



VOTER REGISTRATION AND ELECTIONS

City of Fairfax

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



VOTER REGISTRATION AND ELECTIONS

City of Fairfax

April 24, 2020 Electoral Board Meeting Minutes



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.



VOTER REGISTRATION AND ELECTIONS

City of Fairfax

April 24, 2020 Electoral Board Meeting Minutes



- 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



VOTER REGISTRATION AND ELECTIONS

City of Fairfax

April 24, 2020 Electoral Board Meeting Minutes



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