

# MINUTES

1  
2  
3 The State Board of Elections Board Meeting was held on Tuesday, November 5,  
4 2013. The meeting was held in the Washington Building, Room B27, 1100 Bank Street,  
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; and Nikki Sheridan, Special Advisor for Policy. Chairman Judd called the  
9 meeting to order at 9:00a.m.

10 Chairman Judd stated that the purpose of this meeting was to fulfill the State  
11 Board of Elections Board members' responsibility of fulfilling administrative duties  
12 related to the general elections occurring on that day. Chairman Judd asked Joshua Lief,  
13 Senior Assistant Attorney General and SBE Counsel for an update.

14 Mr. Lief reported that litigation from the *Democratic Party of Virginia v. Virginia*  
15 *State Board of Elections* was voluntarily dismissed by the plaintiffs. Mr. Lief stated that  
16 there is a possible pending FIOA case against SBE. Mr. Lief offered to expand upon the  
17 details of this pending litigation in executive session. Mr. Lief stated that SBE has  
18 received an amended complaint in the *Fairfax County Democratic Committee v. State*  
19 *Board of Elections*.

20 The next order of business was the Secretary's Report delivered by Secretary  
21 Palmer. Secretary Palmer informed the Board that there was an article on the Drudge  
22 Report that was linked to Loudoun County about their electronic pollbooks. Secretary  
23 Palmer explained that Loudoun County experienced a hardware failure with their  
24 electronic pollbooks which means that 25 polling locations opened with one pollbook  
25 verses the desired three pollbooks. Secretary Palmer stated that this issue did not generate  
26 long lines in Loudoun County and stated that he expected this issue to be resolved  
27 expediently. Secretary Palmer stated that he polls opened successfully with relatively few  
28 equipment start-up issues. Chairman Judd asked if the equipment issues were associated  
29 with DRE's or Optical Scan equipment. Secretary Palmer stated that both types of  
30 equipment experience issues due to varying reasons. Secretary Palmer noted that voters  
31 were not impacted by equipment startup issues. Chairman Judd asked about the in-person

32 absentee ballot count report prior to today’s election of 19,000 voters, particularly this  
33 past Saturday: “Was this count comparable to previous years?” Secretary Palmer stated  
34 that this number is comparable to the election in 2009 if not probably higher. Chairman  
35 Judd stated that he prefers a high turnout as this is the purpose of the Board and civic  
36 duty. Chairman Judd inquired if there were any additional questions and there were none.

37 Chairman Judd moved *that the Board go into recess*. Vice Chair Bowers  
38 seconded the motion and the Board unanimously approved the motion. The Board went  
39 into recess at 9:15a.m.

40 The Board reconvened at 8:00 p.m. Chairman Judd inquired if there were any  
41 comments by members of the Board or Counsel and there was none. Chairman Judd  
42 moved *that the Board adjourn*. Vice Chair Bowers seconded the motion and the Board  
43 unanimously approved the motion.

44 The Board shall reconvene on November 25, 2013 at 9:00a.m. Chairman Judd  
45 asked for any public comments. There being none, the meeting adjourned at  
46 approximately 8:10p.m.

47

48

49

50

51

52

53

54

55

Chair

56

57

58

59

60

Vice-Chair

\_\_\_\_\_  
Secretary