

State Board of Elections
Wednesday, January 17, 2024
FINAL Meeting Minutes

1 The State Board of Elections (“the Board”) meeting was held on Wednesday,
2 January 17, 2024 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 Georgia Alvis-Long, Secretary; Delegate Donald Merricks, member; and Matthew
7 Weinstein, member represented the State Board of Elections (“the Board”). Susan
8 J. Beals, Commissioner, represented the Department of Elections (“ELECT”), and
9 Travis Andrews and Dennis Polio represented the Office of the Attorney General
10 (“OAG”). Chairman O’Bannon called the meeting to order at 1:00 P.M.

11 The first item of business was the Approval of the Minutes from the
12 December 20, 2023 Board Meeting, presented by Secretary Alvis-Long. Vice Chair
13 Dance moved *that the Board approve the minutes from the December 20, 2023*
14 *Board Meeting*. Delegate Merricks seconded the motion and the motion passed
15 unanimously. A roll call vote was taken:

16 Chairman O’Bannon – Aye

17 Vice Chair Dance – Aye

18 Secretary Alvis-Long – Aye

19 Delegate Merricks – Aye

20 Mr. Weinstein – Aye

21 The next item of business was the Certification of January 9, 2024 Special
22 Elections presented by Paul G. Saunders, III, Elections Administration Supervisor.
23 *This memo is in the Working Papers for the January 17, 2024 Meeting.* Chairman
24 O’Bannon asked if there were any questions and entertained a motion. Delegate
25 Merricks stated after reviewing the Abstracts of Votes Cast in the January 9, 2024
26 Special Elections for Member of the House of Delegates 48th District and Senate of
27 Virginia 9th District I *move that the Board certify the results as presented and*
28 *declare the winners.* Vice Chair Dance seconded the motion and the motion passed
29 unanimously. A roll call vote was taken:

30 Chairman O’Bannon – Aye

31 Vice Chair Dance – Aye

32 Secretary Alvis-Long – Aye

33 Delegate Merricks – Aye

34 Mr. Weinstein – Aye

35 The Chairman opened the floor to public comment and there was no one
36 who wished to speak.

37 The next item of business was the Commissioner’s Report, presented by
38 Commissioner Beals. Commissioner Beals expressed her appreciation to the
39 General Registrar’s who worked tirelessly to prepare for the January 9, 2024
40 Special Elections. The Commissioner stated that Friday, January 19, 2024 is the
41 start of early voting for the Presidential Primary Election. Voters will be asked if
42 they would like a Democratic or Republican ballot and they will have to choose
43 which primary they will vote in because they cannot vote in both. Commissioner
44 Beals stated that ELECT needs Officers of Elections this year because presidential
45 elections are very big elections. The Commissioner encourages persons to sign up
46 to become Officers of Elections if they are available to help.

47 Lastly, the Commissioner stated that ELECT is in legislative session and
48 there are 109 election bills that ELECT Policy Team is reviewing and providing
49 technical assistance when asked and addressing impacts.

50 The next item of business was the Split Precinct Waiver for Fairfax County,
51 presented by Claire Scott, ELECT Policy Analyst. *This memo is in the Working*
52 *Papers for the January 17, 2024 Meeting.* Assistant County Attorney for Fairfax
53 County, Mr. Martin Desjardins addressed the Board to say that the four precincts
54 subject to dividing lines established by the Supreme Court in 2021 that left
55 congressional splits/areas with precincts that represents the drawing of

56 Congressional lines that if implemented would leave a precinct with no voters. He
57 stated that because of the way §24.2-307 only allows the waiver to stand for the
58 year in which it was granted, the county must request the waiver each year.
59 Delegate Merricks moved *that the State Board of Elections approve the split*
60 *precinct waiver for Fairfax County pursuant to §24.2-307.* Mr. Weinstein
61 seconded the motion and the motion passed unanimously. A roll call vote was
62 taken:

63 Chairman O'Bannon – Aye

64 Vice Chair Dance – Aye

65 Secretary Alvis-Long – Aye

66 Delegate Merricks – Aye

67 Mr. Weinstein – Aye

68 The next item of business was the Voting System Certification, for Hart
69 InterCivic-Voting System Certification-Verity Voting 2.7 presented by John
70 Harrison, ELECT Chief Information Security Officer. *This memo is in the Working*
71 *Papers for the January 17, 2024 Meeting.* Mr. Weinstein moved *that the Board*
72 *certify the use of Hart InterCivic Voting System - Verity Voting, version 2.7 in*
73 *elections in the Commonwealth of Virginia, pursuant to the State Certification of*

74 *Voting Systems: Requirements and Procedures.* Vice Chair Dance seconded the
75 motion 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 next item of business was for the Experimental Use of Approved Voting
82 Systems in City of Winchester presented by John Harrison, ELECT Chief
83 Information Security Officer. *This memo is in the Working Papers for the January*
84 *17, 2024 Meeting.* Delegate Merricks moved *that the Board approve the*
85 *experimental use of the Unisyn OpenElect Freedom Vote Scan with software*
86 *version 2.2 and firmware version 2018 in the City of Winchester for early voting*
87 *and absentee voting for the period of January 19, 2024 – March 2, 2024 for the*
88 *March 5, 2024 presidential primary election.* Mr. Weinstein seconded the motion
89 and the motion passed unanimously. A roll call vote was taken:

90 Chairman O'Bannon – Aye

91 Vice Chair Dance – Aye

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92 Secretary Alvis-Long – Aye

93 Delegate Merricks – Aye

94 Mr. Weinstein – Aye

95 At 1:14 P.M., Delegate Merricks stated pursuant to Virginia Code Section
96 2.2-3711(A)(7), I move *that the Board go into closed session for the purpose of*
97 *discussing pending threatened litigation. In accordance with Section 2.2-3712(F),*
98 *Susan Beals, Commissioner of Elections, and Travis Andrews and Dennis Polio of*
99 *the Office of the Attorney General, will attend the closed session because their*
100 *presence will reasonably aid the Board in its consideration of the subject of the*
101 *meeting.* Mr. Weinstein seconded the motion and the motion passed unanimously.

102 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 1:40 P.M., Delegate Merricks moved to reconvene the meeting in open
109 session, and take a roll call vote certifying that to the best of each member's
110 knowledge (i) only such public business matters lawfully exempted from open
111 meeting requirements under this chapter and (ii) only such public business matters
112 as were identified in the motion by which the closed meeting was convened were
113 heard or discussed by the State Board of Elections. Vice Chair Dance seconded the
114 motion and the motion passed unanimously. A roll call vote was taken:

115 Chairman O'Bannon – Aye

116 Vice Chair Dance – Aye

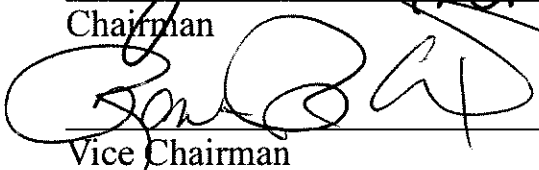
117 Secretary Alvis-Long – Aye

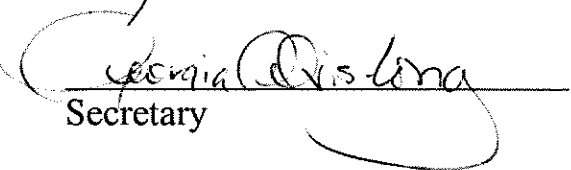
118 Delegate Merricks – Aye

119 Mr. Weinstein – Aye

120 Chairman O'Bannon adjourned the meeting at 1:41 P.M.

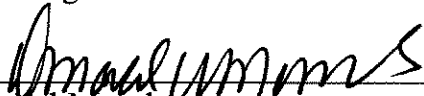
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122 _____
123 Chairman

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126 Vice Chairman

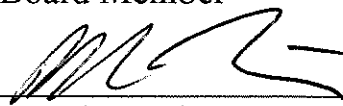
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Board Member



Board Member