

1 The State Board of Elections (“the Board”) meeting was held on
2 Wednesday, January 18, 2023 in the Martha Brissette Conference Room of the
3 Washington Building in Richmond, Virginia. The meeting also offered public
4 participation through electronic communication so the remote public could view
5 and hear the meeting. In attendance: Robert Brink, Chairman; Georgia Alvis-Long,
6 Secretary, Angela Chiang, and Delegate Donald Merricks, members; represented
7 the State Board of Elections (“the Board”). John O’Bannon, Vice Chairman joined
8 the meeting electronically. Susan J. Beals, Commissioner, represented the
9 Department of Elections (“ELECT”), and Joshua Lief and Travis Andrews
10 represented the Office of the Attorney General (“OAG”). Chairman Brink called
11 the meeting to order at 1:02 P.M.

12 The first item of business was the Certification of the Special Election for
13 Senate of Virginia in the 7th District, presented by Paul Saunders, Elections and
14 Registration Services Supervisor. *This memo is in the Working Papers for the*
15 *January 18, 2023 Meeting.* Delegate Merricks stated after reviewing the Abstracts
16 of Votes Cast in the January 10, 2023 Special Elections for Member Senate of
17 Virginia 7th District I *move that the Board certify the results as presented and*
18 *declare the winners.* Secretary Alvis-Long seconded the motion and the motion
19 passed unanimously. A roll call vote was taken:

20 Chairman Brink – Aye

21 Vice Chair O'Bannon – Aye

22 Secretary Alvis-Long – Aye

23 Ms. Chiang – Aye

24 Delegate Merricks – Aye

25 The second item of business was the approval of the minutes, presented by
26 Secretary Alvis-Long. Delegate Merricks moved that the Board approve the
27 minutes from the December 5, 2022 Board Meeting. Ms. Chiang seconded the
28 motion and the motion passed unanimously. A roll call vote was taken:

29 Chairman Brink – Aye

30 Vice Chair O'Bannon – Aye

31 Secretary Alvis-Long – Aye

32 Ms. Chiang – Aye

33 Delegate Merricks – Aye

34 The third item of business was the Commissioners Report, presented by
35 Commissioner Beals. Commissioner Beals expressed her appreciation to the
36 General Registrar's, Electoral Board Members and Elected Officials that assisted
37 during the January 10, 2023 Special Election. The Commissioner expressed her
38 appreciation to the City of Virginia Beach, the City of Norfolk, Fairfax County,
39 Amherst County, Augusta County, City of Buena Vista, City of Lexington and
40 Rockbridge County for conducting a Special Election on January 10, 2023.

41 Commissioner Beals expressed her gratitude to the departing Electoral Board
42 Members whose term ended in December. The Commissioner welcomed the 133
43 new Electoral Board Members that have been appointed.

44 Commissioner Beals stated that the Electoral Board members have several
45 opportunities for training starting February 4th. The Commissioner informed the
46 Board that a Special Election will be held on February 21st for the 4th
47 Congressional District, involving 14 localities. Commissioner Beals stated that
48 another Special Election will be held on February 21st for Prince William County
49 for the Board of Supervisors seat. The Commissioner stated that a Special Election
50 will be held on March 7th for a Treasurer in King William County.

51 The fourth item of business was the Certification of the Special Elections for
52 House of Delegates in the 24th and 35th District, presented by Paul Saunders,
53 Elections and Registration Services. *This memo is in the Working Papers for the*
54 *January 18, 2023 Meeting.* Delegate Merricks stated after reviewing the Abstracts
55 of Votes Cast in the January 10, 2023 Special Elections for Member, House of
56 Delegates 35th District, and Member, House of Delegates 24th District I *move that*
57 *the Board certify the results as presented and declare the winners.* Secretary Alvis-
58 Long seconded the motion and the motion passed unanimously. A roll call vote
59 was taken:

60 Chairman Brink – Aye

61 Vice Chair O'Bannon – Aye

62 Secretary Alvis-Long – Aye

63 Ms. Chiang – Aye

64 Delegate Merricks – Aye

65 The fifth item of business was the Split Precinct Waiver for Chesterfield
66 County, presented by Claire Scott, ELECT Policy Analyst. *This memo is in the*
67 *Working Papers for the January 18, 2023 Meeting.* Ms. Chiang moved *that the*
68 *State Board of Elections approve the split precinct waiver for Chesterfield County*
69 *pursuant to §24.2-307.* Delegate Merricks seconded the motion and the motion
70 passed unanimously. A roll call vote was taken:

71 Chairman Brink – Aye

72 Vice Chair O'Bannon – Aye

73 Secretary Alvis-Long – Aye

74 Ms. Chiang – Aye

75 Delegate Merricks – Aye

76 The sixth item of business was the Risk Limiting Audit Report, presented by
77 Karen Hoyt-Stewart, Locality Security Program Manager and Claire Scott, ELECT
78 Policy Analyst. *This report is in the Working Papers for the January 18, 2023*
79 *Meeting.* Chairman Brink opened the floor to public comment. Ned Jones, Shelley
80 Oberlander, Jeff Fuller, Elizabeth Block, and Christine Brim addressed the Board.

81 As this was an information item, no motion was required.

82 The seventh item of business was Stand by Your Ad, presented by Tammy
83 Alexander, Campaign Finance Compliance and Training Supervisor. The first
84 complaint was against Children Advocates For Ward 3 Candidate Mark S.
85 Askew Sr. Mrs. Alexander informed the Board that one complaint was submitted
86 for two undisclosed flyers and one undisclosed banner. She advised the Board that
87 this is a first time violation within the 14 days prior to the Election. Mr. Askew
88 addressed the Board.

89 Secretary Alvis-Long moved *to dismiss the complaint*. Delegate Merricks
90 seconded the motion and the motion passed unanimously. A roll call vote was
91 taken:

92 Chairman Brink – Aye

93 Vice Chair O’Bannon – Aye

94 Secretary Alvis-Long – Aye

95 Ms. Chiang – Aye

96 Delegate Merricks – Aye

97 The next complaint was against Chris Daniels for School Board. Mrs.
98 Alexander informed the Board that one complaint was submitted for one
99 undisclosed t-shirt. She advised the Board that this is a first time violation. Mr.
100 Daniels addressed the Board. Ms. Chiang moved *subject to the Board’s authority*

101 *under the Code of Virginia §24.2-955.3, to find Chris Daniels in violation of*
102 *§24.32-956 Stand By Your Ad print media disclosure requirements with regard to*
103 *one print media advertisement, and assess a \$25 civil penalty.* Delegate Merricks
104 seconded the motion and the motion passed unanimously. A roll call vote was
105 taken:

106 Chairman Brink – Aye

107 Vice Chair O’Bannon – Aye

108 Secretary Alvis-Long – Aye

109 Ms. Chiang – Aye

110 Delegate Merricks – Aye

111 The next complaint was against Friends of Evan Clark. Mrs. Alexander
112 informed the Board that one complaint was submitted for one undisclosed banner,
113 one undisclosed newspaper ad and one undisclosed sign. She advised the Board
114 that this is a first time violation. Mr. Clark addressed the Board. Delegate Merricks
115 moved *subject to the Board’s authority under the Code of Virginia §24.2-955.3, to*
116 *find Evan Clark in violation of §24.32-956 Stand By Your Ad print media*
117 *disclosure requirements with regard to three print media advertisements, and*
118 *assess a \$25 civil penalty.* Ms. Chiang seconded the motion and the motion passed
119 unanimously. A roll call vote was taken:

120 Chairman Brink – Aye

121 Vice Chair O'Bannon – Aye

122 Secretary Alvis-Long – Aye

123 Ms. Chiang – Aye

124 Delegate Merricks – Aye

125 The next complaint was against Jackson for Roanoke. Mrs. Alexander
126 informed the Board that one complaint was submitted for one inadequate
127 disclosure on one sign. Ms. Chiang moved *to dismiss the complaint*. Delegate
128 Merricks seconded the motion and the motion passed unanimously. A roll call vote
129 was taken:

130 Chairman Brink – Aye

131 Vice Chair O'Bannon – Aye

132 Secretary Alvis-Long – Aye

133 Ms. Chiang – Aye

134 Delegate Merricks – Aye

135 The next complaint was against Joyner for Council. Mrs. Alexander
136 informed the Board that one complaint was submitted for one undisclosed sign.
137 She advised the Board that this is a first time violation not within the 14 days prior
138 to the Election. Ms. Joyner addressed the Board. Delegate Merricks *moved to*
139 *dismiss the complaint*. Secretary Alvis-Long seconded the motion and the motion
140 passed unanimously. A roll call vote was taken:

141 Chairman Brink – Aye

142 Vice Chair O’Bannon – Aye

143 Secretary Alvis-Long – Aye

144 Ms. Chiang – Aye

145 Delegate Merricks – Aye

146 The next complaint was against Leigh Carley for School Board. Mrs.

147 Alexander informed the Board that one complaint was submitted for one

148 undisclosed banner. She advised the Board that this is a first time violation not

149 within the 14 days prior to the Election. Leigh Carley addressed the Board.

150 Delegate Merricks moved *to dismiss the complaint*. Ms. Chiang seconded the

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

152 Chairman Brink – Aye

153 Vice Chair O’Bannon – Aye

154 Secretary Alvis-Long – Aye

155 Ms. Chiang – Aye

156 Delegate Merricks – Aye

157 The next complaint was against Michael Storrs. Mrs. Alexander informed

158 the Board that one complaint was submitted for one undisclosed yard sign. She

159 advised the Board this is a first time violation not within the 14 days of the

160 Election. Michael Storrs addressed the Board. Ms. Chiang moved *subject to the*

161 *Board's authority under the Code of Virginia §24.2-955.3, to find Michael Storrs*
162 *in violation of §24.32-956 Stand By Your Ad print media disclosure requirements*
163 *with regard to one print media advertisement, and assess a \$25 civil penalty.*

164 Delegate Merricks seconded the motion and the motion passed unanimously. A roll
165 call vote was taken:

166 Chairman Brink – Aye

167 Vice Chair O'Bannon – Aye

168 Secretary Alvis-Long – Aye

169 Ms. Chiang – Aye

170 Delegate Merricks – Aye

171 The next complaint was against was Monica for City Council. Mrs.

172 Alexander informed the Board that one complaint was submitted for one

173 undisclosed website. She advised the Board that this is a first time violation not

174 within the 14 days prior to the Election. Ms. Robinson addressed the Board.

175 Delegate Merricks moved *subject to the Board's authority under the Code of*

176 *Virginia §24.2-955.3, to find Monica Robinson in violation of §24.32-956 Stand By*

177 *Your Ad print media disclosure requirements with regard to one website, and*

178 *assess a \$25 civil penalty.* Secretary Alvis-Long seconded the motion and the

179 motion passed unanimously. A roll call vote:

180 Chairman Brink – Aye

181 Vice Chair O'Bannon – Aye

182 Secretary Alvis-Long – Aye

183 Ms. Chiang – Aye

184 Delegate Merricks – Aye

185 The next complaint was against Roanoke Forward PAC. Mrs. Alexander
186 informed the Board that one complaint was submitted for one ad, one website with
187 sample ballots, and one billboard with no disclosure. She advised the Board that
188 this is a first time violation and the webpage violation was made within the 14 days
189 prior to the Election. Charlie Nave addressed the Board. Ms. Chiang moved *subject*
190 *to the Board's authority under the Code of Virginia §24.2-955.3, to find Roanoke*
191 *Forward in violation of §24.32-956 Stand By Your Ad print media disclosure*
192 *requirements with regard to three print media advertisements, and assess a \$200*
193 *civil penalty. No action was taken.*

194 The next complaint was against Vote Mady for Ward 4. Mrs. Alexander
195 informed the Board that one complaint was submitted for one sign undisclosed
196 sign. She advised the Board that this is a first time violation not within the 14 days
197 prior to the Election. Delegate Merricks moved *subject to the Board's authority*
198 *under the Code of Virginia §24.2-955.3, to find Mady Rodriguez in violation of*
199 *§24.32-956 Stand By Your Ad print media disclosure requirements with regard to*
200 *one print media sign assess a \$25 civil penalty. Secretary Alvis-Long seconded the*

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

202 Chairman Brink – Aye

203 Vice Chair O’Bannon – Aye

204 Secretary Alvis-Long – Aye

205 Ms. Chiang – Aye

206 Delegate Merricks – Aye

207 The next complaint was against Rick Nagel for City Council. Mrs.

208 Alexander informed the Board that one complaint was submitted for one Facebook

209 Video with no disclosure. She advised the Board that this is a first time violation

210 not within the 14 days prior to the Election. Mr. Nagel addressed the Board. Ms.

211 Chiang moved *subject to the Board’s authority under the Code of Virginia §24.2-*

212 *955.3, to find Rick Nagel in violation of §24.32-957.1 Stand By Your Ad television*

213 *and video disclosure requirements with regard to one video advertisement, and*

214 *assess a \$25 civil penalty.* Delegate Merricks seconded the motion and the motion

215 passed unanimously. A roll call vote was taken:

216 Chairman Brink – Aye

217 Vice Chair O’Bannon – Aye

218 Secretary Alvis-Long – Aye

219 Ms. Chiang – Aye

220 Delegate Merricks – Aye

221 The last complaint was submitted for Campaign Committee for Renee Dial
222 for School Board for IWCS. Mrs. Alexander informed the Board that one
223 complaint was submitted for one sign and one sample ballot with no disclosure.
224 She advised the Board that the sample ballot violation was made within the 14
225 days prior to the Election. Delegate Merricks moved *subject to the Board's*
226 *authority under the Code of Virginia §24.2-955.3, to find Renee Dial in violation*
227 *of §24.32-956 Stand By Your Ad print media disclosure requirements with regard*
228 *to one print media advertisements, and assess a \$100 civil penalty.* Ms. Chiang
229 seconded the motion and the motion passed unanimously. A roll call vote was
230 taken:

231 Chairman Brink – Aye

232 Vice Chair O'Bannon – Aye

233 Secretary Alvis-Long – Aye

234 Ms. Chiang – Aye

235 Delegate Merricks – Aye

236 Secretary Alvis-Long presented the Board with a formal Resolution
237 commending Robert Brink for his service as Chairman of the State Board of
238 Election for the Department of Elections. A roll call vote was taken:

239 Chairman Brink – Aye

240 Vice Chair O'Bannon – Aye

241 Secretary LeCruise – Aye

242 Ms. Chiang – Aye

243 Delegate Merricks – Aye

244 The Resolution is included in the minutes as APPENDIX: A.

245 Chairman Brink opened the floor to Public Comment. Anne Kinney, Irene
246 Churins, Ann Grigorian, Chris Rohland, Ned Jones, and Shelley Oberlander
247 addressed the Board.

248 At 3:00 P.M., Delegate Merricks moved *pursuant to Virginia Code Section*
249 *2.2-3711(A)(7), that the Board go into closed session for the purpose of discussing*
250 *pending and threatened litigation. In accordance with Section 2.2-3712(F), Susan*
251 *Beals, Commissioner of Elections, Joshua Lief and Travis Andrews of the Office of*
252 *the Attorney General, and will attend the closed session because their presence*
253 *will reasonably aid the Board in its consideration of the subject of the meeting.*

254 Ms. Chiang seconded the motion and the motion passed unanimously. A roll call
255 vote was taken:

256 Chairman Brink – Aye

257 Vice Chair O'Bannon – Aye

258 Secretary Alvis-Long – Aye

259 Ms. Chiang – Aye

260 Delegate Merricks – Aye

261 At 3:21 P.M., Delegate Merricks moved *to reconvene the meeting in open*
262 *session, and take a roll call vote certifying that to the best of each member's*
263 *knowledge (i) only such public business matters lawfully exempted from open*
264 *meeting requirements under this chapter and (ii) only such public business matters*
265 *as were identified in the motion by which the closed meeting was convened were*
266 *heard or discussed by the State Board of Elections.* Secretary Alvis-Long seconded
267 the motion and the motion passed unanimously. A roll call vote was taken:

268 Chairman Brink – Aye

269 Vice Chair O'Bannon – Aye

270 Secretary Alvis-Long – Aye

271 Ms. Chiang – Aye

272 Delegate Merricks – Aye

273 Secretary Alvis-Long moved *to adjourn the meeting.* Delegate Merricks
274 seconded the motion and the motion passed unanimously. The meeting adjourned
275 at 3:23 P.M.

276

277

278

279

280

281

State Board of Elections
Wednesday, January 18, 2023
FINAL Meeting Minutes

282

283

John M. Barron, III
Chairman

284

285

286

287

Gary R. Mc
Vice-Chairman

288

289

290

Georgia Ellis-Long
Secretary

291

292

293

Mike Mc
Board Member

294

295

296

Uma Simpson
Board Member

297

**RESOLUTION OF THE VIRGINIA STATE BOARD OF
ELECTIONS COMMENDING ROBERT H. BRINK FOR HIS
SERVICE AS CHAIRMAN OF THE VIRGINIA STATE BOARD
OF ELECTIONS**

WHEREAS, Robert H. (Bob) Brink's service to the Commonwealth as Chairman of the Virginia State Board of Elections will end in January 2023;

WHEREAS, Chairman Brink has a distinguished record as the Delegate of the 48th District in the Virginia General Assembly, as the Deputy Commissioner for the Department for Aging and Rehabilitative Services, and as a Senior Legislative Advisor to Governor Terrence R. McAuliffe;

WHEREAS, since 2019 Chairman Brink has chaired the Virginia State Board of Elections with unmatched professionalism, abundant grace, and unwavering leadership;

WHEREAS, in that position Chairman Brink guided the Virginia State Board of Elections through the challenge of adapting to changes in election processes due to a global public health emergency;

WHEREAS, seeing the need for a cohesive and focused source of study and recommendations regarding the electoral process Chairman Brink saw the establishment of the Advisory Review Workgroup, which provides valuable input to the State Board of Elections from the Virginia elections community and the public;

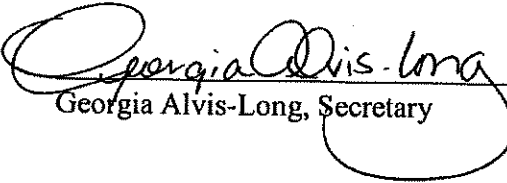
WHEREAS, recognizing the public's need to be heard regarding the electoral process, Chairman Brink gave every opportunity for the public to be heard both during meetings and through the exchange letters sent from his desk;

WHEREAS, through changes within the Office of Virginia Governor, the Virginia General Assembly, and the court of public opinion, Chairman Brink has been a fair and balanced voice on the State Board of Elections during trying times; now therefore be it:

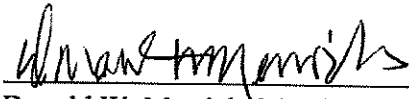
RESOLVED that the State Board of Elections commends Robert H. Brink for his steadfast guidance of the Virginia State Board of Elections and thanks him for his service to the Board, the Department, the Virginia elections community, the Code of Virginia, the United States and Virginia Constitutions, and the Commonwealth.

Adopted this 18th day of January, 2023.

John O'Bannon M.D., Vice Chairman



Georgia Alvis-Long, Secretary



Donald W. Merrick, Member



Angela Chiang, Member