

MINUTES

City of Charlottesville Electoral Board Meeting of July 30, 2019

The meeting was called to order by the Chair at 5:47 p.m. on Tuesday, July 30, 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, Melissa Morton and Acting Deputy Registrar Jamie Virostko.

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

On a motion by the Chair, seconded by the Vice Chair, the minutes of the July 2, 2019 meeting were unanimously approved without change.

Public Comment

The following members of the public were present for this meeting: Sue Lewis, voter service representative for the League of Women Voters; Audrey Dannenberg, League of Women Voters representative; and Suzanne Michels, co-chair of the Charlottesville Democratic Committee.

Due to parking problems at Tonsler Precinct during the recent primary, Ms. Michels requested that the Registrar provide the campaigns with information on authorized parking for candidate supporters. The Registrar agreed to provide the party chairs and independent candidates with precinct parking information by email before each election.

Voter Registration at Naturalization Ceremonies

Ms. Dannenberg informed the Board of a recent decision by the Federal Court for the Western District of Virginia that prohibits voter registration by third-party groups at naturalization ceremonies. Several League of Women Voters volunteers had been assisting new citizens with registration. Ms. Dannenberg, who is also a part-time employee of the Registrar's Office had formerly registered new citizens as a League volunteer. Under the new restrictions, Ms. Dannenberg can register voters at the Courthouse as a representative of the Registrar's Office, but *not* as a League volunteer or representative of any other third-party organization. According to Ms. Dannenberg's understanding of the recent Court order, *only* representatives of the Registrar's Office can register voters during the naturalization ceremony. These representatives may be paid, or unpaid Officers of Election or members of the Registrar's Office staff. Ms. Dannenberg suggested that appointment of volunteers as Officers of Election might

provide the official status now required for voter registration activities in the Federal Courthouse. Officer of Election application forms from several League volunteers were submitted to the Board for consideration. Pending receipt of the actual Court order that will clarify requirements for registration activities during the naturalization ceremony, the Chair postponed action on the applications. A naturalization ceremony is scheduled for Friday, August 2. The Secretary volunteered to assist Ms. Dannenberg at this event.

Registrar's Report

Ms. Morton provided the Board members with a written report. Highlights included plans for revision of the Memorandum of Understanding between the Board and the City Manager, progress in the hiring of a new Deputy Registrar and notice that the draft ballot for the November election has been sent to the Department of Elections for approval. The Chair stated that she would submit proposed revisions to the MOU, which is between the City Manager and the Board of Elections, to the Registrar and work with the Registrar to finalize proposed revisions. The Registrar also informed the Board that the following three members of the staff had received third-party registration certification: Melissa Morton, Jamie Virostko and Audrey Dannenberg.

The Chair asked about the status of office staffing for the remainder of the current year. The Registrar assured the Board members that, once the new Deputy Registrar is hired, staffing will be adequate through the November election. The appointment of temporary seasonal staff will be required to deal with the heavy turnout expected for the three elections next year, especially for the Presidential General Election November 3, 2020.

Appointment of Officers of Election

Ms. Morton presented an application for an individual wishing to become an officer of election. The board reviewed this application and, on a motion by the Secretary, seconded by the Chair, Carol Cutler was unanimously approved for appointment to a three-year term.

Update on CIP Proposal and the Purchase of new Electronic Poll Books (EPBs)

The Chair requested information on the status of funding for the purchase of new EPBs. The Registrar reported that, while the funds currently available in the office capital budget are not sufficient, she is confident that the city will provide the required additional funds to purchase the equipment. The intent is to have EPB funding on the agenda for the City Council August meeting. The Chair agreed to accompany the Registrar to that meeting to support the request.

Previous discussion of the purchase of new EPBs had focused on a new generation of tablet-based devices produced by VR Systems, the vendor of our current EPBs. The

Secretary asked Ms. Morton and Ms. Virostko if these would be suitable for use during absentee in-person voting, the recently approved early voting period in October 2020, and for Central Absentee Precinct on election days. The response was positive. A discussion about alternative systems available from other vendors followed. The Board requested that leading vendors be invited to demonstrate their systems before a final procurement decision is made. While pursuing these demonstrations will not delay the request for funds, the Registrar expressed concerns that an extended evaluation period could possibly delay receipt of funding for new equipment.

Closed Session to Discuss the Performance Appraisal for the General Registrar

On a motion by the Secretary, seconded by the Vice Chair, the Electoral Board voted (Ayes: Anne Hemenway, Jon Bright and Jim Nix; Noes: None; Absent: None) to meet in closed session as authorized by Va. Code sec. 2.2-3712, specifically:

For the preparation of a performance appraisal for the General Registrar and Director of Elections for the City of Charlottesville, Virginia and to discuss staff evaluations as authorized by Va. Code sec. 2.2-3711(A)(1).

On a motion by the Secretary, seconded by the Vice Chair, the Electoral Board certified by the following vote (Ayes: Anne Hemenway, Jon Bright and Jim Nix; Noes: None; Absent: None) that to the best of each Board member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the Motion convening the closed session were heard, discussed or considered in the closed session.

The next meeting of the Board will take place in the office of the Charlottesville General Registrar at 5:45 pm on Thursday August 8, 2019.

The meeting was adjourned at 7:38 p.m.

Respectfully submitted:

James Nix, Secretary

Anne Hemenway, Chair

Jon Bright, Vice Chair