

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

11 Chairman O’Bannon opened the floor for secretarial nominations. Delegate
12 Merricks moved *that the Board nominate Mrs. Georgia Alvis-Long for Secretary*.
13 Mr. Weinstein seconded the motion and the motion passed unanimously. A roll
14 call vote was taken:

15 Chairman O’Bannon – Aye

16 Vice Chair Dance – Aye

17 Mrs. Alvis-Long – Aye

18 Mr. Weinstein – Aye

19 Delegate Merricks – Aye

20 The first item of business was the approval of the minutes presented by

21 Secretary Alvis-Long. Delegate Merricks moved *to approve the minutes*. Mr.

22 Weinstein seconded the motion and the motion passed unanimously. A roll call

23 vote was taken:

24 Chairman O'Bannon – Aye

25 Vice Chair Dance – Aye

26 Secretary Alvis-Long – Aye

27 Mr. Weinstein – Aye

28 Delegate Merricks – Aye

29 The second item of business was the Commissioner's Report presented by

30 Commissioner Beals. Commissioner Beals expressed her appreciation to Ashley

31 Coles; ELECT Policy Analyst, Rachel Lawless; Confidential Policy Advisor and

32 the ELECT Policy team for their great work during the January 2023 Legislative

33 Session. The Commissioner expressed her appreciation to the General Registrars

34 and Electoral Board members of the 15 localities that participated in the February

35 21st 4th congressional district. This includes Brunswick County, Charles City

36 County, Chesterfield County, City of Colonial Heights, Dinwiddie County, City of

37 Emporia, Greensville County, Henrico County, City of Hopewell, City of

38 Peterburg, Prince George County, City of Richmond, Southampton County, Surry

39 County and Sussex County. Commissioner Beals informed the Board that a Special

40 Election is being held March 7th in King William County for Treasurer, March

41 24th in Greene County for Clerk of Court, and March 28th in Hanover County,
42 Henrico County, Charles City County, and the City of Richmond for Virginia
43 Senate 9th District, and April 11th in Frederick County for Board of Supervisor.

44 The third item of business was the Certification of the February 21, 2023
45 Special Election presented by Paul Saunders, Elections and Registration Services
46 Supervisor. *This memo is in the Working Papers for the March 7, 2023 Meeting.*
47 Delegate Merricks stated after reviewing the Abstracts of Votes Cast in the
48 February 21, 2023 Special Election, I move *that the Board certify the statement to*
49 *be correct and sign the statement and certificate of election.* Mr. Weinstein
50 seconded the motion and the motion passed unanimously. A roll call vote was
51 taken:

52 Chairman O'Bannon – Aye

53 Vice Chair Dance – Aye

54 Secretary Alvis-Long – Aye

55 Mr. Weinstein – Aye

56 Delegate Merricks – Aye

57 The fourth item of business was the Party Ballot Order Drawing presented
58 by Paul Saunders, Elections and Registration Services Supervisor. *This memo is in*
59 *the Working Papers for the March 7, 2023 Meeting.* Mr. Saunders conducted the
60 drawing for the political party order. The ballot order is as follows:

61 1. Republican

62 2. Democratic

63 Delegate Merricks moved *that the Board certify the determination by lot of the*
64 *ballot order for all general and special elections being held April 1, 2023 through*
65 *April 1, 2024.* Mr. Weinstein seconded the motion and the motion passed
66 unanimously. A roll call vote was taken:

67 Chairman O'Bannon – Aye

68 Vice Chair Dance – Aye

69 Secretary Alvis-Long – Aye

70 Mr. Weinstein – Aye

71 Delegate Merricks – Aye

72 The fifth item of business was the Post-Election Report presented by Rachel
73 Lawless, Confidential Policy Advisor. *This memo is in the Working Papers for the*
74 *March 7, 2023 Meeting.* Chairman O'Bannon opened the floor for public
75 comment. Deb Wake, League of Woman Voter of Virginia; Geoff McVeigh; Ann
76 Grigorian; Shelly Oberlander; and Elizabeth Block addressed the Board. As this
77 was an informational item, no motion was required.

78 The sixth item of business was the Amendments to 1VAC20-60-80 & Form
79 SBE-671.2 presented by Claire Scott, ELECT Policy Analyst. *This memo is in the*
80 *Working Papers for the March 7, 2023 Meeting.* Secretary Alvis-Long moved *that*

81 *the Board approve the proposed amendments to regulatory action IVAC20-60-80*
82 *and to Form SBE-671.2(D).* Vice Chair Dance seconded the motion and the motion
83 passed unanimously. A roll call vote taken:

84 Chairman O'Bannon – Aye

85 Vice Chair Dance – Aye

86 Mrs. Alvis-Long – Aye

87 Mr. Weinstein – Aye

88 Delegate Merricks – Aye

89 The seventh item of business was the Split Precinct Waiver Request
90 presented by Claire Scott, ELECT Policy Analyst. Bedford County requested the
91 first precinct waiver. *These documents are in the Working Papers for the March*
92 *7,2023 Meeting.* Delegate Merricks moved *that the Board approve the Waiver to*
93 *Administer a Split Precinct as requested by Bedford County.* Vice Chair Dance
94 seconded the motion and the motion passed unanimously. A roll call vote was
95 taken:

96 Chairman O'Bannon – Aye

97 Vice Chair Dance – Aye

98 Secretary Alvis-Long – Aye

99 Mr. Weinstein – Aye

100 Delegate Merricks – Aye

101 The second split precinct request was from the City of Virginia Beach. *These*
102 *documents are in the Working Papers for the March 7,2023 Meeting.* Delegate
103 Merricks moved *that the Board approve the Waiver to Administer a Split Precinct*
104 *as requested by the City of Virginia Beach.* Vice Chair Dance seconded the motion
105 and the motion passed unanimously. A roll call vote was taken:

106 Chairman O’Bannon – Aye

107 Vice Chair Dance – Aye

108 Secretary Alvis-Long – Aye

109 Mr. Weinstein – Aye

110 Delegate Merricks – Aye

111 The eighth item of business was the Finalization of Stand By Your Ad
112 Decisions from January 18th Meeting, presented by Tammy Alexander, Campaign
113 Finance Compliance Training Specialist. *This memo is in the Working Papers for*
114 *the March 7, 2023 Meeting.* Delegate Merricks moved *that the Board finalize the*
115 *decisions made on the twelve Stand By Your Ad (SBYA) violations assessed at the*
116 *January 18, 2023 State Board of Elections (SBE) meeting.* Vice Chair Dance
117 seconded the motion and the motion passed unanimously. A roll call vote was
118 taken:

119 Chairman O’Bannon – Aye

120 Vice Chair Dance – Aye

121 Secretary Alvis-Long – Aye

122 Mr. Weinstein – Aye

123 Delegate Merricks – Aye

124 The ninth item of business was the presentation of the Advisory Review

125 Workgroup presented by Lisa Koteen Gerchick. *This presentation is in the*

126 *Working Papers for the March 7, 2023 Meeting.* As this was an informational item,

127 no motion was required.

128 The tenth item of business was the Update of the Certification Process

129 presented by Karen Hoyt-Stewart, Locality Security Program Manager. *This memo*

130 *is in the Working Papers for the March 7, 2023 Meeting.* Chairman O’Bannon

131 opened the floor to public comment. Ned Jones addressed the Board. Vice Chair

132 Dance moved *that the Board approve the current process for certifying voting*

133 *systems and electronic pollbooks and update the sections in the standards.* Mr.

134 Weinstein seconded the motion and the motion passed unanimously. A roll call

135 vote was taken:

136 Chairman O’Bannon – Aye

137 Vice Chair Dance – Aye

138 Secretary Alvis-Long – Aye

139 Mr. Weinstein – Aye

140 Delegate Merricks – Aye

141 The eleventh item of business was the Voting System Certification for
142 Elections Systems & Software 6.3.0.0 presented by Karen Hoyt-Stewart Locality
143 Security Program Manager. *This memo is in the Working Papers for the March 7,*
144 *2023 Meeting.* Mr. Weinstein moved *that the Board certify the use of Election*
145 *Systems & Software voting system – version 6.3.0.0 in elections in the*
146 *Commonwealth of Virginia, pursuant to the State Certification of Voting Systems:*
147 *Requirements and Procedures.* Vice Chair Dance seconded the motion and the
148 motion passed unanimously. A roll call vote was taken:

149 Chairman O’Bannon – Aye

150 Vice Chair Dance – Aye

151 Secretary Alvis-Long – Aye

152 Mr. Weinstein – Aye

153 Delegate Merricks – Aye

154 Chairman O’Bannon opened the floor to public comment. Geoff McVeigh,
155 Anne Kennedy, and Irene Clemins addressed the Board.

156 At 2:03 P.M., Delegate Merricks moved *pursuant to Virginia Code Section*
157 *2.2-3711(A)(7), that the Board go into closed session for the purpose of discussing*
158 *pending and threatened litigation. In accordance with Section 2.2-3712(F), Susan*
159 *Beals, Commissioner of Elections, Joshua Lief and Travis Andrews of the Office of*
160 *the Attorney General and will attend the closed session because their presence will*

161 *reasonably aid the Board in its consideration of the subject of the meeting.*

162 Secretary Alvis-Long seconded the motion and the motion passed unanimously. A

163 roll call vote was taken:

164 Chairman O'Bannon – Aye

165 Vice Chair Dance – Aye

166 Secretary Alvis-Long – Aye

167 Mr. Weinstein – Aye

168 Delegate Merricks – Aye

169 At 2:32 P.M., Delegate Merricks moved *to reconvene the meeting in open*

170 *session, and take a roll call vote certifying that to the best of each member's*

171 *knowledge (i) only such public business matters lawfully exempted from open*

172 *meeting requirements under this chapter and (ii) only such public business matters*

173 *as were identified in the motion by which the closed meeting was convened were*

174 *heard or discussed by the State Board of Elections.* Vice Chair Dance seconded the

175 motion and the motion passed unanimously. A roll call vote was taken:

176 Chairman O'Bannon – Aye

177 Vice Chair Dance – Aye

178 Secretary Alvis-Long – Aye

179 Mr. Weinstein – Aye

180 Delegate Merricks – Aye

181 The meeting adjourned at 2:35P.M.

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Chairman

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Vice-Chairman

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Secretary

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Board Member

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Board Member