



**VOTER REGISTRATION
AND ELECTIONS
City of Fairfax
May 20-22 Electoral Board Meeting Minutes**



Brenda F. Cabrera
Director of Elections/General Registrar

Electoral Board
Secretary: Richard Herrington
Chairman: Curt Chandler
Vice Chairman: Lorraine Koury

CALL TO ORDER

The Chairman called the meeting to order at 10:15 a.m.

PRESENT

Richard Herrington, Secretary; Curt Chandler, Chairman; Lorraine Koury, Vice Chairman and Brenda Cabrera, Director of Elections/General Registrar (DE/GR).

MEMBERS OF THE PUBLIC TO SPEAK

There were no members of the public present who wished to speak or observe the meeting.

CANVASS AND PROVISIONAL BALLOT MEETING

At 10:17 a.m., the 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 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 Secretary seconded the motion and it passed unanimously.

At 10:28 a.m., the Chairman moved that the provisional ballots meeting of the Electoral Board of the City of Fairfax stand adjourned and that the Electoral Board reconvene in open session. The motion was seconded by the Vice Chairman and passed unanimously.

The Chairman 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 and when the question was called, the members of the Electoral Board voted as indicated below:

<u>Position</u>	<u>Name</u>	<u>Vote</u>
Chairman	Curt Chandler	Yea
Vice Chairman	Lorraine Koury	Yea
Secretary	Richard Herrington	Yea

The meeting reconvened in open session at 10:29 a.m. The Chairman stated there was only one piece of business to consider prior to ascertainment of the results of the City Election.



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APPOINTMENT OF OFFICERS OF ELECTION

The DE/GR presented to the Electoral Board a list of applicants for appointment as officers of election. After discussion of the applicants, the Chairman moved that 13 individuals applying to be officers of election be appointed as officers of election. The Vice Chairman seconded the motion and when the question was called, the motion passed unanimously.

CANVASS

The Electoral Board complimented the DE/GR for her efforts and performance during this unprecedented public health situation. The extraordinary protective measures put in place by the DE/GR for the safety of the officers of election was appreciated by those officers of election, the Electoral Board and all the elected officials of the City of Fairfax.

The DE/GR and Electoral Board proceeded with the Canvass to compile and certify vote totals for each precinct. Established best practices were followed.

At 11:57 a.m., the Electoral Board stood in recess for 20 minutes.

At 12:16 p.m., the Electoral Board reconvened and continued the Canvass.

At 1:52 p.m., the Electoral Board stood in recess until 3:00 p.m.

At 3:22 p.m., the Electoral Board reconvened and continued the Canvass. A short administrative delay allowed the Electoral Board to discuss two election related items:

- **Public Health Impact on deploying and recovering voting equipment:**
The Electoral Board discussed the processes and practices used in conjunction with the deployment of voting equipment and precinct preparation. While Sign and Signal personnel are sworn officers of election and tasked with delivery and recovery of voting equipment, the Electoral Board has always made one or more (sometimes all) members available to assist with deployment. Lessons learned related to public health will be incorporated in future deployments of voting equipment when established practices are inhibited by the health situation.
- **Voting Equipment Security:**
Increased attention to the security of voting systems throughout the Commonwealth has resulted in the legislation and regulations that establish certain minimum security standards. The Electoral Board discussed the need to ensure voting equipment, whether deployed or stored, will always comply with minimum security standards.

The Electoral Board determined the 26 provisional ballots were qualified to be counted.

At 5:09 p.m. on May 20, 2020 the Electoral Board stood in recess until 11:00 a.m., Friday, May 22, 2020.



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MAY 22, 2020

CALL TO ORDER

The Chairman called the meeting to order at 11:15 a.m.

PRESENT

Richard Herrington, Secretary; Curt Chandler, Chairman; Lorraine Koury, Vice Chairman and Brenda Cabrera, Director of Elections/General Registrar (DE/GR).

MEMBERS OF THE PUBLIC TO SPEAK

There were no members of the public present who wished to speak or observe the meeting.

CANVASS AND PROVISIONAL BALLOT MEETING

At 11:23 a.m., the 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 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 Vice Chairman seconded the motion and it passed unanimously.

At 12:01 p.m., the Chairman 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 and when the question was called, the members of the Electoral Board voted as indicated below:

<u>Position</u>	<u>Name</u>	<u>Vote</u>
Chairman	Curt Chandler	Yea
Vice Chairman	Lorraine Koury	Yea
Secretary	Richard Herrington	Yea

The meeting reconvened in open session at 12:02 p.m. to continue the Canvass. All provisional ballots, in precinct order, were evaluated to determine qualification to vote. The Electoral Board voted on the eligibility of 27 provisional ballots:

- The Electoral Board determined 26 provisional ballots were qualified to be counted.
- The Electoral Board determined one (1) provisional ballot was not qualified to be counted.

The provisional ballots eligible to be counted were tabulated using a scanner and the Provisional SOR was completed. After the determination of provisional ballots by the Electoral Board, the DE/GR began the



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process of including the provisional ballot information into VERIS and preparation of the necessary abstracts and election documents

At 12:50 p.m. the election Canvass stood in recess until 3:00 p.m.

At 3:09 p.m. the election Canvass reconvened.

The Electoral Board reviewed the procedures used during deployment of the voting equipment the day before the City Election and discussed changes to improve voting equipment deployment.


At 3:41 p.m. the DE/GR presented to the Electoral Board the necessary abstracts of the election for review and signature. At 4:57 p.m., the Canvass was complete. All City Election related documents were reviewed, signed, and sealed.

The Electoral Board complimented the GR/DE for her efforts to introduce personal protective equipment for the officers of election and other materials to address the public health situation. The several improvements in the processes and procedures recommended by officers of election to facilitate the smooth orchestration of the City Election will be reviewed.

The Chairman stated a meeting should be scheduled prior to the June 23, 2020 Primary election. It was agreed to meet on June 10, 2020 at 2:00 p.m. The meeting will be advertised.

ADJOURNMENT

The meeting adjourned at 5:07 p.m.


Richard L. Herrington, Secretary
City of Fairfax Electoral Board



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April 24, 2020 Electoral Board Meeting Minutes**



Brenda F. Cabrera
Director of Elections/General Registrar

Electoral Board
Secretary: Richard Herrington
Chairman: Curt Chandler
Vice Chairman: Lorraine Koury

CALL TO ORDER

The Chairman called the meeting to order at 9:45 a.m.

PRESENT

Richard Herrington, Secretary; Curt Chandler, Chairman; Lorraine Koury, Vice Chairman and Brenda Cabrera, Director of Elections/General Registrar (DE/GR).

MEMBERS OF THE PUBLIC TO SPEAK

There were no members of the public present who wished to speak or observe the meeting.

APPROVAL OF MINUTES ELECTORAL BOARD MEETINGS APRIL 2, 2020, APRIL 7, 2020, and APRIL 14, 2020

The Vice Chairman moved the approval of the minutes for the April 2, 2020, April 7, 2020 and April 14, 2020 Board meetings be approved. The Chairman seconded the motion and it passed unanimously.

APPOINTMENT OF OFFICERS OF ELECTION

The DE/GR reported there was one officer of election application. After review, the Chairman moved the individual be appointed an officer of election. The Secretary seconded the motion and when the question was called, the motion passed unanimously.

COMMUNICATION ABOUT MAY 5, 2020

The Chairman opened a discussion of the communication efforts underway to keep both candidates and voters up to date with changes caused by the public health situation. The DE/GR had sent an email to candidates explaining the present situation and the sense of the Board was the email was an excellent communication which was well received. The DE/GR, in coordination with City staff, is promoting "Vote at Home" – absentee voting – throughout the City.

The possibility of the City Election being moved to a later date in the month or to November 2020 was discussed; the Legislature had met in special session on April 22, 2020 and this was one of the items that was considered. The DE/GR stated that several dates had been mentioned, but until there is an official announcement, the City must continue to plan for the City Election to be held May 5, 2020. Several items were discussed:

- Voter actions: Voters will be encouraged to bring their own marking pen when voting in-person; gel type pens are not authorized. Each precinct will offer a marking pen to each voter and the voter may keep the pen following voting. Privacy sleeves will not be used and voters will be instructed to lay the ballot face down on the OVE (scanner). "I Voted" stickers will not be distributed. The wearing of masks will be encouraged.
- Separate absentee ballot box for precincts: The need for a separate ballot box for absentee ballots that would be presented at the precincts was discussed. Because close analysis of the potential numbers of absentee ballots that could be presented at the precincts indicates less than several score of absentee ballots could be presented, a separate absentee ballot box for each precinct



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would not be necessary. Voters will first be encouraged to take their ballot to the Office of Elections as this is the established process for handling of absentee ballots.

- Updates for Chief Officers of Election: The DE/GR will provide updates on the staffing for each precinct. Normal process to the extent possible will be followed.
- Personal protective equipment (PPE): Hand sanitizer, 300 masks and 1000 sets of gloves were on order and expected to be received in the immediate future. 40 face shields had been received. Sneeze guards for officers of election protection at the precincts have arrived and do not require tools for assembly.
- Questions from elected officials related to increased costs because of the public health situation have been asked of the DE/GR. All costs associated with the May 5, 2020 City Election can be satisfied with the existing Office of Elections budget. Should adjustments be necessary for the support of future elections, the DE/GR will provide an appropriate request for funding.

EQUIPMENT DELIVERY FOR MAY 5, 2020 CITY ELECTION

Established procedures for the deployment of voting equipment on May 4, 2020 were discussed. One modification to put in place would facilitate the timely loading of voting equipment. Precincts will be reminded that Chief Officers of Election would be encouraged to set up their precincts to the greatest extent possible on the afternoon of May 4, 2020. Such action will minimize setup on the morning of May 5, 2020 as new signage related to social distancing will need to be displayed.

RECESS:

The Board recessed at 11:20 a.m.

RECONVENE:

The Board reconvened at 11:39 a.m.

DISTRIBUTION OF MATERIALS TO CHIEF OFFICER OF ELECTION ON MAY 4, 2020

The established schedule on May 4, 2020 for briefing the Chief Officer of Election for each precinct was confirmed as appropriate. Included in the materials given to the Chiefs would be guidance related to the public health situation. The Secretary confirmed he would be present during the distribution of supplies to the Chiefs.

ELECTION DAY PROCESSES

There was discussion of the public health situation and the impact on Election day. It was the sense of the Board that existing processes and procedures would be followed as much as possible and Chief Officers of Election would effectively control their precincts. An update to the guideline for Electoral Board processes on Election Day will be provided to the Board by the Secretary.

- Some variations to well established processes will be required, appropriate for the public health situation.
- Precincts will limit to ten (10) the number of voters in a precinct at any given time.
- More curbside voting is anticipated. Hand-held radios will be used by some precincts to assist the curbside voting process.



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- Wearing of PPE (masks and gloves) by Officers of Election will be followed when dealing with voters.

The DE/GR also reported staffing for the precincts was being closely monitored and adjustments would be made and communicated to the Chief Officers of Election. The known availability of officers of election indicate that each precinct will have sufficient officers of election to support the City Election.

ELECTION DAY CLOSING PROCESSES

The existing procedures for processing materials returned to the Office of Elections after the close of the polls was discussed. It was the sense of the Board that minor adjustments to existing procedures will be made if required by the public health situation. The Secretary stated that all materials associated with the election that had to be transmitted to the Clerk of the Court could be handled without issue.

CANVASS FOR MAY 5, 2020 CITY ELECTION

The Chairman asked if there was any reason to modify established Canvass procedures. After discussion, it was the sense of the Board that existing procedures could be followed, modified if necessary, to address public health concerns. The Board will follow social distancing guidelines.

CAMPAIGN FINANCE ISSUE

The DE/GR reported to the Board that an individual had failed to comply with campaign finance reporting requirements for a previous campaign for public office and it was necessary to assess a fine as specified in the Code of Virginia; the DE/GR had several interactions with this individual related to the need to comply with campaign finance reports. The individual emailed the DE/GR a few days before the Board meeting and discussed the assessed fine with the DE/GR; the person asked that the fine be waived as the campaign was closed and no longer in operation. The DE/GR told the individual she did not have the authority to waive the assessed fine, but the individual could address the issue to the Electoral Board. She recommended to the individual that an appearance before the Electoral Board was an option but not required.

The individual did not appear at the meeting. The DE/GR faithfully presented to the Board the reasons the individual believed the assessed fee should be waived; in short, the complexity of campaign finance laws, confusing reporting requirements and the individual believed as the campaign did not collect or spend any money, no reports should be needed.

The Board discussed this issue at length and after considerable consideration, could not find a qualification in the Code of Virginia that would relieve an individual of their reporting responsibilities. It was the sense of the Board there was insufficient justification for a waiver of the assessed fee. The Secretary stated he would write a letter to the individual explaining the request for a waiver of the assessed fine (presented by the DE/GR) was denied.

HB2178 STATUS

The Secretary reported the required report certifying the City of Fairfax compliance with the established minimum security standards had been filed with ELECT. The DE/GR asked that appropriate recognition be



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given to the Director of the City's IT Department for his support of the effort. The Secretary stated that appropriate letters of appreciation were being prepared.

VOTING EQUIPMENT SECURITY PLAN

The Chairman asked about a recent ELECT memorandum that asked for confirmation of a required annual review of the City's Voting Equipment Security Plan. The Secretary shared with the Board the recent update of the Electoral Board's 'Voting Systems Security Program' which he had just completed and asked that the other Board members review the update. Once the document was reviewed by all Board members, the Secretary would submit the required report on behalf of the Board.

JUNE 23, 2020 PRIMARY ELECTION

The DE/GR stated existing plans for the election were being updated; as soon as firm dates for training and testing of voting equipment could be established, that information would be provided to the Board. The public health situation made planning a continuous "work in progress."

NOVEMBER 3, 2020 GENERAL ELECTION

The DE/GR stated existing plans for the election would be updated in hopes that the public health situation would be stabilized by that time.

OTHER MATTERS


The Secretary complimented the DE/GR for her recent communication (email) to all candidates for election. The email explained in detailed the public health situation and the processes being followed to ensure established voting processes would be followed to the greatest extent possible.

REVIEW/UPDATE OF THE CALENDAR

It was agreed another Board meeting would be required in the immediate future. A review of schedules indicated the week of May 11, 2020 had open dates for all Board member and the DE/GR. The Chairman will monitor activities and suggest a meeting at the appropriate time.

ADJOURNMENT

The meeting adjourned at 12:48 p.m.


Richard L. Herrington, Secretary
City of Fairfax Electoral Board