

City of Virginia Beach
Electoral Board Meeting Minutes for June 9, 2022

Building 21, Office of Performance and Accountability, Innovation Lab A, Municipal Complex

The Virginia Beach Electoral Board Meeting was called to order by Chair Jeff Marks on Vice Chair Dave Belote on June 9, 2022, at 3:10 PM with Vice Chair Dave Belote and Secretary Lauralee Grim in attendance. Director Christine Lewis represented the Office of Elections and General Registrar. These minutes form the account of proceedings required by the Code of Virginia (COV) §24.2-107.

The Chair welcomed representatives of both political parties, one observer, and staff member Christian Logan who provided technical support during the meeting. The agenda for this meeting was adopted as printed with the understanding that items would be added under Other Business to be brought before the Board. (Grim) The minutes from the previous meeting was approved and signed. (Belote) Both of these items were approved on a vote of 3-0.

The Board and Director Lewis discussed the following topics and responded to citizen questions.

There has been no decision released by the Fourth Circuit Appeals Court regarding local redistricting even though the case was heard on March 8, 2022. The Voter Registration and Elections team (Staff has done some preliminary work using the district lines provided by the Special Master. However, since there was apparently no consideration of precinct boundaries, local precincts that contain two voting districts will have to be reviewed as the data base utilized by the Department of Elections (ELECT) called VERIS cannot record split precincts. As soon as final decisions are made, the staff will make recommendations to the Board for any needed local precinct changes. Changes needed due to House of Delegates and Senate district boundaries will be discussed at that time and Code of Virginia (COV) §24.2-309 will be used if needed. Recommendations approved by the Board will be forwarded to the City Council for action and then review by the Commonwealth of Virginia Attorney General's office.

COV §24.2-653.3 describes the provisional procedure for split precincts. The Chair reminded the body that in the June Primary, there will be a shared voting location but no split precincts.

Director Lewis indicated that Precinct 80, Chimney Hill, would need to be relocated for the November election. Based on the Director's suggestion, the Board approved forwarding the new location of Kingdom Cathedral to the City Council for action. She provided the Board with updated precinct lists.

Our third-party vendor for absentee mail voting, Printelect, has been mailing absentee ballots for 2 weeks.

As of Wednesday, June 8, after early voting hours ended, there had been 701 individuals voting in person. There have been 1,251 absentee ballots returned to the office and there are 1,916 outstanding absentee ballots that have yet to be returned. There were 87 absentee ballots returned un-marked or that need to be cured and there were 57 email ballots issued (Military and Overseas Voters). Ballot preprocessing will occur on Tuesday, June 14 and Saturday, June 18.

Director Lewis indicated that the Voter Registration Supervisor advertisement had closed on Wednesday, June 8. Interviews will be conducted as soon as feasible but will not interfere with the planning and execution of the June Primary.

Director Lewis indicated that there the attorneys for KNOWiNK and the City Attorney's office were in final contract negotiations.

The Board reviewed the proposed site visitations suggested by staff. Vice Chair Belote organized routes that members will follow.

In November 2021, ELECT provided official guidance regarding election night reporting and the Central Absentee Precinct, revised 9-23-21. Director Lewis checked with our regional contact and the contents of the memo remain the same. The deadline to receive absentee by mail ballots in noon on Friday.

The overall Canvass process was reviewed after a discussion of the DS200-EPB Worksheet, the Ballot Record Report, and the Incident Report noting how each form should be completed by the Chief and team. The Ballot Record Report had been updated to include a ballot record reconciliation. The Canvass Team Instructions have been updated to include reviewing the EPB-200 worksheet, the Ballot Record Report, and the Incident Report. Each Board member will have a team who will assist in the review of elections forms found in Envelope 2 and 2A. Each team has a STAFF member who will be recording issues that the Chief or election officials may need to resolve. In the absence of Board members being present when these officials return to update forms, STAFF has been designated to work with these officials to amend the forms, etc. (COV §24.2-672)

The initial review of provisional voters will include keeping a record by precinct and a running total in the following categories: Non-registered, No-ID, Other, and Total. Once the Board determines that a provisional ballot will count, consideration must be given to the VERIS reporting categories which include two overall categories, absentee and no absentee and specialized topics under each category. The number of rejected will be recorded also.

Director Lewis has met with the Assistant City Manager and the Facilities Manager regarding securing sufficient space to meet all the Department's needs. A request was made for to provide specific data regarding space needs.

At the previous meeting, there had been discussion regarding communicating with either ELECT or the Commissioner regarding the need for procedures for same-day voter registration. Chair Marks indicated that he would draft the letter.

Under other business to be brought before the Board, Director Lewis shared 2 items. She pointed out the COV language regarding no weapons within 40 feet of the entrance of the polling place or CANVASS. (§24.2-604 and §24.2-671) Language from §24-2-604 A and F has been posted on the entrance to Building 14 as voting is occurring there. This language will be provided to precincts. The other issue was the size of political posters displayed. The city is looking at amending the Administrative Code to designate specific areas where larger posters would be

allowed. The issue of placing signs without Ms. Utility markings were discussed as well as having sufficient space to greet outside poll voters and view and record the Drop Box Ballot area.

The Board established the next board meeting as July 18 at 9 AM. The same room will be reserved to review new local districts and the impact that the lines will have on current precincts. The room is reserved for 6 hours.

The Chair entertained a motion to recess into a closed meeting pursuant to the exemption from open meetings allowed by §2.2-3711(A)(1) of the Code of Virginia (COV), as amended, for the following purpose: Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals.

After the motion (Belote) had been made, the Board voted as follows to go into closed session to discuss personnel and security matters. Chair Marks voted Yes, Vice Chair Belote voted Yes, and Secretary Grim voted yes.

At the conclusion of the closed session, Vice Chair Belote made a motion that in accordance with COV §2.2-3712(D), each Board Member certifies that to the best of each member's knowledge that (i) only public business matters lawfully exempted from open meeting requirements of the Virginia Freedom of Information Act were conducted in the closed meeting and (ii) only such public business as was identified in the motion for the closed meeting, by which the closed meeting was convened, was heard, discussed or considered in the closed meeting of the Electoral Board. The vote was as follows: Chair Marks voted Yes, Vice Chair Belote voted Yes, and Secretary Grim voted yes.

Having no other business to conduct, the meeting was adjourned at 5:20 PM. (Belote)

Jeffrey Marks, Chair

H. David Belote, Vice Chair

Lauralee Grim, Secretary

Approved 7/11/22
Electronically
LJ