

State Board of Elections
Wednesday, July 5, 2023
FINAL Meeting Minutes

1 The State Board of Elections (“the Board”) meeting was held on Wednesday, July 5, 2023
2 in Senate Room A of the Pocahontas Building in Richmond, Virginia. The meeting also offered
3 public participation through electronic communication so the remote public could view and hear
4 the meeting. In attendance: John O’Bannon, Chairman; Rosalyn R. Dance, Vice Chair; Georgia
5 Alvis-Long, Secretary and Delegate Merricks, member; represented the State Board of Elections
6 (“the Board”). Matthew Weinstein attended the meeting electronically. Susan J. Beals,
7 Commissioner, represented the Department of Elections (“ELECT”), and Travis Andrews
8 represented the Office of the Attorney General (“OAG”). Chairman O’Bannon called the meeting
9 to order at 1:00 P.M.

10 The first item of business was the Commissioner’s Report, presented by
11 Commissioner Beals. Commissioner Beals stated that 66 localities held a Primary Election on
12 June 20th. The Commissioner expressed her appreciation to the General Registrars, Electoral
13 Boards, and the local Officers of Elections. Commissioner Beals stated that election days are
14 usually 15 hours long, starting from 5:00 AM to 8:00 PM. The Commissioner stated that Virginia
15 is one of the only states that have multiple Elections each year.

16 The second item of business was the approval of the minutes from the May 30, 2023 and
17 June 20, 2023 Board Meetings, presented by Secretary Alvis-Long. Vice Chair Dance moved
18 *that the Board approve the minutes from the May 30, 2023 and June 20, 2023 Board Meetings.*
19 Delegate Merricks seconded the motion, and the motion passed unanimously. A roll call vote was
20 taken:

21 Chairman O’Bannon – Aye

22 Vice Chair Dance – Aye

23 Secretary Alvis-Long – Aye

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24 Mr. Weinstein – Aye

25 Delegate Merricks – Aye

26 The third item of business was the Certification of Election Results for the June 20, 2023
27 Democratic and Republican Primary Elections presented by Paul Saunders, Elections and
28 Registration Services Supervisor. *The results are in the Working Papers for the July 5, 2023*
29 *Meeting.* Delegate Merricks moved *that the Board certify the results of the June 20, 2023*
30 *Democratic and Republican Primary Elections as presented and declare the winners of each*
31 *primary to be that party's nominee for the November 7, 2023 General Election.* Vice Chair
32 Dance seconded the motion, and the motion passed unanimously. A roll call vote was taken:

33 Chairman O'Bannon – Aye

34 Vice Chair Dance – Aye

35 Secretary Alvis-Long – Aye

36 Mr. Weinstein – Aye

37 Delegate Merricks – Aye

38 The fourth item of business was the Candidate Filing Extension presented by Paul
39 Sanders, Elections and Registration Services Supervisor. *This report is in the Working Papers for*
40 *the July 5, 2023 Meeting.* The first request was from House of Delegates Democratic Candidate
41 Gregory Maxwell of District 39. No motion was made. The second request was from House of
42 Delegates Independent Candidate Sarah Elizabeth Mays of District 53. No motion was made.

43 The third request was from House of Delegates Democratic Candidate Jessica L.
44 Rowland of District 74. No motion was made. The fourth request was from House of Delegates
45 Independent Candidate Eric A. Sundberg of District 79. Mr. Sundberg addressed the Board. No

46 motion was made. The fifth request was from House of Delegates Independent Candidate,
47 Michael Pertti Harned, District 80. No motion was made. The sixth request was from Senate of
48 Virginia Democratic Candidate, H. Daniel Tomlinson, District 10. Mr. Tomlinson addressed the
49 Board. No motion was made.

50 The seventh request was from House of Delegates Democratic Candidate Makya R. Little
51 of District 19. No motion was made. The eighth request was from Christopher Woodfin,
52 appearing on behalf of an Independent Candidate for the School Board of Clark County. No
53 motion was made. Mr. Weinstein suggested that ELECT create a policy document with a set of
54 expectations and post it on the ELECT website for the candidates to refer to.

55 The fifth item of business was the Split Precinct Waiver Requests presented by Claire
56 Scott, ELECT Policy Analyst. Fluvanna County requested the first precinct waiver. *These*
57 *documents are in the Working Papers for the July 5, 2023 Meeting.* Delegate Merricks moved
58 *that the Board approve the split precinct waiver for Fluvanna County.* Vice Chair Dance
59 seconded the motion, and the motion passed unanimously. A roll call vote was taken:

60 Chairman O'Bannon – Aye

61 Vice Chair Dance – Aye

62 Secretary Alvis-Long – Aye

63 Mr. Weinstein – Aye

64 Delegate Merricks – Aye

65 The second split precinct request was from Louisa County. *These documents are in the*
66 *Working Papers for the July 5, 2023 Meeting.* Delegate Merricks moved *that the Board approve*

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67 *the split precinct waiver for Louisa County.* Vice Chair Dance seconded the motion, and the
68 motion passed unanimously. A roll call was taken:

69 Chairman O'Bannon – Aye

70 Vice Chair Dance – Aye

71 Secretary Alvis-Long – Aye

72 Mr. Weinstein – Aye

73 Delegate Merricks – Aye

74 The sixth item of business was the Delegations of Authority presented by Claire Scott,
75 ELECT Policy Analyst. *This report is in the Working Papers for the July 5, 2023 Meeting.* Vice
76 Chair Dance moved *that the Board approve the proposed Delegations of Authority 2023,*
77 *pursuant to the Virginia Administrative Process Act, and I further move that all prior*
78 *Delegations of Authority be rescinded.* Delegate Merricks seconded the motion, and the motion
79 passed unanimously. A roll call vote was taken:

80 Chairman O'Bannon – Aye

81 Vice Chair Dance – Aye

82 Secretary Alvis-Long – Aye

83 Mr. Weinstein – Aye

84 Delegate Merricks – Aye

85 The seventh item of business was the CAP Policy presented by Rachel Lawless,
86 Confidential Policy Advisor. *This report is in the Working Papers for the July 5, 2023 Meeting.*
87 Mr. Weinstein moved *to defer the CAP Policy until the Tuesday, August 15, 2023 Meeting.* Vice

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88 Chair Dance seconded the motion, and the motion passed unanimously. A roll call vote was
89 taken:

90 Chairman O'Bannon – Aye

91 Vice Chair Dance – Aye

92 Secretary Alvis-Long – Aye

93 Mr. Weinstein – Aye

94 Delegate Merricks – Aye

95 Chairman O'Bannon opened the floor to public comment. Joan Potte, with League of
96 Woman Voters, Anne Kinney, Ann Grigorian, Shelley Oberlander, and Nicholas Gothard
97 addressed the Board.

98 At 1:41 P.M., Delegate Merricks, pursuant to Virginia Code Section 2.2-3711(A)(7),
99 moved *that the Board go into closed session for the purpose of discussing pending and*
100 *threatened litigation. In accordance with Section 2.2-3712(F), Susan Beals, Commissioner of*
101 *Elections, and Travis Andrews of the Office of the Attorney General will attend the closed session*
102 *because their presence will reasonably aid the Board in its consideration of the subject of the*
103 *meeting.* Vice Chair Dance seconded the motion, and the motion passed unanimously. A roll call
104 vote was taken:

105 Chairman O'Bannon – Aye

106 Vice Chair Dance – Aye

107 Secretary Alvis-Long – Aye

108 Mr. Weinstein – Aye

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109 Delegate Merricks – Aye

110 At 1:58 P.M., Delegate Merricks moved *to reconvene the meeting in open session and*
111 *take a roll call vote certifying that to the best of each member’s knowledge (i) only such public*
112 *business matters lawfully exempted from open meeting requirements under this chapter and (ii)*
113 *only such public business matters as were identified in the motion by which the closed meeting*
114 *was convened were heard or discussed by the State Board of Elections.* Vice Chair Dance
115 seconded the motion, and the motion passed unanimously. A roll call vote was taken:

116 Chairman O’Bannon – Aye


117 Vice Chair Dance – Aye

118 Secretary Alvis-Long – Aye

119 Mr. Weinstein – Aye

120 Delegate Merricks – Aye

121 The meeting adjourned at 2:00 P.M.

122 

123 Chairman

124 _____

125 Vice-Chair

126 

127 Secretary

128 

129 Board Member

130 

131 Board Member