

## **MINUTES**

### **City of Charlottesville Electoral Board Meeting of November 19, 2018**

The meeting was called to order by the Chair at 5:45 pm on Monday, November 19, 2018 in the office of the Charlottesville General Registrar. Those present were Electoral Board members Anne Hemenway (Chair), Jon Bright (Vice Chair), and Jim Nix (Secretary), General Registrar Rosanna Bencoach, Election Manager Melissa Morton, Project Assistant (Assistant Registrar) Joyce McKenney and former Deputy Registrar Dianne Gilliland.

On a motion by the Chair, seconded by the Vice Chair, the agenda was approved unanimously without change.

On a motion by the Chair, seconded by the Vice Chair, the minutes of the October 16 meeting were approved unanimously without change.

On a motion by the Chair, seconded by the Vice Chair, the minutes of the November 6-9 meeting were approved unanimously with a single change, the replacement of “vote totals” with “results” in the final sentence of the discussion of CAP results.

#### **Public Comment**

There were no members of the public present at this meeting.

#### **Registrar’s Report**

There was no formal report but the Registrar informed the Board that the Deputy Registrar will be on a leave of absence until January 2, 2019 and that Assistant Registrar Jamie Virostko would serve as acting supervisor of the front office staff until the Deputy returns.

The chiefs had already been polled on two potential dates for the customary post-election roundtable, December 19 and January 9. Melissa reported that responses received so far favored the later date but there was a consensus in the room that an earlier date would be better. A decision will be made on November 20.

The Vice Chair asked about the status of the current budget and the GR responded that she is still paying bills for the election and could not provide a report at this time. The Chair asked specifically about the budget impact of the additional help brought into the office during the final stages of preparation for the election and whether or not the availability of funds was considered before the staff increases. The GR stated that

necessity drove the requirement for additional help and acknowledged that budget impact was not considered. She added that it may be necessary to request additional funds from the City Council to cover unavoidable spending driven by the higher than normal turnout.

## **Discussion Items**

### **Office Communication Issues**

The Chair called attention to the failure to hold staff meetings in the weeks leading up to the election as an example of poor coordination and communication among the staff that hampered election preparation. Ms. McKenney added that the confusion over the number of electronic pollbooks to be used in the election was a specific example of an issue that could have been avoided by holding regular staff meetings. The Election Manager, now returned to duty, referred to a detailed task list she prepared prior to leaving, that should have been used to guide the staff and facilitate coordination in staff meetings.

### **Ballot Printing Issues**

The Chair expressed great concern about issues concerning printer shortcomings and the compatibility of the ballot paper and scanners used both in the regular precincts and in the CAP. Ms. Morton informed the Board that she has already been in communication with Hart and that they will soon be providing us with software and instructions for certifying our ballot printer. She is also working with them on detailed specifications for the paper to be used for ballots. The Chair emphasized that we need a comprehensive policy addressing all of the technical details and costs of ballot printing in order to make a decision on whether to print in-house or order ballots from Hart for future elections. The GR added that, should we decide to continue printing in-house, printing be scheduled for evenings and weekends in order to minimize disruption in the office during the very busy weeks of absentee voting and election preparation.

### **Training Issues**

The Chair pointed to training as another problem area with this election with preparation put off until the last minute. In particular, while the use of experienced election officers to assist with electronic pollbook (EPB) training was laudable, they were not recruited until just before the training session began and thus had little time to prepare. Furthermore the Board members were told only minutes before the training that they were each responsible for sections of the training and thus had no time to prepare for their presentations. Board participation is customary but requires coordination. There was also confusion as to how many EPBs were to be set up for the training and how, and by whom, they would be employed. It was, however, helpful to have the demonstration EPB connected to the projector for viewing by the entire group.

## **Pollbook issues on Election Day**

EPB training deficiencies were noted on Election Day when it became evident that not all machines were set up the same way for dealing with absentee voters who brought unused absentee ballots to the precincts and wished to vote using regular precinct ballots. The Vice Chair stressed that we need a policy decision on how the EPBs should be set up for dealing with returned absentee ballots. Specifically we need to decide whether or not it should be required that the chief to be involved in this process for each affected voter.

A combination of technical issues and training deficiencies led to problems with EPBs early in the day and at one precinct a number of voters were checked in using the emergency paper pollbooks provided by the GR. While the provision of these paper back-ups was laudable, the decision to provide them was made at the last minute and the chiefs received no training on how to use them. Gold paper tickets have long been provided in the precinct supply boxes for use when EPB printers are not working, and directions for their use are contained in the Supplemental Pollbook Instructions in each Chief's file box. These tickets are to be used in place of authorizations to vote tickets that voters present to obtain their ballots. However, there was no training on their use and it appears that, as a result, two voters were given ballots without being checked in.

## **Central Absentee Precinct (CAP) Problems**

The Chair stated that there still is a long way to go in simplifying the statement of results (SOR) form use in reporting results for the CAP. Ms. Gilliland reported that she has learned of a new simplified CAP SOR format that will help somewhat in future elections but added that it was problems with reading the V-drives from the two CAP scanners that caused major delays in completing work of the CAP on election night.

The Vice Chair worked with the voting equipment technician and the Hart support person on election night and he pointed out that the memory devices (V-drives) for the high-speed scanner used for by-mail ballots and the in-person absentee scanner must be downloaded and processed separately. Absent this information, repeated attempts to download the data produced aggregated totals rather than the separate totals needed for reporting CAP results. The Secretary pointed to this as but one example of the poor support provided by the Hart representative brought in at considerable expense to assist with this election. As another example, advice was given with regard to tallying the results from the other nine precincts that contradicted what the Election Manager and Voter Equipment Technician had learned in training they received at the company headquarters. The Secretary suggested that feedback to Hart on the support provided would be in order.

Returning to CAP issues, Ms. Gilliland explained that detailed checking and pre-processing of mailed ballots takes considerable time. The Secretary suggested doing as much as possible of this work in advance of Election Day that led to a discussion of time, space and security issues that would have to be addressed in implementing a decision to do so. No decisions were made on these issues at this meeting.

### **Building and Equipment Damage Claims**

The Election Manager reported that there were issues of damage to floors caused by chairs and tables used in the Recreation and Carver precincts and that the cost of repairs were likely to be considerable. In addition, there was damage to the cage used for securing election equipment at Walker precinct. The Election Manager is pursuing both issues but there are no answers as yet with regard to assigning responsibilities, assessing costs or investigating the potential for insurance claims.

### **Issues Raised by Party Representatives**

The Secretary reported that Charlottesville Democratic Committee members were concerned about the level of police presence at the Tonsler precinct on Election Day and the potential for voter intimidation that this presented. One police vehicle was reported to have been parked at the entrance to the parking lot where it prompted negative voter comments. The staff has already had some post-election contact with the City Police about Election Day security issues and received feedback that they had received late notification of security needs instead of the usual request from the office well in advance of the election.

The other matter raised by the City Democrats was a report by a voter at Buford precinct offended by an invitation by an election officer to “have a blessed day”. The inappropriateness of such statements has been stressed at previous election officer training but was not mentioned this time. A reminder about this will be on the agenda for the next chiefs’ training.

### **Closed Session to Discuss Personnel Issues**

At 7:15 p.m. there was a motion by the Chair to close the meeting for the purpose of conducting a discussion of personnel matters. This motion was seconded by the Vice Chair and approved unanimously.

The board reconvened in open session at 7:35 p.m. and the Chair moved to certify, by recorded vote, that only matters exempted from the open meeting requirements were discussed in the closed session. This motion was seconded by the Vice-chair and approved unanimously. Copies of the motion closing the meeting and the certification following the closed session are attached to these minutes.

**Next meeting**

The next meeting will take place in the office of the Charlottesville General Registrar at 5:45 pm on Tuesday, December 18, 2018.

The meeting was adjourned at 7:40 p.m.

*Respectfully submitted:*

James Nix, Secretary

Anne Hemenway, Chair

Jon Bright, Vice Chair