

1 The State Board of Elections (“the Board”) meeting was held on Tuesday, March 19,
2 2024 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: John O’Bannon, Chairman;
5 Rosalyn R. Dance, Vice Chair; Georgia Alvis-Long, Secretary; Delegate Donald Merricks,
6 member; and Matthew Weinstein; member; represented the State Board of Elections (“the
7 Board”). Susan J. Beals, Commissioner, represented the Department of Elections (“ELECT”),
8 and Dennis Polio represented the Office of the Attorney General (“OAG”). Chairman O’Bannon
9 called the meeting to order at 1:00 P.M.

10 The first item of business was the approval of the minutes from the January 17, 2024 and
11 March 5, 2024 Board Meetings, presented by Secretary Alvis-Long. Delegate Merricks moved
12 *that the Board approve the minutes from the January 17, 2024 and March 5, 2024 Board*
13 *Meetings.* Mr. Weinstein seconded the motion and the motion passed unanimously. A roll call
14 vote was taken:

15 Chairman O’Bannon – Aye

16 Vice Chair Dance – Aye

17 Secretary Alvis-Long – Aye

18 Delegate Merricks – Aye

19 Mr. Weinstein - Aye

20 The Chairman opened the floor to public comment. Irene Churins, Jeff McVey, Ken
21 Vande Vrede addressed the Board.

22 The next item of business was the Commissioner’s Report. Commissioner Beals thanked
23 the General Registrars, their staff members and our Electoral Board members for their work on
24 the March 5, 2024 Presidential Primary considering this was the first time that Virginia has had
25 forty-five days of early voting for a Presidential Primary. The Commissioner also mentioned the
26 2023 Post Election Report that was included in the Board’s Working Papers in which the
27 department has developed a report providing details about the General Election including the
28 results, candidates, voters, and issues in the Election Administration that have come up. She
29 thanked the members of the ELECT Policy Team for their hard work. The Commissioner also
30 acknowledged the great strides Virginia has made over the last year improving ADA accessibility
31 in our polling places.

32 The next item of business was the Certification of the March 5, 2024 Presidential
33 Primaries, presented by Matt Abell, Election Services Senior Advisor. *This memo is in the*
34 *Working Papers for the March 19, 2024 Meeting.* Mr. Weinstein moved *that the Board vote to*
35 *certify the results of the March 5, 2024 Democratic Party and Republican Party Presidential*
36 *Primary Elections and instruct ELECT staff to send certified results to Susan Swecker,*
37 *Chairwoman of the Democratic Party of Virginia, and Richard L. Anderson, Chairman of the*
38 *Republican Party of Virginia.* Delegate Merricks seconded the motion and the motion passed
39 unanimously. A roll call vote was taken:

40 Chairman O’Bannon – Aye

41 Vice Chair Dance – Aye

42 Secretary Alvis-Long – Aye

43 Delegate Merricks – Aye

44 Mr. Weinstein - Aye

45 The next item of business was the Split Precinct Waiver Request presented by Claire
46 Scott, ELECT Policy Analyst. Bedford County requested the first precinct waiver. *These*
47 *documents are in the Working Papers for the March 19, 2024 Meeting.* Delegate Merricks moved
48 *that the Board approve the Waiver to Administer a Split Precinct as requested by Bedford*
49 *County.* Mr. Weinstein seconded the motion and the motion passed unanimously. A roll call vote
50 was taken:

51 Chairman O'Bannon – Aye

52 Vice Chair Dance – Aye

53 Secretary Alvis-Long – Aye

54 Delegate Merricks – Aye

55 Mr. Weinstein - Aye

56 The next split precinct request was from Chesterfield County. *These documents are in*
57 *the Working Papers for the March 19, 2024 Meeting.* Vice Chair Dance moved *that the Board*
58 *approve the Waiver to Administer a Split Precinct as requested by Chesterfield County.* Mr.
59 Weinstein 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 Delegate Merricks – Aye

64 Mr. Weinstein - Aye

65 The next split precinct request was from Hanover County. *These documents are in the*
66 *Working Papers for the March 19, 2024 Meeting.* Delegate Merricks moved that the Board
67 *approve the Waiver to Administer a Split Precinct as requested by Hanover County.* Mr.
68 Weinstein seconded the motion and the motion passed unanimously. A roll call vote was taken:

69 Chairman O'Bannon – Aye

70 Vice Chair Dance – Aye

71 Secretary Alvis-Long – Aye

72 Delegate Merricks – Aye

73 Mr. Weinstein - Aye

74 The next item of business was Stand By Your Ad, presented by Tammy Alexander,
75 Campaign Finance Compliance and Training Supervisor. Mrs. Alexander explained to the Board
76 the Schedule of Penalties for General Assembly and statewide offices as well as the REVISED
77 Schedule of Penalties for Local and Constitutional offices. The first complaint was against
78 Citizens for Local Government. Mrs. Alexander informed the Board that numerous complaints
79 via emails and articles were received regarding seven signs and two billboards inadequately
80 disclosed. Mrs. Joanne Price and Ms. Kim Bowman addressed the Board. Mrs. Alexander stated
81 there were two issues therefore her recommended motion was two-fold; one lack of Statement of
82 Organization and the second issue of the penalty. The violation of disclosure for seven
83 advertisements penalty of \$350 and \$500 penalty for failure to file a Statement of Organization
84 in a timely manner. After discussion and clarification Vice Chair Dance moved *subject to the*

85 *Board's authority under the Code of Virginia §24.2-955.3, to find Citizens for Local Government*
86 *in violation of §24.2-956 Stand By Your Ad print media disclosure requirements with regard to*
87 *seven print media signs and two billboards and assess a \$25 civil penalty. Mr. Weinstein*
88 *seconded the motion and the motion passed unanimously. A roll call vote was taken:*

89 Chairman O'Bannon – Aye

90 Vice Chair Dance – Aye

91 Secretary Alvis-Long – Aye

92 Delegate Merricks – Aye

93 Mr. Weinstein - Aye

94 The next complaint was against Friends of Nick Ignacio 2023. Mrs. Alexander informed
95 the Board that one complaint for unknown PAC/misrepresentation was submitted for one flier
96 undisclosed. She advised the Board this is the first time Mr. Ignacio was in violation and
97 recommended a \$50 penalty. Because this was his first time in violation Vice Chair Dance
98 moved *subject to the Board's authority under the Code of Virginia §24.2-955.3, to find Nick*
99 *Ignacio in violation of §24.2-956 Stand By Your Ad print media advertising requirements with*
100 *regard to one advertisement and assess a \$25 civil penalty. The motion failed. Delegate*
101 *Merricks moved subject to the Board's authority under the Code of Virginia §24.2-955.3, to find*
102 *Nick Ignacio in violation of §24.2-956 Stand By Your Ad print media advertising requirements*
103 *with regard to one advertisement and assess a \$50 penalty. Mr. Weinstein seconded the motion*
104 *and the motion passed unanimously. A roll call vote was taken:*

105 Chairman O'Bannon – Aye

106 Vice Chair Dance – Aye

107 Secretary Alvis-Long – Aye

108 Delegate Merricks – Aye

109 Mr. Weinstein - Aye

110 The next complaint was against Cooper for Clerk. Mrs. Alexander informed the Board
111 that a complaint was submitted for one billboard, one yard sign and one online ad for inadequate
112 disclosure and it was a first-time violation with a recommendation of a \$25 penalty. Mr. Cooper
113 addressed the Board. Vice Chair Dance moved *subject to the Board's authority under the Code*
114 *of Virginia §24.2-955.3, to find Cedrick Cooper in violation of §24.2-956 Stand By Your Ad print*
115 *media advertising requirements with regard to three advertisements and assess a \$25 penalty.*
116 Mr. Weinstein seconded the motion and the motion passed unanimously. A roll call vote was
117 taken:

118 Chairman O'Bannon – Aye

119 Vice Chair Dance – Aye

120 Secretary Alvis-Long – Aye

121 Delegate Merricks – Aye

122 Mr. Weinstein - Aye

123 The next complaint was against Denise Tynes for School Board. Mrs. Alexander
124 informed the Board that a complaint was submitted for inadequate disclosure of one yard sign
125 and recommended a \$25 penalty. Ms. Tynes addressed the Board. Delegate Merricks moved

126 *subject to the Board's authority under the Code of Virginia §24.2-955.3, to find Denise Tynes in*
127 *violation of §24.2-956 Stand By Your Ad print media advertising requirements with regard to one*
128 *advertisement and assess a \$25 penalty. Vice Chair Dance seconded the motion and the motion*
129 *passed unanimously. A roll call vote was taken:*

130 Chairman O'Bannon – Aye

131 Vice Chair Dance – Aye

132 Secretary Alvis-Long – Aye

133 Delegate Merricks – Aye

134 Mr. Weinstein - Aye

135 The next complaint was against Friends of Candidate Holden. Mrs. Alexander informed
136 the Board that a complaint was submitted for inadequate disclosure for one yard sign and
137 recommended a \$25 penalty. Mr. Holden addressed the Board. Vice Chair Dance moved *subject*
138 *to the Boards's authority under the Code of Virginia §24.2-955.3, to find Ronnie Holden in*
139 *violation of §24.2-956 Stand By Your Ad print media advertising requirements with regard to one*
140 *advertisement and assess a \$25 penalty. Mr. Weinstein seconded the motion and the motion*
141 *passed unanimously. A roll call vote was taken:*

142 Chairman O'Bannon – Aye

143 Vice Chair Dance – Aye

144 Secretary Alvis-Long – Aye

145 Delegate Merricks – Aye

146 Mr. Weinstein - Aye

147 The next complaint was against Amber Mabie for School Board. Mrs. Alexander
148 informed the Board that the complaint against Ms. Mabie was for not having disclosure on one
149 sign and one online ad and recommended a \$25 penalty. Ms. Mabie addressed the Board. Vice
150 Chair Dance moved *subject to the Board's authority under the Code of Virginia §24.2-955.3, to*
151 *find Amber Mabie in violation of §24.2-956 Stand By Your Ad print media advertising*
152 *requirements with regard to two advertisements and assess a \$25 penalty.* Mr. Weinstein
153 seconded the motion and the motion passed unanimously. A roll call vote was taken:

154 Chairman O'Bannon – Aye

155 Vice Chair Dance – Aye

156 Secretary Alvis-Long – Aye

157 Delegate Merricks – Aye

158 Mr. Weinstein - Aye

159 The next complaint was against Brian Walker for Commissioner. Mrs. Alexander
160 informed the Board the complaint against Mr. Walker was for not having disclosure on a palm
161 card and recommended a \$25 penalty. Vice Chair Dance moved *subject to the Board's authority*
162 *under the Code of Virginia §24.2-955.3, to find Brian Walker in violation of §24.2-956 Stand By*
163 *Your Ad print media advertising requirements with regard to one advertisement and assess a \$25*
164 *penalty.* Mr. Weinstein seconded the motion and the motion passed unanimously. A roll vote call
165 was taken:

166 Chairman O'Bannon – Aye

167 Vice Chair Dance – Aye

168 Secretary Alvis-Long – Aye

169 Delegate Merricks – Aye

170 Mr. Weinstein - Aye

171 The next complaint was against Chris Torre Election. Mrs. Alexander informed the
172 Board that the complaint against Mr. Torre was for not having disclosures on three signs and one
173 postcard and recommended a \$25 penalty. Mr. Torre addressed the Board. Vice Chair Dance
174 moved *subject to the Board's authority under the Code of Virginia §24.2-955.3, to find Chris*
175 *Torre in violation of §24.2-956 Stand By Your Ad print media advertising requirements with*
176 *regard to four advertisements and assess a \$25 penalty.* Mr. Weinstein seconded the motion and
177 the motion passed unanimously. A roll call vote was taken:

178 Chairman O'Bannon – Aye

179 Vice Chair Dance – Aye

180 Secretary Alvis-Long – Aye

181 Delegate Merricks – Aye

182 Mr. Weinstein - Aye

183 The next complaint was against Douglas Whitelock for Board of Supervisor. Mrs.
184 Alexander informed the Board that the complaint against Mr. Whitelock was for inadequate
185 disclosure for two signs and recommended a \$25 penalty. Mr. Whitelock addressed the Board.
186 Delegate Merricks moved *subject to the Board's authority under the Code of Virginia §24.2-*

187 *955.3, to find Douglas Whitelock in violation of §24.2-956 Stand By Your Ad print media*
188 *advertising requirements with regard to two advertisements and assess a \$25 penalty.* Vice Chair
189 Dance seconded the motion and the motion passed unanimously. A roll call vote was taken:

190 Chairman O'Bannon – Aye

191 Vice Chair Dance – Aye

192 Secretary Alvis-Long – Aye

193 Delegate Merricks – Aye

194 Mr. Weinstein - Aye

195 The next complaint was against Friends of Jim Hopkins. Mrs. Alexander informed the
196 Board that the complaint against Mr. Hopkins was for not having disclosure on one yard sign and
197 recommended a \$25 penalty. Mr. Hopkins addressed the Board. Vice Chair Dance moved
198 *subject to the Board's authority under the Code of Virginia §24.2-955.3, to find Jim Hopkins in*
199 *violation of §24.2-956 Stand By Your Ad print media advertising requirements with regard to one*
200 *advertisement and assess a \$25 penalty.* Mr. Weinstein seconded the motion and the motion
201 passed unanimously. A roll vote call was taken:

202 Chairman O'Bannon – Aye

203 Vice Chair Dance – Aye

204 Secretary Alvis-Long – Aye

205 Delegate Merricks – Aye

206 Mr. Weinstein - Aye

207 The next complaint was against Friends of Matt Strickland. Mrs. Alexander informed the
208 Board that the complaint against Mr. Strickland was for having no disclosure on three signs and
209 one flyer. Mrs. Alexander stated that this falls under the General Assembly Senate of Virginia
210 therefore he does not qualify for the \$25 first time violation penalty thus recommended a \$500
211 penalty. Mr. Strickland, Mr. Mike Rose, Ms. Jennifer Peterson, Ms. Jessica Warbarker, and Mr.
212 Daniel Cortez addressed the Board. Mr. Dennis Polio with the Office of Attorney General
213 addressed Mr. Strickland with follow up questions for clarification. Upon further discussion and
214 after two failed motions by Vice Chair Dance to administer the \$500 penalty to Mr. Rose since it
215 was his doing and secondly to pass it by the consensus was to investigate further. Vice Chair
216 Dance moved *to investigate further and take this item back up in the April 10, 2024 meeting*. Mr.
217 Weinstein seconded the motion. A roll call vote was taken:

218 Chairman O'Bannon – Nay

219 Vice Chair Dance – Aye

220 Secretary Alvis-Long – Aye

221 Delegate Merricks – Aye

222 Mr. Weinstein - Aye

223 The next complaint was against Gagnon for Town Council. Mrs. Alexander informed the
224 Board the complaint was for having no disclosure for multiple signs and recommended a \$25
225 penalty. Mr. Gagnon addressed the Board. Vice Chair Dance moved *subject to the Board's*
226 *authority under the Code of Virginia §24.2-955.3, to find Eric Gagnon in violation of §24.2-956*
227 *Stand By Your Ad print media advertising requirements with regard to five advertisements and*

228 *assess a \$25 penalty.* Mr. Weinstein seconded the motion and the motion passed unanimously. A
229 roll call vote was taken:

230 Chairman O'Bannon – Aye

231 Vice Chair Dance – Aye

232 Secretary Alvis-Long – Aye

233 Delegate Merricks – Aye

234 Mr. Weinstein - Aye

235 The next complaint was against Graham Montrose for Henrico. Mrs. Alexander informed
236 the board the complaint was for having no disclosure on multiple signs and one card and
237 recommended a \$25 penalty. Ms. Montrose addressed the Board. Vice Chair Dance moved
238 *subject to the Board's authority under the Code of Virginia §24.2-955.3, to find Graham*
239 *Montrose in violation of §24.2-956 Stand By Your Ad print media advertising requirements with*
240 *regard to six advertisements and assess a \$25 penalty.* Mr. Weinstein seconded the motion and
241 the motion passed unanimously. A roll call vote was taken:

242 Chairman O'Bannon – Aye

243 Vice Chair Dance – Aye

244 Secretary Alvis-Long – Aye

245 Delegate Merricks – Aye

246 Mr. Weinstein - Aye

247 The next complaint was against Lindsay Rich for MCPS School Board District E. Mrs.
248 Alexander informed the board the complaint was for having no disclosure on four signs and
249 recommended a \$25 penalty. Vice Chair Dance moved *subject to the Board's authority under the*
250 *Code of Virginia §24.2-955.3, to find Lindsay Rich in violation of §24.2-956 Stand By Your Ad*
251 *print media advertising requirements with regard to four advertisements and assess a \$25*
252 *penalty.* Mr. Weinstein seconded the motion and the motion passed unanimously. A roll call vote
253 was taken:

254 Chairman O'Bannon – Aye

255 Vice Chair Dance – Aye

256 Secretary Alvis-Long – Aye

257 Delegate Merricks – Aye

258 Mr. Weinstein - Aye

259 The next complaint was against Philip Buttery for School Board. Mrs. Alexander
260 informed the board the complaint was for having no disclosure on one sign and recommended a
261 \$25 penalty. Mr. Buttery addressed the Board. Vice Chair Dance moved *subject to the Board's*
262 *authority under the Code of Virginia §24.2-955.3, to find Philip Buttery in violation of §24.2-956*
263 *Stand By Your Ad print media advertising requirements with regard to one advertisement and*
264 *assess a \$25 penalty.* Mr. Weinstein seconded the motion and the motion passed unanimously. A
265 roll call vote was taken:

266 Chairman O'Bannon – Aye

267 Vice Chair Dance – Aye

268 Secretary Alvis-Long – Aye

269 Delegate Merricks – Aye

270 Mr. Weinstein – Aye

271 The next complaint was against Sabio 4 Fairfax. Mrs. Alexander informed the board the
272 complaint was for having no disclosure on two fliers and one sign and recommended a \$25
273 penalty. Vice Chair Dance moved *subject to the Board's authority under the Code of Virginia*
274 *§24.2-955.3, to find Tony Sabio in violation of §24.2-956 Stand By Your Ad print media*
275 *advertising requirements with regard to two advertisements and assess a \$25 penalty.* Mr.
276 Weinstein seconded the motion and the motion passed unanimously. A roll call vote was taken:

277 Chairman O'Bannon – Aye

278 Vice Chair Dance – Aye

279 Secretary Alvis-Long – Aye

280 Delegate Merricks – Aye

281 Mr. Weinstein – Aye

282 The next complaint was against VoteSandySchoolBoard. Mrs. Alexander informed the
283 Board the complaint was for having no disclosure on one sign and recommended a \$25 penalty.
284 Ms. Harrington addressed the Board. Vice Chair Dance moved *subject to the Board's authority*
285 *under the Code of Virginia §24.2-955.3, to find Sandy Harrington in violation of §24.2-956*
286 *Stand By Your Ad print media advertising requirements with regard to one advertisement and*
287 *assess a \$25 penalty.* Mr. Weinstein seconded the motion and the motion passed unanimously. A
288 roll call vote was taken:

289 Chairman O'Bannon – Aye

290 Vice Chair Dance – Aye

291 Secretary Alvis-Long – Aye

292 Delegate Merricks – Aye

293 Mr. Weinstein – Aye

294 The next complaint was against Woodward for Supervisor. Mrs. Alexander
295 informed the Board the complaint was for having no disclosure on one email and recommended
296 a \$25 penalty. Mr. Purcell and Mr. Woodward addressed the Board. Vice Chair Dance moved
297 *subject to the Board's authority under the Code of Virginia §24.2-955.3, to find Mr. Woodward in*
298 *violation of §24.2-956 Stand By Your Ad print media advertising requirements with regard to one*
299 *advertisement and assess a \$25 penalty.* Mr. Weinstein seconded the motion and the motion
300 passed unanimously. A roll call vote was taken:

301 Chairman O'Bannon – Aye

302 Vice Chair Dance – Aye

303 Secretary Alvis-Long – Aye

304 Delegate Merricks – Aye

305 Mr. Weinstein – Aye

306 The next complaint was against Yesenia for School Board. Mrs. Alexander
307 informed the Board the complaint was for having no disclosure on one sign and recommended a
308 \$25 penalty. Ms. Yesenia stated Dr. Kimberly Mehlman-Orozco would address the Board on her

309 behalf due to her traumatic brain injury. Vice Chair Dance moved *subject to the Board's*
310 *authority under the Code of Virginia §24.2-955.3, to find Yesenia Lassiter in violation of §24.2-*
311 *956 Stand By Your Ad print media advertising requirements with regard to one advertisement*
312 *and assess a \$25 penalty.* Mr. Weinstein seconded the motion and the motion passed
313 unanimously. A roll call vote was taken:

314 Chairman O'Bannon – Aye

315 Vice Chair Dance – Aye

316 Secretary Alvis-Long – Aye

317 Delegate Merricks – Aye

318 Mr. Weinstein – Aye

319 The next item of business was Campaign Finance Regulations for Print Media
320 Advertisements presented by Ashley Coles, ELECT Policy Analyst. *This memo is in the Working*
321 *Papers for the March 19, 2024 Meeting.* Mr. Weinstein suggested to provide examples to ensure
322 clarity. No motion was required.

323 At 3:05 P.M., Vice Chair Dance moved *pursuant to Virginia Code Section 2.2-3711(A)(7),*
324 *that the Board go into closed session for the purpose of discussing pending and threatened*
325 *litigation. In accordance with Section 2.2-3712(F), Susan Beals, Commissioner of Elections, and*
326 *Dennis Polio of the Office of the Attorney General, will attend the closed session because their*
327 *presence will reasonably aid the Board in its consideration of the subject of the meeting.* Mr.
328 *Weinstein seconded the motion and the motion passed unanimously.* A roll call vote was taken:

329 Chairman O'Bannon – Aye

330 Vice Chair Dance – Aye

331 Secretary Alvis-Long – Aye

332 Delegate Merricks – Aye

333 Mr. Weinstein - Aye

334 At 3:29 P.M., Vice Chair Dance moved *to reconvene the meeting in open session, and*
335 *take a roll call vote certifying that to the best of each member’s knowledge (i) only such public*
336 *business matters lawfully exempted from open meeting requirements under this chapter and (ii)*
337 *only such public business matters as were identified in the motion by which the closed meeting*
338 *was convened were heard or discussed by the State Board of Elections.* Delegate Merricks
339 seconded the motion and the motion passed unanimously. A roll call vote was taken:

340 Chairman O’Bannon – Aye

341 Vice Chair Dance – Aye

342 Secretary Alvis-Long – Aye

343 Delegate Merricks – Aye

344 Mr. Weinstein - Aye

345 The meeting adjourned at 3:30 P.M.

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Chairman

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Vice-Chair

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Secretary

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Board Member

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Board Member

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