

State Board of Elections
Tuesday, September 27, 2022
FINAL Meeting Minutes

1 The State Board of Elections (“the Board”) meeting was held on Tuesday, September 27,
2 2022, in Senate Room A of the Pocahontas Building in Richmond, Virginia. The meeting also
3 offered public participation through electronic communication so the public could view and hear
4 the meeting at remote locations. In attendance: Robert Brink, Chairman; John O’Bannon, Vice
5 Chairman; Georgia Alvis-Long, Secretary, Angela Chiang, and Delegate Donald Merricks,
6 members; represented the State Board of Elections (“the Board”). Susan J. Beals, Commissioner,
7 represented the Department of Elections (“ELECT”), and Joshua Lief and Travis Andrews
8 represented the Office of the Attorney General (“OAG”). Chairman Brink called the meeting to
9 order at 1:01 P.M.

10 The first item of business was the approval of the minutes, presented by Secretary Alvis-
11 Long. Delegate Merricks moved *that the Board approve the minutes from the August 16, 2022*
12 *Board Meeting*. Vice Chair O’Bannon seconded the motion and the motion passed unanimously.
13 A roll call vote was taken:

14 Chairman Brink – Aye

15 Vice Chair O’Bannon – Aye

16 Secretary Alvis-Long – Aye

17 Ms. Chiang – Aye

18 Delegate Merricks – Aye

19 The second item of business was the Commissioner’s Report, presented by
20 Commissioner Beals. Commissioner Beals informed the Board that ELECT was out of
21 compliance on its use of the SAVE Program as a part of its list maintenance activities. The

22 Commissioner stated that ELECT has conducted research on the uses of the SAVE program and
23 staff has completed the necessary training. Commissioner Beals also informed the Board that
24 ELECT has finished redistricting and is in the process of sending out voter notices.

25 The Commissioner stated that Election Day is November 8, 2022 and early voting began
26 September 23, 2022. Commissioner Beals advised the Board that after two days of early voting
27 16,726 have voted early in person, and out of 296,339 absentee ballots mailed 4,696 absentee
28 ballots have been returned. The Commissioner stated that the last day to registrar to vote is
29 October 17, 2022 and Same-Day Registration begins the following day. Commissioner Beals
30 stated that this will allow voters to registrar to vote after October 17 and vote a provisional ballot
31 for the November election. The provisional ballot and the voter registration form will then go to
32 the registrar's office to be researched for eligibility. The registrar will make a recommendation to
33 the local Electoral Board and determine whether or not to count the ballot.

34 The Commissioner expressed her deepest sympathy on the unexpected passing of Warren
35 Younce, ELECT IT System Support Analyst. Commissioner Beals introduced new ELECT
36 employees Claire Scott, ELECT Policy Analyst and Brian Tynes, Media Relations Specialist.
37 Mr. Lief introduced Travis Andrews, Assistant Attorney General to the Board.

38 The third item of business was the Finalization of Stand By Your Ad Decisions from
39 August 16th Meeting, presented by Tammy Alexander, Campaign Finance Compliance Training
40 Specialist. *This memo is in the Working Papers for the September 27, 2022 Meeting.* Ms. Chiang
41 moved that the Board finalize the decisions made on the two Stand By Your Ad (SBYA) violations
42 assessed at the August 16, 2022 State Board of Elections (SBE). Secretary Alvis-Long seconded
43 the motion and the motion passed unanimously. A roll call vote was taken:

State Board of Elections
Tuesday, September 27, 2022
FINAL Meeting Minutes

44 Chairman Brink – Aye

45 Vice Chair O’Bannon – Aye

46 Secretary Alvis-Long – Aye

47 Ms. Chiang – Aye

48 Delegate Merricks – Aye

49 The fourth item of business was the Electronic Meeting Policy, presented by Ashley
50 Coles, ELECT Policy Analyst. *This memo is in the Working Papers for the September 27, 2022*
51 *Meeting.* Delegate Merricks moved *that the Board adopt the proposed policy to conduct*
52 *meetings through electronic communication means in compliance with §2.2-3708.3(D) of the*
53 *Code of Virginia.* Ms. Chiang seconded the motion and the motion passed unanimously. A roll
54 call vote was taken:

55 Chairman Brink – Aye

56 Vice Chair O’Bannon – Aye

57 Secretary Alvis-Long – Aye

58 Ms. Chiang – Aye

59 Delegate Merricks – Aye

60 The fifth item of business was the State Board of Elections Report pursuant to § 103(J) of
61 the Code, presented by Ashley Coles, ELECT Policy Analyst. *This report is in the Working*
62 *Papers for the September 27, 2022 Meeting.* Chairman Brink opened the floor to public

63 comment. James Manship addressed the Board. As this was an information item, no motion was
64 required.

65 The sixth item of business was the Risk Limiting Audit Manual, presented by Karen
66 Hoyt-Stewart, Locality Security Program Manager and Rachel Lawless, Confidential Policy
67 Advisor. *This report is in the Working Papers for the September 27, 2022 Meeting.* Chairman
68 Brink opened the floor to public comment. Ned Jones, James Manship, and Darrell Bow
69 addressed the Board. Vice Chair O'Bannon moved *that the Board approve the proposed Risk*
70 *Limiting Audit Manual pursuant to §24.2-671.2(B).* Secretary Alvis-Long seconded the motion
71 and the motion passed unanimously. A roll call vote was taken:

72 Chairman Brink – Aye

73 Vice Chair O'Bannon – Aye

74 Secretary Alvis-Long – Aye

75 Ms. Chiang – Aye

76 Delegate Merricks – Aye

77 The seventh item of business was Ballot on Demand Systems Certifications, presented by
78 Karen Hoyt-Stewart, Locality Security Program Manager. *This report is in the Working Papers*
79 *for the September 27, 2022 Meeting.* Chairman Brink opened the floor to public comment. Ned
80 Jones addressed the Board. Delegate Merricks moved *that the Board approve the Ballot on*
81 *Demand Systems certifications listed effective on the dates on the Testing Certifications.* Vice
82 Chair O'Bannon seconded the motion and the motion passed unanimously. A roll call vote was
83 taken:

State Board of Elections
Tuesday, September 27, 2022
FINAL Meeting Minutes

84 Chairman Brink – Aye

85 Vice Chair O’Bannon – Aye

86 Secretary Alvis-Long – Aye

87 Ms. Chiang – Aye

88 Delegate Merricks – Aye

89 The eighth item of business was the Locality Extensions, presented by Karen Hoyt-
90 Stewart, Locality Security Program Manager. *This memo is in the Working Papers for the*
91 *September 27, 2022 Meeting.* Chairman Brink opened the floor to public comment. Darrell Bow
92 addressed the Board. Ms. Chiang moved *that the Board approve extensions to the following*
93 *localities to use the current electronic pollbooks for voter check in on Election Day for the*
94 *November 2022 General Election.* A roll call vote was taken:

95 Chairman Brink – Aye

96 Vice Chair O’Bannon – Aye

97 Secretary Alvis-Long – Aye

98 Ms. Chiang – Aye

99 Delegate Merricks – Aye

100 Chairman Brink opened the floor to public comment. Darrell Bow, Paul Theil, James
101 Manship, Jeffery Shapiro, Ned Jones, Ann Grigorian and Clara Belle Wheeler addressed the
102 Board.

State Board of Elections
Tuesday, September 27, 2022
FINAL Meeting Minutes

103 At 2:11 P.M., Delegate Merricks moved pursuant to Virginia Code Section 2.2-
104 3711(A)(7), *that the Board go into closed session for the purpose of discussing pending and*
105 *threatened litigation. In accordance with Section 2.2-3712(F), Susan Beals, Commissioner of*
106 *Elections, Joshua Lief and Travis Andrews of the Office of the Attorney General, and Lyn*
107 *McDermid, Secretary of Administration will attend the closed session because their presence*
108 *will reasonably aid the Board in its consideration of the subject of the meeting.* Vice Chair
109 O'Bannon seconded the motion and the motion passed unanimously. A roll call vote was taken:

110 Chairman Brink – Aye

111 Vice Chair O'Bannon – Aye

112 Secretary Alvis-Long – Aye

113 Ms. Chiang – Aye

114 Delegate Merricks – Aye

115 At 2:52 P.M., Vice Chair O' Bannon moved *to reconvene the meeting in open session,*
116 *and take a roll call vote certifying that to the best of each member's knowledge (i) only such*
117 *public business matters lawfully exempted from open meeting requirements under this chapter*
118 *and (ii) only such public business matters as were identified in the motion by which the closed*
119 *meeting was convened were heard or discussed by the State Board of Elections.* Ms. Chiang
120 seconded the motion and the motion passed unanimously. A roll call vote was taken:

121 Chairman Brink – Aye

122 Vice Chair O'Bannon – Aye

123 Secretary Alvis-Long – Aye

State Board of Elections
Tuesday, September 27, 2022
FINAL Meeting Minutes

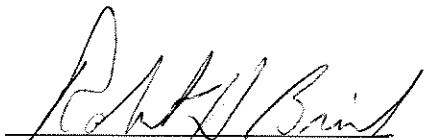
124 Ms. Chiang – Aye

125 Delegate Merricks – Aye

126 Delegate Merricks moved *to adjourn the meeting*. Secretary Alvis-Long seconded the
127 motion and the motion passed unanimously. The meeting adjourned at 2:53 P.M.

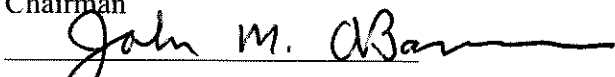
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130 Chairman

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132 Vice Chairman

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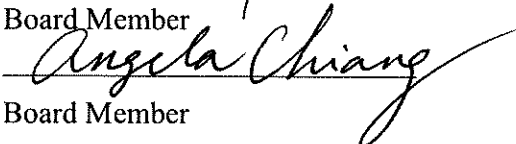
134 Secretary

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136 Board Member

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138 Board Member

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