

MINUTES

State Board of Elections Board meeting was held on Friday, February 18, 2011. The meeting was held in the State Capitol, House Room Two. In attendance representing the State Board of Elections was Donald Palmer, Secretary; Justin Riemer, Confidential Policy Advisor; Joshua Lief Senior Assistant Attorney General and SBE Counsel; Susan Lee, Election Uniformity Manager; Peter Goldin, Policy Analyst; Martha Brissette, Policy Analyst; and Susan Pollard, Director of Communications. Justin Riemer called the meeting to order at 2:31 PM.

The first order of business was the introduction of Ms. Kimberly T. Bowers, Mr. Charles E. Judd and Mr. Donald L. Palmer, all recently appointed to the State Board of Elections.

The second order of business was the organization of the new board. Confidential Policy Advisor Justin Riemer nominated the Honorable Charles E. Judd as Chair of the Board. Secretary Palmer voted in favor of naming Mr. Judd as Chair and he was unanimously elected. Justin Riemer then nominated Ms. Kimberly T. Bowers as Vice-Chair of the Board. Secretary Palmer and Chair Judd voted in favor and Ms. Bowers was unanimously elected Vice-Chair of the Board. Secretary Palmer, having been appointed a member and Secretary of the Board by Governor McDonnell on January 28, 2011, and later sworn in by the Secretary of the Commonwealth did not require a nomination.

The second order of business was the approval of the minutes from the State Board of Elections' January 31, 2011 Board Meeting. Vice-Chair Bowers made a motion to approve the minutes. Secretary Palmer seconded the motion and the minutes were unanimously approved by the Board.

For the next order of business, the Board asked for some time to share with each other and the public their vision for upcoming Board term. Chairman Judd said that they looked forward to serving because they believe in the mission of the Board. The Board looked forward to facilitating the legal, open, thorough and efficient conduct of elections in Virginia. Vice-Chair Bowers agreed with Chairman Judd and said she is passionate about the transparency and uniformity in which elections are run. Vice-Chair Bowers said she looked forward to looking at local training and making the voting process as smooth

as possible for Virginians on Election Day. Secretary Palmer said the Board's goal is to increase and maintain voter confidence, work with localities and promote and facilitate training.

Mr. Larry Haake, General Registrar of Chesterfield County and President of the Voter Registrars Association of Virginia (VRAV), welcomed the Board on behalf of the registrar community. Mr. Robin Lind, Secretary of the Goochland County Electoral Board and Legislative Director of the Virginia Electoral Board Association (VEBA), welcomed the Board on behalf of VEBA. Ms. Ann Sterling from the League of Women Voters welcomed the Board. Mr. Curt Jones, President of the Central Virginia Chapter of the A. Phillip Randolph Institute also welcomed the Board.

Chairman Judd introduced Joshua Lief, Senior Assistant Attorney General and SBE Counsel. Joshua Lief said he looked forward to being of service to the Board.

The next order of business was the presentation of guidance documents to the Board. Martha Brissette presented the Board with the General Registrar and Electoral Board Members Handbook, Board Minutes from 1946—2010, and a summary of the duties of General Registrars, Electoral Board Members and the Secretary. Martha Brissette indicated that Board members will also receive a chart listing the areas of focus for the SBE policy analysts.

The next order of business was the review of the State Board of Elections' bylaws and official seal. Justin Riemer explained that the board is able to amend the bylaws if they so choose, but for now the Board will operate under the existing bylaws. The seal is the official State Board seal and was provided to the Board for their reference.

The next order of business was a review of the Board Regulations. Justin Riemer explained that in 2010 the Board changed the process from passing Board polices to passing regulations for later incorporation into the Virginia Administrative Code. The Board was provided with a packet of Board Regulations that have been adopted and are in the process of being incorporated into the Virginia Administrative Code.

The next item on the agenda was the determination of minutes preparation. Justin Riemer explained that the Virginia Freedom of Information Act (FOIA) established minimum standards for agency meetings with a requirement that discussion of matters be summarized and that a record of the votes taken be provided. In 2003, the Board decided

to use a summary format for Board minutes, and it is recommended that they continue to use this format. Secretary Palmer made a motion to have the minutes prepared in a summary format. Vice-Chair Bowers seconded the motion. The motion was unanimously adopted by the Board.

The next item on the agenda was a presentation on Electronic Registration Information Center (ERIC) by Mr. David Becker, Project Director for Election Initiatives at The Pew Center of the States. Mr. Becker was not in attendance at this point, but Chairman Judd introduced Mr. Becker and the ERIC system. Chairman Judd explained that ERIC would be a way for Virginia to coalesce with other states in order to share voter lists so that certain overlays could be provided in a cost efficient way. He continued that one of the goals of the Board is to have a clean, accurate, up-to-date list of all voters in Virginia and ERIC could be a way to manage that goal.

Chairman Judd asked if there was anyone in the audience who wanted to address the Board before moving into executive session. Joshua Lief introduced Wesley G. Russell, Deputy Attorney General, and Stephen Hall, Assistant Attorney General, from the Attorney General's Office who work with Joshua Lief on matters concerning the State Board of Elections. Ann Sterling from the League of Women Voters invited all to the Library of Virginia on Tuesday, March 22, 2011 from 2:00 PM—5:00 PM. University of Virginia students participated in a competition creating new districts for Virginia and winning maps will be presented at that time.

Chairman Judd then called for the meeting to go into executive session, to discuss actual and probable litigation matters requiring the provision of legal advice by agency counsel, as provided by Section 2.2-3711 A7 of the Code of Virginia. Vice-Chair Bowers seconded the motion and the motion was unanimously passed. The meeting moved into executive session.

After the executive session, the Board opened the meeting to the public and each Board member certified by roll call vote that to the best of each member's knowledge only lawfully exempt public business matters identified in the motion closing meeting were heard, discussed or considered in the closed portion of the meeting.

Mr. David Becker, now in attendance, gave a PowerPoint presentation on ERIC.

Chairman Judd asked for any further public comments. There being none the meeting was adjourned at approximately 4:55 p.m.

Secretary

Chair

Vice-Chair

DRAFT