

MINUTES

City of Charlottesville Electoral Board Meeting of June 23-26, 2020

The meeting was called to order by the Chair at 8:30 p.m. on Tuesday, June 23, in the office of the Charlottesville General Registrar. Those present for all or a portion of this meeting were Electoral Board members Anne Hemenway (Chair), Jon Bright (Vice Chair), and Jim Nix (Secretary), Director of Elections and General Registrar Melissa Morton, Voter Registration Manager Jamie Virostko and Charlottesville Clerk of Court, Llezelle Dugger. This meeting was convened for the purpose of compiling the results of the June 23 Congressional Primary and completing necessary follow-up actions including the canvass of the election to establish the official results, the review of provisional ballots, and the count of provisional ballots approved by the Electoral Board. There was no formal agenda for this meeting.

Public Comment

No members of the public were present for this meeting

Reporting of Election Results

Beginning shortly after the polls closed at 7:00 p.m., several members of the staff tabulated election results received by telephone from election officers at the nine city precincts and the Central Absentee Precinct. The election results were recorded in the office on worksheets provided by the registrar. The turnout figures and tally of each precinct's results recorded on the worksheets were quickly entered into VERIS, the State's election reporting system, by the General Registrar. Copies of the worksheets were posted in the vestibule of the office for public viewing.

Beginning at approximately 8:30 p.m., the Chief Election Officers from each precinct arrived to turn in election documentation along with the digital memory devices on which the election results and voter turnout data had been recorded.

The meeting was suspended at 10:30 pm and was resumed at 9:10 a.m. on Wednesday, June 24, 2020.

Canvass of the Election

During the canvass of each precinct, the Statement of Results (SOR) forms were examined to verify that the number of voters reported as checked in and the number of ballots scanned matched the totals on the tapes from the poll books and ballot scanners. The SORs were also examined to verify that the number of ballots scanned

was consistent with the number of voters checked in. In addition, the numbers recorded in VERIS on election night were reviewed for accuracy by comparing them with the numbers on the scanner tapes.

The Board was planning to interrupt the canvass at 11:00 a.m. in order to provide an opportunity for provisional voters to address the Board concerning the status of their ballots but one voter arrived at 10:15 and the Board members elected to hear him immediately. This voter reported that he found the procedures used for applying for a ballot by mail to be confusing and he was uncertain of the status of his absentee ballot. He also criticized the election day procedures for requesting and casting a provisional ballot but, with assistance from an officer of election, was able to cast a provisional ballot at the polls. The Board members and the General Registrar spent thirty minutes with this voter answering his questions and responding to his complaints. On departure he thanked the Board for providing him an opportunity to speak. His provisional ballot was among those to be evaluated at the provisional ballot meeting on June 26.

With no other provisional voters requesting to address the Board the canvass was resumed at 10:45. The canvass was concluded at 2:15 p.m. with no significant discrepancies noted and no changes required to the unofficial election night vote tallies reported in VERIS. The Board did, however, identify a shortcoming in the pollbook software that made reporting of results from this dual primary somewhat difficult. The tapes printed from the pollbooks in each precinct provided only the total number of voters checked in but no breakdown of voters by party. In each precinct the number of voters checked in for each party, necessary to complete the separate statement of results for each party, was not available and could only be inferred from the numbers of ballots cast for each party. A representative of the pollbook vendor contacted on election day, apologized for this shortcoming, and provided assurance that it will be corrected on the new pollbooks scheduled for delivery in time for the November 3 election.

The meeting was suspended at 2:15 p.m.

Provisional Ballot Meeting

The Board reconvened at 9:10 a.m. on Friday, June 26, 2020 to determine the validity of provisional ballots.

On motion by the Chair, 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:

Virginia Code Section 24.2-653 for the determination of the validity of provisional ballots

On motion by the Chair, 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.

General Registrar Melissa Morton was permitted to remain present for this closed meeting. As each ballot was considered, Ms. Morton presented the results of research conducted by Ms. Virostko into the status of each provisional ballot along with her recommendations for action by the board. Upon completion of the review the Board conducted a series of votes to implement the decisions made in closed session.

Actions Taken on Provisional Ballots

Of the total of 94 provisional ballots 90 were cast by voters who had requested absentee ballots by-mail but did not bring them to the polls. Since no absentee ballots had been received from 87 of these voters by 7:00 p.m. on June 23, their provisional ballots were unanimously approved to be counted on a motion by the Chair, seconded by the Vice Chair. Regrettably, due to election official inattentiveness, two of these provisional ballots had already been scanned at the precincts on election day. The Board members discussed measures to be taken at future elections to prevent a recurrence of this error.

Absentee ballots were received by the deadline from three of the provisional voters, one of them nearly a month before the deadline. On a motion by the Chair, seconded by the Vice Chair these provisional ballots were unanimously rejected.

Three provisional ballots were cast by voters without ID at the polls and none of them provided ID by the deadline. On a motion by the Chair, seconded by the Vice Chair, these ballots were unanimously rejected.

One provisional ballot was cast by a voter who requested a Democratic Party ballot but left it at the polls without casting it. This voter returned sometime later and requested, and was given, a Republican Party ballot which, through election officer error, was cast as a provisional ballot. On a motion by the Chair, seconded by the Vice Chair, this ballot was unanimously approved to be counted.

In summary, of the 94 provisional ballots submitted, 88 were accepted and 6 rejected. The approved ballots were then opened and scanned by the Board members, two paper Provisional Precinct pollbooks were prepared, one for 2 Republican voters and the other

for 86 Democratic voters, statements of results were prepared for each party and the tally of provisional ballots was entered into VERIS by the General Registrar.

Conclusion of Canvass

Abstracts of the results of the election were then printed, signed and sealed by the Board members.

The next meeting of the Board will take place in the office of the Charlottesville General Registrar at 6:00 p.m. on Tuesday, July 7, 2020.

The meeting was adjourned at 2:50 p.m.

Respectfully submitted:

James Nix, Secretary

Anne Hemenway, Chair

Jon Bright, Vice Chair