

State Board of Elections
FINAL Meeting Minutes
Wednesday, June 30, 2021

1 The State Board of Elections (“the Board”) meeting was held by electronic
2 communication on Wednesday, June 30, 2021. In attendance: Robert Brink, Chairman, John
3 O’Bannon, Vice Chairman, and Jamilah LeCruise, Secretary, represented the State Board of
4 Elections (“the Board”). Christopher E. “Chris” Piper, Commissioner, represented the
5 Department of Elections (“ELECT”) and Carol Lewis represented the Office of the Attorney
6 General (“OAG”). Chairman Brink called the meeting to order at 1:00 P.M.

7 Chairman Brink informed the Board that on March 12, 2020, Governor Ralph S.
8 Northam declared that a state of emergency (expiring that day at 11:59 P.M.) exists in the
9 Commonwealth as the result of the potential spread of COVID-19, a communicable disease
10 presenting a threat to public health. On March 30, 2020, the Governor issued an executive
11 order requiring all individuals in Virginia to remain at their place of residence, with certain
12 enumerated exceptions.

13 This meeting was conducted consistent with the requirements for electronic meetings
14 by public bodies set forth in Items 4-0.01 of House Bills 29 and 30, as passed by the General
15 Assembly (“GA”) and signed by the Governor in April of 2020. The purpose of the meeting is
16 to transact the statutorily required business of the Board. Chairman Brink stated that the
17 Board would receive public comments on agenda items prior to its action on that item. An
18 open public comment period would be offered prior to adjournment.

19 The first item of business is the Request for late acceptance for ELECT-511 presented
20 by, David Nichols, Elections Administration Manager. Mr. Nichols informed the Board three

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21 party chairmen had requested that the Board accept their 511 candidate nomination forms.

22 *This report is in the Working Papers for the June 30, 2021 meeting.* Chairman Brink opened

23 the floor to public comment. No public comment was given. Vice Chair O'Bannon made the

24 following motion: "In consideration of the requirements imposed by Virginia Code § 24.2-

25 511(A) that the District Party Chairman certify to the State Board of Elections the name of

26 any candidate who has been nominated by his party by a method other than a primary for an

27 office to be elected by the qualified voters of a General Assembly District, and the date of

28 such nomination, not later than 5 days after the last day for nominations to be made,

29 "As well as the evidence that the candidate David LaRock made all reasonable attempts to

30 comply with the submission process, as demonstrated by—

31 • The June 22, 2021 letter from Mr. Chris Ashby on behalf of Delegate LaRock; and

32 • The June 22, 2021 testimony at the State Board of Elections meeting from Mr. Lee

33 Goodman on behalf of Delegate LaRock;

34 "And the important constitutional rights associated with a party's access to the ballot,

35 *"I move that the Board accept the ELECT-511 form certifying the Republican nominee for the*

36 *33rd House of Delegates District."* Chairman Brink seconded the motion and the motion

37 passed 2-1. A roll call vote was taken:

38 Chairman Brink – Aye

39 Vice Chair O'Bannon – Aye

40 Secretary LeCruise – Nay

41 Vice Chair O'Bannon made the following motion: " In consideration of the requirements
42 imposed by Virginia Code § 24.2-511(A) that the District Party Chairman certify to the State
43 Board of Elections the name of any candidate who has been nominated by his party by a
44 method other than a primary for an office to be elected by the qualified voters of a General
45 Assembly District, and the date of such nomination, not later than 5 days after the last day for
46 nominations to be made,

47 "As well as the evidence that the candidate Matthew John Lang made all reasonable attempts
48 to comply with the submission process, as demonstrated by—

- 49 • The June 29, 2021 letter from Mr. Chris Marston on behalf of Mr. Lang; and
- 50 • The June 28, 2021 affidavit of Mr. Robert Kenyon, the Chair of the Republican Party
51 of Virginia's Legislative District Committee for the 36th House of Delegates District;

52 "And the important constitutional rights associated with a party's access to the ballot,

53 I move *that the Board accept the ELECT-511 form certifying the Republican nominee for the*
54 *36th House of Delegates District.*" Chairman Brink seconded the motion and the motion
55 passed 2-1. A roll call vote was taken:

56 Chairman Brink – Aye

57 Vice Chairman O'Bannon – Aye

58 Secretary LeCruise – Nay

59 Vice Chair O’Bannon made the following motion: “In consideration of the requirements
60 imposed by Virginia Code § 24.2-511(A) that the District Party Chairman certify to the State
61 Board of Elections the name of any candidate who has been nominated by his party by a
62 method other than a primary for an office to be elected by the qualified voters of a General
63 Assembly District, and the date of such nomination, not later than 5 days after the last day for
64 nominations to be made,

65 “As well as the evidence that the candidate Gina Ciarcia made all reasonable attempts to
66 comply with the submission process, as demonstrated by—

- 67 • The June 29, 2021 letter from Mr. Chris Marston on behalf of Ms. Ciarcia; and
- 68 • The June 29, 2021 affidavit of Ms. Heather Mitchell, the Chair of the Republican Party
69 of Virginia’s Legislative District Committee for the 2nd House of Delegates District;

70 “And the important constitutional rights associated with a party’s access to the ballot,

71 “I move *that the Board accept the ELECT-511 form certifying the Republican nominee for the*
72 *2nd House of Delegates District.*” Chairman Brink seconded the motion and the motion
73 passed 2-1.

74 Chairman Brink – Aye

75 Vice Chairman O’Bannon – Aye

76 Secretary LeCruise – Nay

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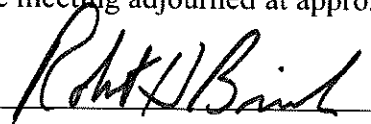
77 The next item of business was the Candidate Filing Extension presented by David
78 Nichols, Elections Administration Manager. *This report is in the Working Papers for the June*
79 *30, 2021 meeting.* Chairman Brink opened the floor to public comment. No public comment
80 was given. The Chair asked if any members of the Board wished to make a motion. Hearing
81 none, the Chair moved to the next item on the agenda.

82 Chairman Brink opened the floor to public comment. No public comment was given.

83 Vice Chair O'Bannon moved that the Board adjourn the meeting. Secretary LeCruise
84 seconded the motion and the motion passed unanimously.

85 The meeting adjourned at approximately 1:22 P.M.

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Chairman

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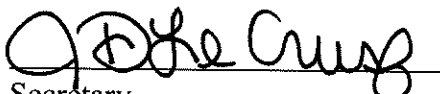
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Vice Chairman

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Secretary