



**VOTER REGISTRATATION
AND ELECTIONS
City of Fairfax
November 7, 8 and 9, 2018
Electoral Board Meeting Minutes**



Brenda F. Cabrera
Director of Elections/General Registrar

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

PRESENT:

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

November 7, 2018

CALL TO ORDER:

The Chairman called the election Canvass meeting to order at 10:08 a.m.

The DE/GR reported to the Electoral Board that no members of the public or provisional voters were present but there were, however;

- Three (3) observers from the Security and Cooperation in Europe/Democratic Institutions and Human Rights (OSCE/ODIHR), Limited Election Observation Mission located at 1300 Pennsylvania Ave. NW Washington D.C., who expressed a desire to observe the Canvass and specifically the provisional ballots meeting process.
- Three (3) individuals from the Center for Civic Design, supporting ELECT's form development efforts who also desired to observe the forms and processes used during the Canvass and provisional ballots meeting.

Immediately following the DE/GR report, the Vice Chairman took the floor and stated, "I move the Canvass be convened in closed session pursuant to § 24.2-653.B of the Code of Virginia to evaluate the eligibility of provisional voters for the purpose of considering whether each person who submitted a provisional ballot at the Election was qualified to do so, and I also move that the DE/GR and three members of the Organization for Security and Cooperation in Europe/Democratic Institutions and Human Rights (OSCE/ODIHR) Limited Election Observation Mission, Pavel Cabacenco, Election Analyst; Aubrey Menarndt, Assistant to the Election and New Technologies Analyst, and Carsten Schurmann, New Technologies Analyst; and from the Center for Civic Design, Maggie Ollove and Dana Chisnell, the company supporting forms development for ELECT, as specified in § 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 motion was seconded by the Chairman and when the question was called, the motion passed unanimously.

At 10:23 a.m., the Vice Chairman moved that the provisional ballots meeting of the Electoral Board of the City of Fairfax stand adjourned until such time as the DE/GR completes research on provisional ballots and that the Electoral Board reconvene in open session. The motion was seconded by the Chairman and passed unanimously.



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The Vice Chairman moved the Electoral Board of the City of Fairfax certify that in closed session just concluded the only matters discussed were the qualifications of provisional voters, as directed by § 24.2-653.B of the Code of Virginia, and as identified in the motion to close the meeting pursuant to the Virginia Freedom of Information Act, and that the Vice Chairman’s motion be approved in open session. The Chairman seconded the motion. When the question was called, the motion passed unanimously:

Roll Call Vote:

	<u>Name</u>	<u>Vote:</u>
Chairman	Curt Chandler	<u>Aye</u>
Vice Chairman	Lorraine Koury	<u>Aye</u>
Secretary	Richard L. Herrington	<u>Aye</u>

The DE/GR and the Electoral Board continued the Canvass to verify the available election results.

At 10:47 a.m., all observers from the OSCE/ODIHR Limited Election Observation Mission and Center for Civic Design departed. The observers stated they found the processes followed more in-depth than they have envisioned and complemented the Electoral Board and DE/GR for their attention to the many details involved in the process.

At 11:49 a.m., the Electoral Board stood in recess for 20 minutes.

At 12:10 p.m., the Electoral Board reconvened and continued the Canvass.

At 2:15 p.m., the Canvass of the City’s precincts was completed for the day.

The Vice Chairman moved that the election Canvass and provisional ballots meeting of the Electoral Board of the City of Fairfax stand adjourned until 11:00 a.m. on November 8, 2018. The motion was passed unanimously, and the Electoral Board adjourned.

November 8, 2018

PRESENT:

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

CALL TO ORDER:

The election Canvass was called to order at 11:07 a.m. The DE/GR reported that only three (3) of seven (7) ID Only provisional voters had provided acceptable identification and research was continuing on other provisional voters.



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At 1:33 p.m., the Vice Chairman moved that the provisional ballots meeting of the Electoral Board of the City of Fairfax stand adjourned until 10:30 a.m. on November 9, 2018. The motion was seconded by the Chairman and passed unanimously.

With Canvass activities concluded for the day, the Electoral Board discussed the need to have minutes of security matters when discussed and have all security discussions be held in closed sessions. The Secretary stated this was a matter worthy of consideration, but he needed to leave immediately because of a pressing personal matter. It was agreed to continue discussion of this matter when the Board next met.

At 2:10 p.m., the Chairman moved that the election Canvass and provisional ballots meeting of the Electoral Board of the City of Fairfax stand adjourned until 10:30 a.m. on November 9, 2018. The motion was passed unanimously, and the Electoral Board adjourned until 10:30 a.m. on November 9, 2018.

November 9, 2018

PRESENT:

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

CALL TO ORDER:

The election Canvass was called to order at 10:36 a.m. The DE/GR reported that five (5) of seven (7) ID Only provisional voters had provided acceptable identification and the DE/GR staff were awaiting to receive acceptable identification from two (2) other ID Only provisional voters; acceptable identification must be provided by noon.

Continuing the security discussion from November 8, 2018 wherein the Electoral Board discussed the need to retain minutes when security matters were discussed and the appropriateness of having security discussions in closed session, the Vice Chairman moved that meetings wherein security matters were to be discussed be convened in closed session. The motion was seconded by the Secretary and when the question was called, it passed unanimously.

The DE/GR recommended that security information discussed in closed session could be included as an appendix in the Security Manual so that specific risk issues, associated mitigation and risk reduction actions could be documented. The Vice Chairman asked if there was a requirement to preserve hand written notes taken in closed session. The DE/GR stated this was a question that could possibly be answered by the City of Fairfax FOIA officer. It was the sense of the Board that an answer be obtained as soon as practicable and asked the DE/GR stated she would reach out to the City FOIA office for an answer and immediately report to the Board by email.

Immediately following the security discussion and at 10:55 a.m., the Vice Chairman took the floor and stated, "I move the Canvass be convened in closed session pursuant to § 24.2-653.B of the Code of Virginia



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to evaluate the eligibility of provisional voters for the purpose of considering whether each person who submitted a provisional ballot at the Election was qualified to do so, and I also move that the DE/GR as specified in § 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 motion was seconded by the Chairman. Discussion followed; the DE/GR stated no provisional voters were present, but the DE/GR staff would immediately notify the Electoral Board should either of the two ID Only provisional voters provide acceptable identification was for Electoral Board review. When the question was called, the motion passed unanimously.

The Vice Chairman moved the Electoral Board of the City of Fairfax certify that in closed session just concluded the only matters discussed were the qualifications of provisional voters, as directed by § 24.2-653.B of the Code of Virginia, and as identified in the motion to close the meeting pursuant to the Virginia Freedom of Information Act, and that the Vice Chairman’s motion be approved in open session. The Chairman seconded the motion. When the question was called, the motion passed unanimously:

Roll Call Vote:

	<u>Name</u>	<u>Vote:</u>
Chairman	Curt Chandler	<u>Aye</u>
Vice Chairman	Lorraine Koury	<u>Aye</u>
Secretary	Richard L. Herrington	<u>Aye</u>

At 11:24 a.m. the election Canvass and provisional meeting continued in open session. At 11:42 a.m. the Electoral Board took a one-hour recess for lunch.

The Electoral Board reconvened at 12:43 p.m.

The DE/GR reported that at noon (12:00 p.m.), she had not received acceptable identification from the two ID Only provisional voters.

Work on the election Canvass proceeded. All provisional ballots, in precinct order, were reviewed and the eligibility of voters to cast provisional ballots was determined.

The Electoral Board voted on the eligibility of seven (7) ID Only provisional ballots:

- The Electoral Board determined five (5) provisional voters (ID Only) were eligible to vote.
- The Electoral Board determined two (2) provisional voters (ID Only) were not to be counted as they had not presented an acceptable form of identification by noon on the third day following the election.

The Electoral Board voted on the eligibility of 17 other provisional voters:

- The Electoral Board determined four (4) provisional ballots were eligible to be counted.
- The Electoral Board determined 13 provisional ballots were not eligible to be counted as the provisional voters were not registered in precinct.



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The green envelopes of the voters determined to be qualified, were opened precinct by precinct. The ballots were placed in the ballot box without any further inspection other than to ensure that only a single ballot had been cast by the voter and that the ballot was genuine, without looking at the printed inside of the ballot. The opened, empty green envelopes for each precinct were placed in the 1A envelope for that precinct along with any unopened green envelopes. The Secretary of the Electoral Board noted on the 1A envelope the number of green envelopes contained therein for persons determined to be qualified and the number for the persons determined not to be qualified.

After the determination of all provisional ballots by the Electoral Board, the DE/GR included the provisional ballot information into VERIS and began the preparation of the necessary abstracts and election documents at 1:40 p.m.

At 2:14 p.m., the DE/GR presented to the Electoral Board the necessary abstracts of the election; at approximately 2:23 p.m., all election related documents had been reviewed, signed, and sealed. The Electoral Board discussed delivery of the documents and decided the election documents would be delivered on Friday November 9, 2018 to the Clerk of the Court at 3:00 p.m. The Secretary would affect delivery of the documents to the Clerk of the Court.

The Canvass adjourned at 2:50 p.m.


Richard L. Herrington, Secretary
City of Fairfax Electoral Board

