

State Board of Elections  
Tuesday, August 15, 2023  
FINAL Meeting Minutes

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

10           The first item of business was the approval of the minutes from the June 27, 2023 and  
11 July 5, 2023 Board Meetings, presented by Secretary Alvis-Long. Delegate Merricks moved *that*  
12 *the Board approve the minutes from the June 27, 2023 and July 5, 2023 Board Meetings*. Mr.  
13 Weinstein seconded the motion and the motion passed unanimously. A roll call vote was taken:

14           Chairman O’Bannon – Aye

15           Vice Chair Dance – Aye

16           Secretary Alvis-Long – Aye

17           Delegate Merricks – Aye

18           Mr. Weinstein - Aye

19           The Chairman opened the floor to public comment. Michael Allers, Elizabeth Burneson  
20 on behalf of Trudy Berry, Irene Churins, Shyam Raman; Democratic Party of Virginia, Phyllis

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21 R., Darrel Bow, Jasmine Lipscomb, Daphne Portis, Ned Jones, and Ann Grigorian addressed the  
22 Board.

23 The second item of business was the Commissioner's Report. Commissioner Beals stated  
24 that ELECT has finished the National Change of Address mailing for this calendar year for the  
25 second time. The Commissioner informed the Board that a Special Election will be held on  
26 August 29, 2023. Commissioner Beals stated that ballots are being delivered this week and early  
27 voting begins Saturday, August 19th. The Commissioner expressed her appreciation to the  
28 General Registrars of Wythe County; Lennon Counts, Smith County; Shannon Williams, and  
29 Carroll County; Stacey Reavis.

30 The third item of business was the Locality Elections Security Standards, presented by  
31 Arielle A. Schneider, ELECT Policy Officer and Chair of Virginia Voter Registration  
32 System Security Advisory Group (VRSS).

33 At 1:47 P.M., Delegate Merricks pursuant to Virginia Code Section 2.2-3711(A)(34), I  
34 *move that the Board go into closed session for the purpose of discussing voting security matters*  
35 *made confidential pursuant to 24.2-410.2. In accordance with Section 2.2-3712(F), Susan Beals,*  
36 *Commissioner of Elections, Travis Andrews of the Office of the Attorney General, Arielle A.*  
37 *Schneider, ELECT Data Privacy Officer and VRSS Chair, and VRSS Advisory Members, John*  
38 *Harrison, Vanetta Pledger, Jeff Waters, Suzanne Tills, Elizabeth Lo, Jason Corwin, Gretchen*  
39 *Reinemeyer, and Kirk Lortz, will attend the closed session because their presence will reasonably*  
40 *aid the Board in its consideration of the subject of the meeting.* Secretary Alvis-Long seconded  
41 the motion and the motion passed unanimously. A roll call vote was taken:

42 Chairman O'Bannon – Aye

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43 Vice Chair Dance – Aye

44 Secretary Alvis-Long – Aye

45 Delegate Merricks – Aye

46 Mr. Weinstein - Aye

47 At 2:27 P.M., Delegate Merricks moved *to reconvene the meeting in open session, and*  
48 *take a roll call vote certifying that to the best of each member’s knowledge (i) only such public*  
49 *business matters lawfully exempted from open meeting requirements under this chapter and (ii)*  
50 *only such public business matters as were identified in the motion by which the closed meeting*  
51 *was convened were heard or discussed by the State Board of Elections.* Mr. Weinstein seconded  
52 the motion and the motion passed unanimously. A roll call vote was taken:

53 Chairman O’Bannon – Aye

54 Vice Chair Dance – Aye

55 Secretary Alvis-Long – Aye

56 Delegate Merricks – Aye

57 Mr. Weinstein - Aye

58 The fourth item of business was the CAP Policy presented by Rachel Lawless,  
59 Confidential Policy Advisor. *This report is in the Working Papers for the August 15, 2023*  
60 *Meeting.* Mr. Weinstein moved *that the Board adopt the proposed policy regarding the counting*  
61 *and reporting of absentee ballots in a central absentee voter precinct.* Delegate Merricks  
62 seconded the motion and the motion passed unanimously. A roll call vote was taken:

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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 fifth item of business was the Risk Limiting Audit presented by Rachel Lawless,  
69 Confidential Policy Advisor. *This report is in the Working Papers for August 15, 2023 Meeting.*  
70 No motion was made.

71 The sixth item of business was the Split Precinct Waiver request for Bedford County  
72 presented by Claire Scott, ELECT Policy Analyst. *This report is in the Working Papers for*  
73 *August 15, 2023 Meeting.* Delegate Merricks moved *that the State Board of Elections approve*  
74 *the split precinct waiver for Bedford County.* Mr. Weinstein seconded the motion and the motion  
75 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 seventh item of business was the Officer of Elections Training Standards presented  
82 by Sarah Dally, Training and Development Supervisor. *This report is in the Working Papers for*

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83 *August 15, 2023 Meeting.* Mr. Weinstein moved *that the Board approve the Department's*  
84 *proposed changes to the training standards and training materials for officers of election.*  
85 Delegate Merricks seconded the motion and the motion passed unanimously. A roll call vote was  
86 taken:

87 Chairman O'Bannon – Aye

88 Vice Chair Dance – Aye

89 Secretary Alvis-Long – Aye

90 Delegate Merricks – Aye

91 Mr. Weinstein - Aye

92 The eighth item of business was the Recount Standards presented by Steve Koski,  
93 ELECT Policy Analyst. *This report is in the Working Papers for August 15, 2023 Meeting.*  
94 Delegate Merricks moved *that the Board adopt the Recount Step-by-Step Instructions, as revised.*  
95 *Mr. Weinstein seconded the motion and the motion passed unanimously.* A roll call vote was  
96 taken:

97 Chairman O'Bannon – Aye

98 Vice Chair Dance – Aye

99 Secretary Alvis-Long – Aye

100 Delegate Merricks – Aye

101 Mr. Weinstein - Aye

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102           The ninth item of business was Stand By Your Ad presented by Tammy Alexander,  
103 Campaign Finance Compliance and Training Supervisor. The first complaint was against Clinton  
104 for VA. Mrs. Alexander informed the Board that one complaint was submitted for four  
105 undisclosed banners. Mr. Clinton addressed the Board. Delegate Merricks moved *subject to the*  
106 *Board's authority under the Code of Virginia §24.2-955.3, to find Clinton Jenkins in violation of*  
107 *§24.2-956 Stand By Your Ad print media disclosure requirements with regard to four print media*  
108 *advertisements and assess a \$400 civil penalty.* Mr. Weinstein seconded the motion and the  
109 motion passed unanimously. A roll call vote was taken:

110           Chairman O'Bannon – Aye

111           Vice Chair Dance – Aye

112           Secretary Alvis-Long – Aye

113           Delegate Merricks – Aye

114           Mr. Weinstein - Aye

115           The next complaint was against Committee to Elect Kim Sudderth. Mrs. Alexander  
116 informed the Board that one complaint was submitted for one undisclosed yard sign. Ms.  
117 Sudderth addressed the Board. Chairman O'Bannon moved *subject to the Board's authority*  
118 *under the Code of Virginia §24.2-955.3, to find Kim Sudderth in violation of §24.2-956 Stand By*  
119 *Your Ad print media disclosure requirements with regard to one print media advertisement and*  
120 *assess a \$100 civil penalty.* No second was given.

121           The next complaint was against O'Brien for Delegate. Mrs. Alexander informed the  
122 Board that two complaints was submitted for two yard signs and one car magnet with no

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123 disclosure. Delegate Merricks moved *subject to the Board's authority under the Code of Virginia*  
124 *§24.2-955.3, to find Kenneth O'Brien in violation of §24.2-956 Stand By Your Ad print media*  
125 *disclosure requirements with regard to three print media advertisements and assess a \$300 civil*  
126 *penalty.* Mr. Weinstein seconded the motion and the motion passed unanimously. A roll call vote  
127 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 next complaint was against Rod Thompson for HD-84. Mrs. Alexander informed the  
134 Board that one complaint was submitted for five undisclosed yard signs. Mr. Thompson  
135 addressed the Board. Mr. Weinstein moved *subject to the Board's authority under the Code of*  
136 *Virginia §24.2-955.3, to find Rod Thompson in violation of §24.2-956 Stand By Your Ad print*  
137 *media disclosure requirements with regard to three print media advertisements and assess a*  
138 *\$500 civil penalty.* Delegate Merricks seconded the motion and the motion passed unanimously.  
139 A roll call vote was taken:

140 Chairman O'Bannon – Aye

141 Vice Chair Dance – Aye

142 Secretary Alvis-Long – Aye

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143 Delegate Merricks – Aye

144 Mr. Weinstein - Aye

145 The next complaint was against GR Metz for Supervisor. Mrs. Alexander informed the  
146 Board that one complaint was submitted for one undisclosed yard sign. Dawn Stultz-Vaughn  
147 addressed the Board. Delegate Merricks moved *subject to the Board's authority under the Code*  
148 *of Virginia §24.2-955.3, to find Gordon Metz in violation of §24.2-956 Stand By Your Ad print*  
149 *media disclosure requirements with regard to one print media advertisement and assess a \$25*  
150 *civil penalty. Secretary Alvis-Long seconded the motion and a roll call vote was taken. Because a*  
151 *unanimous vote was required to asses the \$25 civil penalty the motion failed.*

152 Chairman O'Bannon – Aye

153 Vice Chair Dance – Aye

154 Secretary Alvis-Long – Aye

155 Delegate Merricks – Aye

156 Mr. Weinstein - Nay

157 Delegate Merricks moved *subject to the Board's authority under the Code of Virginia §24.2-*  
158 *955.3, to find Gordon Metz in violation of §24.2-956 Stand By Your Ad print media disclosure*  
159 *requirements with regard to one print media advertisement and assess a \$50 civil penalty. Mr.*  
160 *Weinstein seconded the motion and the motion passed unanimously. A roll vote was taken:*

161 Chairman O'Bannon – Aye

162 Vice Chair Dance – Aye



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163 Secretary Alvis-Long – Aye

164 Delegate Merricks – Aye

165 Mr. Weinstein - Aye

166 The next complaint was against Friends of Candidate Stone. Mrs. Alexander informed the  
167 Board that one complaint was submitted for two signs. Secretary Alvis-Long moved *subject to*  
168 *the Board's authority under the Code of Virginia §24.2-955.3, to find Kell Stone in violation of*  
169 *§24.2-956 Stand By Your Ad print media disclosure requirements with regard to two print media*  
170 *advertisements and assess a \$25 civil penalty.* Delegate Merricks seconded the motion and a roll  
171 call vote was taken. Because a unanimous vote was required to assess the \$25 civil penalty the  
172 motion failed.

173 Chairman O'Bannon – Aye

174 Vice Chair Dance – Aye

175 Secretary Alvis-Long – Aye

176 Delegate Merricks – Aye

177 Mr. Weinstein - Nay

178 Mr. Weinstein moved *subject to the Board's authority under the Code of Virginia §24.2-955.3, to*  
179 *find Kell Stone in violation of §24.2-956 Stand By Your Ad print media disclosure requirements*  
180 *with regard to two print media advertisements and assess a \$100 civil penalty.* Delegate  
181 Merricks seconded the motion and the motion passed unanimously. A roll call vote was taken:

182 Chairman O'Bannon – Aye

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183 Vice Chair Dance – Aye

184 Secretary Alvis-Long – Aye

185 Delegate Merricks – Aye

186 Mr. Weinstein - Aye

187 The next complaint was against Friends of John Stanmeyer. Mrs. Alexander informed the  
188 Board that one complaint was submitted for one flyer with no disclosure. Thomas Reyner and  
189 John Stanmeyer addressed the Board. Mr. Weinstein moved *subject to the Board's authority*  
190 *under the Code of Virginia §24.2-955.3, to find John Stanmeyer in violation of §24.2-956 Stand*  
191 *By Your Ad print media disclosure requirements with regard to one print media advertisement*  
192 *and assess a \$50 civil penalty. Vice Chair Dance seconded the motion and a roll call vote was*  
193 taken. Because a unanimous vote was required to asses the \$50 civil penalty the motion failed.

194 Chairman O'Bannon – Aye

195 Vice Chair Dance – Aye

196 Secretary Alvis-Long – Nay

197 Delegate Merricks – Aye

198 Mr. Weinstein - Aye

199 The next complaint was against Friends of Kenn Knarr. Mrs. Alexander informed the  
200 Board that one complaint was submitted for two online ads with no disclosure. Kenn Knarr  
201 addressed the Board. Delegate Merricks moved *subject to the Board's authority under the Code*  
202 *of Virginia §24.2-955.3, to find Kenneth Knarr in violation of §24.2-956 Stand By Your Ad print*

203 *media disclosure requirements with regard to two print media advertisements and assess a \$25*  
204 *civil penalty.* Secretary Alvis-Long seconded the motion and a roll call vote was taken. Because a  
205 unanimous vote was required to assess the \$25 civil penalty the motion failed.

206 Chairman O'Bannon – Aye

207 Vice Chair Dance – Nay

208 Secretary Alvis-Long – Aye

209 Delegate Merricks – Aye

210 Mr. Weinstein – Nay

211 Mr. Weinstein moved *subject to the Board's authority under the Code of Virginia §24.2-955.3, to*  
212 *find Kenneth Knarr in violation of §24.2-956 Stand By Your Ad print media disclosure*  
213 *requirements with regard to two print media advertisements and assess a \$100 civil penalty.* Vice  
214 Chair Dance seconded the motion and a roll call vote was taken:

215 Chairman O'Bannon – Aye

216 Vice Chair Dance – Aye

217 Secretary Alvis-Long – Nay

218 Delegate Merricks – Nay

219 Mr. Weinstein – Aye

220 The next complaint was against Friends of Tim Sansone for Sheriff. Mrs. Alexander  
221 informed the Board that three complaints were submitted for three flyers with no disclosure. Tim

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222 Sansone addressed the Board. Secretary Alvis-Long *moved to dismiss the complaint*. Mr.

223 Weinstein seconded the motion and the motion passed unanimously. A roll call vote was taken:

224 Chairman O'Bannon – Aye

225 Vice Chair Dance – Aye

226 Secretary Alvis-Long – Aye

227 Delegate Merricks – Aye

228 Mr. Weinstein - Aye

229 The next complaint was against Friends of Tom McKenna. Mrs. Alexander informed the  
230 Board that one complaint was submitted for one yard sign and one website with no disclosure.

231 Tom McKenna addressed the Board. Mr. Weinstein moved *subject to the Board's authority under*

232 *the Code of Virginia §24.2-955.3, to find Tom McKenna in violation of §24.2-956 Stand By Your*

233 *Ad print media disclosure requirements with regard to two print media advertisements and*

234 *assess a \$50 civil penalty*. Delegate Merricks seconded the motion and the motion passed

235 unanimously. A roll call vote was taken:

236 Chairman O'Bannon – Aye

237 Vice Chair Dance – Aye

238 Secretary Alvis-Long – Aye

239 Delegate Merricks – Aye

240 Mr. Weinstein - Aye

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241           The next complaint was against Kyle Matt Moore for Sheriff. Mrs. Alexander informed  
242           the Board that one complaint was submitted for one truck sign with no disclosure. Kyle Moore  
243           addressed the Board. Delegate Merricks moved *subject to the Board's authority under the Code*  
244           *of Virginia §24.2-955.3, to find Kyle Matt Moore in violation of §24.2-956 Stand By Your Ad*  
245           *print media disclosure requirements with regard to one print media advertisement and assess a*  
246           *\$50 civil penalty.* Mr. Weinstein seconded the motion and the motion passed unanimously. A roll  
247           call vote was taken:

248           Chairman O'Bannon – Aye

249           Vice Chair Dance – Aye

250           Secretary Alvis-Long – Aye

251           Delegate Merricks – Aye

252           Mr. Weinstein - Aye

253           The next complaint was against McCracken for BOS. Mrs. Alexander informed the Board  
254           that two complaint was submitted for three yard signs and one door hanger without a disclosure.  
255           Tom McCracken addressed the Board. Mr. Weinstein moved *subject to the Board's authority*  
256           *under the Code of Virginia §24.2-955.3, to find Tom McCracken in violation of §24.2-956 Stand*  
257           *By Your Ad print media disclosure requirements with regard to four print media advertisements*  
258           *and assess a \$200 civil penalty.* Vice Chair Dance seconded the motion and the motion passed  
259           unanimously. A roll call vote was taken:

260           Chairman O'Bannon – Aye

261           Vice Chair Dance – Aye

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262 Secretary Alvis-Long – Aye

263 Delegate Merricks – Aye

264 Mr. Weinstein - Aye

265 The next complaint was against Re-elect Laurel Garrelts. Mrs. Alexander informed the  
266 Board that one complaint was submitted for two yard signs with no disclosure. Laurel Garrelts  
267 and Michael Petersen addressed the Board. Delegate Merricks moved *subject to the Board's*  
268 *authority under the Code of Virginia §24.2-955.3, to find Laurel Garrelts in violation of §24.2-*  
269 *956 Stand By Your Ad print media disclosure requirements with regard to two print media*  
270 *advertisements and assess a \$ 100 civil penalty.* Vice Chair Dance seconded the motion and the  
271 motion passed unanimously. A roll call vote was taken:

272 Chairman O'Bannon – Aye

273 Vice Chair Dance – Aye

274 Secretary Alvis-Long – Aye

275 Delegate Merricks – Aye

276 Mr. Weinstein - Aye

277 The next complaint was against Tonya Sibert for Commissioner of the Revenue. Mrs.  
278 Alexander informed the Board that one complaint was submitted for one staff shirt with no  
279 disclosure. Tonya Sibert addressed the Board. Vice Chair Dance moved *subject to the Board's*  
280 *authority under the Code of Virginia §24.2-955.3, to find Tonya Sibert in violation of §24.2-956*  
281 *Stand By Your Ad print media disclosure requirements with regard to one print media*

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282 *advertisement and assess a \$50 civil penalty.* Chairman O'Bannon seconded the motion and the  
283 motion passed unanimously. A roll call vote was taken:

284 Chairman O'Bannon – Aye

285 Vice Chair Dance – Aye

286 Secretary Alvis-Long – Aye

287 Delegate Merricks – Aye

288 Mr. Weinstein - Aye

289 At 4:00P.M., Delegate Merricks pursuant to Virginia Code Section 2.2-3711(A)(7), I  
290 *move that the Board go into closed session for the purpose of discussing pending and threatened*  
291 *litigation. In accordance with Section 2.2-3712(F), Susan Beals, Commissioner of Elections, and*  
292 *Travis Andrews of the Office of the Attorney General, will attend the closed session because their*  
293 *presence will reasonably aid the Board in its consideration of the subject of the meeting. Mr.*  
294 *Weinstein seconded the motion and the motion passed unanimously.* A roll call vote was taken:

295 Chairman O'Bannon – Aye

296 Vice Chair Dance – Aye

297 Secretary Alvis-Long – Aye

298 Delegate Merricks – Aye

299 Mr. Weinstein - Aye

300 At 4:09 P.M., Delegate Merricks moved *to reconvene the meeting in open session, and*  
301 *take a roll call vote certifying that to the best of each member's knowledge (i) only such public*

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302 *business matters lawfully exempted from open meeting requirements under this chapter and (ii)*  
303 *only such public business matters as were identified in the motion by which the closed meeting*  
304 *was convened were heard or discussed by the State Board of Elections. Mr. Weinstein seconded*  
305 the motion and the motion passed unanimously. A roll call vote was taken:

306 Chairman O'Bannon – Aye

307 Vice Chair Dance – Aye

308 Secretary Alvis-Long – Aye

309 Delegate Merricks – Aye


310 Mr. Weinstein - Aye

311 The meeting adjourned at 4:10 P.M.

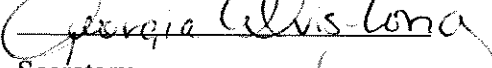
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314 Chairman

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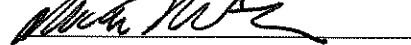
316 Vice-Chair

317 

318 Secretary

319 

320 Board Member

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322 Board Member

323