

## Chesterfield County Electoral Board

### Electoral Board Members

Lynette P. Clements, Vice Chair

Caroline S. Emmons, Chair

Elizabeth G. Dwyer, Secretary

### Electoral Board Meeting Minutes

March 24, 2022

The following people were present:

Board: Caroline Emmons, Chair; Lynette Clements, Vice-Chair; Elizabeth Dwyer, Secretary

Registrar's Office: Constance Hargrove, Leslie Foreman, Missy Vera

Guests: James Holland, Board of Supervisors; Renee Wentworth, Senior Administrator, Chesterfield Information Systems Technology; Matt Harris, Deputy Chesterfield County Administrator for Finance and Administration.

1. Ms. Emmons called the meeting to order at 9:10.

2. **Appointment of Acting Registrar:** Ms. Clements moved to appoint Missy Vera as Acting Registrar, effective at close of business on March 25, 2022. The motion was passed unanimously. Ms. Emmons forwarded notice of the action to the Human Resources Department via email.

3. **Registrar:** Mr. Holland, of the Board of Supervisors, briefly attended the meeting to thank Ms. Hargrove for her service as Registrar and to wish her well. The Board subsequently discussed the Registrar's role and issues affecting the Registrar's Office.

4. **Closed Session:** Upon a motion made by Ms. Clements, seconded by Ms. Emmons, and passed by unanimous vote, the Board went into closed session at 10:01 for the purpose of discussing personnel issues. Upon a motion made by Ms. Clements, seconded by Ms. Dwyer, and passed by unanimous vote, the Board reconvened in open session at 11:06. The Board certified that the closed session was held in accordance with law (certification attached).

5. **Officers of Election:** Ms. Clements moved that Beverly Gates Plummer be removed as an Officer of Election. The Board approved the motion by unanimous vote. Ms. Clements moved that Mr. John Eaton's status as a retired Officer of Election be changed to active status. The Board approved the motion by unanimous vote. Ms. Clements moved that the Board accept Mr. Larry Buchanan's resignation as an Officer of Election. The Board approved the motion by unanimous vote.



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6. **Update:** Ms. Hargrove updated the Board on Registrar's Office matters, including: the status of redistricting in Chesterfield and ExpressVote printers, which have been ordered and will be available for use during the June primary.

7. **Security Presentation:** Ms. Wentworth reviewed the results of the election cyber security assessment, known as Local Election Security Standards (LESS) that is required by ELECT. Chesterfield County has fully met 29%, substantially met 43%, and not met 29% of the standards. A Plan of action of Milestones is due from the County by March 31 to address unmet items. Grants received and applied for will provide needed staff to address unmet items.

8. **County Interface:** Mr. Harris, Deputy County Administrator met with the Board to discuss: the creation of a Board of Supervisors' resolution commending Ms. Hargrove for her service to the County; support and resources the County is committed to provide to the Registrar's Office through the various county departments; new office space for the Registrar's Office; and staffing policies.

9. **Adjournment:** Ms. Clements moved to adjourn the meeting. By unanimous vote the meeting was adjourned at 2:14.

March 29, 2022

Date Approved

Elizabeth Dwyer

Elizabeth Dwyer, Secretary

Draft: 1.0



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**Electoral Board Closed Session Minutes**

**Electoral Board Closed Session**

**Date:** 3/24/22

**CLOSED SESSION**

**GOING IN** TIME: 10:01

1. Upon a motion made by Electoral Board Member Lynette Clements, seconded by Electoral Board Member Emmons, and passed by a vote of Electoral Board, Electoral Board went into closed session pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia for the "[d]iscussion, consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body; ...."
2. Upon a motion made by Electoral Board Member Clements, seconded by Electoral Board Member Dwyer, and passed by vote of the Electoral Board, Electoral Board reconvened in open session.

**COMING OUT TIME:** 11:06 AM

**CERTIFICATION**

1. Upon a motion made by Electoral Board Member Dwyer, seconded by Electoral Board Member Clements and passed upon affirmative roll call vote in open session, it was certified that (i) only public business matters lawfully exempted from open meeting requirements and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened, were heard, discussed or considered in the closed session or meeting by the Electoral Board.

**ROLL CALL VOTE:**

Chair Emmons : aye  
 Vice Chair Clements : aye  
 Secretary Dwyer : aye

  
 Chair signature

3/24/22  
 Date

**Selected Code of Virginia Sections that Electoral Boards may cite for going into closed session:**

*§ 2.2-3711(A)(1): Personnel. Provides an exemption for:*

*Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body ...*

Use this exemption to prepare your General Registrar's annual performance evaluation and to discuss appointment and performance of officers of election.

*§ 2.2-3711(A)(4): Privacy. Provides an exemption for:*

*The protection of the privacy of individuals in personal matters not related to public business.*

*§ 2.2-3711(A)(7): Legal advice. Provides an exemption for:*

*Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.*

*§ 2.2-3711(A)(29). Contracts. Provides an exemption for:*

*Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.*

Use this exemption to discuss the details of your contract with a vendor to acquire new voting equipment.

*§ 2.2-3711 (A)(35). Security. Provides an exemption for:*

*Discussion or consideration by the State Board of Elections or local electoral boards of voting security matters made confidential pursuant to § 24.2-625.1.*

Use this exemption to prepare and revise your locality's security plan.

Excerpted from FOIA Council website:

[http://foiacouncil.dls.virginia.gov/2014\\_workshopmaterials.htm](http://foiacouncil.dls.virginia.gov/2014_workshopmaterials.htm)