

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
SPECIAL MEETING
101 F Mounts Bay Road, Williamsburg, VA 23185

September 1, 2020
5:00 PM

A. CALL TO ORDER

ADOPTED

B. ROLL CALL

OCT 13 2020

Michael J. Hipple, Vice Chairman, Powhatan District
Ruth M. Larson, Berkeley District
P. Sue Sadler, Stonehouse District - via phone
John J. McGlennon, Roberts District
James O. Icenhour, Jr., Chairman, Jamestown District

Board of Supervisors
James City County, VA

Scott A. Stevens, County Administrator
Adam R. Kinsman, County Attorney

Mr. Icenhour asked for a motion to allow Ms. Sadler to participate in the meeting remotely, due to an illness that prevented her attendance.

A motion to allow Ms. Sadler to participate remotely was made by John McGlennon, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Hipple, Icenhour Jr, Larson, McGlennon

Absent: Sadler

Ms. Sadler acknowledged her presence on the call.

C. BOARD DISCUSSIONS/GUIDANCE

1. Public Hearing: Ordinance to Amend and Reordain Chapter 2, to Establish a Center for Absentee Voting in Person

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. Icenhour noted Ms. Dianna Moorman, General Registrar for James City County, would make a presentation followed by a public hearing.

Ms. Moorman addressed the Board noting the uniqueness of the current presidential election. She noted the same three methods for voting that have always been in place are still present but with more intensity. Ms. Moorman requested a move for the operations of the 45-day, no excuse absentee voting currently in effect, to the James City County Recreation Center. She further noted staff referenced the facility as 'the James City County Vote Center' as she detailed the faster time for voters using the Vote Center compared to the Registrar's Office. Ms. Moorman noted the constraints of the Registrar's Office due to the COVID-19 health and safety restrictions. She further noted the projected number of voters, ranging from 500 to

1,500 on a daily basis, would move through the office toward the end of the election cycle. Ms. Moorman noted the capacity was not available for such numbers, thus the request for the relocation to 5301 Longhill Road to accommodate voters. She further noted this location be established permanently to calm voters' questions and help increase voter confidence of the system in the County. Ms. Moorman noted past voter confusion regarding the Registrar's Office location, adding the Longhill Road permanent location assisted voters in recognizing an established location.

Ms. Larson asked about the logistics of Ms. Moorman's physical office.

Ms. Moorman noted operations would remain at her current office at 5300 Palmer Lane. She further noted that location would serve as the vote by mail processing center. Ms. Moorman noted the current high volume of vote by mail and the restructuring within the Palmer Lane office to accommodate it. She further noted ballots could still be dropped off at that same location in lieu of mailing the ballots.

Ms. Larson questioned Ms. Moorman on the long-term viewpoint for future elections. Ms. Larson noted the gubernatorial election in the upcoming year as well as the need for a permanent voting location.

Ms. Moorman noted in an ideal world, it would all be located under one roof. She further noted the revenue impact to the County with the use of the Recreation Center's conference rooms as the Vote Center. Ms. Moorman noted currently the Recreation Center was the only option available. She further noted COVID-19 had compounded the 45-day, no excuse absentee voting process with the removal of an excuse for absentee voting. Ms. Moorman cited projections from North Carolina and the 'opening of the floodgates' with respect to the estimated number of increased absentee voting. She noted the Longhill Road location would remain in place until further notice. Ms. Moorman noted for the primaries, one of the two conference rooms had already been booked. She further noted that the use of one versus two rooms would help negate the revenue impact to the Recreation Center.

Ms. Larson asked Ms. Moorman to discuss the process. She noted there was talk about the various forms of voting and the safety of those forms.

Ms. Moorman noted voters in James City County and across the Commonwealth of Virginia had three options. She further noted the first option was requesting a ballot by mail. Ms. Moorman noted this option allowed a ballot to be mailed to the citizen. She further noted the three-day window once the 45-day process started, adding the law required those ballots be sent out on or before September 18. Ms. Moorman noted the Registrar's Office policy was applications received by 5 p.m. were mailed out the next day. She further noted an extension on voters returning their ballots, which had been changed to noon on Friday after the Election, provided the ballot was postmarked on or before Election Day. Ms. Moorman noted voter concerns regarding mail, adding voters could return their ballots to the Vote Center with proper identification per State Code compliance and mitigation of ballot harvesting. Ms. Moorman noted the second option required no ballot, but the voter needed to come to the Vote Center anytime from September 18 until 5 p.m. on October 31, adding on the two Saturdays prior to the election, the Vote Center would also be open from 8 a.m.-5 p.m. for voting. She further noted the in-person option required a form of identification, not necessarily a photo identification. Ms. Moorman noted voters were required to provide their full name and address for record, but polling officials could only repeat the full name back for voter privacy purposes. She further noted the voter would then receive a ballot, place it in the voting machine, get an 'I Voted' sticker, and hand sanitizer upon completion of the voting process. Ms. Moorman noted the third option, which was the traditional one, was to vote in-person at the polls on Election Day. She further noted the Recreation Center was only open for Jamestown B that day and only for voters assigned to that precinct. Ms. Moorman noted 19

precincts were open on Election Day.

Ms. Larson inquired if Ms. Moorman had enough volunteers for Election Day.

Ms. Moorman noted there were currently enough volunteers. She further noted providing an overage of volunteers based on possible attrition rates as well as staffing more than the state requirement for election officers. Ms. Moorman added currently the number of volunteers was good, but the Registrar's Office would not turn anyone away who volunteered.

Ms. Larson thanked Ms. Moorman for the information.

Mr. McGlennon also thanked Ms. Moorman and noted citizen concerns this year regarding ballot security and accuracy of the voting counts. Mr. McGlennon asked about the process for the in-person, early voting. He inquired if voters would receive individual ballots which would then be fed into the voting machine. Mr. McGlennon asked if the mail-in ballot or drop-off option were used, would those votes be tabulated the evening of the election.

Ms. Moorman confirmed yes. She noted with both the in-person, early voting, and Election Day voting, the system had an LED display which counted each time a ballot was fed into the reader. She further noted the system was very secure and confidential, but the actual voting results were not tabulated until after the close of the polls at 7 p.m. on Election Day. Ms. Moorman noted four years ago, 3,000 ballots had been mailed out to citizens. She further noted the current number stood at almost 10,000 ballots for the first mailing on September 18. Ms. Moorman noted the time constraints of counting that volume of ballots in a timely manner. She further noted preprocessing, in accordance with State Code, would be implemented to tally those ballots. Ms. Moorman noted the preprocessing would start the first weekend of October 2020, with a team of appointed Assistant General Registrars which would be representative of both political parties with an equal number of representatives. Ms. Moorman detailed the by-mail preprocessing protocol.

Mr. McGlennon inquired, if during the extended in-person, no excuse absentee voting period, a person arrived at the Recreation Center who requested the opportunity to register and vote, would that be allowed.

Ms. Moorman noted currently the opportunity to register exists, but there is a five-day hold period to verify the voter's address and avoid the possibility of multiple votes in various localities.

Mr. McGlennon asked if online registering was available.

Ms. Moorman confirmed yes.

Mr. McGlennon noted registration could occur at the Registrar's Office or the Vote Center, but inquired if a waiting period existed prior to actually casting the ballot.

Ms. Moorman noted the only time the waiting period was in effect was if the voter registered in person. She further noted if the registration arrived via mail to the Registrar's Office within three days, by law the Registrar was allowed to have the citizen vote at that time. Ms. Moorman added that voter registration applications were also available wherever hunting and fishing licenses were sold. Ms. Moorman noted if citizens have a valid Virginia driver's license, they can use the Department of Elections website's Citizen Portal as well as the County website to assist with applications.

Mr. McGlennon noted the significance of the Recreation Center as a Voting Center for 45 days, and the amount of work involved, but expressed concern about the distance for citizens

at opposite ends of the County. He further noted legislative action regarding the possibility of drop boxes. Mr. McGlennon inquired if those would be used if legislation passed.

Ms. Moorman noted there was consideration of drop boxes for the north and south ends of the County. She further noted compliance with legislation, satellite office set-ups, and the timeline for potential drop boxes from the vendor. Ms. Moorman noted the vendor had indicated mid- to late October before availability of the drop boxes. She further noted discussion on having one volunteer representative from each political party to be available for drop-off, but added options were being discussed.

Mr. McGlennon noted the opportunity for people to use drop boxes in light of concerns regarding the mail.

Ms. Moorman noted updates from the Department of Elections would provide guidance and when the information was available, she would update the County website as well as provide a news release.

Mr. McGlennon asked what other things could be done to assist citizens.

Ms. Moorman noted directing people to either the Department of Elections website or the County's website.

Mr. Hipple noted the Friday noon deadline following the Tuesday election meant the results of the election would possibly be unavailable for several days.

Ms. Moorman confirmed yes. She noted the Friday noon deadline was the same for Northern Virginia. She further noted the volume from that locality.

Mr. Hipple asked if that deadline was only for Virginia or all states.

Ms. Moorman confirmed it was only Virginia. She noted each state had its own guidelines and regulations.

Mr. Hipple asked about the timeline and possible lag.

Ms. Moorman noted she thought Virginia would fall somewhere in the middle in reporting the voting results.

Mr. Hipple asked about the cost of stamps.

Ms. Moorman noted for the first mailing, which included return mailing, that cost would be almost \$11,000 just for postage. She further noted a current budget amendment proposal which could allocate a portion, if not all, of the return postage costs. Ms. Moorman noted a \$2 million proposed allotment for localities.

Mr. Hipple noted concern for an additional budget item.

Ms. Moorman noted legislation would be a determining factor. She further noted it was roughly \$1.50 per voter just for the mail. Ms. Moorman noted the cost reflected the size of the mailing envelope and United States Postal Service (USPS) processing fees. She further noted the USPS validates the number of processed envelopes from the County and transfers the chain of custody from the County to the USPS.

Mr. Hipple asked about the dates.

Ms. Moorman confirmed September 18 to October 31.

Mr. Hipple asked if those dates were open to anyone in the County for casting votes.

Ms. Moorman confirmed yes with just a form of identification.

Mr. Hipple questioned the different mailers that were arriving, but noted they were not from the General Registrar's Office. He noted some were blank while others were pre-filled forms. Mr. Hipple asked how citizens could determine the validity of the different mailers.

Ms. Moorman noted there were third-party entities who were encouraging voters to vote, regardless of party, but cautioned the voter list may not be from the Virginia Department of Elections. She further noted the mailers were legitimate applications and her office was processing them. Ms. Moorman noted the Registrar's Office was still processing applications from the first mailing, but to contact her office if no ballot has been received by September 24 or later. She noted the process and the required documentation. She further noted application duplication from the numerous mailers being sent and the extra work for her office.

Mr. Hipple asked about the process for receiving duplicate applications.

Ms. Moorman noted if applications appeared suspicious, the Registrar's Office reported those to the Department of Elections. She further noted contacting the Commonwealth's Attorney Office as well to investigate. Ms. Moorman noted the third-parties generally had the best intentions with their mailings, but not the most accurate mailing list.

Mr. Hipple noted confusion regarding the mailings.

Ms. Moorman noted those mailings come to the Registrar's Office as the County's return address is on the mailings. She further noted the confusion for some localities such as Richmond and Richmond County as well as several others in the state.

Mr. Hipple noted drop-off boxes and the process for that implementation.

Ms. Moorman noted the process was dependent on the direction from the Department of Elections. She further noted if drop-off boxes were used, proper lighting, cameras, and other security features would be implemented, but she preferred the tables with both parties represented for drop-off.

Mr. Hipple noted the uniqueness of this election. He asked if voters would receive confirmation from the Registrar's Office upon receipt of their votes.

Ms. Moorman noted the State Board of Elections had passed an Ordinance to use the intelligent barcode system. She further noted voters could access their unique barcode from their envelopes, enter the code into the USPS system, and see the location of their ballots. She noted this system did not work for overseas voters; however, the Registrar's Office scans those ballots upon receipt into the County system. Ms. Moorman further noted then the voter can then access the Department of Elections website to track the ballot location.

Mr. Hipple asked about the timeline for the ability to view that ballot.

Ms. Moorman noted 10-15 days.

Mr. Hipple asked about the timeline if a citizen cast his/her ballot at the Vote Center.

Ms. Moorman noted those ballots were reviewed daily.

Mr. Hipple complimented the Registrar's Office and the voting volunteers for all their hard work. He noted increased cost for set-up, staffing, and other factors. He questioned budget considerations for the upcoming year, but further noted all the answers were not yet available regarding potential state funding.

Ms. Moorman thanked him. She noted each locality had received Coronavirus Aid, Relief, and Economic Security (CARES) Act money for each locality's Elections Office. She further noted the CARES Act money was approximately \$69,000 or \$1.43 per voter. Ms. Moorman noted the City of Williamsburg received a grant that equated to \$5.05 per voter. She further noted she questioned the formula for the dispersion of funds, but received various responses. Ms. Moorman noted her appreciation of the funds received to assist with the absentee vote-by-mail costs. She further noted each ballot took one to three days to process correctly. Ms. Moorman added the two-person rule was applied to each ballot. She explained this meant two people did the same thing to each ballot to ensure it is processed correctly.

Mr. Hipple noted the Board was available if additional state funding was needed. He further noted the Board could contact the state seeking assistance.

Ms. Moorman expressed her appreciation. She noted the change on the voting envelopes had prompted additional and unexpected costs. She further noted unanticipated costs with this unique election situation that had not been budgeted. Ms. Moorman noted she was hopeful a portion of the return postage would be compensated.

Mr. Hipple thanked Ms. Moorman.

Ms. Sadler noted constituents asked what the timeline was regarding the nationwide election decision. She further noted Ms. Moorman's focus was on Virginia, but asked if there was a timeframe for that final decision.

Ms. Moorman noted unfortunately no as there were 50 different factors and she had no prediction. She further noted she was focused on Virginia and compliance with laws.

Ms. Moorman noted her goal was to be ready the Tuesday after the election.

Ms. Sadler thanked Ms. Moorman and noted James City County was fortunate to have her as its Registrar. She expressed her thanks to the Registrar's Office also. Ms. Sadler further noted reviewing budget and capabilities for future elections.

Ms. Moorman noted Financial and Management Services as well as General Services had been wonderful in helping her office with requests. She further noted the help of Information Resources Management and Information Technology with cybersecurity issues. Ms. Moorman noted it had been a true team effort and she appreciated all the help.

Mr. Icenhour noted both the absentee and in-person voting would be processed through the voting machines, and election night voting would be tallied relatively quickly, but the exception would be any absentee votes received between Tuesday and Friday noon.

Ms. Moorman confirmed yes.

Mr. Icenhour noted the availability of result numbers with the possibility of slight adjustment if needed.

Ms. Moorman confirmed yes. She noted her office was projecting to process the majority of the ballots shortly after the 7 p.m. poll closing on the night of the election. She further noted

two optical scanners were required by Code at precincts with over 4,000 voters and at the discretion of the General Registrar. Ms. Moorman noted the precinct at Norge Elementary School may require one, but she did not foresee a lengthy time post-election for processing the ballots. She further noted she did not anticipate a high volume of write-in votes.

Mr. Icenhour extended his thanks to Ms. Moorman and her office. He noted the citizens of James City County could have a very high level of confidence in the security and integrity of elections run in the County. He further noted credit to the Electoral Board and Ms. Moorman and her staff.

Ms. Moorman thanked the Board. She expressed her thanks to her staff also.

Mr. Icenhour opened the Public Hearing.

1 Ms. Maryann Simpson, 3005 Travis Close, addressed the Board on behalf of the President of the League of Women Voters in the Williamsburg Area, Ms. Sudie Watkins. Ms. Simpson noted she was the Co-chair for the Voters Services of the local League. She further noted the League's hearty endorsement of the establishment of the satellite voting center at the James City County Recreation Center. Ms. Simpson noted the heightened awareness of the increase in absentee and early voting for the upcoming election. She further noted the move to the Recreation Center would allow for more resources to handle the anticipated increase. Ms. Simpson noted the League had assisted Ms. Moorman and her staff at previous elections and complimented both she and her staff. Ms. Simpson noted the volunteer experience was invaluable. She further noted the numerous legislative actions within a short timeframe that the General Registrars across the state had to implement.

Mr. Icenhour closed the Public Hearing as there were no other speakers.

Mr. Icenhour asked if any Board members had additional comments.

Mr. McGlennon noted the passing of Ms. Lois Hornsby, a distinguished citizen in the Williamsburg area. He further noted her impact on the community and extended his condolences to her family.

Ms. Sadler noted people had notified her that Election-related yard signs were being removed. She further noted respecting differing opinions and staying off other's property.

Mr. Icenhour noted his attendance earlier in the day at the Greater Williamsburg Chamber and Tourism Alliance meeting with The Honorable United States Senator Tim Kaine and Congresswoman Elaine Luria, Ms. Terry Banez, Chief Executive Officer of the Greater Williamsburg Business Council, Ms. Vicki Cimino, CEO, Williamsburg Tourism Council, Ms. Cheri Green, Greater Williamsburg Business Council, Ms. Julie Summs, Chair, Greater Williamsburg Business Council, Mr. Chad Green, York County Board of Supervisors, and Mr. Kevin Lembke, Park President of Busch Gardens Williamsburg. He further noted discussion had focused on concerns regarding long-term business impacts, CARES Act money as possible revenue replacement, and a possible extension on the December 31, 2020, deadline for CARES Act money usage.

D. CLOSED SESSION

None.

E. ADJOURNMENT

1. Adjourn until 5 p.m. on September 8, 2020, for the Regular Meeting

A motion to Adjourn was made by Ruth Larson, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

At approximately 5:53 p.m., Mr. Icenhour adjourned the Board of Supervisors.


Deputy Clerk