

State Board of Elections
DRAFT Meeting Minutes
Wednesday, December 18, 2019

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The State Board of Elections (“the Board”) meeting was held on Wednesday, December 18, 2019, in the Virginia State Capitol, Senate Room 3, in Richmond, Virginia. In attendance: Robert Brink, Chairman, John O’Bannon, Vice Chairman, and Jamilah LeCruise, Secretary, represented the State Board of Elections (“the Board”). Jessica Bowman, Deputy Commissioner, represented the Department of Elections (“ELECT”). Carol L. Lewis represented the Office of the Attorney General (“OAG”). Chairman Brink called the meeting to order at 1:00 P.M.

The first order of business was for the Board to approve minutes for the October 29 and November 18, 2019 minutes, presented by Secretary LeCruise. Chairman Brink stated that he had provided minor changes to the minutes. Vice Chair O’Bannon *moved that the Board approve the minutes from the October 29, 2019 Board meeting*. Secretary LeCruise seconded the motion, and the motion passed unanimously. Secretary LeCruise *moved that the Board approve the minutes from the November 18, 2019 Board meeting*. Vice Chair O’Bannon seconded the motion, and the motion passed unanimously.

The next order of business was the Commissioner’s Report, presented by Deputy Commissioner Bowman. The Deputy Commissioner introduced new employee Taylor Melton, Registrar Liaison. Deputy Commissioner Bowman informed the Board that Governor Northam introduced the budget providing ELECT with seven new positions for IT and Training. The Deputy Commissioner informed the Board that the Governor’s budget fully funds the General Registrar and Electoral Board salaries. Deputy Commissioner Bowman stated that two regulations, on candidate filings and candidate petitions, have completed the public comment period and will take effect January 1, 2020. The Deputy Commissioner informed the Board that

23 ELECT will soon begin ballot proofing for all localities. Deputy Commissioner Bowman stated
24 that absentee voting would begin on January 16, 2020.

25 The next order of business was the Delegation Policy presented by Arielle A. Schneider,
26 Policy Analyst. Ms. Schneider explained to the Board that the proposed policy would require the
27 Board to take a vote prior to exercising any authority under the delegations that it previously
28 delegated to the Department of Elections. *The memo and SBE Policy 2019-003 is in the Working*
29 *Papers for the December 18, 2019 meeting.* Vice Chair O'Bannon moved that the Board adopt
30 *SBE Policy 2019-003.* Secretary LeCruise seconded the motion, and the motion passed
31 unanimously.

32 The next order of business was the Presidential Primary Plan presented by Dave Nichols,
33 Director of Election Services. *This memo is in the Working Papers for the December 18, 2019*
34 *meeting.* Chairman Brink asked if the parties are required to notify ELECT once a candidate has
35 been selected. Mr. Nichols explained that each party must develop a plan to provide a
36 notification, which may include a process for notifying ELECT upon the selection of a candidate.
37 Secretary LeCruise, *in accordance with § 24.2-545 of the Code of Virginia, moved that the*
38 *Board approve the plans for selecting delegates to the national convention of the Democratic*
39 *Party of Virginia and the Republican Party of Virginia.* Vice Chair O'Bannon seconded the
40 motion, and the motion passed unanimously.

41 The next order of business was the Drawing for the Presidential Primary Ballot Order
42 presented by Dave Nichols, Director of Election Services. Mr. Nichols explained to the Board
43 that in accordance with the Code of Virginia §24.2-545(C), once the political party has provided
44 a list of the candidates qualified to be on the presidential primary ballot, the Board determines

45 how each candidate shall appear on the ballot by conducting a drawing by lot. He informed the
46 Board that the Chairwoman of the Democratic Party of Virginia had submitted the list of
47 candidates, as well as a submission to edit one of the candidates' names. *This report is in the*
48 *Working Papers for the December 18, 2019 meeting.* Mr. Nichols read out the list of candidates
49 to be placed on the Democratic Party, March 3, 2020, Presidential Ballot. The ballot order
50 drawing was conducted by the State Board Members and confirmed by Mr. Nichols. The ballot
51 order for the Democratic Party is as follows:

- 52 1. Cory Booker
- 53 2. Julián Castro
- 54 3. Bernie Sanders
- 55 4. Elizabeth Warren
- 56 5. Marianne Williamson
- 57 6. Michael Bennet
- 58 7. Joseph R. Biden
- 59 8. Amy Klobuchar
- 60 9. Tulsi Gabbard
- 61 10. Deval Patrick
- 62 11. Pete Buttigieg
- 63 12. Andrew Yang
- 64 13. Tom Steyer
- 65 14. Michael R. Bloomberg

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67 Vice Chair O'Bannon *moved that the Board certify the ballot order as drawn.* Secretary
68 LeCruise seconded the motion, and the motion passed unanimously.

69 The next order of business was the Risk Limiting Audit ("RLA"), presented by James
70 Heo, Confidential Policy Advisor. *This report is in the Working Papers for the December 18,*
71 *2019 meeting.* Mr. Heo stated that over the past year, ELECT conducted eight pilot audits in 33
72 participating localities throughout the Commonwealth. He explained the pilot audits allowed
73 ELECT to develop a process on how to administer the RLA pilot properly. Vice Chair O'Bannon

74 asked if the statute requires ELECT to move forward with the process. Mr. Heo stated that the
75 remaining 99 localities would be randomly selected to determine when the audit should be
76 conducted. Secretary LeCruise asked when the next group of localities would be selected to
77 participate. Mr. Heo informed the Board that once the RLA consultant contract is renewed, the
78 audits will continue, and that the contractors would help train ELECT staff to assist localities in
79 administering the audits.

80 The next order of business was the Advisory Review Workgroup Appointees presented
81 by Chairman Brink. Chairman Brink stated that on October 29th, the Board adopted the
82 Advisory Review Workgroup Resolution that appointments to the workgroup be made based on
83 recommendations from within the Virginia Elections community as well as five citizen members.
84 The Chairman provided the recommendations as follows: appointments from the Virginia
85 Registrars Association of Virginia: Tracy Howard, Director of Elections and General Registrar,
86 Radford City; Walter Latham, Director of Elections and General Registrar, York County; Allison
87 Robbins, Director of Elections and General Registrar, Wise County. appointments; from the
88 Virginia Electoral Board Associations: Kate Hanley, Secretary, Fairfax County Electoral Board;
89 JoAnne Speiden, Secretary, Orange County Electoral Board; Barbara Tabb, Chairman, Prince
90 George County Electoral Board; appointments; from the Virginia Associations of Counties:
91 Donald L. Hart, Jr., Supervisor, Accomack County; appointment from the Virginia Municipal
92 League: Jessica Ackerman, Policy and Advisory Relations Manager, Virginia Municipal League.
93 The Citizen Members are Barry Condrey, Chief Information Officer, Chesterfield County; Kim
94 Cummings, Retired Educator, Prince William County Schools; Lisa Gerchick, League of Women
95 Voters of Virginia; John Hager, Former Lieutenant Governor, Commonwealth of Virginia; and
96 Tram Nguyen, Co-Executive Director, New Virginia Majority. Secretary LeCruise moved *the*

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97 *Board to approve the recommended appointees.* Vice Chair O’Bannon seconded the motion, and
98 the motion passed unanimously.

99 Chairman Brink opened the floor for public comment. Robin Lind, former secretary for
100 the GREB Workgroup and Carol Noggle, League of Woman Voters of Virginia, addressed the
101 Board.

102 Secretary LeCruise moved to adjourn the Board. Vice Chair O’Bannon seconded the
103 motion, and the motion passed unanimously. The meeting adjourned at approximately 1:42 P.M.

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106 Chairman

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110 Vice Chair

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