

County Of Bath, Virginia
65 Courthouse Hill Road
Warm Springs, Va. 24484

Bath County Historical Society Board Room

Wednesday, November 8, 2023
Canvass of Election and Electoral Board Regular Meeting

Nancy Peery, Chair; Karen Allen, Vice Chair; Liz Knapp, Secretary
Donna Weaver, General Registrar

Call to Order and Pledge of Allegiance: 10:25am

- Present at meeting: Nancy Peery, Karen Allen, Liz Knapp, and Donna Weaver

Canvass:

- The Canvass is a meeting of the Electoral Board; thus, the Freedom of Information Act applies. The Provisional Ballots meeting is a closed session and not open to the public. In contrast, the Canvass is open to the general public, who may attend all or a portion of the meeting to the extent that space is available. Notice of the date, time, and location at which the Provisional Ballots meeting and the Canvass will be held must be given to the public by the Electoral Board at least three business days prior to the meeting date. While the Canvass is required to begin no later than 5PM on the day after the election, results from the Canvass cannot be certified and submitted to the Department of Elections until provisional ballots are completed. The electoral Board should proceed with canvassing immediately following the Provisional Ballots meeting, which is when qualifications of those persons who cast provisional votes are determined.
- The Canvass started at 10:28am, with all precincts being counted. A motion to go into closed meeting was made by Karen (pursuant to Section 2.2-3711, subsection A 34 of the Code of Virginia 1950, as amended, to discuss and to consider the Provisional votes matters made confidential under Virginia Code section 24.2-410.2 and 2.2-3711.1) and was seconded by Nancy. Ayes: 3 Nays: 0
- At 11:01am, Liz moved to go into open session and Karen seconded the motion.

- **Certificate of Closed Meeting:**

WHEREAS, the Bath County Electoral Board has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

NOW, THEREFORE, BE IT RESOLVED, that the Bath County Electoral Board certifies that, to the best of each member's knowledge:

- (1) Only business matters lawfully exempted from opened meeting requirements by Virginia law were discussed in the closed meeting to which the certification resolution applies, and
- (2) Only such business matters as were identified in the motion convening the closed meeting were heard, discussed, and considered by the Bath County Electoral Board.

Ayes: 3 Nays: 0

- The Board voted to count 15 provisional ballots. One ballot was not counted.
- The meeting was moved to the General Registrar's office to finish ascertaining CAP early votes and absentee ballots.

- The Canvass was adjourned at 2:19pm to be continued on Monday, November 13, 2023 at 11am to ascertain and sign the completed canvass.
- The Board will also meet on Monday, November 13, 2023 at 3pm with the winning Board of Supervisors to select two staggered precincts, as adopted by ordinance on August 9, 2022 by Bath County.
- A motion to open the regular business meeting by Liz and seconded by Karen.

Approval of Minutes:

- The minutes of the October 11, 2023 Regular Board meeting were approved without changes.

Unfinished Business:

- In response to the Board's letter to Mr. Bender, Bath County Administrator, requesting the Honorable Judge Edward K. Stein that the back door to the County building be unlocked during all voting hours, Mr. Bender responded that the Judge has agreed to unlock the doors during normal business hours, except on court days.
- Liz spoke with the County's attorney, Julian Harff, regarding drafting a lease for use for our voting locations. He will provide a draft lease for us to review at our December meeting.
- Discussion on next steps to move the Warm Springs precinct voting location. The Board needs to ask the County Board of Supervisors for a resolution to move forward with a request of the Attorney General for a Certificate of No Objection. As time is of the essence and the Board will not be able to confirm a new location before the next Supervisors' meeting on November 14th, Liz will ask Mr. Harff if this can be done without a specific location. If so, we will attend the meeting to make the request.
- Also regarding the Warm Springs move, Donna will call Beth Rogers regarding next steps for approval of the Mountain Crest Retirement Community Center and Karen will contact John Taylor, Bath County HS principal, regarding approval by the school Superintendent of using the High School.

Public Comment: No public attendance at this meeting.

The meeting was adjourned at 3:18pm.

Canvass:

- The Canvass for the November, 2023 election was reopened on Monday, November 13, 2023 at 12noon in the General Registrar's office. There were no post election ballots received. The CAP machine was opened and closed with zero totals. The Board certified the election results, including one write-in candidate for Soil and Water Conservation Mountain District, and signed the election abstracts. A copy of the abstracts and election results are attached. At 2:30, the Board adjourned until 3pm to select the two members of the Board of Supervisors for staggered terms.
- The write-in winner for Soil and Water Director declined the position and signed the write-in refusal form, which is a part of the minutes of the meeting. A special election to fill the declined position is not required by law. Va. Code 10.1-530 directs Soil and Water on how to handle vacancies.

At 3pm, the Board assigned, by lot, the individual staggered terms of members of the Bath County Board of Supervisors, as required by a Bath County ordinance adopted on August 9, 2022. The two members selected are Williamsville and Cedar Creek. Meeting was adjourned at 3:05pm.

The next Regular Board meeting will be on Wednesday, December 13, 2023 at 3pm.