

REPUBLICAN 5th CONGRESSIONAL DISTRICT COMMITTEE
Minutes of Electronic Meeting
April 12, 2020

On April 4th, Chairman Melvin Adams issued a Call for a meeting of the 5th Congressional District of Virginia Republican Committee for Sunday, April 12, 2020, via an online/phone Zoom meeting, beginning at 7pm. (This was distributed via email on Melvin's behalf by the committee's Recording Secretary.) This Call contained the agenda for the meeting. Subsequently, the instructions for joining the Zoom meeting were separately distributed on 4/11/20 by Charlottesville GOP Chairman Dan Moy.

At the start of the meeting, Chairman Adams and Charlottesville GOP Chairman Dan Moy did their best to ensure that only CD5 Committee members were on the Zoom meeting platform. All guests were directed to join via a separate FreeConference.com online/phone meeting, the instructions for which had been widely disseminated over the prior two days, including being posted on the CD5 website.

The meeting was officially called to order at 7:21pm by Chairman Adams. Nancy Rodland gave the invocation, Dan Moy led the Pledge of Allegiance, and Terry Dixon read the Virginia Republican Creed.

Chairman Adams made the following temporary appointments:

Parliamentarian – Mary Loose

Timekeeper – Eric Phillips

Proxy Committee – Daniel Bradshaw (Chair), Christian Raymond, Aaron Moyer

Proxy Committee Report

Daniel Bradshaw reported that there were no proxies.

Committee Members Present

The Recording Secretary called roll, and all of the current 36 committee members were present: Melvin Adams, Carolyn Ley, Chris Shores, Aaron Moyer, Marian Dixon, George Urban, Christian Raymond, John Briscoe, Eric Brazeal, Dylan Slaughter, Doug Barringer, Noah Davis, Dan Moy, Cliff White, Mark Nicholson, Greg Schumacher, Darrell Byers, Wally Young, Steve Kruskamp, Korey Snead, Eric Phillips, Mike Hankins, Jim Smith, Wally Hudson, Carlton Ballowe, Will Pace, Daniel Bradshaw, Terry Dixon, Nancy Rodland, Renee' Maxey, Ed Yensho, Will Kirk, Travis Witt, Cameron Cox, Alex Pisciarino, and Chardon Jenks. This constituted a quorum.

Minutes and Treasurer's Report

Will Pace made a motion that approval of these reports be postponed until our next meeting. Following a second by Daniel Bradshaw, this motion passed by a voice vote, without objection.

Addition to the Meeting Agenda

Absent any objection, Chairman Adams asked that two items be added to our meeting agenda. These were for our committee to: 1) consider filing a lawsuit against the Virginia State Board of Elections, similar to the suit already filed by the 7th Congressional District, in order to extend the deadline for us to notify the Board of our Republican congressional nominee; and 2) consider joining the lawsuit that Congressman Denver Riggleman had proposed to file against the Virginia State Board of Elections and RPV, which would allow us the option of adding our congressional candidates to the state-run Primary Election ballot in June. There was no objection, so these two items were added to the agenda.

Will Pace made a parliamentary inquiry, asking whether our forthcoming decision to postpone our convention date would require us to set a new date now.

Parliamentarian Mary Loose's response was that a postponement would not require that a new date be immediately set.

Nancy Rodland made a motion that a 10-minute time limit be set for the debate of each motion in our meeting, with a maximum of two (2) minutes per speaker, who could also yield his/her time to another speaker; and Carolyn Ley provided a second. Chairman Adams clarified that he would choose the speakers, such that they alternated FOR and AGAINST the motion. Cameron Cox pointed out that this wouldn't be a fair division of the time, since that would mean one side would only get two speakers while the other got three. Chairman Adams agreed, and he asked if Nancy would amend her motion to allow only one minute per speaker. Nancy agreed to this, and Carolyn again provided a second to the amended motion.

The Parliamentarian pointed out that this motion must pass by a 2/3 vote, since it would be limiting debate. Chairman Adams first asked if anyone objected to a time limit being set. Alex Pisciarino objected, so the Recording Secretary proceeded with a roll-call vote. The following were as results:

Melvin Adams - YES
Carolyn Ley - YES
Chris Shores - YES
Aaron Moyer - YES
Marian Dixon - YES
George Urban - NO
Christian Raymond - YES

John Briscoe - YES
Eric Brazeal - NO
Dylan Slaughter - YES
Doug Barringer - YES
Noah Davis - NO
Dan Moy - NO
Cliff White - YES
Mark Nicholson - YES
Greg Schumacher - NO
Darrell Byers - YES
Wally Young - YES
Steve Kruskamp - NO
Korey Snead - YES
Eric Phillips - YES
Mike Hankins - YES
Jim Smith - NO
Wally Hudson - YES
Carlton Ballowe - YES
Will Pace - NO
Daniel Bradshaw - YES
Terry Dixon - YES
Nancy Rodland - YES
Renee Maxey - NO
Ed Yensho - YES
Will Kirk - YES
Travis Witt - YES
Cameron Cox - NO
Alex Pisciarino - NO
Chardon Jenks - YES

Thus, by a vote of 25-YES to 11-NO, which exceeded the 2/3 requirement, the motion passed; and a 10-minute time limit would be in effect for the debate of each future motion.

Consideration of a Lawsuit Against the Virginia State Board of Elections

The first item of business was the consideration of the CD5 Committee filing a lawsuit against the Virginia State Board of Elections (VSBE). This suit would be similar to the one recently filed by the 7th Congressional District Committee, where the VSBE would be required to extend the June 10th filing deadline for our congressional nomination. Melvin noted that a preliminary copy of the complaint had been distributed to all committee members this morning. In response to a question from Eric Brazeal about any differences between our proposed suit and that of the 7th District, Melvin explained that the only significant difference was the

inclusion of a provision that would preclude Governor Northam from imposing a new Executive Order that would prevent our political organization from assembling, should we want to do that.

Attorney Rick Boyer, who had offered to file our proposed lawsuit pro bono, joined our call, and he gave an overview of the complaint's provisions and compared those to the suit currently awaiting a judge's decision in the 7th Congressional District. Discussion and Q&A followed, during which time Will Pace asked if it would be possible to separate the currently proposed lawsuit into two complaints, one against the VSBE and the other against the Governor. Rick responded that this could be done, and he further thought it would be a good idea to do so.

Daniel Bradshaw made a motion that we go forward with the lawsuit, but separate the complaints into two suits. Mike Hankins provided a second. Chairman Adams put forth this motion for passage, if there was no objection; and there was none. Thus, the motion passed by unanimous consent.

Consideration of Joining Congressman Denver Riggleman's Lawsuit

The next item of business was to consider joining the lawsuit that Congressman Denver Riggleman had proposed to file against the Virginia State Board of Elections and RPV, which would allow us the option of adding our congressional candidates to the state-run Primary Election ballot in June. Eric Brazeal made a motion that our committee joins that lawsuit, and Cameron Cox provided a second. Shortly thereafter, Eric clarified that the motion he was making was the one that had been sent out via email last night. George Urban read this as follows:

- i. authorize the Committee to seek remedies that allow this Committee the option, but not the obligation, to change its method of nomination for its candidate for Congressman in the 2020 General Election to a Primary due to the current pandemic, including joining the proposed litigation, in form and substance substantially similar to the draft circulated to this Committee by Chris Woodfin, that would enjoin the Commonwealth of Virginia and State Board of Elections to place the names of Bob Good and Denver Riggleman on the upcoming Primary ballot if this Committee chooses in a subsequent vote to switch its method of nomination to a Primary;
- ii. authorize and direct the Chairman of the Committee and the Committee's officers and executive committee to take actions immediately as necessary to give effect to this motion and as authorized in part (i) of this motion, including (a) signing at the bottom the verified Complaint as provided by Chris Woodfin to be filed with the litigation on behalf of this Committee, and (b) retention of independent legal counsel for the Committee, as necessary, that is not affiliated with or has supported either Congressional candidate; and
- iii. instruct the Chairman to issue a call for a meeting of the Committee to be held not later than April 20, 2020, and to include in such call that the Committee will vote on whether or not to switch to a primary (if able) for the Congressional nomination.

SCC Representative Will Kirk made a substitute motion that the 5th Congressional District Committee not join any lawsuit that would change our nomination method to a Primary Election, for this election cycle; and Carolyn Ley provided a second. Parliamentarian Mary Loose confirmed that a substitute motion must be considered first. A 10-minute time limit was set, during which committee members spoke for or against the motion. Those speaking FOR and AGAINST Will's motion were as follows:

- Alex Pisciarino – AGAINST
- Carlton Ballowe – FOR
- Noah Davis – AGAINST
- Travis Witt – FOR
- Cameron Cox – AGAINST
- Doug Barringer – FOR
- Jim Smith – AGAINST
- Renee Maxey – FOR
- Mike Hankins – FOR
- Steve Kruskamp – AGAINST

Following the discussion, a number of additional questions were asked and answered until Ed Yensho made a motion that we Call the Question (proceed with a vote on the substitute motion). Parliamentarian Mary Loose confirmed that Ed's motion would only require a majority for passage, because we had already passed a vote by greater than a 2/3 majority to limit our debate on each motion. She also suggested that Ed consider phrasing his motion as “without objection, I move to Call the Question”, to which Ed readily agreed.

Cameron Cox asked how a vote on Will's substitute motion would affect any committee member who had already signed an affidavit of support for Congressman Riggelman's lawsuit. Would this put them in direct conflict with the committee if Will's motion passed? Melvin's answer was that it would; and those people who had signed affidavits would presumably have to recant their affidavits. He further admonished all committee members, who had signed those, that they needed to consider this.

Ed's motion was then put forth for passage, if there was no object. However, someone did. Thus, a roll-call vote was taken on Ed's motion, with the following results:

Melvin Adams - YES
Carolyn Ley - YES
Chris Shores - YES
Aaron Moyer - YES
Marian Dixon - YES
George Urban - NO
Christian Raymond - YES
John Briscoe - YES
Eric Brazeal - NO
Dylan Slaughter - NO
Doug Barringer - YES
Noah Davis - NO
Dan Moy - NO
Cliff White - YES
Mark Nicholson - NO
Greg Schumacher - NO
Darrell Byers - NO
Wally Young - NO
Steve Kruskamp - NO
Korey Snead - YES
Eric Phillips - NO
Mike Hankins - YES
Jim Smith - NO
Wally Hudson - YES
Carlton Ballowe - YES
Will Pace - NO
Daniel Bradshaw - YES
Terry Dixon - YES
Nancy Rodland - YES
Renee Maxey - NO
Ed Yensho - YES
Will Kirk - YES
Travis Witt - YES
Cameron Cox - NO
Alex Pisciarino - NO
Chardon Jenks - YES

Thus, by a vote of 20-YES to 16-NO, Ed's motion passed; and a vote on Will Kirk's substitute motion was to be immediately taken. The results of that were as follows:

Melvin Adams - YES
Carolyn Ley - YES
Chris Shores - YES
Aaron Moyer - YES
Marian Dixon - YES
George Urban - NO
Christian Raymond - YES
John Briscoe - YES
Eric Brazeal - NO
Dylan Slaughter - NO
Doug Barringer - YES
Noah Davis - NO
Dan Moy - NO
Cliff White - NO
Mark Nicholson - NO
Greg Schumacher - NO
Darrell Byers - NO
Wally Young - NO
Steve Kruskamp - NO
Korey Snead - YES
Eric Phillips - NO
Mike Hankins - YES
Jim Smith - NO
Wally Hudson - YES
Carlton Ballowe - YES
Will Pace - NO
Daniel Bradshaw - YES
Terry Dixon - YES
Nancy Rodland - YES
Renee Maxey - YES
Ed Yensho - YES
Will Kirk - YES
Travis Witt - YES
Cameron Cox - NO
Alex Pisciarino - NO
Chardon Jenks - YES

Thus, by a vote of 20-YES to 16-NO, the motion passed; and the CD5 Committee will NOT join the Riggelman lawsuit.

Amend the Convention Date on the 5th District Convention Call

In preparation for the discussion on how we might want to consider handling the postponement of our planned 4/25 convention, Chairman Adams laid out what he

viewed as our two best options: 1) We could postpone to a specific date; or 2) We could postpone to a date yet to be determined, in order for us to first learn the results on several matters that are still being considered. Two examples are what the judge will decide in the lawsuit filed by the 7th Congressional District; and what the SCC will decide concerning the proposed amendments to the *RPV Plan of Organization*, at their meeting scheduled for 4/18. Melvin said he liked Option #2; but he wanted to hear the opinions of the rest of the members of our committee.

After a short discussion, Ed Yensho made a motion that we postpone the convention to a date TBD; but authorize the CD5 Executive Committee to set the new date, once currently unknown information becomes available. Wally Hudson provided a second to the motion. During a short discussion, George Urban expressed concern that the demonstrated division among our committee members seemed to necessitate the full committee membership voting on a new date for the convention, in order to ward off possible further disagreements and/or accusations about unfairness to a particular candidate. Will Pace said he agreed with that, and he offered an amendment to Ed's motion, that the full committee membership set the new convention date at a later time. Eric Brazeal provided a second to Will's motion. Following some additional discussion, Daniel Bradshaw asked to Call the Question; and Ed Yensho provided a second. There being no opposition to this request, Will Pace restated his motion, which was: "We will postpone the convention from the original 4/25/20 date to a new date to be determined; and the full CD5 Committee will convene later to set the new date." Parliamentarian Mary Loose observed that the vote on this motion would only require a majority to pass. In order to possibly speed up the voting process, Chairman Adams offered the motion for passage, if nobody objected. Nobody objected, so the motion passed by unanimous consent.

Aaron Moyer offered the following motion: "I move that Chairman Adams, in consultation with others as needed, develop a summary of the decisions made in this meeting; that the summary be posted on our website, the RPV website, and all relevant social media pages; that he send this via email to all convention delegates for whom we have valid email addresses; and for any remaining delegates without valid email addresses, that each delegate's representative unit make its best effort to convey this information to those people via the best alternative contact method." Daniel Bradshaw provided a second to this motion. George Urban offered a friendly amendment that the last portion of the motion be stricken, as he said it would be difficult for large units to make contact with the delegates that have no email addresses. Even though a number of people spoke of the benefits of the units helping to notify their delegates, there was no opposition to George's amendment; so the amended motion passed by unanimous consent.

Chairman Adams' Appeal for Unity of Our Committee

Chairman Adams noted the significant disagreement among our committee members in recent weeks. Going forward, he called upon all members to unite around the decisions that we have just made in this meeting. Furthermore, he asked that everyone refrain from public dissent over our decision processes, particularly on social media. He also reminded everyone that candidates come and go, but our committee stays in place throughout; and its credibility was paramount! We all now need to focus on finding the best solutions to determine our Republican congressional nominee.

Adjournment

With a motion by Will Pace and multiple seconds, the meeting was adjourned by a voice vote, without objection, at 9:38pm.

Respectfully submitted,

Aaron Moyer – Recording Secretary

5th Congressional District of Virginia Republican Committee