

State Board of Elections
Thursday, September 14, 2023
FINAL Meeting Minutes

1 The State Board of Elections (“the Board”) meeting was held on Thursday,
2 September 14, 2023 in the Martha Brissette Conference Room of the Washington
3 Building in Richmond, Virginia. The meeting also offered public participation
4 through electronic communication so the remote public could view and hear the
5 meeting. In attendance: John O’Bannon, Chairman; Rosalyn R. Dance, Vice Chair;
6 and Delegate Donald Merricks, member; represented the State Board of Elections
7 (“the Board”). Georgia Alvis-Long, Secretary and Matthew Weinstein, member
8 attended the meeting electronically. Susan J. Beals, Commissioner, represented the
9 Department of Elections (“ELECT”), and Travis Andrews represented the Office
10 of the Attorney General (“OAG”). Chairman O’Bannon called the meeting to order
11 at 1:00 P.M.

12 The first item of business was the Approval of the Minutes from the August
13 15, 2023 Board Meeting, presented by Secretary Alvis-Long. Delegate Merricks
14 moved *that the Board approve the minutes from the August 15, 2023 with the*
15 *correction on page 11, line 214.* Vice Chair Dance seconded the motion and the
16 motion passed unanimously. A roll call vote was taken:

17 Chairman O’Bannon – Aye
18 Vice Chair Dance – Aye
19 Secretary Alvis-Long – Aye
20 Delegate Merricks – Aye

21 Mr. Weinstein – Aye

22 The Chairman opened the floor to public comment. Ann Grigorian, Roxanna
23 Gray and Virginia Derby Jordan addressed the Board.

24 The second item of business was the Commissioner’s Report, presented by
25 Commissioner Beals. Commissioner Beals informed the Board that early-voting
26 for the November 7, 2023 Election starts September 22, 2023. The Commissioner
27 stated that ELECT has proofed ballots to ensure ballot standards have been met.
28 Commissioner Beals stated that localities are printing and preparing to mail out the
29 absentee ballots next week. The Commissioner stated the ballots are for those
30 voters that have requested an absentee ballot, those on the permanent absentee list,
31 and military and overseas voters must be mailed out 45 days before the election.

32 Commissioner Beals informed the Board that the return absentee ballot,
33 envelope B, now requires the voter to provide the last four of their Social Security
34 number and their date of birth. The Commissioner stated that ELECT has
35 streamlined the provisional process by creating a new provisional all-in-one ballot
36 envelope. The provisional envelope has a side for same day registration and
37 another side for regular provisional voters. Commissioner Beals stated that ELECT
38 has provided new trainings to include election observers and same day registration
39 available to Officers of Election, Electoral Board Members and General Registrars
40 on the ELECT website. The Commissioner advised the Board that ELECT has

41 made some improvement to the elections night reporting site and hosted a webinar
42 to guide the registrars through the new improvements.

43 The third item of business was the Certification of August 29, 2023 Special
44 Election, presented by Paul Saunders, Elections and Registration Services
45 Supervisor. *This report is in the Working Papers for the September 14, 2023*
46 *Meeting.* Delegate Merricks stated after reviewing the Abstracts of Votes Cast in
47 the August 29, 2023 Special Election for Member, House of Delegates, 6th
48 District, *I move that the Board certify the results as presented and declare the*
49 *winner.* Vice Chair Dance seconded the motion and the motion passed
50 unanimously. A roll call vote was taken:

51 Chairman O'Bannon – Aye

52 Vice Chair Dance – Aye

53 Secretary Alvis-Long – Aye

54 Delegate Merricks – Aye

55 Mr. Weinstein – Aye

56 The fourth item of business was the Finalization of Stand By Your Ad
57 Decisions from the August 15th Meeting, presented by Tammy Alexander,
58 Campaign Finance Compliance and Training Supervisor. *This memo is in the*
59 *Working Papers for the September 14, 2023 Meeting.* Vice Chair Dance moved
60 *that the Board finalize the decisions made on the fourteen Stand By Your Ad*

61 *(SBYA) violations assessed at the August 15, 2023 State Board of Elections (SBE)*
62 *meeting. Delegate Merricks seconded the motion and the motion passed*
63 *unanimously. A roll call vote was taken:*

64 Chairman O'Bannon – Aye

65 Vice Chair Dance – Aye

66 Secretary Alvis-Long – Aye

67 Delegate Merricks – Aye

68 Mr. Weinstein – Aye

69 The fifth item of business was the Voting System Certification presented by
70 Londo Andrews, Voting Systems Security Program Manager. *This memo is in the*
71 *Working Papers for the September 14, 2023 Meeting. Delegate Merricks moved*
72 *that the Board certify the use of Dominion voting system – version 5.17 in elections*
73 *in the Commonwealth of Virginia, pursuant to the State Certification of Voting*
74 *Systems: Requirements and Procedures. Vice Chair Dance seconded the motion*
75 *and the motion passed unanimously. A roll call vote was taken:*

76 Chairman O'Bannon – Aye

77 Vice Chair Dance – Aye

78 Secretary Alvis-Long – Aye

79 Delegate Merricks – Aye

80 Mr. Weinstein – Aye

81 The sixth item of business was the State Board of Elections Report presented
82 by, Ashley Coles, ELECT Policy Analyst. *This report is in the Working Papers for*
83 *the September 14, 2023 Meeting.* No action required.

84 The seventh item of business was the Petition for Rulemaking, presented by
85 Ashley Coles, ELECT Policy Analyst. *This memo is in the Working Papers for the*
86 *September 14, 2023 Meeting.* Vice Chair Dance moved *that the Board take no*
87 *action on the proposed Petition for Rulemaking pursuant to §2.2-4007 and*
88 *1VAC20-10-50 of the Code of Virginia as the Board does not have the statutory*
89 *authority to mandate the requested practice and that such decision be posted on*
90 *Town Hall.* Delegate Merricks seconded the motion and the motion passed
91 unanimously. A roll call vote was taken:

92 Chairman O'Bannon – Aye

93 Vice Chair Dance – Aye

94 Secretary Alvis-Long – Aye

95 Delegate Merricks – Aye

96 Mr. Weinstein – Aye

97 The eight item of business was the Split Precinct Waiver Request for
98 Northumberland County, presented by Claire Scott, ELECT Policy Analyst. *This*
99 *memo is in the Working Papers for the September 14, 2023 Meeting.* Vice Chair
100 Dance moved *that the State Board of Elections approve the split precinct waiver*

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101 *for Northumberland County*. Secretary Alvis-Long seconded the motion and the
102 motion passed unanimously. A roll call vote was taken:

103 Chairman O'Bannon – Aye

104 Vice Chair Dance – Aye

105 Secretary Alvis-Long – Aye

106 Delegate Merricks – Aye

107 Mr. Weinstein – Aye

108 At 1:38 P.M., Delegate Merricks pursuant to Virginia Code Section 2.2-

109 3711(A)(7), *I move that the Board go into closed session for the purpose of*

110 *discussing pending and threatened litigation. In accordance with Section 2.2-*

111 *3712(F), Susan Beals, Commissioner of Elections, and Travis Andrews of the*

112 *Office of the Attorney General, will attend the closed session because their*

113 *presence will reasonably aid the Board in its consideration of the subject of the*

114 *meeting*. Mr. Weinstein seconded the motion and the motion passed unanimously.

115 A roll call vote was taken:

116 Chairman O'Bannon – Aye

117 Vice Chair Dance – Aye

118 Secretary Alvis-Long – Aye

119 Delegate Merricks – Aye

120 Mr. Weinstein – Aye

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121 At 1:59 P.M., Delegate Merricks moved to reconvene the meeting in open
122 session, and take a roll call vote certifying that to the best of each member's
123 knowledge (i) only such public business matters lawfully exempted from open
124 meeting requirements under this chapter and (ii) only such public business matters
125 as were identified in the motion by which the closed meeting was convened were
126 heard or discussed by the State Board of Elections. Vice Chair Dance seconded the
127 motion and the motion passed unanimously. A roll call vote was taken:

128 Chairman O'Bannon – Aye

129 Vice Chair Dance – Aye


130 Secretary Alvis-Long – Aye

131 Delegate Merricks – Aye


132 Mr. Weinstein – Aye

133 The meeting adjourned at 2:00 P.M

134

135 
136 Chairman

137 
138 Vice Chairman

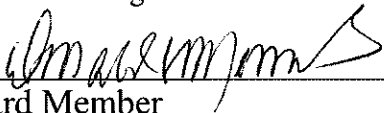
140 
141 Secretary

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Board Member