



★ VIRGINIA ★  
STATE BOARD *of* ELECTIONS

# BOARD MEETING

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Monday, January 12, 2015  
General Assembly Building  
Room C  
10:00AM

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SBE Board Working Papers



**STATE BOARD OF ELECTIONS  
AGENDA**

*DATE: January 12, 2015  
LOCATION: General Assembly Building, Room C  
TIME: 10:00 a.m.*

- I. CALL TO ORDER** *Charles E. Judd  
Chair*
- II. APPROVAL OF MINUTES** *SBE Board Members*  
**December 12, 2014**
- III. COMMISSIONER'S REPORT** *Edgardo Cortés  
ELECT Commissioner*
- IV. REPORT FROM LEGAL COUNSEL** *Anna Birkenheier  
SBE & ELECT  
Legal Counsel*
- V. NEW BUSINESS**
- A.** To Ascertain the Results of the *Matt Abell*  
January 6, 2015 Special Election *Senior Election Administrator*  
House of Delegates-Districts 34 & 63
- B.** General Registrars – Requests *Elizabeth Howard*  
for Temporary Full-Time Status *Deputy Commissioner*
- VI. OTHER BUSINESS & PUBLIC COMMENT**
- VII. GOOD OF THE ORDER**
- VIII. ADJOURNMENT**



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# Call to Order

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# Approval of Minutes December 12, 2014

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SBE Board Members

1 MINUTES

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3 The State Board of Elections Board Meeting was held on Friday, December 12,  
4 2014. The meeting was held in the Virginia State Capitol – House Room 1, Richmond,  
5 Virginia. In attendance, representing the State Board of Elections (SBE) was Charles  
6 Judd, Chair; Kimberly Bowers, Vice Chair; James Alcorn, Secretary. Also in attendance,  
7 representing the Department of Elections (ELECT) was Edgardo Cortés, Commissioner;  
8 Liz Howard, Deputy Commissioner: Matt Abell, Senior Election Administrator and Rose  
9 Mansfield, Executive Assistant. Anna Birkenheier, Assistant Attorney General and  
10 Counsel to SBE and ELECT attended. Chairman Judd called the meeting to order at  
11 4:00PM.

12 The first order of business was the approval of the Minutes from the State Board  
13 of Elections Board Meeting held on November 24, 2014. Chairman Judd asked if Board  
14 Members had any additions or corrections to the November 24, 2014 Board Minutes. Ms.  
15 Birkenheier noted an omission. Chairman Judd asked if there were additional additions or  
16 corrections and there were none. Chairman Judd moved *to adopt the amended Minutes*  
17 *for the November 24, 2014, Board Meeting*. Vice Chair Bowers seconded the motion and  
18 the Board unanimously approved the Minutes.

19 Chairman Judd welcomed Secretary James Alcorn to the SBE Board. Chairman  
20 Judd stated that Secretary Alcorn previously held the position of Deputy Secretary of the  
21 SBE. Chairman Judd and Vice Chair Bowers extended a warm welcome to Secretary  
22 Alcorn.

23 The next order of business was the Commissioner’s Report delivered by  
24 Commissioner Cortés. Commissioner Cortés introduced Elizabeth “Liz” Howard who  
25 will fill the position of Deputy Commissioner at the Department of Elections.  
26 Commissioner Cortés stated that Deputy Commissioner Howard has an extensive  
27 background in the elections law and has worked closely with the elections community. A  
28 warm welcome was extended to Deputy Commissioner Howard.

29 The next order of business was the Legal Report presented by Anna Birkenheier,  
30 Assistant Attorney General. Ms. Birkenheier stated that she did not have a report to  
31 present at this Board Meeting.

32 The next order of business was to ascertain the results of the December 9, 2014,  
33 Special Election which was conducted by SBE Board Members and Matt Abell, Senior  
34 Election Administrator. The Board Members reviewed and verified the abstracts with the  
35 following results:

36 ✓ Todd E. Pillion received the greatest number of votes (4,568) in the Fourth  
37 House of Delegates District.

38 Chairman Judd announced that the ascertainment process was complete. Vice  
39 Chair Bowers moved *that the SBE certify the results of the December 9, 2014, Special*  
40 *Election*. Chairman Judd seconded the motion and the Board unanimously passed the  
41 motion.

42 Chairman Judd opened the floor to other business and public comment. Margaret  
43 Deck, resident of Chesterfield County, approached the podium. Ms. Deck expressed  
44 concern that citizens who registered to voter in conjunction with the Department of  
45 Motor Vehicles (DMV) expressed voting difficulties on Election Day. Ms. Deck  
46 explained that she was a poll worker on Election Day, November 4, 2014, and explained  
47 that she had expressed her concerns to the general registrar of the Chesterfield County.  
48 Chairman Judd asked if a provisional ballot was cast by those individuals. Ms. Deck  
49 explained that the particular individual details were unknown. Chairman Judd asked  
50 Commissioner Cortés to research this concern presented by Ms. Deck. Chairman Judd  
51 asked if there was additional business before the Board and there was none.

52 Chairman Judd asked if there were comments for the Good of the Order. Vice  
53 Chair Bowers extended wishes for all for a happy and healthy holiday season. Chairman  
54 Judd mimicked those same sentiments and express gratitude for the work of the Board  
55 over the past years.

56 Chairman Judd asked if there was additional business and there was none.

57 Chairman Judd moved *that the Board adjourn*. Vice Chair Bowers seconded the  
58 motion and without further comment the Board voted to adjourn. The meeting was  
59 adjourned at approximately 4:35PM.

60 The Board shall reconvene on January 12, 2015 at 10:00AM in the General  
61 Assembly Building- Room C, Richmond, Virginia.

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Secretary

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Chair

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Vice Chair

DRAFT



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# Commissioner's Report

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Edgardo Cortés  
Commissioner  
Department of Elections



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# Legal Report

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Anna Birkenheier  
Assistant Attorney General



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# New Business

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Ascertain the Results  
Of the  
January 6, 2015  
Special Elections  
House of Delegates  
Districts 34 & 63

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SBE Board Members



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# General Registrars Requests for Temporary Full-Time Status

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Elizabeth Howard  
ELECT Deputy Commissioner



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# Richmond County Request

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BOARD WORKING PAPERS  
Elizabeth Howard  
ELECT Deputy Commissioner

# Memorandum



★ VIRGINIA ★  
DEPARTMENT  
of ELECTIONS

**To:** Members of the State Board of Elections  
**From:** Elizabeth Howard, ELECT Deputy Commissioner  
**Date:** January 12, 2015  
**Subject:** Electoral Board Request for Full-Time Status for General Registrar

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## **Suggested motion for a Board member to make:**

Move that the Board approve the request from the Electoral Board of the Richmond County for the period of February 1, 2015 through June 30, 2015.

**Applicable Code Sections:** Chapter 890, 2011 Acts of the Assembly, Item 80(C)

## **Attachments:**

Your Board materials include the following

- Signed request for temporary full-time status from Richmond County Electoral Board

## **Background:**

The Virginia Budget authorizes and funds general registrars with a population in most counties under 10,000 and cities under 7,500 to work on a part-time basis for most of the year. While the Budget does provide funding for the registrars to be compensated to work full-time for the months surrounding each year's May General Election (March through May), the Budget does not account for other elections, including local elections and primaries.

Chapter 890, 2012 Acts of the Assembly, Item 80(C) (the "Budget") does include an appropriation from the general fund to provide temporary full-time status for part-time general registrars. Specifically, the Budget states:

C. Included in the appropriation for this Item is \$30,900 the first year and \$30,900 the second year from the general fund to provide temporary full-time status for part-time general registrars. Such temporary full-time status may be granted by the Board of Elections, upon request of the Local Electoral Board, in recognition of temporary or permanent increases in workload. In making its determination, the Board of Elections shall consider elections, if any, required to be conducted by the locality during January through July, and evidence submitted by the Local Electoral Board to document increases in workload. Such evidence shall include specific data with comparisons, by transaction type and by month experienced, of

past and present workloads. Temporary full-time status, if granted, may include all or part of the time normally worked on a part-time basis.

ELECT staff recommendation is to approve the request from Richmond County. The request is reasonable and reflects the timeframe in which the obligations for the May General Election reach the point where a part-time registrar should be in the office full-time. Part-time registrars have the same obligations as registrars in larger localities, including meeting important absentee ballot deadlines, administering in-person absentee voting and all the other assorted duties and responsibilities associated with properly administering an election.

**VOTER REGISTRATION-RICHMOND COUNTY****Martha A. Packett, General Registrar**

101 Court Circle

PO BOX 1000

Warsaw, VA 22572

804-333-4772 fax: 804-333-4641

Email: govote159@co.richmond.va.us

**Electoral Board: Mabel W. Lewis, Chairman,  
Lori E. Webb, Vice Chairman, L. Wayne Pierson, Secretary**

## MEMORANDUM

TO: Commissioner Cortés

FROM: L. Wayne Pierson, Secretary, Richmond County Electoral Board

DATE: December 5, 2014

SUBJECT: Request for temporary full-time status for February 1, 2015 through June 30, 2015

Please grant temporary full-time status February through June 2015, to Martha Packett, Registrar, Richmond County to enable her to carry out the increased workload in Candidate filings for the Constitutional Offices up for re-election in 2015. This includes: Commonwealth Attorney, Sheriff, Circuit Court Clerk, Commissioner of Revenue, Treasurer, 3 seats on the Board of Supervisors and 2 seats for Soil and Water.

*Chapter 847, 2007 Acts of Assembly, Item 1-86, paragraph C, states SBE may grant temporary full-time status upon the request of the local electoral board, in recognition of temporary or permanent increase in workload.*

*Workload will include:*

- Independent candidate filings due no later than June 9, 2015
- Campaign finance filings.
- Preparation for any Primary Election(if held)
- Absentee voting for any primary(if held).

I would appreciate your approval of the temporary full-time status to assure each voter has an equal opportunity and is not disenfranchised by our limited office hours. We attempt to provide the best service possible to our community; we feel it is impossible to do this on a part-time basis.

Thank you for your consideration and if you have any questions please feel free to contact me.

Respectfully,

L. Wayne Pierson



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# Charles City County Request

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Elizabeth Howard  
ELECT Deputy Commissioner

# Memorandum



★ VIRGINIA ★  
DEPARTMENT  
of ELECTIONS

**To:** Members of the State Board of Elections  
**From:** Elizabeth Howard, ELECT Deputy Commissioner  
**Date:** January 12, 2015  
**Subject:** Electoral Board Request for Full-Time Status for General Registrar

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## **Suggested motion for a Board member to make:**

Move that the Board approve the request from the Electoral Board of the Charles City County for the period of January 5, 2015 through January 19, 2015.

**Applicable Code Sections:** Chapter 890, 2011 Acts of the Assembly, Item 80(C)

## **Attachments:**

Your Board materials include the following

- Signed request for temporary full-time status from Charles City County Electoral Board

## **Background:**

The Virginia Budget authorizes and funds general registrars with a population in most counties under 10,000 and cities under 7,500 to work on a part-time basis for most of the year. While the Budget does provide funding for the registrars to be compensated to work full-time for the months surrounding each year's May General Election (March through May), the Budget does not account for other elections, including local elections and primaries.

Chapter 890, 2012 Acts of the Assembly, Item 80(C) (the "Budget") does include an appropriation from the general fund to provide temporary full-time status for part-time general registrars. Specifically, the Budget states:

C. Included in the appropriation for this Item is \$30,900 the first year and \$30,900 the second year from the general fund to provide temporary full-time status for part-time general registrars. Such temporary full-time status may be granted by the Board of Elections, upon request of the Local Electoral Board, in recognition of temporary or permanent increases in workload. In making its determination, the Board of Elections shall consider elections, if any, required to be conducted by the locality during January through July, and evidence submitted by the Local Electoral Board to document increases in workload. Such evidence shall include specific data with comparisons, by transaction type and by month experienced, of

past and present workloads. Temporary full-time status, if granted, may include all or part of the time normally worked on a part-time basis.

ELECT staff recommendation is to approve the request from Charles City County. The request is reasonable and reflects the timeframe in which the obligations for the May General Election reach the point where a part-time registrar should be in the office full-time. Part-time registrars have the same obligations as registrars in larger localities, including meeting important absentee ballot deadlines, administering in-person absentee voting and all the other assorted duties and responsibilities associated with properly administering an election.

**OFFICE OF THE ELECTORAL BOARD  
CHARLES CITY COUNTY  
BARBARA E. HAYES, SECRETARY  
Telephone Home: (804) 829-2663  
Telephone Work: (804) 359-4902 8:30 a.m. to 4:30 p.m.**

**December 30, 2014**

Edgardo Cortes, Secretary  
DEPARTMENT OF ELECTIONS  
1100 Bank Street  
Richmond, Virginia 23219

By Fax: (804) ~~786-1484~~ 371-0194

Re: Electoral Boards Request for Full-Time Status for Registrar

Dear Mr.

The Charles City County Electoral Board respectfully requests that you authorize Catrinia Barneycastle, Registrar, to maintain office hours five days per week for a period of January 5 until January 19, the certification date, 2015.

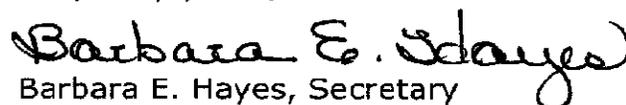
Mrs. Barneycastle is a part-time Registrar and we want to insure that our citizens have full time office hours to implement the voting process by being available for five days per week for this Special Election.

We would also like to request the same days for our Assistant Registrar who is only allowed 52 days a year and at this time we have very few days left until the new physical year begins.

We do not have to inform you of the amount of work that is entailed before any type of election, especially when you are alone and part-time. Therefore, we are making our request that our Registrar and Assistant be full time from the above time period and hope that in the future this position will be full-time.

Thank you for your assistance and cooperation in this request.

Very truly yours,

  
Barbara E. Hayes, Secretary

BEH:

c. Catrinia Barneycastle, Registrar



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# Other Business & Public Comment

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# Good of the Order

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# Adjournment

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# BOARD MEETING

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Monday, January 12, 2015  
General Assembly Building  
Room C  
10:00AM

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SBE Board Working Papers  
Prepared by Rose Mansfield  
Executive Assistance