



Board for Registration of Voters

**Board for Registration of Voters 11/7/2023 - Tuesday, November 7, 2023, 6:00 PM,
Police station community room, 1 North Ave, Burlington, VT 05401 OR remotely via
Zoom.**

Join Zoom Meeting

<https://zoom.us/j/99553509592>

Meeting ID: 995 5350 9592

1. Agenda

1.1. Motion to amend/adopt agenda

2. Introductions

3. Set Meeting Length

4. Adopt Minutes

4.1. Approval of previous meeting's minutes

File Attachments

1. Minutes -Draft

Minutes -Draft.pdf

5. Public Forum

6. Clerk's Report

7. Challenge Approvals

7.1. Approval of proposed voter challenges

File Attachments

1. Monthly Voter Challenges for Agenda

Monthly Voter Challenges for Agenda.pdf

8. Youth Member Responsibilities

8.1. BRV Youth Member position

File Attachments

1. BRV Youth Member

BRV Youth Member.pdf

9. All Legal Resident Voter Registration Overview

9.1. Information from clerk's office regarding all legal resident voting

File Attachments		
1.	City of Burlington All Legal Resident Voter Information Page	City of Burlington All Legal Resident Voter Information Page.pdf
2.	COB Legal Resident Voter Application	COB Legal Resident Voter Application.pdf
3.	Signed CC Resolution March 7, 2023 ACM--Charter Change Re All Legal Resident Voting In Local Elections	Signed CC Resolution March 7, 2023 ACM--Charter Change Re All Legal Resident Voting In Local Elections.pdf

10. New Business

11. Adjournment

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 the is able to reasonably understand what the board if 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

Proposed Challenge**Reason for Challenge****Date added to spreadsheet**

Voter reg. cert. returned as undeliverable	11/1/2023
Voter reg. cert. returned as undeliverable	11/1/2023
Voter reg. cert. returned as undeliverable	11/1/2023
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Voter reg. cert. returned as undeliverable	11/1/2023
Voter reg. cert. returned as undeliverable	11/1/2023
Voter reg. cert. returned as undeliverable	11/1/2023
Registered legal address property sold	11/1/2023
Registered legal address property sold	11/1/2023
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Total voters = 21	
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Member of the Board of Registration of Voters- Youth Member

Position Description

The Board of Registration of Voters is created by Charter § 43. The Board's 12 members:

Review and take lawful action on additions and removals of voters to the voter checklist;
Work at the polls on Election Day on voter registration related issues (i.e., Address and name changes, omission from the checklist, verification issues, etc.);
Attend and participate in monthly and special board meetings; and
Participate in Board sponsored voter outreach activities.

A Youth Member holds all the responsibility and rights of the 12 members EXCEPT:

- The youth member cannot vote on decisions made at BRV meeting; the youth member is welcome to participate in discussion but cannot vote or move or second items
- The youth member does not count in terms of Quorum
- The youth member does not have a VEMS account and cannot sign BRV to Ward Clerk forms

Members are appointed for five (5) year terms and serve until their successors are appointed and qualified. If a member resigns, a new appointee is appointed to fill out the term of the member who resigned.

Youth members are expected to:

- Interact professionally with members of the public;
- Possess basic computer skills;
- Have strong attention to detail;
- Work a 12 hour (or less, as negotiated) shift on Election Day;
- Attend scheduled meetings, or let the chairperson know ahead of the meeting if they will not be able to attend;
- Review any materials provided to the Board ahead of time;
- Notify the chairperson and/or the city staff person assigned to the Board of any accommodation for a disability that may be required in order for the person to serve;
- Act from a spirit of cooperation and with respect towards other Board members, City staff, and members of the public appearing before or working with the Board;
- Avoid actual or apparent conflicts of interest or bias.

العربية (Arabic) , မြန်မာစာ (Burmese), Français (French), नेपाली (Nepali), Soomaali (Somali), and Kiswahili (Swahili) translations of this information are available at <https://www.burlingtonvt.gov/ct/elections/legalresidentvoting> . **Scan the QR code to view them.** Further translations can be made available upon request to the City Clerk's Office.



City of Burlington All Legal Resident Voting Information

Charter of the City of Burlington, Acts of 1949, No. 298

In March 2023, Burlington residents voted to implement All Legal Resident Voting. It passed with 68% support. Allowing all Legal Residents to vote in our local elections gives a voice to members of the community who live, work, and pay taxes in Burlington.

What is All Legal Resident Voting?

All Legal Resident Voting allows full-time residents of Burlington who legally reside here, but do not have full U.S. citizenship, to vote in local elections. For example, green cardholders, residents with eligible work permits, or Deferred Action for Childhood Arrivals (DACA) recipients are all eligible to register to vote in local elections.

Which items are Legal Residents eligible to vote on?

Legal Residents who are not United States citizens, are eligible to vote on:

- Elected officials for the City of Burlington and Burlington School District, including Mayor, City Councilors, School Commissioners, and city election officers
- Any questions pertaining to the City of Burlington or the Burlington School District

Legal residents who are not United States citizens are not permitted to vote in state or federal elections.

Are Legal Resident voters eligible to run for city offices?

Yes, once a resident is registered to vote, that person can run for city offices.

How can a Legal Resident register to vote?

Register to vote by completing the [City of Burlington All Legal Resident Voter Registration Form](#), and returning it to the Clerk Treasurer's Office at 149 Church Street, Burlington, VT 05401.

Questions?

Call the Burlington Clerk Treasurer's office at 802-865-7000 or email burlingtontownclerk@burlingtonvt.gov



City of Burlington All Legal Resident Voter Registration Form

Charter of the City of Burlington, Acts of 1949, No. 298 (*City and School Elections Only*)

If you are a citizen of the United States, use the standard Vermont State form.

Eligibility

If you answer "No" to any of these questions, do not complete this form. You are not qualified to vote in Burlington.

1

I will be eighteen (18) years of age or older on or before Election Day: Yes No
I am a resident of Burlington and reside in the United States on a permanent or indefinite basis in compliance with federal immigration laws: Yes No

Your name

If your name has changed, provide your former name.

2

Last name _____ First name _____
Middle name _____ Former name _____

Voter identification

Only if you do not have a Vermont ID, you may present an alternate verification document.

3

Date of birth (mm/dd/yyyy) _____
Place of birth _____
VT Driver's License / Personal I.D. (PID) #
[][][][][][][][][]

Only if you do not have a Vermont ID, you may present one of the following alternate documents: Current and valid photo ID, **OR** Bank Statement, Utility Bill, or Government Document with your name and current address.
Document verified by: _____ (signature)
☐ City Clerk ☐ Election Official ☐ Voter Registration Agent

Residential address

Provide the address where you currently reside.

4

Address (not P.O. Box) _____
City or Town _____ State **VT** Zip _____

Mailing address

Provide the address where you receive mail.

5

Same as residential address in section 4
Address or P.O. Box _____
City or Town _____ State _____ Zip _____

Already registered?

Provide your previous registration address.

6

Address (not P.O. Box) _____
City or Town _____ State _____ Zip _____

Registering for the 1st time?

If you are registering for the 1st time, you must take the Voter's Oath. You may take the oath by reading it to yourself. You must be 18 or older to take the oath.

7

Voter's Oath

You solemnly swear or affirm that whenever you give your vote or suffrage, touching any matter that concerns the City of Burlington, you will do it so as in your conscience you shall judge will most conduce to the best good of the same without fear or favor of any person.

By checking this box, I swear or affirm that I have taken the Voter's Oath.

Are you mailing this application?

If you are registering for the 1st time and you are mailing this application to your city clerk, you must submit a photocopy of an acceptable form of ID. See the instructions for more information.

Contact information

This is helpful if we have a question. *Confidential*.

8

Phone _____ Email _____

Signature

Required

9

I hereby swear, or affirm, under penalty of perjury, that I am eligible to vote at the address in section 4 and that the statements that I made on this application are true.

Voter, sign and date here (Required)

X _____

Date (mm/dd/yyyy) _____

Official use only

Who reviewed this application?

☐ City Clerk
☐ BRV

City Clerk,
sign here.

X

Was the application accepted and the applicant added to the checklist?

☐ Yes Applicant's polling place _____
☐ No Reasons for rejection _____

Date entered on checklist _____

Date notification sent to voter _____

Date approved _____



City of Burlington All Legal Resident Voter Registration Form

Charter of the City of Burlington, Acts of 1949, No. 298 (*City and School Elections Only*)

If you are a citizen of the United States, use the standard Vermont State form.

Register to vote

With this form, you can register to vote in local elections in Burlington. You can also use this form to:

- Report a change of address
- Report a name change

How to return this form

Return your completed and signed form to the Burlington City Clerk. You can:

- Drop it off in person or mail it to 149 Church Street, Burlington, VT, 05401
- Email it to burlingtowntownclerk@burlingtonvt.gov

Are you eligible to register?

To be eligible to vote in Burlington's local elections, you must:

- Be a resident of Burlington and reside in the United States on a permanent or indefinite basis in compliance with federal immigration laws
- Take, or have previously taken the Voter's Oath
- Be 18 or older on Election Day

If the City Clerk or Board of Civil Authority finds that you are not eligible to vote, you will receive a notice that states why your application was rejected.

Your Identity

You must provide your date of birth and your place of birth. You must also provide 1 of the following:

- Your VT Driver's License or Personal I.D. (PID) number
- If you do not have a VT DL or PID #, you may present an alternate verification document.

Acceptable forms of alternate ID are one of the following:

- Current and valid photo ID
- Bank statement, utility bill, or government document with your name and current address

Registering for the 1st time?

If you are registering to vote in Burlington for the 1st time, you must complete the Voter's Oath. If you do not take oaths, you may take it as an affirmation.

If you are a 1st time registrant **and** you are mailing this form to your city clerk, you must also submit a photocopy of an acceptable form of ID. Acceptable forms of ID are one of the following:

- Current and valid photo ID
- Bank statement, utility bill, or government document with your name and current address

Your Rights

If you were provided with this application form by a voter registration agency, you may decline to register. If you decline to register, your failure to register will remain confidential and will be used only for voter registration purposes. If you are submitting this application through a voter registration agency, the office through which you submitted this application will remain confidential and will be used only for voter registration purposes

Questions?

Call the Burlington Clerk Treasurer's office at 802-865-7000 or email

burlingtowntownclerk@burlingtonvt.gov

Resolution Relating to

MARCH 7, 2023 ANNUAL CITY MEETING—
CHARTER CHANGE RE: ALL LEGAL RESIDENT
VOTING IN LOCAL ELECTIONS

RESOLUTION 9.05

Sponsor(s): Councilors Traverse,
Bergman and Carpenter

Introduced: 11/21/2022

Referred to: _____

Action: Adopted

Date: 11/21/2022

Signed by Mayor: 11/29/2022

CITY OF BURLINGTON

In the year Two Thousand Twenty-Two.....

Resolved by the City Council of the City of Burlington, as follows:

1 That WHEREAS, there are legal, full-time residents of Burlington who do not have full U.S. citizenship but
2 who live, work, pay taxes, parent, go to school, and are full members of our community; and

3 WHEREAS, these legal, non-citizen residents are impacted by local policy decisions in the same way
4 that residents who are full U.S. citizens are impacted by local policy decisions; and

5 WHEREAS, a cornerstone of democracy is that those impacted by policy decisions have a say in those
6 decisions; and

7 WHEREAS, voting in local elections is a critical way for Burlington residents to participate in our
8 local democracy and influence policy outcomes; and

9 WHEREAS, the cities of Montpelier and Winooski have passed similar charter changes that have been
10 recently enacted into law; and

11 WHEREAS, in 2019 the City Council approved that a charter change concerning the right of legal
12 residents who are not citizens to vote in local elections be warned for public hearing to be placed on the ballot
13 for the March 3, 2020, Annual City Meeting, but later chose to refer the issue to committee rather than placing
14 it on the 2020 ballot; and

15 WHEREAS, at its September 9, 2021 meeting, the City Council referred to the City Council Charter
16 Change Committee a proposed charter change to enable non-citizen legal residents of the City to vote in local
17 elections; and

18 WHEREAS, the Charter Change Committee held meetings on November 16th and December 6, 2021,
19 April 27th, May 11th, May 25th, June 15th, June 30th, July 21st, August 10th, August 25th, September 13th, and
20 November 3, 2022, received public comment, considered the referred proposed charter language, and amended
21 this language; and

22 WHEREAS, the Charter Change Committee has worked with the City's chief election officials and the
23 Community and Economic Development Office on a community engagement process which has included
24 getting feedback from these officials and those in Winooski and Montpelier, presentations at all the NPAs,

* * * * *

DISTRIBUTION:

I hereby certify that this resolution
has been sent to the following
department(s) on

ORIGINAL

RESOLUTION RELATING TO

.....
.....
.....

Adopted by the City Council

....., 20

..... Clerk

Approved....., 20

..... Mayor

Vol. Page

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meetings with the Trusted Community Voices committee and other stakeholder groups, and FAQs and other educational materials posted on a CEDO webpage that have been viewed thousands of times; and

WHEREAS, on November 3, 2022, the Committee voted to refer the charter change language back to the Council to be placed on the March 7, 2023 ballot;

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the amendments to the city charter recommended by the Charter Change Committee and requests the Mayor to place the following question on the ballot of the Annual City Meeting to be held on March 7, 2023 and the City Clerk to set public hearings on this question in accordance with Charter §303 and 17 V.S.A. §2645:

“Shall the Charter of the City of Burlington, Acts of 1949, No. 298 as amended be further amended to add a Section 8a to Article 4 as follows:

8a Requirements for Legal Resident Voters Who Are Not Citizens:

(a) Notwithstanding sections 7 and 8 above and 17 V.S.A., Ch. 43, a legal resident who is not a citizen of the United States shall be a legal voter at a local City of Burlington or Burlington School District election if the individual meets the following qualifications: is a legal resident of the United States, is not less than 18 years of age, has taken the Voter’s Oath, resides in the City of Burlington as residency is defined in 17 V.S.A. § 2122, and has registered to vote with the Board of Registration of Voters no later than the deadline established by Vermont law for that election or meeting.

(b) For purposes of this section, a legal resident of the United States means any non-citizen who resides in the United States on a permanent or indefinite basis in compliance with federal immigration laws.

(c) This section does not change a non-citizen’s ability to vote in any state or federal election.

(d) A legal resident voter who is not a citizen may cast a ballot only for local officers and local public questions specific to a ward or City district of which the individual is a resident at the time of voting.

(e) The Chief Administrative Officer shall develop all necessary forms and procedures for implementation of this section, including identifying on the voter checklist those legal resident voters who are not citizens.”

* Material underlined added

** Material in brackets and stricken out deleted

* * * * *

DISTRIBUTION:

I hereby certify that this resolution
has been sent to the following
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ORIGINAL

RESOLUTION RELATING TO

March..7.,..2023..Annual..City..Meeting.....
Charter..Change..Re:..AlIlegal..Resident..
Voting..In..Local..Elections.....

Attest:

Adopted by the City Council

.....11../..21....., 20 22.....

 Clerk

Approved..November 28th 20 22.....

 Mayor

Vol. Page

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