

## Albemarle County Electoral Board

### Virtual and In Person Meeting

December 1, 2021

Location: Albemarle County Office Building, 5<sup>th</sup> Street

Attendance: Jim Heilman, Michael Rodemeyer, Peter Wurzer, Jake Washburne, Erin Davis, Lauren Eddy, and Anne Schermerhorn

Observers: Abigail Turner, Albemarle Democratic Committee; Clara Belle Wheeler, Albemarle Republican Committee; Kerin Yates, League of Women Voters

The meeting began at 9:00 am.

Peter made the following statement: This meeting is being held pursuant to and in compliance with the Continuity of Government Ordinance adopted by the Albemarle County Board of Supervisors. The following individuals are physically and electronically present: *(Erin and Kerin were electronically present; all others were physically present.)*

The agenda was amended and unanimously adopted.

The minutes for October 26 and November 3, 4, 5, and 8 were unanimously approved.

Update on incorrect ballots sent to three Crozet area precincts. Jake reviewed a draft report he is preparing for the Board of Supervisors on wrong ballots being sent to three precincts due to a printer error. We know for sure that 165 wrong ballots were mailed out. Jim suggested sending the report as soon as possible to Supervisor Ann Mallek. Michael suggested sending a cover letter report on the election along with the report on incorrect ballots and a report on the ballot shortage that occurred election afternoon. Peter suggested adding a note that, in the future, we will order significantly more ballots than we project we will need, but that doing this will cost more. Jim asked about seeking recompense from the printer at PrintElect due to his error. Peter asked whether we should change printers. Discussion ensued. Peter suggested sending a letter to PrintElect asking what they are going to do to keep our business and ensure that this kind of mistake doesn't happen again.

Ballot Shortage on Election Day. Jake discussed his draft report on why we ran out of ballots at several precincts and what we did to rectify the situation. He and the Board further discussed how long some voters had to wait for emergency ballots to arrive. Discussion ensued. Jake will make some revisions to his report and send a draft of it to Electoral Board members for review and revision.

Allegations of mail ballots delayed by USPS. Michael asked for an accounting of mail ballots that arrived after the deadline for counting them. Jake presented a report on this. Of 79 ballots that were received after the deadline, 36 were postmarked by the November 2<sup>nd</sup> deadline and should have arrived and been counted by the noon November 5<sup>th</sup> deadline – but they didn't arrive until after the deadline. He further noted that the overall return rate of mail ballots was similar to previous elections. Abigail suggested adding a discussion of this to our reports to the Board of Supervisors.

Michael expressed appreciation to the Staff for all the extra effort that they made to rectify both the incorrect ballot snafu and the ballot shortage on Election Day.

Woodbrook Precinct Election Day Complaint. Discussion was held about a voter who voted and then had to wait inside (it was raining outside) for the Jaunt bus to come pick her up. She complained that

the election officers had treated her rather poorly while she waited. Discussion ensued. Anne suggested that some sensitivity training for handling such situations be incorporated into election officer training.

Hotwash (meeting with Chief and Assistant Chief Officers to discuss Nov 2 Election). We agreed to have two virtual sessions and to send out letters to chiefs and assistants to ask them to send us their questions/comments/concerns ahead of time. These sessions were tentatively scheduled for December 14 and 15.

Winning Candidate Certificates. Lauren said she will print these out, and Jim will come in and sign them.

Redistricting. The time frame for redistricting Albemarle County is still uncertain. The State Supreme Court should approve plans for redistricting the Commonwealth in about three weeks, and then we can start redistricting County Magisterial Districts. Jim suggested sending something to the Board of Supervisors asking for their thoughts on this.

Same-day Voter Registration. Although the General Assembly supposedly passed a law mandating same-day registration starting this fall, the Board found it baffling that there is nothing in the law concerning it. It was noted that there will probably be further discussion of this in the upcoming General Assembly session.

Tracking Early in Person (EIP) and Mail-in Votes to the Precincts they came from. Currently, all EIP and mail-in vote results are recorded as votes cast in the Central Absentee Precinct. The General Assembly wants us to record them under the precinct they came from. Our current technology provides no easy way to do this. Jake noted that, in the November election, several localities piloted a program using ExpressVote machines to accomplish this. Jake noted that it could also be accomplished using Ballot-on-demand machines but that both methods will slow up the voting process. Michael pointed out that there would be issues with using ExpressVote for this purpose because it would be similar to using touch-screen machines. Discussion ensued.

Election Officer Appointment Schedule. We will be appointing election officers the first week in February. Anne raised the issue of trying to avoid appointing people for terms that would end February 28, 2024 since reappointing them beginning March 1, 2024 would pose difficulties in light of the Presidential Primary happening the first week in March. Erin asked that we revisit this issue later.

Election Officer Management Software. Jake said that the Election Force software that we bought and used this year has not lived up to expectations. He and staff have looked at an alternative called EasyVote and would like to switch to that. Consensus was that this would be a good idea.

Retirement. Peter announced that he is retiring at the end of his term – December 31. The other Board members and staff expressed dismay and sadness over his announcement. Michael (and others) expressed heartfelt thanks to him for his outstanding service to the Board, staff, and voters of Albemarle County.

Executive Session. Michael moved the following: RESOLVED, that the Board enter into executive session for the purpose of discussion and consideration of the appointment, assignment and performance of one or more current and prospective Albemarle County election officers for the election cycle that begins on March 1, 2021, as provided by Section 2.2-3711.A.1 of the Code of Virginia. The motion passed unanimously. The Board went into Executive Session at 11:29 am.

The Board came out of Executive Session at 11:54 am. (Staff, Board members and Abigail participated in the Executive Session.) Michael moved the following: RESOLVED, that to the best knowledge of each member of this Board (i) only public business matters lawfully exempted from the open meeting requirements of Chapter 37 (Virginia Freedom of Information Act) of Title 2.2 of the Code of Virginia and (ii) only such public business matters as were identified in the motion by which today's executive session was convened were heard, discussed or considered in the executive session. The motion passed unanimously.

The meeting was adjourned at 11:55 am.

Respectfully submitted,

James M. Heilman  
Secretary, Albemarle County Electoral Board

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