

State Board of Elections
Monday, November 15, 2021
FINAL Meeting Minutes

1 The State Board of Elections (“the Board”) meeting was held on Monday, November 15,
2 2021, in Senate Room 3 of the Virginia State Capitol. The meeting also offered public
3 participation through electronic communication so the remote public could view and hear the
4 meeting. In attendance: Robert Brink, Chairman, John O’Bannon, Vice Chairman, Jamilah
5 LeCruise, Secretary, Angela Chiang, and Delegate Donald Merricks, represented the State Board
6 of Elections (“the Board”). Christopher E. “Chris” Piper, Commissioner, represented the
7 Department of Elections (“ELECT”) and Carol Lewis represented the Office of the Attorney
8 General (“OAG”). Chairman Brink called the meeting to order at 1:00 P.M.

9 The first item of business was the approval of minutes presented by Secretary LeCruise.
10 Vice Chair O’Bannon *moved that the Board approve the amended minutes from the September*
11 *14, 2021 Board Meeting*. Delegate Merricks seconded the motion and the motion passed
12 unanimously. A roll call vote was taken:

- 13 Chairman Brink – Aye
- 14 Vice Chair O’Bannon – Aye
- 15 Secretary LeCruise – Aye
- 16 Ms. Chiang – Aye
- 17 Delegate Merricks – Aye

18 Chairman Brink moved that the Board approve the minutes from the November 2, 2021
19 Board Meeting. Vice Chair O’Bannon seconded the motion and the motion passed unanimously.
20 A roll call vote was taken:

- 21 Chairman Brink – Aye
- 22 Vice Chair O’Bannon – Aye
- 23 Secretary LeCruise – Aye

24 Ms. Chiang – Aye

25 Delegate Merricks – Aye

26 The next item of business was the Commissioner’s Report presented by Commissioner
27 Piper. Commissioner Piper stated that the Board will be certifying the winners of the November
28 2, 2021, General Election. The Commissioner stated that ELECT conducted a safe, secure, and
29 smooth election with small, minor issues. Commissioner Piper stated that over the last several
30 years Virginia has expanded access to the ballot by expanding no-excuse absentee voting,
31 establishing drop boxes, and permitting automatic voter registration for individuals 16 years and
32 older that pre-register beginning October 2022. The Commissioner informed the Board that there
33 were more than 700,000 voters who participated in the 2021 General Election than in 2017
34 during the gubernatorial election.

35 Commissioner Piper expressed his appreciation to the ELECT Staff, and Election
36 Officials who assisted at the local level. The Commissioner expressed his appreciation to the
37 Virginia Electoral Board Association, (“VEBA”), Barbara Tabb, President, and Voter Registrars
38 Association of Virginia (“VRAV”) Brenda Cabrera, President. Commissioner Piper informed the
39 Board that there were minor issues on Election Night. The Commissioner stated that the biggest
40 issue on election night was the result of unprecedented turnout in some areas. Commissioner
41 Piper advised the Board that a few localities had run out of ballots, but the localities adjusted
42 quickly and more ballots were provided.

43 The Commissioner informed the Board that ELECT has received a recount notice from
44 Prince George County. Commissioner Piper stated that the difference in the margin of a win is
45 six votes. The Commissioner explained that ELECT will provide assistance to Prince George
46 County in the recount. Commissioner Piper advised the Board that ELECT anticipates the

47 potential for a recount in a few House of Delegates races.

48 The next item of business was the Certification of the November 2, 2021, General
49 Election presented by Paul Saunders, Elections Administration Supervisor. *This memo is in the*
50 *Working Papers for the November 15, 2021 Meeting.* Vice Chair O'Bannon stated that after
51 reviewing the Abstracts of Votes Cast in the 2021 November General Election, I move *that the*
52 *Board certify the statements to be correct and sign the statements and certificates of election.*
53 Secretary LeCruise seconded the motion and the motion passed unanimously. A roll call vote
54 was taken:

55 Chairman Brink – Aye

56 Vice Chair O'Bannon – Aye

57 Secretary LeCruise – Aye

58 Ms. Chiang – Aye

59 Delegate Merricks – Aye

60 The next item of business was the discussion of events surrounding the resignation of the
61 Charles City County General Registrar presented by David Nichols, Elections Administration
62 Manager. *This memo is in the Working Papers for the November 15, 2021 Meeting.* Chairman
63 Brink informed the Board that in September of 2021, the Charles City General Registrar,
64 Catrinia Barneycastle, resigned immediately before the opening of early voting for the
65 November 2 election. The Chairman stated that to better understand the circumstances he invited
66 the Charles City County Electoral Board members, as well as the Charles City County
67 Administrator, Michelle Johnson. Kevin Sullivan, Vice Chair of Charles City County Electoral
68 Board, addressed the Board. Michelle Johnson asked to have her statement put into the minutes.
69 Her statement appears as APPENDIX: A.

70 The next item of business was the 2021 Periodic Review of Regulations presented by
71 Ashley Coles, ELECT Policy Analyst. *This memo is in the Working Papers for the November 15,*
72 *2021 Meeting.* Chairman Brink suggested deferring the consideration of regulation 1VAC 20-20
73 until the next meeting. Secretary LeCruise moved *that the Board adopt the Department's*
74 *proposed amendments to Administrative Codes 1VAC20-40; 1VAC20-45; and 1VAC20-70.* Vice
75 Chair O'Bannon second the motion and the motion passed unanimously. A roll call vote was
76 taken:

77 Chairman Brink – Aye

78 Vice Chair O'Bannon – Aye

79 Secretary LeCruise – Aye

80 Ms. Chiang – Aye

81 Delegate Merricks – Aye

82 Chairman Brink opened the floor to public comment. No public comment was given.

83 The next item of business was the Annual Security Standards Review of VA. Code §
84 24.2-410.2 presented by Karen Hoyt-Stewart, Locality Security Program Manager, and Daniel
85 Persico, Chief Information Officer. *This presentation is in the Working Papers for the November*
86 *15, 2021 Meeting.*

87 At 1:47 P.M., Secretary LeCruise stated pursuant to Virginia Code Section 2.2-
88 3711(A)(34), I move *that the Board go into closed session for the purpose of discussing the*
89 *Annual Security Standards Review under Section 24.2-410.2. In accordance with Section 2.2-*
90 *3712(F), Christopher Piper, Commissioner of Elections, Daniel Persico, Chief Information*
91 *Officer, Department of Elections, Karen Hoyt-Stewart, Locality Security Program Specialist and*
92 *Carol Lewis of the Office of the Attorney General will attend the closed session because their*

State Board of Elections
Monday, November 15, 2021
FINAL Meeting Minutes

93 *presence will reasonably aid the Board in its consideration of the subject of the meeting.* Vice
94 Chair O'Bannon seconded the motion and the motion passed unanimously. A roll call vote was
95 taken:

96 Chairman Brink – Aye

97 Vice Chair O'Bannon – Aye

98 Secretary LeCruise – Aye

99 Ms. Chiang – Aye

100 Delegate Merricks – Aye

101 At 2:45 P.M., Vice Chair O'Bannon moved *to reconvene in open session, and take a roll*
102 *call vote certifying that to the best of each member's knowledge (i) only such public business*
103 *matters lawfully exempted from open meeting requirements under this chapter and (ii) only such*
104 *public business matters as were identified in the motion by which the closed meeting was*
105 *concerned were heard, discussed, or considered.* Delegate Merricks seconded the motion and the
106 motion passed unanimously. A roll call vote was taken:

107 Chairman Brink – Aye

108 Vice Chair O'Bannon – Aye

109 Secretary LeCruise – Aye

110 Ms. Chiang – Aye

111 Delegate Merricks – Aye

112 As it relates to the Annual Security Standards Review, Vice Chair O'Bannon moved *to*
113 *adopt the VRSS Advisory Group and the Department of Elections recommended changes to the*
114 *Locality Election Security Standards (LESS formerly MSS) for locality compliance in 2022.*

115 Secretary LeCruise seconded the motion and the motion passed unanimously. A roll call vote

State Board of Elections
Monday, November 15, 2021
FINAL Meeting Minutes

116 was taken:

117 Chairman Brink – Aye

118 Vice Chair O’Bannon – Aye

119 Secretary LeCruise – Aye

120 Ms. Chiang – Aye

121 Delegate Merricks – Aye

122 Secretary LeCruise *moved to adjourn the meeting.* Delegate Merricks seconded the

123 motion and the motion passed unanimously.

124 The meeting adjourned at 2:49 P.M.

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127 Chairman

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133 Secretary

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136 Board Member

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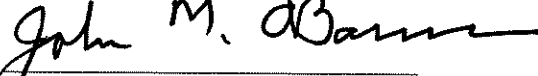
139 Board Member

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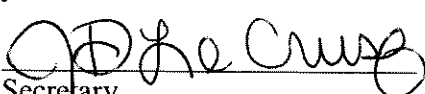
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Chairman



Vice Chairman



Secretary



Board Member



Board Member

State Board of Elections
Monday, November 15, 2021
FINAL Meeting Minutes

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APPENDIX: A
Michelle Johnson, Charles City County Administrator



COMMONWEALTH OF VIRGINIA
COUNTY of CHARLES CITY
P.O. Box 128
Charles City, Virginia 23030

BOARD OF SUPERVISORS
GILBERT A. SMITH, CHAIRMAN
WILLIAM G. COADA, VICE-CHAIRMAN
BYRON A. ADKINS, SR., MEMBER

COUNTY ADMINISTRATOR
MICHELLE G. JOHNSON

November 14, 2021

*Robert H. Brink
Chairman
Virginia State Board of Elections
1100 Bank Street
Richmond, Virginia 23219*

Dr. Mr. Brink

Thank you for your October 15, 2021, correspondence providing an opportunity for Charles City County Government to provide feedback on the working relationship with the former Registrar, Catrinia Barneycastle.

Over the course of the years, there were several instances that the former Registrar interacted with county staff in a hostile manner. Almost on every occasion whenever there was a problem in her office, the situation would escalate and cause tension in the government administration building environment with other county staff and the communication would end in some sort of conflict.

For example, she was provided a memo along with all staff by the Director of Fire that smoking would need to be conducted 25 feet away from the building and the back door near her office would need to always remain locked, however her and her assistant April Truill continued to smoke at the rear entrance and used an object to keep the door unlocked. She was advised on several occasions that this was unacceptable behavior. She informed the county she was not going to follow the rules. I advised the Electoral Board of the behavior and was informed that they would speak to her, the behavior continued after that meeting.

Recently the government administration building received fiber upgrades to the building by Verizon. On November 13th, I witnessed Mrs. Barneycastles husband and grandson (both employed by her office for elections) digging a hole for a vote here sign in the area where fiber was installed. I requested the Public Works Director, Ricky Hicks to please go speak with them to advise that a hole should not be dug in the area. Mr. Hicks proceeded to follow his directive and went outside to advise them to cease digging. He was met with extreme opposition and was called out of his name several times. Instead of entering a combative conversation he proceeded to call the police to handle the situation. Mrs. Barneycastle proceeded outside when deputies arrived, and the situation escalated. The very next day she came into her office and packed the entire office and informed the Electoral Board that she quit.

The county was not involved in any activity of her exit. I did meet with Mrs. Barbara Hayes, an Electoral Board member after the incident. Mrs. Hayes and I respectfully disagreed on the behavior of Mrs. Barneycastles behavior and the response from several staff members over the years.

There is more that could be communicated in the letter; however, I will conclude, that when the Information Technology and Public Works departments worked with the former Registrar it was a stressful, hostile and unprofessional encounter on most occasions.

I look forward to speaking to you and the entire board on November 15, 2021. If there is any other information that is needed, please let me know.

Sincerely,

Michelle Johnson

Michelle Johnson
County Administrator
Charles City County