

# MINUTES

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3 The State Board of Elections Board Meeting was held on Friday, October 26,  
4 2012. The meeting was held at 1100 Bank Street, Washington Building, Room B27 in  
5 Richmond, Virginia. In attendance, representing the State Board of Elections (SBE) was  
6 Charles Judd, Chair; Kimberly Bowers, Vice-Chair; Donald Palmer, Secretary; Joshua  
7 Lief, Senior Assistant Attorney General and SBE Counsel; Justin Riemer, Deputy  
8 Secretary; Nikki Sheridan, Confidential Policy Advisor; and Chris Piper, Election  
9 Services Manager. Chairman Judd called the special Board Meeting to order at 4:30PM.

10 Chairman Judd stated that the Board meeting was called to meet under the  
11 provisions of section 2.2-3707(D) of the Code of Virginia. Chairman Judd stated that a  
12 motion to request the Attorney General to investigate the irregularities involving Patrick  
13 Moran and others would take place during this special Board Meeting. Chairman Judd  
14 moved that Attorney General Cuccinelli investigate the irregularities involving Patrick  
15 Moran and others, including the individual who made the tape, relating to fraudulent  
16 activity in voting. Vice-Chair Bowers seconded the motion and Chairman Judd asked if  
17 there was any discussion. Secretary Palmer stated that the request is in the public interest,  
18 that the Attorney General investigate this matter as it is a reflection of the public  
19 confidence, and stated that the general registrars and officers of election are prepared to  
20 guard against these types of irregularities. Secretary Palmer stated that he would like a  
21 report presented by the Attorney General on this matter as soon as possible. Chairman  
22 Judd inquired if there was any further discussion. Vice-Chair Bowers stated that the local  
23 authorities are investigating this incident. Vice-Chair Bowers stated that the investigation  
24 should include the individual that brought forward the incident to the public. Chairman  
25 Judd inquired if there were any other public comments and there were none. Chairman  
26 Judd called for a voice affirmation of the motion and all Board Members stated "Yay"  
27 and Chairman Judd declared that the motion was carried.

28 The next order of business was a clarification of a Board motion that was made at  
29 the October 24, 2012 Board Meeting regarding a different request for investigation.  
30 Chairman Judd made a substitute motion for clarity: "For the attorney general to conduct  
31 an investigation concerning the matters in Rockingham County, and further to determine  
32 whether or not the firm implicated in Rockingham County, any related company, or

33 individuals connected with these companies in any way, violated election laws in other  
34 parts of the Commonwealth of Virginia.”. Vice-Chair Bowers seconded the motion and  
35 Chairman Judd inquired if there were any further discussion. Secretary Palmer inquired  
36 of Joshua Lief, Senior Assistant Attorney General and SBE Counsel, if the motion was  
37 appropriate for the scope of the investigation. Mr. Lief stated that the revised motion was  
38 appropriate for the investigation and that it was phrased in a broad manner to cover the  
39 entire projected scope of the investigation. Chairman Judd inquired if there were any  
40 additional comments and with there being none the Board unanimously approved the  
41 motion.

42 The next order of business was the status of the State of Emergency declared by  
43 Governor McDonnell due to Hurricane Sandy and its impact on the election. Secretary  
44 Palmer stated that a conference call with the Virginia Department of Emergency  
45 Management (VDEM) was held to discuss how in-person absentee voting would be  
46 impacted by Hurricane Sandy. Secretary Palmer stated that the Election Contingency  
47 Operations Workgroup has been meeting in preparation for the general election over the  
48 past several months. Secretary Palmer stated that local offices were encouraged to keep  
49 their offices open to allow voting and to use sound judgment when closing to protect  
50 public safety. Secretary Palmer stated that SBE would be working over the weekend and  
51 monitoring any changes as related to Hurricane Sandy and being election ready.

52 Chairman Judd asked if there was any other business to come before the Board for  
53 the Good of the Order and with there being none Vice-Chair Bowers made a motion to  
54 adjourn. Chairman Judd seconded the motion and the Board unanimously passed the  
55 motion. The Board shall reconvene on November 6, 2012 at 8:00 AM in the Washington  
56 Building, Room B27. Chairman Judd asked for any further public comments. There being  
57 none, the meeting was adjourned at approximately 4:15PM.

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Secretary

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Chair

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Vice-Chair