



# Lynchburg Electoral Board

825 Kemper Street, Lynchburg, Virginia 24501

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## Meeting Minutes

August 11, 2022, 4:00 PM

GLTC Conference Room, 800 Kemper Street, Lynchburg, VA

### ATTENDANCE

- Members:** David B. Neumeyer, Chair (joined the meeting at 4:23 PM from Massachusetts using Zoom videoconferencing platform); Carolyn Sherayko, Vice Chair; Betty Gibbs, Secretary
- Registrar's Office:** Christine Gibbons, General Registrar; Kim Conner, Deputy Registrar; Aimee Mayer, Assistant Registrar; Stacy Link, Assistant Registrar
- Guests:** Patricia Brophy; Cora Cefaratti; Peter Cefaratti; Jenny Hall; Carla Heath; Farid Jalil; Molly McClenon (League of Women Voters); Ann Parker; Dora Purvis; Debbie Raner; Terri Reinhardt; Chris Rhoades; Jeff Rosner (Lynchburg Democratic Party Authorized Rep); Susan Stowell; Steve Troxel (Lynchburg Election Officer); John Vassar; Rosaland Webb; Kim Wynn

**The meeting was called to order by Vice Chair Sherayko at 4:05 PM.**

### APPROVAL OF AGENDA AND MINUTES

The agenda for the meeting was approved.

Approval of June 2 and July 7 meeting minutes was postponed until the September meeting.

### ANNOUNCEMENTS

Registrar Gibbons announced that she and Deputy Registrar Conner had completed recertification training through the Voter Registrars Association of Virginia (VRAV).

Registrar Gibbons announced that pursuant to an email she had received on August 5 from ELECT System Support, non-employees (including poll watchers and Electoral Board members) will not be permitted to view pollbook screens during the 45 days of early in-person voting at the Central Absentee Voting precinct (Registrar's office).

### PUBLIC COMMENTS

Several guests questioned the source and details of the restricted access of poll watchers. Registrar Gibbons and Vice Chair Sherayko clarified that the email came from ELECT and only paid employees of the Registrar's office are authorized to access VERIS data. Steve Troxel asked whether this directive could be shared with local party chairs. Mrs. Gibbons will research whether she needs permission to share. Mrs. Gibbons interprets this directive to mean that

authorized party representatives (poll watchers) will *not* be permitted behind the counter in the Registrar's office. Mr. Troxel questioned the compatibility of this interpretation with the Code which authorizes party reps to see and hear everything taking place in a precinct. He reminded the Registrar that in previous years, poll watchers were instructed to stand so far from the counter that they could neither see nor hear what was happening. Mrs. Gibbons stated that chairs are provided for authorized representatives, who have never been discouraged from moving freely in the office. She admitted that there is limited space and her priorities are voter privacy and security compliance. Chairman Neumeyer suggested that the party chairs and Electoral Board members meet at the Registrar's office to assess how the Code and security compliance could be accommodated.

Assistant Registrar Aimee Mayer thanked Registrar Gibbons for keeping staff informed of legislative changes.

In response to a question from Assistant Registrar Stacy Link, Registrar Gibbons stated that ballot boxes would still be in use this year (in her office during the 45 days of early voting and in each precinct on Election Day). Mr. Troxel asked whether extra staff would be assigned to each precinct so that representatives of each party are available to watch the dropbox throughout the day. Mrs. Gibbons stated that there will be enough precinct staff for this task.

## **REGISTRAR REPORT**

**1. Security Training.** Registrar Gibbons will be attending the National Election Cyber Virtual Tabletop Exercise in Richmond on Thursday, August 18.

**2. Office Closed for Staff Training.** On Monday, August 15, fulltime staff will watch the July 13 Legislative Updates virtual webinar conducted by ELECT. Temporary staff will be available to answer the phones and greet visitors. On Monday, August 22, both fulltime and parttime staff will participate in early voting, voting equipment, and computer security training in the office. The office will be closed. ELECT has been notified and this has been posted on the website.

**3. Regional Training.** Registrar Gibbons and Deputy Registrar Conner will attend ELECT regional training on Wednesday, August 24.

**4. Training Officers of Election (EOs).** Registrar Gibbons provided an updated schedule for training new and returning officers of election. Deputy Registrar Conner is working on finding locations for these training sessions.

Registrar Gibbons stated that "we are at capacity for receiving new officers of election" [with the addition of 78 new applicants]. Although September 15 was previously established as the deadline for accepting EO applications, she asked for the Board's permission to stop accepting applications immediately, citing the limited seating capacity for currently-scheduled training. Vice Chair Sherayko asked how many EOs are required for election day. Deputy Registrar Conner estimated 180 for presidential elections (fewer in other years). Mrs. Conner is the point of contact in the Registrar's office for all new EO applicants. Secretary Gibbs

reminded the Board that there are currently only 55 party-affiliated EOs on the list the Board approved in February—barely one third of what will be required this November because of the additional burden of same-day registration and resulting provisional ballots. Vice Chair Sherayko agreed that we will need additional qualified/trained EOs this year, especially at Vines Center. She suggested that the Board schedule a closed session to discuss this subject. Chairman Neumeyer said he would be available virtually before September 1, but in person thereafter. Vice Chair Sherayko moved to table the discussion of pausing acceptance of applications from election officers until after an executive Board session; seconded by Secretary Gibbs. The motion was approved 3-0 by voice vote. The first pollbook training session is scheduled for September 12.

Chairman Neumeyer suggested that, in the meantime, Registrar Gibbons and Secretary Gibbs should compare lists and resolve inconsistencies.

## ONGOING BUSINESS

**1. Online Training Module.** Chris Rhoades (software developer) was granted access to the City’s Microsoft 360 platform to begin creating and collaborating with the Registrar and Electoral Board. Registrar Gibbons emailed the module links to the Board on August 10. She will meet with Josh Quintero (Lynchburg Community Engagement Manager) to learn how to create a new page on the City’s website. Until the modules are finalized, they will only be accessible by people with a city email account. Chairman Neumeyer asked Mrs. Gibbons to find a way for precinct chiefs to preview the training modules and determine which chiefs would like to be part of the development process. In the meantime, Registrar Gibbons suggested that she could print the screens for chiefs to preview, but security compliance requirements forbid her to share screens.

**2. New Legal Requirements Related to Counting Absentee Ballots by Precinct (§24.2-667.1).** During the VRAV conference, ESO (the vendor of our new vote tabulators) announced that they have been able to modify tabulation software to produce precinct totals using the same ballot in all precincts *on Election Day*. [This has not been approved by ELECT.] For clarification, Registrar Gibbons used the term “precinct style” to refer to the 18 unique ballots that will be needed for early in-person and mail-in voting; and “ballot style” for the ballot all precincts will use on Election Day. Vice Chair Sherayko would like to see how precinct-style ballots will be managed in the Registrar’s office once they arrive.

Registrar Gibbons informed the Board that ELECT has requested a decision from every locality as to whether they will be using ballot-on-demand printers. Because the Board has not made a decision on this equipment, all members agreed that Lynchburg will not be using a ballot-on-demand printer this year. Registrar Gibbons added that the ballot-on-demand printers are primarily used by much larger localities and ELECT has not finalized standards and procedures for them. Use of ballot-on-demand printers would need to be coordinated with Mike Brown at Demtech. Pre-printed paper ballots will be used in Lynchburg this year.

**3. Steve Troxel’s Addendum for Chief’s Manual.** Registrar Gibbons provided an edited version of his original submission. He said the edits were acceptable, except that “entrance” should be defined as the primary entrance used by voters. Chairman Neumeyer stated that the Board was unprepared to comment on his document at this meeting.

## NEW BUSINESS

**1. Notifying New Officers of Election (EOs) of their Appointment.** Registrar Gibbons provided copies of §24.2-115 and §24.2-115.2. (These sections of the Code refer to the Registrar's responsibility for staffing precincts, political parity, and required training of EOs. Section 24.2-109 refers to the Board's responsibility to appoint officers of election and states that the Board Secretary will "promptly notify each appointee of his appointment.") Mrs. Gibbons referred the Board to the flowchart she had previously provided showing the current process used in her office. Mrs. Sherayko suggested that this process might need to be revised. (This flowchart did not have lists of election officer candidates presented to the Board for appointment until the week before the general election, after training was completed.) Secretary Gibbs pointed out that this was a statement of procedure, not a Board-approved process, and did not allow parties an opportunity to nominate additional officers if they were needed for parity in each precinct. She stated that the Board needed to approve candidates so the Registrar's office would know who to invite to training.

Deputy Registrar Conner stated that letters are sent 10 days to two weeks prior to training dates. These letters do not inform recipients of appointment. Mrs. Conner further stated that she discusses the training schedule during orientation meetings and that she does not schedule anyone in a precinct until they have completed all required training.

Vice Chair Sherayko asked whether a postcard could be sent informing of appointment and stressing the requirement for training prior to Election Day assignment. Mrs. Conner said there is no staff for extra correspondence and letters about training sent more than two weeks before are less effective. Chairman Neumeyer asked whether we have email addresses for applicants. Registrar Gibbons replied that it is requested on the application form. Chairman Newman asked whether election officers could be emailed of their appointment. Registrar Gibbons offered to work with Deputy Registrar Conner to draft an email for future Board-appointed election officers. Assistant Registrar Stacy Link supported the reinforcement of notifying new EOs both with emails and a written letter.

**2. Printing of Chief's Manual.** There was discussion among Board members, Registrar Gibbons, and Mr. Troxel (veteran precinct chief) about whether paper or digital copies of the manual would be most useful for chiefs. Ultimately, it was agreed that everyone has a reading medium preference and that both would be made available. Secretary Gibbs reminded all that the word "Precinct" should precede "Chief's Manual" on the cover, as agreed at a previous meeting. The other Board members agreed that this would add clarity. Assistant Registrar Aimee Mayer will make the change. Eighteen copies will be printed

**3. Use of Volunteers in the Registrar's Office (§24.2-124.1, §24.2-116).** The General Assembly's new prohibition of gifts (tangible or services) will mean volunteers are no longer permitted to work in Registrar offices. Mrs. Conner noted that volunteers have served in the past as greeters and doing other minor tasks that will now have to be done by staff. VRAV has requested that registrars inform them of the impact this limitation will have in their offices. Registrar Gibbons suggested that Board members might inquire about this at the Southern District Regional meeting on August 27<sup>th</sup>.

**4. Voting and Computer Systems Access.** Lists of employees with access to voting and computer systems were provided to Board members for review as required for security compliance. Discussion will take place during executive session, if necessary.

**5. Voting and Computer System Security Training.** Pursuant to the Voting Systems Security Program approved in May 2022, Registrar Gibbons will conduct system security trainings with her staff later this month.

**6. Paper Ballot Order.** Registrar Gibbons provided charts with various percentages of historic voting totals for early in-person, mail-in, and Election Days voting. Extrapolating from these numbers and adding margin for same day registration and voting, based on previous midterm election turnout between 25% and 30%, she recommended ordering:

- 40,000 Election Day ballots (70% of registered voters)
- 12,400 of precinct-specific ballots for early-in person voting (between 20% and 30% of registered voters in each precinct)
- 5,100 trifold ballots to be mailed (between 2% and 21% of each precinct style)

Vice Chair Sherayko moved that the Board approve ordering paper ballots according to the Registrar's calculations; Secretary Gibbs seconded. The motion passed 3-0 by voice vote.

#### **PUBLIC COMMENTS & QUESTIONS:**

Jenny Hall suggested that the Precinct Chief's Manual could be shared electronically as a PDF. She also asked if the wording in the letter send by Mrs. Conner could be used for an email to new EO appointees. She confirmed that the Board has not decided to pause acceptance of EO applications.

Steve Troxel asked whether he could take the pollbook training again and whether the training date of October 2 should be October 12. Registrar Gibbons said he could schedule one-on-one training and that the correct training date should be October 12.

Ann Parker asked whether the mandatory training could be done virtually. Registrar Gibbons stated that there is mandatory online training before the mandatory in-person training. Ms. Parker questioned the request to stop accepting applications for EOs since not all applicants are able to serve due to planned or unplanned events on Election Day. She asked whether extra EOs are trained as fill-ins and for those who do not complete mandatory trainings or who complete training but are unable to work on Election Day.

Dora Purvis stated that she has served as an election officer in Bedford County. She recalled receiving an email informing her that her application was received, about the process going forward, and dates for training. Mrs. Conners stated that every locality has a different process and Lynchburg's meets their needs.

Mrs. Purvis asked about accountability within the Registrar's office during the handling of mail-in ballots and early in-person voting if authorized representatives are not permitted to observe. Mrs. Gibbons stated that there are chain of custody forms requiring signatures.

Chairman Neumeyer thanked attendees for coming to the meeting and announced that the Board would be entering a closed session.

**At 6:08 PM Public Comments and the Public Meeting Ended**

**CLOSED MEETING**

At 6:20 PM, Secretary Gibbs moved that the Board enter closed session under Code of Virginia §2.2-3711(A) for the purposes of discussing personnel matters and computer security; Vice Chair Sherayko seconded; approved 3-0 by voice vote.

At 7:38 PM, Vice Chair Sherayko moved to exit closed session; Secretary Gibbs seconded; approved 3-0 by voice vote.

**Certification of Closed Meeting and Resumption of Open Meeting**

Pursuant to the Virginia Freedom of Information Act, Code of Virginia Sections 2.2-3711 and 3712, the Board certified by roll call vote that, to the best of each member's knowledge, the closed meeting heard, discussed and considered (i) only public business lawfully exempted under the Virginia FOIA and (ii) only such business as was identified in the motion to close the meeting; only personnel matters and security topics were discussed in the closed meeting of the Electoral Board.

Certify by Motion:	Chairman Neumeyer	yes
	Vice Chair Sherayko	yes
	Secretary Gibbs	yes

Secretary Gibbs moved that the Board approve the list of 96 new officers of election and notify them of their appointment; Chairman Neumeyer seconded. The motion passed with 2 votes in favor and Vice Chair Sherayko voting against.

With no further business to discuss, the meeting was adjourned at 7:40 PM.

**Next Meeting:** Thursday, September 1, 2022, at 4 PM

Respectfully submitted,

Betty Gibbs, Secretary  
Electoral Board  
City of Lynchburg