



Lynchburg Electoral Board

825 Kemper Street, Lynchburg, Virginia 24501

Meeting Minutes

February 2, 2023, 4:00 PM

GLTC Conference Room, 800 Kemper Street, Lynchburg, VA

ATTENDANCE

Members: Carolyn Sherayko, Chair
Steven Troxel, Vice Chair
Betty Gibbs, Secretary

Registrar's Office: Christine Gibbons, General Registrar;
Deputy Registrars: Juleigh Brown, Kim Conner, and Aimee Mayer

Guests: Ron Boehmer; Cora Cefaratti; Peter Cefaratti; Curt Diemer; Judith Fera;
Beth Kent; Molly McClenon (League of Women Voters); David
Neumeyer; Daniel Pense; Dora Purvis; Jeff Rosner (Lynchburg
Democratic Committee Authorized Rep); Rosaland Webb
Via Zoom: Veronica Bratton (Lynchburg Republican Committee Chair)

At 4:06 PM, the meeting was called to order by Chair Sherayko.

APPROVAL OF AGENDA AND MINUTES

The agenda for the meeting was approved.

Revisions to the minutes for the December 1, 2022, meeting (approved on January 5) were to be reviewed at this meeting but Board members did not receive copies before the meeting. **MOTION:** to table approval of revisions was made by Vice Chair Troxel; seconded by Secretary Gibbs; approved 3-0.

Minutes for the December 9 Special Meeting were tabled until Board members have copies to review. **MOTION** to table minutes was offered by Vice Chair Troxel, seconded by Secretary Gibbs; approved 3-0.

Minutes for the January 5 meeting were approved unanimously.

ANNOUNCEMENTS

Registrar announced that pursuant to §24.2-428, the State Board of Elections removed 754 inactive Lynchburg voters. A copy of the list of names removed is available in the Registrar's office and will be sent to the local party chairs. Ensuing discussion included mention by Chair Sherayko of a report showing the number of registered active and inactive voters that had previously been sent to the Electoral Board each month. **MOTION:** Vice Chair Troxel moved to have Registrar produce a monthly report (by precinct) of registered voters added, cancelled, and inactive; seconded by Secretary Gibbs; approved 3-0.

PUBLIC COMMENTS

Ron Boehmer asked whether any of the cancelled voters were active military who may be abroad and unable to return verification documents in a timely manner.

Dora Purvis served as an Election Day poll watcher at Liberty University and suggested that voter education prior to Election Day might reduce the Same Day Registration traffic. Deputy Registrar Juleigh Brown stated that Liberty no longer has an office to manage voter information. Currently, this work is done by various clubs on campus.

ONGOING & OTHER BUSINESS

1. Charges for Responses to FOIA Requests. The Board was asked to approve an increase in the per page charge. Board discussion raised the vagueness of “we will charge the hourly salary rate of the employee(s) responding to the request.” There would be a vast difference between the salary of the Registrar and that of a part-time employee. MOTION: Secretary Gibbs moved to table the decision until the actual cost of a copy is known; Vice Chair Troxel seconded; approved 3-0. Vice Chair Troxel suggested that the Board also revisit the salary issue.

2. Terms of Office for Deputy Registrar under Code §24.2-112. Vice Chair Troxel presented a draft proposal for a policy to be adopted by the Board (copy attached). Vice Chair Troxel moved that the proposal be adopted; seconded by Secretary Gibbs. Discussion: There are currently two full-time deputies in the Lynchburg Registrar’s office. Vice Chair’s purpose in raising the issue is because it is stated in the Code and because the terms of all General Registrars in Virginia expire on June 30 this year. Chair Sherayko expressed concern about the importance of having a knowledgeable deputy who is able to fill in when the Registrar is unavailable. She pointed out that the GREB Handbook [1.2.10.3] suggests that the personnel director and/or city attorney for the locality can provide guidance. She will invite them to the next meeting. She questioned whether any other localities have adopted a policy on this. Vice Chair stated that he had queried the VEBA email list and found none. MOTION: Chair Sherayko moved to table consideration of a policy until the March meeting; Vice Chair Troxel seconded; approved 3-0.

3. Adding a Summary of Action Items to Minutes. Chair Sherayko would like a list of action items added to the end of each meeting’s minutes. Approved by acclamation.

4. Email Retention Guidelines. Electoral Board emails are subject to FOIA. The GR/EB Handbook (2.3.1.1.) contains the definition of what constitutes a meeting through emails. Official emails concerning Electoral Board business, including those copied to the Registrar, are to be retained for public inspection. Other incidental or peripheral emails (e.g., hotel confirmations, SPAM, contact with IT, etc.) do not need to be retained.

5. Approval of Election Officers. The Registrar’s staff presented a list of names submitted by the Republican Committee Chair and those who have submitted applications this year. Chair Sherayko requested that future lists of Election Officers for Board approval be simplified and contain only names, verification that they are registered Virginia voters and a party affiliation, if known. MOTION: Vice Chair Troxel moved that everyone on the Republican list and those who have submitted applications be appointed; Chair Sherayko seconded; approved 3-0. Applicants who are not on the Republican Chair’s list were approved as Non-Affiliated officers.

6. Delegation of Duties to Registrar. The Board agreed unanimously to move this item to the March agenda. Chair Sherayko will provide Board members details to review before the next meeting.

SECOND PUBLIC COMMENTS SESSION

Mrs. Bratton asked about the process for applying online to be an Election Officer. Registrar Gibbons clarified that the online form is simply an expression of interest, not the application. When her office receives the online forms, they follow up with the applicant. Secretary Gibbs stated that the only follow-up required by the Registrar's office is to mail an application and oath.

David Neumeier informed the Board that the retention of records is governed by Virginia Public Records Act, which defines private and public records; see Code of Virginia 42.1-77. He referred the Board to https://www.vml.org/wp-content/uploads/pdf/19-20_FOIA-COIA-PubRecords.pdf. Public records can only be destroyed pursuant to schedules published by the Library of Virginia according to 42.1-86, and there are specific schedules for local GRs and Electoral Boards. See https://www.lva.virginia.gov/agencies/records/sched_local/GS-01.pdf.

Curt Diemer suggested that any communications that involve the use of public funds (including hotel reservations) should be considered public.

The meeting was adjourned at 6:05 PM.

Next Meeting: Thursday, March 2, 2023, 4 PM, GLTC Conference Room.

Respectfully submitted,

Betty Gibbs
Secretary

ACTION ITEMS:

- (1) Registrar will email Board a monthly report of the number of added, cancelled, and inactive voters in Lynchburg, broken down by precinct.
- (2) Ron Boehmer will email Registrar regarding confirmation that active military are not among cancelled voters.
- (3) Registrar will determine the per page cost of copies and recommend a dollar value for the incremental salary charge for FOIA requests.
- (4) Future lists of Election Officers prepared by the Registrar for Board approval only need to contain the name of the applicant, verification that he/she is a registered voter, and party affiliation, if known.
- (5) Chair Sherayko provide background/details for Board members before March meeting.

A T T A C H M E N T

Draft 02/02/2023

Policy on the term of deputy registrars in Lynchburg City

In accordance with Virginia Code § 24.2-112, which reads in part (paragraph 5)

The electoral board shall set the term for the deputy registrars; however, their terms shall not extend beyond the term set by law of the incumbent general registrar. The general registrar shall establish the duties of deputy registrars, appoint deputy registrars, and have authority to remove any deputy registrar who fails to discharge the duties of his office.

the electoral board of the City of Lynchburg sets forth the following policy:

1. The incumbent general registrar for the City of Lynchburg shall appoint deputy registrars as needed by the office of the registrar to fulfill the duties of the office
2. None of the appointees of the general registrar shall maintain their appointment beyond the end of the general registrar's current term of office.
3. Nothing in this policy shall prevent either the incumbent general registrar nor a newly appointed general registrar from reappointing any previously appointed deputy registrar immediately upon the commencement of a new term of office of the general registrar.
4. In those cases in which a new general registrar is appointed to the office, any deputy registrars hired or retained by the new general registrar will be subject to the Initial Employment Period as described in the City of Lynchburg Employment Policies & Procedures Manual, Chapter 2, Section IX.