



VOTER REGISTRATATION AND ELECTIONS

City of Fairfax

December 16, 2016 Electoral Board Meeting Minutes



Brenda F. Cabrera
Director of Elections
General Registrar

Electoral Board
Secretary: **Richard Herrington**
Chairman: **Dean Ross**
Vice Chairman: **Curt Chandler**

PRESENT:

Richard Herrington, Secretary; Tom Ross, Chairman; Curt Chandler, Vice Chairman; Brenda Cabrera, Director of Elections and General Registrar, and Nancy Tingen, Deputy General Registrar.

The Secretary called the meeting to order at 10:05 a.m. He asked if the Board members had reviewed the minutes of the previous meetings and stated he would entertain a motion to approve the minutes of the September 29, November 9, and December 5, 2016 minutes as written. It was brought to the Secretary's attention that the minutes of the September 29 2016 meeting had previously been corrected and approved. The Chairman noted that the minutes of the December 5, 2016 required a correction to indicate the Vice Chairman had introduced a discussion of third party organizations instead of the Chairman. The Chairman moved that the minutes of the November 9, 2016 meeting be approved as written and the minutes of the December 5, 2016 be amended as indicated and approved. The motion passed unanimously.

The Vice Chairman provided meeting attendees with a synopsis of a presentation given November 15, 2016 by Dr. Mark Rozell, GMU, at Old Town Hall which addressed voting issues. The Vice Chairman noted announcement of the presentation was not timely and because of that, attendance was perhaps not as robust as it could have been. He also noted the information disseminated appeared to be generally known.

The General Registrar started with a reminder that January 24, 2017 was the deadline for voter registration and then provided the Electoral Board with an update related to training and preparation for the February 7, 2017 Mayoral contest:

1. Officer of Election (EO) training had been revised based on feedback received from senior OEs that had participated in the 2016 Presidential Election and the Deputy General Registrar was working on the associated EO reference and procedural documents. A new schedule for training classes was promulgated and sufficient OEs will be available to work the Mayoral contest.
2. ELECT has obtained extended support from the vendor responsible for Electronic Poll Box (EPB) support and therefore no action was required at this time. The issue must be revisited later in the year as a new vendor needs to be selected.
3. Preparations for the Mayoral contest were well underway; candidate order on the ballot was established. There was discussion concerning actions necessary to support a special election for a vacant city council seat as all candidates for Mayor are presently City Council members. The General Registrar stated she had prepared initial support and scheduling documents and was in close contact with the City Attorney. The Board commended the General Registrar for her diligence and advised her that Board members would be available to assist her efforts. It was the sense of the Electoral Board that because of the situation, it may well be the most appropriate date for a special election for the anticipated vacant city council seat would be November 7, 2017.



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December 5, 2016 OE Meeting – 2016 Presidential Election Review

The General Registrar scheduled a meeting of select Chief OEs and Procedural Specialists for the evening of December 5, 2016 to discuss in detail OE observations and obtain suggestions for process improvement. The Electoral Board provided refreshments for the assembled group. For the meeting, the General Registrar presented an overview and slide presentation focused on obtaining OE input; this format was well received by the assembled OEs and allowed candid discussion of the training received and the application of that training to the Presidential Election. The Electoral Board and General Registrar commended the OEs on their overall performance and the outstanding service of the Chief OEs in each precinct; the Chiefs' handled on all issues that arose and ensured the voters enjoyed a rewarding voting experience. The few minor issues that needed to be addressed in detail were discussed and in all cases OEs offered recommendations to resolve the issues. Several OEs commented they were nervous before the voting started but found the training provided by the General Registrar allowed them to address almost all issues or situations. They also commented on the new signage throughout the City which was posted by Sign and Signal; it was agreed the new signage was a significant improvement. A detailed list of recommendations and suggestions (primarily administrative in nature) was created and will be used to improve election processes and procedures. There were four areas requiring attention:

1. The use or non-use of privacy folders generated discussion. Each precinct experienced different voter response, varying from almost no use at all to complaints the privacy folders were not sufficient to ensure marks on ballots could not be seen by other voters or OEs.

The Secretary moved that OE procedures be modified so that OEs assigned as ballot officers be required to provide the qualified voter a ballot inside a privacy folder and instruct the voter to use the privacy folder and after casting their ballot, place the folder in a designated location. The motion was seconded by the Vice Chairman and approved unanimously.

2. The Vice Chairman noted the oath of office for OEs contained the phrase "So help me God" and the Code of Virginia allowed that phrase to be optional, but in practice was normally included. He expressed concern that some of the OEs may find the phrase inappropriate depending on their faith or non-faith and asked if there was a way to address that concern. Discussion followed and the Vice Chairman moved that the oath of office for OEs default to a generic oath that does not include the reference to God. The Chairman seconded the motion. Discussion followed and after concerns expressed on the possible motion might conflict with the Code of Virginia, the Vice Chairman suggested that his motion be tabled until additional information could be acquired from ELECT related to his motion. The Secretary suggested the Vice Chairman could simply withdraw his motion. The discussion of the motion was closed with the agreement ELECT would be asked to provide guidance and the matter would be revisited next Electoral Board meeting.
3. Authorization for observers to be in polling locations and guidelines for their activities as observers was discussed. Observers are already required to adhere to ELECT's "Do's and Don'ts" guidance. Because of issues raised by the actions of a few observers during the 2016 Presidential Election



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related to authorization to enter polling locations. ELECT will be asked to clarify the parameters used by localities and jurisdiction for issuing observer authorization documents.

Electoral Board – Budget and Delegation of Duties

The Vice Chairman asked about the involvement of the Electoral Board in preparation for the annual General Registrar budget and the delegation of duties document which the Electoral Board and general Registrar had agreed to in early 2016. There was discussion on both matters which resolved the Vice Chairman's questions; the Electoral Board has little direct input to budget preparation but provides assistance when requested by the General Registrar, and the delegation document provides formal recognition of the various duties detailed in the Code of Virginia which the Electoral Board has delegated to the General Registrar for accomplishment.

VEBA Annual Meeting: 3-5 March; Electoral Board and General Registrar to attend

The Virginia Electoral Board Association (VEBA) annual meeting will be held at the homestead in Warm Springs, Virginia March 3-5, 2017. All members of the Electoral Board and General Registrar plan to attend. The Deputy General Registrar has obtained rooms. The Electoral Board will car pool, the Chairman having graciously offered to drive, and the General Registrar will drive separately as she will be departing from a location outside Fairfax. Discussion of the event and how best to cover the various presentations was used as a vehicle to educate the Vice Chairman about VEBA meeting activities. It was agreed attention must be given to:

1. EPB vendors
2. Code of Virginia changes
3. Regional meetings for VEBA groups
4. Items offered by the City of Fairfax Electoral Board
 - i. Third Party Registration Organizations
 - ii. Polling Place Observers

Dennis McNaughton Letter

Mr. Denis McNaughton had written the Electoral Board about his concerns related to voting privacy; his main issues are use of privacy folders and OEs too close to the scanners. After discussion, there was a motion made by the Secretary and seconded by the Vice Chairman that the Secretary craft a response to Mr. McNaughton and share the draft with the Electoral Board before it is disseminated. The motion passed unanimously.

February 7, 2017 Mayoral Election

The Electoral Board and General Registrar discussed the Mayoral Election. Established procedures were reviewed and found appropriate. The Secretary noted that following the meeting today, one or members of



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the Electoral Board would be at Sisson House to package ballots for distribution to the precincts and the General Registrar. The Secretary and Vice Chairman agreed to participate. The General Registrar indicated Sign and Signal was prepared for voting equipment distribution on February 6, 2017 and that she was in discussion with the Clerk of the Court related to election materials that needed to be taken to the Court on the evening on February 7, 2017. The General Registrar will advise the Electoral Board on the progress of those discussions.

City Council Election – Sometime in 2107

Following the Mayoral contest in February 2017 it is anticipated that the City Council will desire a special election to fill an open City Council seat as all candidates for mayor are sitting council members. The date for that special election will have to be determined by the City Council. The General Registrar, Electoral Board and City Attorney are working together to provide the City Council with the information needed to make a reasoned decision for the date of a special election.

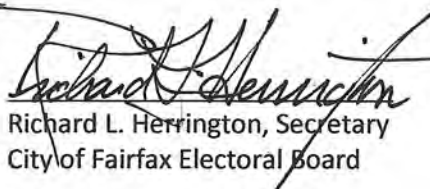
Recognition of Mr. John Harold's serviced to the City of Fairfax

The Chairman discussed the need to prepare appropriate recognition for the many years of civic service that Mr. John Harold, former Chairman of the Electoral Board, has provided to the City of Fairfax. Input related to Mr. Harold's extensive civic service will be needed by January 15, 2017.

The next meeting of the Electoral Board will occur on January 6, 2017 at 10:00 a.m. at the Sisson House; focus of the meeting will be the February 2017 Mayoral Election and a probable special election for an empty City Council seat. A meeting announcement will be appropriately posted.

Adjournment:

The meeting adjourned at 1:00 p.m.


Richard L. Herrington, Secretary
City of Fairfax Electoral Board