

MINUTES

City of Charlottesville Electoral Board Meeting of June 8-11, 2021

The meeting was called to order by the Chair at 7:00 p.m. on Tuesday, June 8, in the office of the Charlottesville General Registrar. Those present for all, or a portion, of this meeting were Electoral Board members Jon Bright (Chair), Anne Hemenway (Vice Chair), and Jim Nix (Secretary), Acting Director of Elections and General Registrar Taylor Yowell, Assistant Registrar Laurel Isatchenko, Voter Equipment Technician Bob Hodous, 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 8 Primary Election 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.

The Chair and the Secretary were not present at the beginning of the meeting because they were transporting absentee ballot drop boxes from the polling places to the Registrar's Office. They joined the meeting in progress at approximately 7:45 p.m.

Public Comment

No members of the public were present for the June 8 or 9 portions of this meeting. During the June 11 session a reporter for the NBC 29 television station was present and filmed portions of the meeting.

Reporting of Election Results

Beginning shortly after the polls closed at 7:00 p.m., several members of the staff recorded election results received by telephone from officers of election at the nine city precincts. The election results were recorded in the office on worksheets provided by the registrar. A copy of each worksheet was then made and posted in the office vestibule for public inspection. The registrar entered the turnout figures and tally of each precinct's results into the State's election reporting system from the call-in sheets.

Beginning shortly after 8:00 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 10:20 pm and was resumed at 9:30 a.m. on Wednesday, June 9, 2021, in the office of the Charlottesville General Registrar for the purpose of conducting a canvass of the election.

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. And lastly, 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. to provide an opportunity for provisional voters to address the Board concerning the status of their ballots but, with no provisional voters present, the canvass was resumed after a brief pause.

The canvass of the nine voting precincts was concluded at 12:25 p.m. with no significant discrepancies noted and no changes required to the unofficial election night vote tallies reported in VERIS. In two precincts the number of ballots scanned exceeded the number of voters checked in. The discrepancy was by a single voter in one precinct and three in another. In both cases the Board members agreed that the likely cause was a failure to fully check in voters, possibly curb-side voters or users of the Touch Writer ballot marking device. The fact that election officials were using new unfamiliar electronic pollbooks for the first time may also have been a factor.

The meeting was suspended at 12:25 p.m.

Provisional Ballot Meeting

The Board reconvened at 11:45 a.m. on Friday, June 11, 2021, in the office of the Charlottesville General Registrar to determine the validity of provisional ballots and to conduct a canvass of the Central Absentee Precinct. To start Ms. Yowell conducted a swearing in of the three Electoral Board members as Election Officials for the Provisional Ballot Precinct.

On a motion by the Secretary, seconded by the Vice Chair, the Electoral Board voted (Ayes: Jon Bright, Anne Hemenway 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 Secretary, seconded by the Vice Chair, the Electoral Board certified by the following vote (Ayes: Jon Bright, Anne Hemenway 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.

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

Actions Taken on Provisional Ballots

There were no provisional ballots cast by voters in the **Key Recreation Precinct**.

Of the three provisional ballots cast by voters in the **Clark Precinct** one was cast by a voter who had requested an absentee ballot by mail but did not bring it to the polls. Since no absentee ballot had been received from this voter Ms. Yowell recommended approval. One provisional voter was not found in the pollbook but was confirmed to have attempted to register at the DMV and was recommended for approval. The third provisional voter was found to be registered in Richmond. This voter had submitted a registration change at the DMV after the close of books and thus was still registered in Richmond for this election and the ballot recommended for rejection. By a unanimous vote on a motion by the Secretary, seconded by the Vice Chair two provisional ballots in this precinct were approved to be counted and one rejected.

Two provisional ballots were cast by voters in the **Carver Precinct**. In both cases the voter had moved out of the precinct but not yet updated their registration. However, since in both cases the move date was within the limits of the mover's rules they were recommended for approval. By a unanimous vote on a motion by the Secretary, seconded by the Vice Chair the two provisional ballots in this precinct were approved to be counted.

Seven provisional ballots were cast by voters in the **Walker Precinct** all of them 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 any of these voters Ms. Yowell recommended their approval. By a unanimous vote on a motion by the Secretary, seconded by the Vice Chair the seven provisional ballots in this precinct were approved to be counted.

Only one provisional ballot was cast by a voter in the **Tonsler Precinct**. It was cast by a voter who had requested an absentee ballot by mail but did not bring it to the polls.

Since no absentee ballot had been received from this voter, Ms. Yowell recommended that it be approved. By a unanimous vote on a motion by the Secretary, seconded by the Vice Chair this ballot was approved to be counted.

Two provisional ballots were cast by voters in the **Johnson Precinct**. One was cast by a voter who had requested an absentee ballot by mail but did not bring it to the polls. Since no absentee ballots had been received from this voters Ms. Yowell recommended that it be approved. The other provisional voter was not found in the pollbook but was confirmed to have attempted to register at the DMV and was recommended for approval. By a unanimous vote on a motion by the Secretary, seconded by the Vice Chair two ballots in this precinct were approved to be counted.

Two provisional ballots were cast by voters in the **Buford Precinct**. One was cast by a voter listed as inactive who was mistakenly asked to vote on a provisional ballot following address confirmation. Since this voter had been entitled to vote on a regular ballot at the polling place, Ms. Yowell recommended approval of the provisional ballot. The second provisional ballot was from a voter found to be registered in Fairfax. This voter had submitted a registration change after the close of books and thus was still registered in Fairfax for this election and the ballot was recommended for rejection. By a unanimous vote on a motion by the Secretary, seconded by the Vice Chair one provisional ballot in this precinct was approved to be counted and one was rejected.

There were no provisional ballots cast by voters in the **Venable Precinct**.

Two provisional ballots were cast by voters in **Alumni Precinct** 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 either of these voters Ms. Yowell recommended their approval. By a unanimous vote on a motion by the Secretary, seconded by the Vice Chair two provisional ballots in this precinct were approved to be counted.

There were no provisional ballots cast in the **Central Absentee Precinct**.

In summary, of the 19 provisional ballots submitted, 17 were accepted and 2 rejected. The approved ballots were then opened, and a hand count conducted by the Board members and the Acting General Registrar. A paper Provisional Precinct pollbook was then prepared, along with an SOR, and the tally of provisional ballots was entered into VERIS by the Acting General Registrar.

Canvass of Central Absentee Precinct (CAP)

The Board members and the Acting General Registrar confirmed that the tally of votes entered into VERIS for CAP exactly matched the combined totals from the scanner

employed for in-person early voting, the printout from the scanner used for mailed ballots received by election day, the printout from the scanner used for late arriving mailed ballots and the hand count report for ballots that could not be read by scanner. While the vote totals were confirmed as reported, a discrepancy of two was discovered in the number of voters checked into CAP. The fact that the total number of ballots counted was two fewer than the number of voters checked in could not be explained but may have been the result of two early voters leaving without scanning their ballots.

This concluded the canvass of the election.

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

Before adjournment, the Board members commended Ms. Yowell for doing a superb job in conducting this election after having been appointed as acting registrar just three days before the start of early voting.

The next meeting of the Board will take place in the office of the Charlottesville General Registrar on a date yet to be determined.

The meeting was adjourned at 3:10 p.m.

Respectfully submitted:

James Nix, Secretary

Jon Bright, Chair

Anne Hemenway, Vice Chair