

Board for Registration of Voters

Meet: Time: 6:00p Date: 10/03/2023

Where: Sharon Bushor Conference Room, City Hall, 149 Church St. and remotely via Zoom.

Present: Lauren Ebersol, Grace Grundhauser, Thea Knight, Alison Harte, Lesley Gendron, Annie Schneider, Mike McGarghan, Olga Bravo, Michelle Lefkowitz, Karen Rowell, Will Cunningham,

Absent: Helen Rock

Also Present: Sarah Montgomery (Assistant City Clerk), Tenzin Chokden (Associate City Clerk)

Agenda:

Lesley Gendron made the motion to accept the agenda, seconded by Thea Knight.

Approved unanimously.

Meeting Length:

The meeting length was set for one hour.

Adopt previous minutes:

Lesley Gendron made the motion to accept the previous minutes, seconded by Karen Rowell.

The minutes were accepted unanimously.

Public Comments:

No members of the public were present.

Clerk's Report:

Sarah Montgomery reported that the total registered voters are 31,135. Out of those 2 are registered as legal resident voters. 8,175 voters are challenged. In August, there were 167 new registered voters, 97 voters transferred from Burlington, and 52 voters were purged.

Sarah Montgomery also reported that the new election management system will not take effect until 2025.

Challenge Approvals:

The board reviewed a list of 18 voters proposed to be challenged.

Karen Rowell made the motion to challenge the 18 voters. Seconded by Michelle Lefkowitz.

Approved unanimously.

Voter List Maintenance:

Karen Rowell asked: How do we know a voter who is registering in Burlington is not registered somewhere else and vice versa if a voter from here registers in another state? Her main concern being college students registering to vote on local government Issues, especially bonds and budgets because they are only here for four years and their vote can affect the next 40 years.

Grace Grundhauser explained that she reached out to the Secretary of State on some questions of concern to the board and gathered all the information into a presentation.

Mike McGarghan mentioned that he was disappointed in the Secretary of State's response because they didn't give him answers on the whether the State or the Legislature wants to come together to clean up the system by participating in interstate cross check.

Grace Grundhauser went over the slide show as included in agenda packet.

Thea Knight asked what do you receive from the State and how many notices come in?

Sarah Montgomery replied that the Secretary of State's office receives paper notifications from other states that receive new registrations from voters previously registered in VT. The state then distributes those notices to the appropriate towns, so those voters can be removed from the town's checklist.

Tenzin Chokden added that the City receives notices weekly. The average week there is about 5-10 Burlington voters removed from the checklist due to out of state notifications.

Mike McGarghan asked if there is any personal information on the list of notices sent to the town clerks or if the information can be redacted to share a sample of the notice with the board. He would like a copy of a sample emailed to him.

Sarah Montgomery replied she will need to redact some information before sending it but can share an example.

Grace Grundhauser asked if VEMS sends automatic message to other States when town clerks register a new voter and does this communication happens automatically. She wants to see sample of communication to share with the board.

Tenzin Chokden shared a sample of email that was sent from VEMS to another state when a voter from another state registers in Vermont, notifying them that their voter has registered in Burlington.

Sarah Montgomery added that 31 of the 52 purged voters in August were due to out of state notifications.

Mike McGarghan mentioned that ERIC is not a government organization and there are politics involved. He can't put lot of faith in this system.

Grace Grundhauser explained agreed with Mike McGarghan that ERIC is not a government program but there are governments participating in it. There are about 25 States plus DC participating. States and DMV share checklist every 60 days and they find the duplicates.

Olga Bravo mentioned that any major changes made to the state checklist has to be 90 days before an election.

Grace Grundhauser explained the reason behind that is that we don't want to accidentally remove someone from the voter checklist. She concluded the presentation by saying that after doing the research on this, she believes that this is beyond the board's purview and it is the state's responsibility but it is important information for the board because we talk to voters and they ask about these kind of questions.

Michelle Lefkowitz asked is a voter is breaking the law by not entering information on where they are previously registered?

Grace Grundhauser replied that when a voter signs the application, they are swearing under oath that they are not registered anywhere else and they could get in trouble for not truthfully giving the information.

Mike McGarghan added that we are not supposed to think or ask these questions because they've made too many changes in last few years, including sending ballots, where you can't even prove if there is voter fraud or not because they purposely made it vague to track these.

Olga Bravo mentioned she didn't unregister from her previous state before moving to Vermont because she didn't have time. She was receiving communication from her previous place about voting even after she registered in Vermont and listed the last place where she was last registered on her new registration.

Mike McGarghan had heard a voter registration drive telling people they have to answer all three questions yes to receive a ballot and says that nobody actually reads the oath. Nobody is checking on the information.

Michelle Lefkowitz said you are committing fraud if you are caught voting in two different jurisdictions, but not necessarily if you are registered in two different jurisdictions.

The board was very appreciative of work that Grace Grundhauser had put together to create the slide show and thanked her.

New Business:

Grace Grundhauser had Sarah Montgomery check with a city attorney on the approval of challenge voter lists whether this needs to be shared or not with general public as part of each meeting agenda. The list has people address and why they are being challenged. Some of reason being people who sold their homes where they listed legal address.

Sarah Montgomery interpretation from city attorney is that as long as she is able to reasonably understand what the board is taking action on, the information doesn't need to be published to the public and it is up to board discretion whether they want it published or not.

Mike McGarghan asked why isn't the voter checklist made publicly available for people to check their status. Is it up to city decision to make this public like the City property database?

Sarah Montgomery said it is a public record and anyone can request the information. The checklist is also posted publicly in several locations before an election. She will look into whether there are any legal restrictions to posting it publicly online.

Mike McGarghan asked if this new approval of challenge process was new or approved by the board.

Grace Grundhauser replied this was adopted two meetings ago and the board voted on this process after Sarah Montgomery brought it board attention that the current process was not correct.

Annie Schneider asked if the board wants make a motion to table discussion on position description on Youth member until next meeting.

Thea Knight made the motion to table the item. Seconded by Mike McGarghan.

Approved unanimously.

Adjournment:

Michelle Lefkowitz made the motion to adjourn. Seconded by Karen Rowell.

The meeting was adjourned at 7:04PM.

Respectfully Submitted By: Tenzin Chokden, Associate City Clerk