

MINUTES

City of Charlottesville Electoral Board Meeting of January 6, 2021

The meeting was called to order by the Chair at 6:02 p.m. on Wednesday January 6 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), Deputy Registrar and Election Manager Taylor Yowell and Assistant Registrar Josh Jenkins.

On a motion by the Chair, seconded by the Vice Chair, the agenda was unanimously approved with the addition of four items: the election of Board officers, discussion of a FOIA request, update on the procurement of new electronic pollbooks and a report on the Virginia Electoral Board Association (VEBA) legislative committee.

On a motion by the Chair, seconded by the Vice Chair, the minutes from the December 3 meeting were unanimously approved without change.

Public Comment

Ms. Bekah Saxon, Co-chair of the Charlottesville Democratic Committee, was present but made no comment.

Election of Electoral Board Officers

This being the first meeting of the new term it was necessary for the Board members to elect officers for the coming year. Following a brief discussion Ms. Hemenway nominated Mr. Bright as Chair, Mr. Nix as Secretary, and herself as Vice Chair. The nominations were seconded by Mr. Bright and the new officers were elected unanimously.

Discussion Items

Freedom of Information Act (FOIA) Request

The Registrar has received a FOIA request for digital copies of all ballot scans from the November 3 general election. The digital records of all ballots cast in the election are stored on special USB drives provided by voting equipment vendor, Hart Intercivic. By law, these are held by the Clerk of the Circuit Court for thirty days following the election before being returned to the office of the General Registrar. The Clerk's office has continued to hold these digital records pending action on the FOIA request.

Ms. Yowell has discussed this request with the originator but a review of what she learned left the Board members confused concerning exactly what was being requested. The requestor has asked for scanned images of each cast ballot but Ms. Yowell indicated that, according to Voter Equipment Technician Bob Hodous, complete ballot images are not recorded on these digital media. The Secretary suggested that a meeting among the requestor, a Board member, and Mr. Hodous would be helpful in resolving what has been requested and what it is possible to provide. The newly elected Chair agreed to attend such a meeting and the Vice Chair suggested that the meeting proposal first be discussed with Brian Wheeler, Charlottesville Director of Communications. Ms. Hemenway further suggested that the USB devices be returned to the General Registrar.

Acquisition of New Electronic Pollbooks (EPBs)

Ms. Yowell reviewed the recent visit by a DemTech representative and the status of the EPB acquisition. The Board members expressed surprise that the visit was not the expected training session but instead was a sales pitch for the new EPBs. The Board members had been under the impression that an order had already been placed but learned that a decision on whether to select a tablet-based or lap-top computer-based system was first required. A discussion of the pros and cons of each led to a Board consensus favoring the tablet option. Learning that DemTech developed its new software as a tablet-based system later adapted to work on lap-top computers weighed in this decision. Ms. Yowell noted that Mr. Hodous has expressed a strong preference for the lap-top option and the Chair agreed to meet with him on this issue.

Update from the VEBA Legislative Committee

The Secretary, who recently joined the committee, reported on election-related issues for the upcoming General Assembly session under discussion by the committee. It seems likely that the election reform measures adopted in last year's special session for the November 3 election will be re-introduced and are likely to pass as permanent changes, probably employing parliamentary maneuvers that will also make them effective for the June 2021 primary. These include drop boxes, ballot curing, pre-paid postage for ballot return envelopes and elimination of the witness requirement. For the most part these are policy issues on which VEBA addresses only cost issues and other impacts on electoral boards and registrars. VEBA will almost certainly oppose the proposed extension of voting hours to 8:00 p.m. and promote the change of June primaries to the third Tuesday of the month.

A major issue overshadowing the upcoming session is the status of the census and its impact on legislative redistricting. It is very likely that the census data will come too late for redistricting to be completed in time for a June primary. An August 24 primary date is under discussion but there are doubts that redistricting can be completed quickly

enough to be implemented by that date. Candidates for state-wide office continue to press for a June primary solely for Governor, Lieutenant Governor and Attorney General so it is possible that there will be two primaries in 2021. Another possibility is to postpone redistricting and conduct legislative elections this year, with a June primary using the current districts, and hold another election next year with the new districts.

Precinct Boundary Review

Mr. Jenkins reviewed for the Board members the current precinct boundaries, polling locations and areas of likely population growth in the City. Some alternative polling locations were discussed along with the Registrar's belief that adding a tenth precinct would be wise considering projected population growth over the next ten years. The Board members and staff engaged in informal discussion of potential precinct boundaries and polling locations using a color-coded map of the current precinct configuration. However, it quickly became obvious that only with a blank map would it be possible to escape limitations in thinking imposed by seeing the current precinct boundaries. There was some discussion on the make up of a redistricting panel but more information from various City departments will be required before the process can begin. The Vice Chair has agreed to take the lead in this process for the Board.

The next meeting will be held in the office of the Charlottesville General Registrar starting at 6:00 p.m. on Tuesday, February 2.

The meeting was adjourned at 8:00 p.m.

Respectfully submitted:

James Nix, Secretary

Jon Bright, Chair

Anne Hemenway, Vice Chair