closet for future reference should the City of Fairfax be involved in a recount action in the future. Since a multi-candidate contest had never before been conducted in Virginia, the City of Fairfax Board and Registrar broke new ground in creating procedures and forms necessary to support a multi-candidate contest.

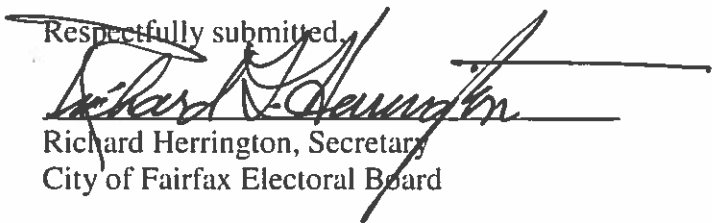


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- b. The Registrar stated a meeting with OEs (many who were recount officers for the recount of the City Council contest) was scheduled for Friday, June 24, 2016 at 3:00 p.m. Discussion of the event followed and Board members will attend the meeting.
5. November 2016 General Election – GMU Students
 - a. The Vice Chairman stated he was in contact with George Mason University (GMU) and two professors had indicated interest in encouraging students to assist the City of Fairfax Director of Elections with the November 2016 General Election; students could potentially be OEs or Pages that would be involved in the survey of lines at polling locations. The Secretary and Chairman commended the Vice Chairman on making inroads with GMU.
 - b. The Vice Chairman stated there would be a gathering in September at GMU, at the “Center for Public Service” which he would attend.
6. The Chairman stated the Board should prepare for the fall festival which would take place in mid-October; he believed it would be an excellent opportunity to demonstrate the OVO and OVI to City voters.
7. The Board agreed the next meeting of the Board should take place on June 23, 2016 at 9:00a.m.in the Sisson House; the General Registrar will have the meeting announced.
8. The meeting adjourned at 5:04 p.m.

Respectfully submitted,


Richard Herrington, Secretary
City of Fairfax Electoral Board