

1 MINUTES

2

3 The Virginia Elections Benchmark Index Workgroup (“the Workgroup”) meeting
4 was held on Friday, August 10, 2018. The meeting was held via conference call.

5 In attendance were the Workgroup members: Allison Robbins, Chair and General
6 Registrar (“GR”)/Director of Elections of Wise County; Al Ablowich, Vice Chair and
7 Electoral Board (“EB”) member of the City of Virginia Beach; Robert Barnette, Hanover
8 County EB; Teri Smithson, GR/Director of Elections of Hanover County; Jacqueline
9 Anderson, ICS, Inc.; Christopher E. “Chris” Piper, Commissioner at the Department of
10 Elections (“ELECT”); Shihan Wijeyeratne, Data Analyst at ELECT; and Nikki Clemons,
11 Policy Assistant at ELECT. The meeting was called to order at 10:02 A.M.

12 The first order of business was to approve the minutes from the July 24 Workgroup
13 meeting. Chair Robbins moved the Workgroup approve the minutes, and Vice Chair
14 Ablowich seconded the motion. The motion passed unanimously. The next order of
15 business was to approve the agenda for the August 10 meeting. Vice Chair Ablowich
16 motioned the group approve the agenda, but asked that the agenda be sent earlier in advance
17 of the meeting. The Workgroup decided the group members should receive the agenda at
18 least three (3) business days before the meeting. Chair Robbins seconded the motion, and
19 the motion passed unanimously.

20 The next order of business was to discuss the proposal the Workgroup planned to
21 present to the State Board of Elections (“The Board”) at the August 15 Board meeting.
22 Vice Chair Ablowich reviewed the one page proposal he created to present to the Board.
23 The proposal would gauge whether the Workgroup’s current plan was in line with the
24 original vision of the Board when the Board voted to create the Workgroup earlier in the
25 year. Ms. Smithson suggested Commissioner Piper speak on behalf of the Workgroup;
26 however, the Commissioner would be out of town and unable to attend the meeting. Chair
27 Robbins offered to attend and speak on behalf of the Workgroup.

28 The next order of business was to discuss creating an evaluation for EB members.
29 Vice Chair Ablowich referenced a list of EB duties that was sent to Clerks of Court to be
30 provided to EBs when they are first sworn in. The list was a comprehensive catalogue of
31 the specific duties and responsibilities of EB members. Chair Robbins directed the group

32 members to where this list could be found on ELECT’s website. The Chair noted the list
33 was a bit dated, as it was published in 2015, and stated that every year duties would shift
34 responsibility between GRs and EBs with changes in policies and laws. Ms. Smithson
35 suggested the Workgroup take time to review the list of EB duties, the most recent version
36 of the proposed project plan discussed at the previous Workgroup meeting, and the one
37 page proposal for the Board meeting before moving forward in the discussion.

38 Ms. Anderson stated that the resolution the Board passed was clear in its ask of the
39 Workgroup, and suggested the group focus on beginning to concretely develop indexes and
40 processes. Ms. Anderson asked if the group would continue to meet via conference call,
41 noting in-person meetings may be more appropriate. Commissioner Piper agreed with Ms.
42 Anderson, and recognized the difficulties of in-person meetings because the members of
43 the Workgroup were geographically diverse. The Commissioner suggested the Workgroup
44 divide into three subgroups: one to focus on the best way to collect the information needed
45 to create the benchmarks, and how that information should be presented and utilized; one
46 to focus on actually gathering the data; and one to focus on how to create a fair and
47 judicious process to review any issues or problems found during the data collection.

48 Chair Robbins acknowledged the changes that have taken place in the elections
49 community, including a loss of institutional knowledge with turnover from ELECT staff,
50 GRs, and EBs. The Chair stated the Workgroup had an opportunity to create a tool to
51 clearly define what expectations and responsibilities each role in the elections community
52 had. Chair Robbins covered some concerns she heard from other members in the
53 community about why the Workgroup had only met via conference call, rather than in
54 public meetings, and urged the group to consider that continuing to do so could create
55 distrust or a lack of transparency.

56 Ms. Smithson agreed with Ms. Anderson, stating that the group should focus on
57 jumping directly into the work, and supported Commissioner Piper’s suggestion of
58 dividing into subgroups. Ms. Smithson suggested the group focus on the work and the
59 resolution, rather than outside perceptions or misconceptions. Commissioner Piper said
60 his goal to develop benchmarks that would help protect and support GRs and EBs, and
61 assist them with complying with the Code in a fair and judicious way. Vice Chair
62 Ablowich asked if the Workgroup was in compliance with open meeting requirements.

63 Chair Robbins asked if open meeting requirements applied to Workgroups, and
64 Commissioner Piper said he would ask ELECT's FOIA Officer for guidance.

65 Ms. White then presented on a matrix of expenses for Prince William County that
66 she created and disseminated for the Workgroup's review. Ms. White originally created
67 the matrix to justify why the county needed more Assistant GRs, and covered the changes
68 in funding needs for the office from year to year with events like the decertification of
69 DREs and an increased number of absentee voters. Ms. White said she hoped all GRs
70 would track this data, as it would help demonstrate the significant shift in how GRs do
71 business, and the significant increase in the cost of running fair and efficient elections.
72 Chair Robbins noted the Code of Virginia only has one section (§24.2-111) that discusses
73 localities and funding GR offices. Ms. White agreed, and stated that data drives everything
74 election officials do. Ms. White said collecting data would give GRs the ability to go to
75 the General Assembly and ask for clearer language in the Code to ensure localities get
76 proper funding for elections. Ms. Anderson asked if the Workgroup could develop and
77 collect similar information, given that one of the project goals in the resolution was to
78 examine what resources are available to different localities in order to sufficiently perform
79 their duties. Chair Robbins suggested the Workgroup should find the Code sections related
80 to all of the points in the project plan. Ms. Smithson agreed, and suggested one of the
81 subgroups take that on as one of their duties. Ms. Smithson noted that while the Code did
82 not specifically provide for the funding of elections, aside from §24.2-111, a number of
83 GRs would coordinate with their counties to create funding agreements. Chair Robbins
84 noted that not all GRs did, and Ms. Smithson stated that was one of the reasons the
85 Workgroup was created.

86 Ms. Smithson asked for what action items the group was to take before the next
87 meeting. Chair Robbins said the members needed to review the draft of the proposal for
88 the Board and the proposed project plan. Ms. Clemons said she would send the most
89 updated versions of the materials the Workgroup had compiled upon the conclusion of the
90 meeting. Ms. Clemons informed the group that ELECT's FOIA Officer responded and
91 advised that the Workgroup was subject to open meeting laws. Chair Robbins discussed
92 the subgroups that the Commissioner proposed, and suggested the subgroups focus on
93 finding ways to collect the data, actually collecting the data, and how to utilize the collected

94 data; the process for fair and judicious review the Commissioner discussed could be a focus
95 for later in the group’s work. The Workgroup would decide how to assign members and
96 how the subgroups would meet physically for public meetings over email.

97 Ms. Smithson moved for the Workgroup to adjourn. Chair Robbins seconded the
98 motion, and the meeting adjourned at approximately 11:07 AM. The Workgroup did not
99 set a time and date for the next meeting, as the group had to first determine how best to
100 conduct public meetings.

101

102

103

Secretary

104

105

106

Chair

107

108

Vice Chair

DRAFT