

MINUTES
Fairfax County Electoral Board
March 16, 2023

The Fairfax County Electoral Board (Board) met on Thursday, March 16, 2023, in Conference Room 315 at the Fairfax County Government Center located at 12000 Government Center Parkway, Fairfax. Chairman Hon. Katherine K. Hanley; Vice Chairman Jeffrey K. Shapiro; Secretary Amb. (ret.) Christopher P. Henzel; General Registrar Eric L. Spicer; Deputy General Registrar Cheryl Jones; and Clerk to the Electoral Board Beth Dixon Methfessel were present.

IT Manager Cord Whitehouse; Election Operations Manager Ravi Udeshi; Election Equipment and Logistics Manager Tyrone Allen; Deputy Registrar for Voter Registration Bushra Ardalan; Deputy Registrar for Voter Satellite Offices Helen Chaikovsky; Deputy Registrar for Absentee Voting Sean Stewart; Supply Manager Kay Garrison;; Jean Thoensen (Office of Elections (Office) staff); Bryan Graham (Chairman, Fairfax County Democratic Committee (FCDC)); Dominic Thompson (FCDC Executive Director); Gregory Brandon (FCDC Central Communications); Richard Weiss (FCDC Voter Registration and Education); Maggi Luca (Fairfax, League of Women Voters (LWV)); Christine Brim (Fairfax County Republican Committee (FCRC) Election Integrity Task Force) and Barbara Palmer-Tengs (member FCRC); and Jill Mobley (Fairfax County election officers and/or residents of Fairfax County) also attended the meeting in person.

The following individuals participated using the Zoom videoconferencing platform: Human Resources Manager Yoon Choi-Lee; IT Business Analysts George Panagakos and Khamthakone Betts; FOIA Coordinator Pat Ferguson; Training Specialist Alina Selnick-Escobar; Office staff and/or rovers Steve Barch, Wesley Fontaine, Lisa Hogle, B. Gissell Jimenez, Gary Klinger, Bill Lewers, Kathryn Martin, Abigale Peters, and Todd Strelow; Carol Allen (FCDC Election Law and Voter Protection); Maria Vorel (FCDC Precinct Operations); Deb Wake (VA - LWV); Arina van Breda (Fairfax LWV); Mark Beale, William Denk, Phyllisa Goldenberg, John Kochka, David Lopez, Robert Presler, Debbie van Opstal, and Elizabeth Woodruff (Fairfax County election officers and/or residents of Fairfax County or neighboring jurisdictions).

Ms. Hanley called the meeting to order at 4:00 p.m. and introduced the Board. Mr. Henzel moved approval of the agenda, and the motion passed by a vote of 3-0. Mr. Henzel made a motion to adopt the Draft Minutes of the Board meeting held on February 1, 2023. Ms. Hanley asked that under Offices on the Ballot in Fairfax County in November 2023, “three members” be included in the description of School Board At Large and Soil and Water Conservation Directors. By a vote of 3-0, the Minutes of the Board meeting held on February 1, 2023, were adopted as amended.

Under the General Registrar’s (GR) report dated March 15, 2023 (attached and made a part of this record), Mr. Spicer updated the voter registration numbers since the last Electoral Board meeting:

Registered Voters	As of March 13, 2023	Change from 1/30
Active registered voters	744,226	-1,698
Inactive registered voters	35,694	-666
TOTAL	779,920	-2,364

Registration Transactions	(1/31 to 3/13)	Year-to-Date (1/1 to 3/13)
DMV online voter registration transactions	18,658	33,941
Web voter registration transactions	951	1,436
Third-party voter transactions	615	736
Other voter registration transactions	9,002	9,562
TOTAL	29,226	45,675

Voter Cancellations	March 2023 (1/31 to 3/13)	Year-to-Date (1/1 to 3/13)
Deceased	298	736
Out-of-state	4,449	4,685
Other	98	6,814
TOTAL	4,845	12,235

The Virginia Department of Elections (ELECT) initiated two 2023 National Change of Address (NCOA) confirmation mailings. The first was sent to 40,851 Fairfax County voters on February 3, including 3,113 voters who informed the USPS that they moved within Fairfax County and 37,738 voters who moved out of Fairfax County.

As of March 13, the Office received a total of 18,785 pieces of mail from the confirmation mailing, including 13,800 pieces of returned undeliverable and 4,985 responses from voters that required action. Voters were changed to “Inactive” status if their confirmation mailing was returned undeliverable or they did not respond within thirty days. Due to issues that required ELECT to send a second confirmation mailing to some voters, the Office was informed that voters will not be changed to “Inactive” status until March 17. Ms. Hanley asked what issue led to the second mailing. Ms. Ardalan explained the insert of the mailing was inadvertently placed backwards in the envelope so the address could not be seen through the envelope window.

The following table summarizes the results of this mailing.

Actions Taken as of March 13, 2023	Quantity
Moved within Fairfax County - Address updated on voter list	300

Moved within Virginia – Voter information mailed to other jurisdictions	125
Incomplete or deceased – List of voters’ names sent to ELECT	118
Moved out of the state – Voters removed from the voter list	4,442
Undeliverable	13,800
TOTAL	18,785

After two federal elections, ELECT will provide a list of inactive voters to be removed from the voter rolls of the locality to which they were registered. Mr. Spicer also explained that ELECT adopted a new death notification (attached and made a part of this record) making it easier to remove deceased voters from the voter rolls. The form may only be completed by a specified relative, a personal representative of the deceased voter’s estate, or a general registrar or deputy registrar who personally knows the voter to be deceased. A death notice is no longer required. ELECT also plans to research death notifications for the last sixty-two years.

At the Board of Supervisor’s public hearing on March 7, 2023, after receiving no public comment, the Board of Supervisors approved the following precinct name changes:

Original name	New name
404 Franconia #1	404 Edison #1
432 Franconia #2	432 Edison #2
732 Oak Marr	732 Oaktree Crossing
924 Spindle #1	924 Spindle
935 Spindle #2	935 Robinson Mill

The Board of Supervisors also approved the following polling place changes that will take effect upon receipt of a Certification of No-Objection from the Attorney General:

1. Divide 731 Tysons precinct to create an additional precinct, 738 Jones Branch, which will vote at Providence Committee Meeting Room
2. Move polling places for three precincts:

Precinct	New Polling Place
731 Tysons	The Parc at Tysons
929 Difficult Run	U.U. Congregation of Fairfax Church
935 Spindle #2	Bull Run Elementary School

The Democratic Party called for an open primary for all districts and precincts in Fairfax County. At a minimum there will be one county-wide primary because two candidates have filed paperwork for the office of Commonwealth’s Attorney. The Republican Party called for an open primary in the 33rd Senate District; the 14th, 17th, 18th, and 19th House of Delegates Districts; and the Springfield Magisterial District, encompassing a total of 100 precincts. If two

or more Republican candidates file for any of these offices, a dual primary will be conducted. Political parties have an April 11 deadline to certify their candidates with ELECT. Ballot artwork and the resource allocation for election officers, voting equipment, and ballots will be finalized when this information is received.

The Office will replace the county's nine-year old voting equipment to include precinct ballot tabulators, ADA-compliant ballot marking machines, mail ballot tabulators, and related software and peripheral equipment. The project will also include the purchase of electronic voter check-in devices to replace the Poll Pads which are leased through early 2025. All voting equipment must be certified by the State Board of Elections.

Partial funding for this replacement project was received in October 2022 as part of the budget carryover, and the second tranche of funding was provided as part of the county's third quarter funding process. The third tranche of funding will be requested during the carryover process in October 2023, which will complete funding for the replacement project.

Before selecting a vendor, the Office will conduct a thorough review process of both the voting equipment and the electronic check-in devices. This review process will begin with public demonstrations tentatively scheduled for July 27-28. A diverse group of individuals will be invited, including Electoral Board members, political party representatives, members of the Board of Supervisors, chief and assistant chief election officers, the Fairfax County Disability Rights and Resources Center, the Fairfax County branch of the NAACP, representatives of Asian and Korean languages groups, representatives from the county's budget office, Department of Information Technology (DIT), Department of Procurement and Material Management (DPMM), the County Attorney's Office, and other interested parties. A final decision is anticipated by December 2023 with the testing of the new voting equipment and electronic check-in devices by early 2025.

Pat Ferguson was promoted to the position of FOIA Coordinator/Candidate Services Manager, and Carmen Frisbee joined the Department as the new Human Resources Administrative Assistant.

Under the Chairman's report, Ms. Hanley explained that the Virginia Electoral Board Association (VEBA) will hold their annual conference March 24-27, where she will be lead a break-out discussion with the ten largest Virginia jurisdictions. She solicited topics that may affect voters from the meeting's participants.

There was no Vice Chairman's report.

Under the Secretary's report, Mr. Henzel expressed concern about the passage of HB 2471, a bill that amends the procedures for removing a general registrar. Whereas in the past an electoral board could remove a GR by a simple majority vote, HB 2471 now provides that an electoral board must petition the Circuit Court requesting that it remove the GR. The bill also provides for the assignment of counsel at the Commonwealth's expense to any general registrar subject to a removal petition. While Mr. Henzel expressed full confidence in Fairfax County's current GR, he noted that this legislation reduces local control and could be a problem in the future or in other jurisdictions. He concluded that because General Registrars now no longer

serve at the pleasure of the EB, some General Registrars might feel less need to keep their EBs fully informed which will in turn mean less public transparency. Ms. Hanley agreed that the law changes the relationship between the EB and the General Registrar, and she commented that the removal process of a General Registrar now becomes public whereas before the passage of HB 2471 most personnel matters were protected from public scrutiny.

There was no New Business.

Under Public Comments, Ms. Hanley reminded the public that comments are limited to three minutes. The Board may provide the information; however, an answer may be deferred if more research is required.

Ms. Brim expressed concern that HB 1948 will allow a voter to provide their assigned voter registration unique identifier in place of the last four digits of their social security number. She commented that this number is provided on data lists that can be purchased from ELECT. She asked if the returned absentee ballots could be tracked based on the whether the voter provided the last four of the social security number or the voter registration number. She also requested that when provisional ballots are adjudicated, the final four digits of the SSN and the full date of birth be required even if a complete absentee ballot application or same day registration application has been provided. Mr. Shapiro agreed that tracking this information is important data to evaluate potential risk. Ms. Hanley commented that this bill has not yet been signed by the Governor.

Ms. Hanley confirmed to Ms. Vorel that the ballots will be available forty-five days prior to the June primary election.

There being no further business, Mr. Henzel moved to adjourn. The motion carried, and without objection, the meeting was adjourned at 4:35 p.m.

Attachments

Hon. Katherine K. Hanley, Chairman

Jeffrey K. Shapiro, Vice Chairman

Amb. (ret.) Christopher P. Henzel, Secretary

This page intentionally left blank.