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2 The State Board of Elections (“the Board”) meeting was held Tuesday, May 14, 2019, in
3 the Virginia State Capital, Senate Room 3, in Richmond, Virginia. In attendance: Robert Brink,
4 Chairman, John O’Bannon, Vice Chairman and Jamilah LeCruise, Secretary, represented the
5 State Board of Elections (“the Board”). Christopher E. “Chris” Piper, Commissioner, and Jessica
6 Bowman, Deputy Commissioner represented the Department of Elections (“ELECT”). Alex
7 West represented the Office of the Attorney General (“OAG”). Chairman Brink called the
8 meeting to order at 1:05 P.M.

9 The first order of business was for the Board to approve the February 22, 2019, and April
10 3, 2019 Board meeting minutes. Chairman Brink suggested deferring the approval of the minutes
11 until the arrival of Secretary LeCruise.

12 The next order of business was the Commissioner’s report, presented by Commissioner
13 Piper. The Commissioner presented the Board with the 2019 Legislative update. *This report is in*
14 *the Working Papers for the May 14, 2019 meeting.* Commissioner Piper introduced three new
15 employees of ELECT, Chhavi Bhasin, Data Architect, and Ronald Jackson and Don Anderson,
16 Helpdesk Analyst. The Commissioner informed the Board that the General Assembly added six
17 new positions to ELECT including two training positions, one GIS position, two list maintenance
18 positions, and one Administrative Assistant position for the fiscal and business department.
19 Commissioner Piper recognized the County of Vienna special election held on May 7, 2019.
20 The Commissioner also discussed absentee voting for the June 11th primary.

21 Upon the arrival of Secretary LeCruise the Chairman returned to the approval of the
22 minutes. The Chairman moved *to approve the minutes from the February 22, 2019, and April 3,*
23 *2019 Board meetings.* Secretary LeCruise seconded the motion, and the motion passed
24 unanimously.

25 The next order of business was the GR/EB Workgroup presentation, presented by the
26 GR/EB Co-Chairman, John Hager. Lieutenant Governor Hager provided a summary of the
27 Workgroup’s recommendations from 2014 to 2018. *This report is in the Working Papers for the*

28 *May 14, 2019 meeting.* Lisa Jeffers, a representative from the GR/EB Workgroup presented a
29 letter to Commissioner Piper providing input on the replacement of VERIS.

30 The next order of business was the Virginia Elections Benchmark Index Workgroup (“the
31 Workgroup”), presented by the Workgroup Chairwoman Allison Robbins, Wise County Director
32 of Elections/General Registrar. *This report is in the Working Papers for the May 14, 2019*
33 *meeting.* Mrs. Robbins provided a summary of the Workgroup’s main task and requested a year
34 long extension to complete the Benchmark project no later than June 2020.

35 Chairman Brink asked Mrs. Robbins if the Workgroup is considering the disparities
36 between the different regions of Virginia, and Secretary LeCruise asked if there will be any
37 provision for additional support for the smaller localities. Mrs. Robbins informed the Board the
38 Workgroup wants to provide detailed information on the requirements for running a successful
39 election. Commissioner Piper stated that the long term goal is to have data for the standards of
40 each locality. Vice Chair O’Bannon moved *to approve an extension for the Virginia Elections*
41 *Benchmark Index Workgroup until June 2020.* Chairman Brink seconded the motion and the
42 motion passed unanimously. Mrs. Robbins advised that the next meeting will be held on July 23,
43 2019.

44 The next order of business was Stand by Your Ad hearings, presented by Arielle A.
45 Schneider, Policy Analyst. Ms. Schneider requested a continuance for Joe Morrissey until the
46 next meeting, pending provision of evidence regarding the complaint against him. Chairman
47 Brink granted a *continuance until the next State Board of Elections meeting.*

48 The first complaint was against Bob Fenwick for City Council. Ms. Schneider presented
49 an undisclosed yard sign and a letter from Mr. Fenwick containing an apology for the
50 undisclosed signs and an explanation of how he corrected the advertisements. Ms. Schneider
51 advised the Board that this is a first-time violation for the sponsor, and recommended the Board
52 assess a \$50 penalty in accordance with the Board’s Schedule of Penalties for Stand By Your Ad
53 print media violations. Chairman Brink moved *subject to the Board’s authority under the Code*
54 *of Virginia §24.2-955.3, to find Bob Fenwick for City Council in violation of §24.2-956 print*
55 *media requirements with regard to one print media advertisement and assess a \$50 penalty.*
56 Secretary LeCruise seconded the motion, and the motion passed unanimously.

57 The next complaint was against Cathy Copeland for Delegate. Ms. Schneider presented
58 an undisclosed website to the Board and a letter from Cathy Copland for Delegate providing an
59 explanation and an apology for the undisclosed website. Ms. Schneider advised the Board that
60 this is a first-time violation for the sponsor, and recommended the Board assess a \$50 penalty in
61 accordance with the Board's Schedule of Penalties for Stand By Your Ad print media violations.
62 Chairman Brink moved *subject to the Board's authority under the Code of Virginia §24.2-955.3,*
63 *to find Copeland for Delegate in violation of §24.2-956 print media requirements with regard to*
64 *one print media advertisement and assess a \$50 penalty.* Secretary LeCruise seconded the
65 motion, and the motion passed unanimously.

66 The next complaint was against Edythe Kelleher for Supervisor. Ms. Schneider presented
67 a political advertisement email that was sent with the required disclosure. Ms. Schneider advised
68 that the Board dismiss the complaint because the email contained the appropriate disclosure
69 language: "Paid for and Authorized by Edythe Kelleher for Supervisor". Vice Chair O'Bannon
70 moved *subject to the Board's authority under the Code of Virginia §24.2-955.3, to dismiss this*
71 *complaint.* Chairman Brink seconded the motion, and the motion passed unanimously.

72 The next complaint was against Mike Miller for Bedford County Sheriff. Ms. Schneider
73 presented two print media advertisements to the Board and noted that a disclosure was present,
74 but incomplete. John Messier, a representative for Mike Miller addressed the Board. Mr. Messier
75 provided documentation to show the steps taken to remedy the noncompliant advertisements.
76 Ms. Schneider advised the Board that this was a first-time violation for the sponsor, and
77 recommended the Board assess a \$50 penalty for each of the two non-compliant advertisements,
78 in accordance with the Board's Schedule of Penalties for Stand By Your Ad print media
79 violations. Chairman Brink moved *subject to the Board's authority under the Code of Virginia*
80 *§24.2-955.3, to find Mike Miller for Bedford County Sheriff in violation of §24.2-956 print media*
81 *requirements with regard to two print media advertisements and assess a \$100 penalty.* Vice
82 Chair O'Bannon seconded the motion, and the motion passed unanimously.

83 The next complaint was against Robert Walter for School Board of Fairfax County. Ms.
84 Schneider presented a postcard to the Board and noted that a disclosure was not apparent on
85 either side of the postcard. Ms. Schneider advised the Board that this was a first-time violation

86 for the sponsor, but that the sponsor had not responded to the notice of the violation. Ms.
87 Schneider recommended the Board assess a \$100 penalty in accordance with the Board's
88 Schedule of Penalties for Stand By Your Ad print media violations. Chairman Brink moved
89 *subject to the Board's authority under the Code of Virginia §24.2-955.3, to find Friends of*
90 *Robert Walter in violation of §24.2-956 print media requirements with regard to one print media*
91 *advertisement and assess a \$100 penalty.* Secretary LeCruise seconded the motion, and the
92 motion passed unanimously.

93 The next complaint was against Friends of Scott Wyatt. Ms. Schneider presented the
94 Board with one print media yard sign with no disclosure. Ms. Schneider advised the Board that
95 this was a first-time violation for the sponsor, but that she had not received a response from the
96 sponsor. Ms. Schneider recommended the Board assess a \$100 penalty in accordance with the
97 Board's Schedule of Penalties for Stand By Your Ad print media violations. Tanner
98 Bonovitch, a representative for Scott Wyatt's campaign, addressed the Board. Mr. Bonovitch
99 stated that the sign had been removed and stated that the campaign has ordered new signs
100 containing the appropriate disclosure language. Ms. Schneider informed the Board that as this
101 was the first response received from the Wyatt Campaign, and that no proof had been provided
102 to show that the undisclosed sign had been remedied. Chairman Brink moved *subject to the*
103 *Board's authority under the Code of Virginia §24.2-955.3, to find Friends of Scott Wyatt in*
104 *violation of §24.2-956 print media requirements with regard to one print media advertisement*
105 *and assess a \$100 penalty.* Vice Chair O'Bannon seconded the motion, and the motion passed
106 unanimously.

107 The next complaint was against Friends of Tracey Lenox. Ms. Schneider presented the
108 Board with one print media flyer/hand card with no disclaimer. Tracey Lenox was present and
109 addressed the Board. Mrs. Lenox stated that the flyer came about in the early stages of her
110 campaign for a luncheon that she hosted. Mrs. Lenox apologized and informed the Board that all
111 of the flyers for that function had been thrown away and all the literature moving forward has
112 been accurately disclosed. Chairman Brink moved *subject to the Board's authority under the*
113 *Code of Virginia §24.2-955.3, to find Tracey Lenox in violation of §24.2-956 print media*
114 *requirements with regard to one print media advertisement and assess a \$50 penalty.* Secretary
115 LeCruise seconded the motion, and the motion passed unanimously.

116 The next complaint was against Karen Torrent for State Senate. Ms. Schneider presented
117 the Board with a print media website with no disclosure. Ms. Schneider informed the Board that
118 Ms. Torrent provided a letter of explanation and photographs of the remedied and now properly
119 disclosed website, as Ms. Torrent informed the Board that she created this website herself
120 without any assistance or staff. Ms. Schneider recommended that the Board dismiss this
121 complaint. Chairman Brink moved *subject to the Board's authority under the Code of Virginia*
122 *§24.2-955.3, to dismiss this complaint.* Secretary LeCruise seconded the motion, and the motion
123 passed unanimously.

124 The next complaint was a telephone call on behalf of Scott Wyatt. Ms. Schneider
125 discussed the definition of “campaign telephone call” and explained to the Board that this had
126 been the only complaint alleging a telephone call had been made. Vice Chair O’Bannon moved
127 *subject to the Board's authority under the Code of Virginia §24.2-955.3, to dismiss this*
128 *complaint.* Chairman Brink seconded the motion, and the motion passed unanimously.

129 The next order of business was an amendment to the Virginia Voter Registration
130 Application. Samantha Buckley presented to the Board the amendment of the Virginia Voter
131 Registration Application. *This report is in the Working Papers for the May 14, 2019 meeting.*
132 The application would be add language stating “I have been approved to be a foster parent” to
133 box four. Chairman Brink moved *to place the Virginia Voter Registration Application*
134 *amendment on public comment for 21 days.* Vice Chair O’Bannon seconded the motion, and the
135 motion passed unanimously. Chairman Brink moved that *the Board adopt the proposed*
136 *application amendment on July 1, 2019, following the required public comment period for*
137 *enactment.* Secretary LeCruise seconded the motion, and the motion passed unanimously.

138 Chairman Brink opened the floor to public comment. Robin Lind and Ms. Renee
139 Andrews spoke. Robin Lind asked the Board if they would adopt a revised General Registrar
140 Performance Review. Ms. Andrews brought up funding to localities from the state.

141 Chairman Brink then moved *to adjourn the meeting.* Vice Chair O’Bannon seconded the
142 motion and the motion passed unanimously. The meeting was adjourned at approximately 2:53
143 PM. The next Board meeting will be held on June 24, 2019.

State Board of Elections
FINAL Meeting Minutes
Tuesday, May 14, 2019

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145

Adrian Cruz

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Secretary

Robert D. Baird

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Chair

John M. Bann

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150

Vice Chair