

Minutes of the Surry County Electoral Board
April 21, 2020 (Draft)

The meeting was called to order at 4:24 PM. Persons present were Judith Giorgio, Chairman; Lynita Mason, Vice Chairman; Sharna White, Registrar; and Claire Steen, Deputy Registrar. The newly appointed Electoral Board member Howell Godfrey was unable to attend the meeting. He has not taken his oath of office as of yet but informed Judith Giorgio via text message he intends to take the oath later this week. Once he has done so, the EB will need to meet to reorganize the EB roles.

Sharna sent out a letter to the EB earlier in the day from the Department of Elections stating a signed document that we have reviewed and /or updated the Voting Equipment Security Plan. Sharna stated the most updated Security plan she could find was from 2009. She has reached out to Charlome Pierce (the former EB Secretary) to see if she has a more current security plan. If she does not, Sharna stated she will use the one she has in her possession and update it. She stated she will send it to the EB via email for our review and approval by May 1, 2020.

The upcoming Town Election was then discussed. Sharna stated she had called the OOE and only five stated they would be willing to work the polls for this election. The ELECT had contacted her to ask how many more we would need. Ideally, we would need seven more but need at least four more to have the minimum number of three at each precinct. It was stated the EB cannot serve as OOE because they are responsible for the canvas.

Sharna stated our liaison for the ELECT, Gail, had told her she would be retiring April 22, 2020.

Some of the new election laws were discussed briefly, including having in-person voting in the Registrar's office and voter ID. It was decided to table the idea of in-person voting until a later date when more information is available. Also, since the voter ID law doesn't come into effect until 2021, we will discuss that in more detail at a later date.

We then discussed the need to create a list of duties for the General Registrar and the Electoral Board. Judy Giorgio had created a list from Chapters 1 and 2 of the GREB handbook which was discussed. The list of duties with the delegated tasks to the GR is attached. We will review this list yearly and update accordingly.

It was discussed that perhaps the EB could have a yearly meeting in which the EB reviews the security plan, performs the GR evaluation, and reviews the GR and EB roles.

Training for the OOE prior to the May election was discussed. Sharna stated she is waiting to hear from the ELECT tomorrow on the ruling of the General Assembly regarding the May election related to the Covid-19 Pandemic. She will notify the EB when she finds out. If we do have the election, Sharna stated she would have the training for the OOE on the Saturday before the election date.

Sharna also stated the EB terms have been changed from beginning in March to January 1.

With no more items for discussion, the meeting was adjourned at 5:02 p.m.

General Registrar and Electoral Board Duties

April 21, 2020

General Registrar Duties

GR – must certify to ELECT the training of the OOE has been conducted.

GR – order printing of sufficient number of ballots subject to approval of both the EB and ELECT. (ch 1, page 10)

GR- must notify appropriate local party chairs, independent candidates for city or town election of the time and place for the final testing and sealing of the voting equipment. This notice must be in writing and sent by mail.

GR – maintain custody of all voting machine keys after the machines have been sealed.

GR – must retain one copy of the SOR for public inspection.

GR – must compose a list in triplicate of the names of everyone who applied for the absentee ballot through the third day before the election. By noon on the day before the election, the GR must delivery two copies of the list to the EB. The GR keeps one for themselves.

GR – must compose a supplementary list of everyone who voted absentee in person. The GR must delivery this list to the chief officer of election for every precinct by 5pm on the day before the election. (24.2-710)

GR – must delivery all applications for absentee ballots under seal to the Clerk of the Circuit Court before noon on the day following the election.

GR – hiring and supervisory authority over assistant registrars.

GR – may not serve as an OOE.

GR – must open office on the first and second Saturdays immediately preceding all general elections except May town elections.

GR – determines the number of ballots for proper conduct of election.

GR – make printed ballots available for absentee voting not later than 45 days before any election.

GR – must send proofs of each printed ballot for verification.

GR – must send copies of each final ballot to the Department of Elections.

GR - Dividing ballots into precincts – must have an EB member present or a designee of the EB.

GR – must notify appropriate local party chairs or independent candidates for a city or town election if there are no party nominees on the ballot for any office of the time and place that the voting equipment will be prepared. 24.2-633

GR – must delivery copies of these abstracts to the appropriate authorities.

GR – must notify a candidate of any deficiencies in his declaration of candidacy or his petitions which can be corrected prior to the filing deadline.

GR – sets the term for assistant registrars. It may not be longer than the term of the hiring GR.

GR – must notify the locality’s treasurer or director of finance if any candidate is running unopposed in a primary so the candidates filing fee may be returned.

GR – approves number of ballots to order prior to the order being placed.

GR – must certify its compliance with the deadline for printed ballots to the Department of Elections and report to the SBE the number of ballots ordered.

GR – must design and layout each ballot according to instructions titled “Ballot Standards and Verification Procedures.”

GR - will certify to the Department of Elections each year before the November general election that they have reviewed and updated their training plan for OOE and that OOE have been trained accordingly in the past year.

GR – must ensure the GR certify to the Department of Elections that training of the OOE has been conducted consistent with the training standards. See forms warehouse for annual and quadrennial certifications.

GR – any member who has missed more than two meetings of the EB during a calendar year must also provide written or email notice to the Commissioner or Deputy Commissioner of the Department of Elections.

GR – must post or publish any notice of a primary that is received from the Department of Elections or other appropriate authority. Post a copy on official website, post notice in not less than 10 public places, or have notice of election published at least once in a newspaper of general circulation in the county.

GR– must post a list of all appointed officers of election in the GR office.

GR and EB secretary – both responsible to ensure the Commissioner or Deputy Commissioner of Elections are notified if GR will be out of office for more than two weeks.

GR – must keep a copy of all EB oaths (Form ELECT-120EB) in a file at the GR office.

GR – must make and delivery certificates of election to all winners of local offices. 24.2-676

GR – must delivery all absentee ballots received after the election to the Clerk of Circuit Court.

GR – Electoral Information Form (SBE-106) should be used to update EB information.

GR – must immediately notify ELECT of any change in membership or officers of the EB and keep ELECT informed of the name, residence and mailing addresses and telephone numbers of each EB member.

GR – submit copy of the Certificate of Eligibility for Appointment to Electoral Board (ELECT-119) to the Department of Elections. The original completed form with all information requested should be

retained in the records of the EB with the orders appointing members. A copy must also be given to GR to update the VERIS Directory.

GR – (or member calling the meeting) must notify to the public and all board members three (3) working days prior to the meeting. Posting the date, time, and location of meetings in a prominent public location (locality website or public bulletin board) and at the GR office.

GR – certify to the Department of Elections that absentee ballots were sent to applicants by the date required by law and provide certain info required to assure compliance with absentee voting deadlines. 24.2-612

GR – must send absentee ballots electronically to eligible absent military and overseas voters who request.

GR – direct return of all materials from the precincts to the office of GR. GR must secure and retain them until the EB canvas is complete.

GR – must mark the date of receipt of any absentee ballot and deposit in an appropriate container.

GR – furnish two sample ballots to each precinct to be posted for public inspection during an election.

GR – designate one person to be continuously present in the room where and when the ballots are being printed. We use Print ELECT.

GR – must designate a person to affix the EB seal to each ballot and sign a statement witnessing such. This statement must be filed with the EB's minutes. We use Print ELECT.

Electoral Board Duties

EB – must perform canvas on the day after the election but may postpone for 7 days from date of the election if necessary. (Cannot be delegated)

EB – must complete, certify and sign SOR for each office or question on any ballot in the locality. (Cannot be delegated)

EB – if a local election results in a tie, the EB will proceed publicly to determine by lot which of the candidates shall be declared elected. 24.2-674

EB – responsible for ensuring the GR has all voting equipment, furniture, and materials at the polling places before the polls open.

EB – must deliver the absentee ballot containers to and obtain receipt from the Chief OOE at each precinct.

EB – in May or June appoints GR every four years (2007, 2011, 2015, 2019, 2023, etc). First of July begins the term. (Cannot be delegated)

EB – Review the GR role annually and adopt a resolution at a meeting listing those EB duties that are being delegated to the GR to perform. 24.2-114 (Cannot be delegated)

EB – conduct an annual performance review of the GR each year for the 12-month period ending June 30. Must complete by August 1 and a copy of the summary of the review submitted to the Department of Elections by the due date. The EB must retain a copy of the complete review document in their files. 24.2-109.1 (Cannot be delegated)

EB – must meet first week in February to appoint OOE. (Cannot be delegated)

EB – March meeting elects a chairman, vice chairman and secretary following the appointment of a new or re-appointment member. (Cannot be delegated)

EB – each EB member should attend ELECTs annual training the first year when appointed or any subsequent reappointment. At least one EB a year must attend.

EB – Core supervisory functions (protecting the ballots, appointing OOE, and GR evaluation) cannot be delegated.

Electoral Board Secretary

EB Secretary – retain an updated list of delegated duties to the GR in order to provide to any new Registrar.

EB Secretary – must certify the appointment to ELECT using the GR Certification of Appointment form.

EB Secretary – must ensure the GR oath is taken and filed.

EB Secretary – Must sign SOR for elections.

EB Secretary – take minutes for all meetings and submit draft to GR. Once EB has made required changes and approve of the minutes, the GR will be given final for posting.

EB Secretary – perform necessary administrative duties.

General Registrar and/or Electoral Board Duties

EB and GR - Voting equipment custodians - a person to program, maintain, calibrate and deliver. The law requires the presence of both a board member or registrar and a custodian. The same person cannot fulfill both roles. A EB member, an authorized representative of the EB, or the GR must be present at the final testing of each machine before each election. 24.2-632 GR will notify EB when the machines are scheduled to be programmed.

EB and GR – must employ a person called custodian to set up and test each voting machine before each election. This may be assigned to an EB or assistant registrar without pay for such service. Both a custodian and EB member, a representative of the EB, or GR must be present.

GR and EB – discuss expectations for expected overtime and if compensation or flexible scheduling.

GR, EB, and OOE – must account for all used and unused paper ballots. 24.2-666