



**OFFICE OF THE ELECTORAL BOARD  
GENERAL REGISTRAR  
City of Fairfax  
September 30, 2015**



**PRESENT:**

Richard Herrington, Secretary; John Harold, Chairman; Dirk Brouwer, Vice Chairman; Brenda Cabrera, General Registrar; and Nancy Tingen, Deputy Registrar.

**CALL TO ORDER:**

The Secretary called the meeting to order at 3:34PM.

**APPROVAL OF THE AUGUST 14, 2015 ELECTORAL BOARD MEETING MINUTES:**

A motion was made by the Chairman to approve the August 14, 2015 Minutes as written. The Vice Chairman seconded the motion and it passed unanimously.

**GREEN ACRES, ROOM 120 "EB/GR STORAGE AREA":**

The Secretary reported the construction of a storage area within Room 120 at Green Acres was complete. There is 140 square feet of space; the access door is 36" wide and there is one electrical outlet. Paneling was used and the contents of the area cannot be observed from outside the storage area. A top/ceiling was not installed so the area could make use of existing lighting. Discussion followed which focused on the level of security now available for voting equipment and signage used by the Registrar and Board.

**General Registrar's Update:**

The Registrar stated that 13 voters had voted absentee as of today. She additionally detailed the process used to ensure accountability of the paper ballots. There was discussion concerning the documentation of the process. The Chairman stated he had been told the day absentee voting could begin was not on the City's website. The Deputy Registrar accessed the City's website and went to the Registrar's homepage where the date was found when the "Public Notices" option was selected. Discussion followed. The Deputy Registrar will add the date to the Registrar's home page and in the future also post significant dates or information so the casual website user would not experience difficulty finding information.

Several localities in Virginia have been served with subpoenas related to requirements to present a photo ID when voting. The GR has not yet been served with a subpoena and believes the City may not be one of the localities targeted.

The GR has engaged the precinct Chiefs and is in the process of creating new precinct layouts that reflect changes in the placement of voting equipment and



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traffic flow. The Fairfax High School (Precinct 5) is completed. The GR will meet with Chiefs individually at the precincts as the process continues.

The PSA outreach video is available on Ch23. The GR did not have any statistics related to it.

Training for Chiefs, Deputies, Procedural & EPB Specialists was conducted on September 12<sup>th</sup>; all that attended the training indicated the new equipment and procedures associated with its use was not difficult, just different. The new electronic poll books (EPB) procedures were also introduced. There was discussion concerning the wireless feature of the EPBs that allow them to communicate [See§24-2.625.2 (page 223)]. The GR will provide detailed information to the EB related to EPB wireless capability and security features.

The SOR requires change because of the exclusive use of paper ballots. The GR has drafted some changes to the existing SOR that should capture all the required data in a format that is easy to follow. A sample will be provided to the EB in the immediate future.

**FALL FESTIVAL:**

The City of Fairfax Fall festival will be conducted on October 10, 2015. The Chairman is coordinating power for the space assigned to the Electoral Board so the new voting equipment can be demonstrated to the public. The Secretary will provide a 10'x10' and a table for the canopy for the space; parks & recreation will arrange for electrical power. The GR will coordinate

**GR PERFORMANCE EVALUATION – FORMER GR:**

The performance review for Mr. Kevin Linehan, the GR from July 1, 2014 through June 30, 2015 was signed on September 8, 2015. The delay in completing and submitting the annual GR performance review was due to Mr. Linehan's availability; he left the GR position at the end of the review period and was in the process of selling his home and moving to Colorado. The performance review will be mailed to ELECT on Monday, October 5, 2015.



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**EB ROLE IN ADMINISTERING ELECTIONS:**

The Chairman raised the issue of the EB being in compliance with all sections of election law. There was discussion about the process used by the EB and agreement that there were areas of the law that the EB needed to review as changes in election laws had changed some duties and the EB needed to address specific areas where the EB may delegate certain duties and share certain duties with the GR.

**Amended by Board action October 15, 2015. Approved by Richard L. Herrington, Secretary, October 16, 2015.**

The immediate concern of the EB are the ambiguities in the elections laws pertaining to the handling of ballots. There was discussion on the best ways to move forward with the understanding the EB and GR were partners in ensuring compliance with the law and while certain duties could be designated as a GR function, the EB was still responsible to ensure compliance. The EB will continue its work on developing a consolidated list of duties it shall delegate to the GR. The effort will focus on:

- Oversight – Functionality
- Strategic role for City of Fairfax
- Community involvement

**EBGR WORKGROUP**

The EB expressed its concern the EB/GR Working Group at ELECT was not producing the level of results anticipated. The Board will investigate in detail the effectiveness of the EB/GR Working Group and discuss it in detail at a future Board meeting.

**ELECTION BALLOTS:**

A motion was made by the Chairman and seconded by the Vice Chairman that the EB be available upon delivery of the ballots to audit accept and distribute to the GR ballots as required. The motion passed unanimously.

There was a motion by the Chairman to recess the meeting until 3:30 PM on Friday, October 2<sup>nd</sup>. The motion was seconded by the Vice Chairman and approved unanimously.

The EB was in recess as of 4:55PM.

**Friday October 2, 2015**



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The EB reconvened at 3:51PM. In attendance were Richard Herrington, Secretary; John Harold, Chairman; Dirk Brouwer, Vice Chairman; and Brenda Cabrera, General Registrar.

The discussion continued on the EB's need to ensure compliance with the electoral laws regarding:

- Staging of equipment
- Loading of precinct bags
- Clerk of the Court

**ELECTRONIC POLL BOOKS:**

The GR reported research had revealed the EPB can be connected both hard wired and wirelessly. The wireless feature was protected through the use of wireless security type "WPA Personal" with encryption type "TKIP" and AES encryption standards. The GR recommends wireless as there have been continual Layer 1 issues (physical layer) with the switches and cable used which had caused significant issues. Switches must be used to link more than two (2) EPBs together. §24-2.625.2 (page 223) states, "The provisions of this section shall not be construed to prohibit the operation of electronic poll book devices at polling places on Election Day." A motion was made by the Chairman and seconded by the Vice Chairman that the wireless capability of the EPBs be activated and ELECT policy on EPB communication be obtained. The motion passed unanimously.

There was discuss of the conduct of the canvass (post-election) and the signatures needed on the SORs.

Next meetings of the EB will be October 9, 2015 at Green Acres and October, 15 2015 at Sisson House.

The EB adjourned at 5:51PM.

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Richard Herrington, Secretary  
City of Fairfax Electoral Board