

1 The State Board of Elections (“the Board”) meeting was held on Monday, December 13,
2 2021, in the Martha Brissette Conference Room of the Washington Building in Richmond,
3 Virginia. The meeting also offered public participation through electronic communication so the
4 remote public could view and hear the meeting. In attendance: Robert Brink, Chairman, John
5 O’Bannon, Vice Chairman, Jamilah LeCruise, Secretary, Angela Chiang, and Delegate Donald
6 Merricks, represented the State Board of Elections (“the Board”). Christopher E. “Chris” Piper,
7 Commissioner, represented the Department of Elections (“ELECT”) and Carol Lewis
8 represented the Office of the Attorney General (“OAG”). Chairman Brink called the meeting to
9 order at 1:00 P.M.

10 The first item of business was the approval of minutes presented by Secretary LeCruise.
11 Vice Chair O’Bannon *moved that the Board approve the amended minutes from the November*
12 *15, 2021 Board Meeting*. Delegate Merricks seconded the motion and the motion passed
13 unanimously. A roll call vote was taken:

- 14 Chairman Brink – Aye
- 15 Vice Chair O’Bannon – Aye
- 16 Secretary LeCruise – Aye
- 17 Ms. Chiang – Aye
- 18 Delegate Merricks – Aye

19 The next item of business was the Commissioner’s Report presented by Commissioner
20 Piper. Commissioner Piper informed the Board they would be choosing two districts to conduct a
21 Risk Limiting Audit (“RLA”) in 2022. The Commissioner stated that ELECT must schedule
22 RLAs under the current law. Commissioner Piper informed the Board that there were three
23 recounts conducted in Virginia and all winners have been confirmed. The Commissioner stated
24 that there have been conversations about ELECTS' role in redistricting.

25 Commissioner Piper informed the Board that once ELECT receives the redistricting lines,
26 ELECT will work with the General Registrar (“GR”) to input them into the database. This
27 ensures the voters are placed in the correct district and voting precinct.

28 The next item of business was the 2021 Periodic Review of Regulation 1VAC20-20
29 presented by Ashley Coles, ELECT Policy Analyst. *This memo is in the Working Papers for the*
30 *December 13, 2021 Meeting.* Secretary LeCruise moved *that the Board adopt the Department’s*
31 *proposed amendments to Administrative Code 1VAC20-20.* Ms. Chiang seconded the motion and
32 the motion passed unanimously. A roll call vote was taken:

33 Chairman Brink – Aye

34 Vice Chair O’Bannon – Aye

35 Secretary LeCruise – Aye

36 Ms. Chiang – Aye

37 Delegate Merricks – Aye

38 The next item of business was the Risk Limiting Audit Drawing presented by Rachel
39 Lawless, Confidential Policy Advisor. *This memo is in the Working Papers for the December 13,*
40 *2021 Meeting.* Ms. Lawless Secretary LeCruise moved *that the Board randomly draws two of the*
41 *five House of Delegate races, selected by ELECT, to determine the participants of the 2022 Risk-*
42 *Limiting Audit of the 2021 General Election.* Delegate Merricks seconded the motion and the
43 motion passed unanimously. A roll call vote was taken:

44 Chairman Brink – Aye

45 Vice Chair O’Bannon – Aye

46 Secretary LeCruise – Aye

47 Ms. Chiang – Aye

48 Delegate Merricks – Aye

49 The participants of the 2022 Risk-Limiting Audit is as follows:

50 1. 13th House District

51 2. 75th House District

52 The next item of business was the Hanover Election Result Certification presented by
53 David Nichols, Elections Administration Manager. *This memo is in the Working Papers for the*
54 *December 13, 2021 Meeting.* Delegate Merricks stated after reviewing the corrected Abstracts of
55 Votes for Governor, Lieutenant Governor, Attorney General, and Members House of Delegates
56 Districts 55 and 97, *I move the Board certify and sign the corrected statements as presented by*
57 *the Department of Elections.* Vice Chair O'Bannon seconded the motion and the motion passed
58 unanimously. A roll call vote was taken:

59 Chairman Brink – Aye

60 Vice Chair O'Bannon – Aye

61 Secretary LeCruise – Aye

62 Ms. Chiang – Aye

63 Delegate Merricks – Aye

64 At 1:16 P.M., Secretary LeCruise moved *that the Board go into closed session for the*
65 *purpose of consultation with legal counsel and briefings by staff members or consultants*
66 *pertaining to actual or probable litigation, where such consultation or briefing in open meeting*
67 *would adversely affect the negotiating or litigating posture of the public body, as authorized by*
68 *Section 2.2-3711(A)(7) of the Code of Virginia. In accordance with Virginia Code Section 2.2-*
69 *3712(F), Carol Lewis from the Office of the Attorney General, as well as Christopher Piper,*
70 *Commissioner and DJ Geiger, Director of Operations with the Department of Elections will*
71 *attend the closed session because their presence will reasonably aid the Board in its*
72 *consideration of a topic that is a subject of the meeting.* Vice Chair O'Bannon seconded the

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

74 Chairman Brink – Aye

75 Vice Chair O’Bannon – Aye

76 Secretary LeCruise – Aye

77 Ms. Chiang – Aye

78 Delegate Merricks – Aye

79 At 1:42 P.M., Vice Chair O’Bannon moved *to reconvene in open session, and take a roll*

80 *call vote certifying that to the best of each member’s knowledge (i) only such public business*

81 *matters lawfully exempted from open meeting requirements under this chapter and (ii) only such*

82 *public business matters as were identified in the motion by which the closed meeting was*

83 *concerned were heard, discussed, or considered.* Secretary LeCruise seconded the motion and

84 the motion passed unanimously. A roll vote was taken:

85 Chairman Brink – Aye

86 Vice Chair O’Bannon – Aye

87 Secretary LeCruise – Aye

88 Ms. Chiang – Aye

89 Delegate Merricks – Aye

90 Delegate Merricks moved *to adjourn the meeting.* Vice Chair O’Bannon seconded the motion

91 and the motion passed unanimously.

92 The meeting adjourned at 1:45 P.M.

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Chairman

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Vice-Chairman

State Board of Elections
December 13, 2021
DRAFT Meeting Minutes

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Secretary

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Board Member

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Board Member

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