



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



**May 4 and 5, 2016 Election Canvass and Electoral Board  
Meeting Minutes**

**PRESENT:**

Richard Herrington, Secretary; John Harold, Chairman; Dean Thomas Ross, Vice Chairman; Brenda Cabrera, General Registrar and Nancy Tingen, Chief Deputy Registrar.

**CALL TO ORDER:**

The Secretary called the meeting to order at 10:02 a.m. in the Sisson House. The Secretary stated he had delivered Envelopes 2A to the Clerk of the Court at 9:00 a.m. that morning.

At 10:03 a.m., the Vice Chairman made the following motion:

"I move that the Electoral Board of the City of Fairfax convene in Closed Session pursuant to section §24.2-653(B) of the Code of Virginia for the purpose of considering whether each person who submitted a provisional vote at the election was qualified to do so, and I also move that the General Registrar and Deputy General Registrar, as specified in section §24.2-653(B), be allowed to remain in the room during the closed meeting, and that any persons who cast provisional votes and who are present be allowed to enter the room while their qualifications are considered and to present any relevant information on their behalf to the Board."

The Chairman seconded the motion and it passed unanimously.

At 11:40 a.m. the Secretary moved that the Canvass be convened in Open Session. The Chairman seconded the motion and it was unanimously approved.

The Secretary made the following motion:

"I move that the Electoral Board of the City of Fairfax certify that in the Closed Session just concluded the only matters discussed were the qualifications of provisional voters, as directed by section §24.2-653 of the Code of Virginia, and as identified in the motion to close the meeting pursuant to the Virginia Freedom of Information Act." The Vice Chairman seconded the motion. When the question was called, the members of the Electoral Board voted as indicated below:

<u>Position</u>	<u>Name</u>	<u>Vote</u>
Secretary	Richard Herrington	Yea
Chairman	John Harold	Yea
Vice Chairman	Dean Thomas Ross	Yea



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The Canvass reconvened in open session at 11:41 a.m. The Board discussed the time required for the General Registrar to complete research on the provisional votes and believed most if not all research would be completed by May 5, 2016. The Registrar departed the meeting to begin research.

At 11:42 a.m., the Deputy General Registrar notified the Board that she had learned informally that one of the candidates was asking about recount procedures. In brief, the separation between the two lowest candidates for City Council was four (4) votes, well inside the  $\frac{1}{2}$  of 1 % necessary to ask for a recount.

At 12:18 p.m., the General Registrar informed the Electoral Board she had coordinated the return of all election related material (with the exception of provisional ballots) with the Clerk of the Court. The Secretary of the Board stated he would make himself available to deliver the materials when they were ready later in the day. Elections materials were to be carried to the Court House by the Secretary and the Chairman at 3:00 p.m.

At 12:22 p.m., the Chairman moved that the Canvass recess until 1:00 p.m. on May 5, 2016. The motion was seconded by the Vice Chairman and unanimously approved.

**Thursday May 5, 2016**

**PRESENT:**

Richard Herrington, Secretary; John Harold, Chairman; Thomas Ross, Vice Chairman and Brenda Cabrera, General Registrar.

**CALL TO ORDER:**

The Secretary called the meeting to order at 1:02 p.m. in the Sisson House. At 1:03 p.m., the Vice Chairman made the following motion:

"I move that the Electoral Board of the City of Fairfax convene in Closed Session pursuant to section §24.2-653(B) of the Code of Virginia for the purpose of considering whether each person who submitted a provisional vote at the election was qualified to do so, and I also move that the General Registrar and Deputy General Registrar, as specified in section § 24.2-653(B), be allowed to remain in the room during the closed meeting, and that any persons who cast provisional votes and who are present be allowed to enter the room while their qualifications are considered and to present any relevant information on their behalf to the Board."



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The Chairman seconded the motion and it passed unanimously.

At 1:27 p.m. the Secretary moved that the Canvass be convened in Open Session. The Chairman seconded the motion and it was unanimously approved.

The Secretary made the following motion:

“I move that the Electoral Board of the City of Fairfax certify that in the Closed Session just concluded the only matters discussed were the qualifications of provisional voters, as directed by section §24.2-653 of the Code of Virginia, and as identified in the motion to close the meeting pursuant to the Virginia Freedom of Information Act.” The Vice Chairman seconded the motion. When the question was called, the members of the Electoral Board voted by roll call vote as indicated below:

<u>Position</u>	<u>Name</u>	<u>Vote</u>
Secretary	Richard Herrington	Yea
Chairman	John Harold	Yea
Vice Chairman	Dean Thomas Ross	Yea

The Canvass reconvened in Open Session at 1:28 p.m. The Board voted that the four provisional ballots received by the Electoral Board, specifically the ballots of:

- Walter Burruss
- Alice Rood
- Erma Kirkman
- Patrick Le Floch

were all accepted by the Electoral Board.

The Board proceeded tallied the provisional votes for inclusion in election results. The General Registrar was asked to prepare in possible by the end of the business day the various documents necessary to certify the election.

The Secretary directed the members of the Board to the agenda published for the Board Meeting of May 5, 2016. The meeting was advertised to take place during the Canvass to ensure a number of outstanding issues before the Board were addressed.

- 1) Approval of Minutes, Electoral Board Meeting April 24, 2016  
A motion was made by the Chairman to accept the minutes of the April 24, 2016 Electoral Board Meeting as written. The motion was seconded by the Vice Chairman and unanimously approved.



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2) The General Registrar indicated that four individuals had applied to be Officers of Election. After review of the applications and discussion the Chairman moved that Taras "Terry" Olenchuk, Beatriz Jaramillo, Ines Boisrond and Dimitri Koch be approved as Officers of Election. The Vice Chairman seconded the motion and it was approved unanimously. The Registrar departed the meeting to continue to work on documentation needed to certify the election.

3) Review/Approval of Electoral Board Policy – Administering the Oath of Office to Chief Officers of Election

The Secretary presented the updated Electoral Board policy which had been previously been presented to the Board. After discussion, the Chairman moved the proposed Board policy be approved. The motion was seconded and unanimously approved. A copy of the policy was provided to the General Registrar.

4) May 3, 2016 City Elections

a. Processing of election materials and equipment, May 3, 2016  
Elections

The Board discussed the various processes and practices used in conjunction with the distribution of election materials, voting equipment and precinct preparation. Sign and Signal personnel assist in the delivery and recovery of voting equipment on May 2, 2016, and also in the placement of signage associated with the precincts to assist voters find the precincts. Several issues related to equipment delivery were discussed and lessons learned will be incorporated in the future.

The Chairman stated that the Minutes of the previous meeting of the Board had not reflected his concerns about precinct signage, especially Precincts 1 and 6. The Secretary stated the missing discussion of the signage issue was an oversight and this meeting could be used to again capture the concerns of the Chairman and the Board as a whole related to precinct signage deficiencies. After discussion it was agreed Sign and Signal would be contacted by the Chairman to determine their capabilities of addressing any signage shortfalls and Board members would individually survey the precincts. Input concerning the surveys would be provided to the Secretary so the Secretary could create a plan of action to address the signage problem.



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- b. Canvass started May 4, 2016  
Board members discussed the very professional performance of the General Registrar and her staff as it concerned the actions associated with the Canvass; it was noted it was quite possible the most efficient actions of the General Registrar could allow the Board to certify the election later today.
- c. Candidate inquiry into recount procedures  
The Secretary informed the Board he received additional information concerning the Councilman who had received the lowest number of votes in the election; that individual was going to pursue a recount and would most likely contact the General Registrar and/or the Electoral Board concerning the necessary procedures. There was a brief discussion of recount activities to include the petitioner being required to take action within 10 days of the certification of the election and the time it would take for the Circuit Court to issue the necessary recount order.

5) Security Manual – presented for review and discussion

The Secretary polled the Board members concerning the latest rewrite/revision of the Security manual and asked if there were questions. Being done, the Secretary moved that the Security Manual dated April 26, 2016 be approved. The Chairman seconded the motion and it passed unanimously.

- a. Report to ELECT required by June 1, 2016  
The Secretary reminded the Board an email had been received from ELECT which required localities to certify their Security Manual was updated and/or reviewed annually. The Secretary will take the action to inform ELECT the City of Fairfax has rewritten its manual and will also provide a copy to ELECT prior to the June 1, 2016 deadline.
- b. Schedule for Annual Review  
The Secretary asked the Board's thoughts about a schedule for the Annual Review of the Security Manual. After discussion, it was determined the Board would review the Security Manual by the end of October of each year. This would ensure that every year, a State or Federal elections would trigger the Annual Review which coincidentally coincides with the requirement to review the Security manual within three days of an election.



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- 6) Health and Wellness Fair Green Acres May 14, 2016
  - a. The Secretary stated he had distributed an email received from Parks & Recreation that contained the details of the event; he also distributed copies at the meeting.
  - b. Board members will participate; the Secretary and Vice Chairman will meet at 7:30 a.m. on May 14<sup>th</sup> and position a ballot box, OVO and OVI in the cafeteria.
- 7) Status/Delegation of Duties  
The General Registrar reported the review was in progress.
- 8) Status/Risk Assessment  
The Secretary reported the review was in progress.

At 2:53 p.m., the Electoral Board went into recess.

At 3:07 p.m. the Electoral Board reconvened the meeting.

The General Registrar reported the necessary documentation for certification of the election was ready for review. After careful review of the documents, the General Registrar asked for additional time to resolve a problem encountered in the VERIS system which prohibited the input of information.

At 3:42 p.m., upon a motion made by the Chairman, seconded by the Vice Chairman, and passed by a unanimous vote of the Board, the Board went into Closed Session pursuant to Section §2.2-3711 (A)(1) of the Code of Virginia for the "[...] discussion, consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body [...]"

Upon a motion made by the Vice Chairman and seconded by the Chairman, and passed by a unanimous vote of the Electoral Board, the Board reconvened in Open Session.



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Upon a motion made by the Chairman and seconded by the vice Chairman, and passed upon affirmative roll call vote in Open Session, it was certified that (i) only public business matters lawfully exempted from open meeting requirements and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened, were heard, discussed or considered in the Closed

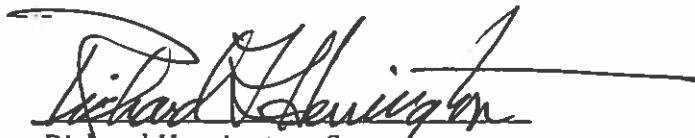
Session or meeting by the Electoral Board. When the question was called, the members of the Board voted as indicated below:

<u>Position</u>	<u>Name</u>	<u>Vote</u>
Secretary	Richard Herrington	Yea
Chairman	John Harold	Yea
Vice Chairman	Dean Thomas Ross	Yea

The General Registrar returned to the meeting with the final documents to be signed to certify the election. The necessary documents were signed and sealed. The Electoral Board thanked the General Registrar and her staff for all their efforts and adherence to policies and practices.

The meeting adjourned at 5:07 p.m.

Respectfully Submitted,

  
Richard Herrington, Secretary  
City of Fairfax Electoral Board