



Board for Registration of Voters

Tuesday, December 5, 2023, 6:00 PM, Contois Auditorium, 2nd Floor, City Hall; 149 Church Street, 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. Meeting Length

2.1. Set meeting length

3. Adopt Minutes

3.1. Motion to adopt previous meeting's minutes

File Attachments

1. Board for Registration of Voters 11_7_23 Board for Registration of Voters 11_7_23.pdf

4. Public Forum

5. Clerk's Report

6. Approval of Voter Challenges

7. BRV Rules and Procedures Document Review

7.1. Document Review: Rules and Procedures for the Board for the Registration of Voters

File Attachments

1. BRV Rules & Procedures (Jun 1 2021) BRV Rules & Procedures (Jun 1 2021).pdf

8. Youth Member Responsibilities

8.1. Youth Member Position Description

File Attachments

9. March Election Coverage

9.1. Board member availability and training needed

10. New Business

11. Adjournment

11.1. Motion to adjourn the meeting

Board for Registration of Voters

Meet: Time: 6:00PM Date: 11/07/2023

Where: Community Room, Burlington Police Department, 1 North Ave. and remotely via Zoom.

Present: Lauren Ebersol, Grace Grundhauser, Alison Harte, Mike McGarghan, Olga Bravo, Michelle Lefkowitz, Karen Rowell, Helen Rock, Alexandre Demoly; Youth Member: Will Cunningham

Absent: Lesley Gendron, Annie Schneider, Thea Knight

Also Present: Sarah Montgomery (Assistant City Clerk)

Agenda:

Mike McGarghan made the motion to move item number 8 (Youth Member Responsibilities) after item 10 (New Business) and address this topic only if there is time. Seconded by Karen Rowell. Amended agenda adopted and approved unanimously.

Meeting Length:

The meeting length was set for one hour.

Introductions:

Alexandre Demoly, the newest member of the BRV introduced himself. All board members in attendance also introduced themselves.

Adopt previous minutes:

Michelle Lefkowitz made the motion to accept the agenda, seconded by Alison Harte. Approved unanimously.

Public Forum:

No members of the public were present.

Clerk's Report:

Sarah Montgomery reported that there are currently 31,208 registered voters, 8,107 of which are challenged. In October, there were 185 new registered voters, 136 voters were transferred out of Burlington into other Vermont towns, and 18 voters were purged from Burlington's voter checklist. Sarah Montgomery reminded everyone of the upcoming elections in 2024, Annual City Election and Presidential Primary on March 5, 2024, State Primary Election on August 13, 2024 and Presidential Election and State General Election on November 5, 2023.

Mike McGarghan asked: What is the deadline for submission for candidates and questions on the ballot?

Sarah Montgomery answered the deadline for candidates is on January 29th at 5:00 pm and January 18th is the deadline for petitioned questions that are not charter changes. The deadline for charter change questions is earlier – mid December. She added that the specific dates relating to this election are available on the legal calendar which is posted on the City's election page.

Sarah Montgomery shared that redistricting doesn't go into effect until the March of 2024 Annual City Election. The new wards for redistricting are updated in VEMS. The new redistricting maps are also posted on the City election website, along with the current maps.

Sarah Montgomery also noted that per the request at the previous meeting, she had shared examples of out of state notifications with the board via email.

Challenge Approvals:

Grace Grundhauser explained that the information on the proposed voter challenge list posted in the agenda packet has less information than the one shared with the board via email because the board didn't feel need to share voter names and ID to the public.

Mike McGarghan felt like we shouldn't have to hide this information because the voter checklist is public information.

Helen Rock argued that people should make a public record request if they want to see more information.

The board decided to discuss this further at a later date - whether the full information should be shared in packet or not.

The board reviewed a list of 21 voters proposed to be challenged.

Mike McGarghan asked if a voter name would be listed on challenge list, if a property is put under trust name.

Sarah Montgomery replied no.

Michelle Lefkowitz made the motion to challenge the 21 voters listed. Seconded by Alison Harte. Approved unanimously.

All Legal Resident Voter Registration Overview:

Sarah Montgomery shared that all legal resident voter went through the legislative process by the end of June and legal residents are allowed to register and vote in all city and school elections for candidates and questions. Registered legal resident voters are eligible to run for Burlington city and school offices as well. How they can register to vote is little bit different than citizen registration. There are currently four registered legal resident voters and continued outreach is needed to educate people. The registration can be only done in person, by mail or by sending a form by email. She is hoping the ability to register resident voters in the state's system will be incorporated with new election management system.

The difference between the two voter registration forms is the eligibility questions. The Vermont registration form asks if you are citizen, whereas the resident form asks if the voter is a Burlington resident. The other big difference is the required voter identification. For a resident voter, the two options for identification are that they can enter their Vermont ID number, which is the preferred method, and if they don't have that, they have the ability to present an alternate ID. The acceptable

forms of alternate ID are current and valid photo id, or a utility bill, bank statement, or government document with their name and current address. This alternate ID replaces the social security number option on the citizen form, because without being able to incorporate these voters into the state election management system, the clerk's office cannot directly access the social security data to verify that information matches the voter's identity. The clerk's office can verify a VT ID number for verification.

The oath on all legal resident voter is different from the Vermont registration form.

Alison Harte asked if they would need to make judgment call if a legal resident voter presents an alternate ID on Election Day.

Sarah Montgomery replied this would fall on ward clerk or election workers at the voter registration table.

Mike McGarghan asked with so many illegal immigrants in this country, how do you verify that a resident voter is legally residing here?

Sarah Montgomery replied we are not verifying - a voter is self-attesting on the form just like a voter is attesting that they are US citizens on Vermont registration form.

Helen Rock called for point of order that she finds Mike McGarghan's comment to be racist and bigoted. It is okay to discuss the subject, but stereotyping and make generalizations about a group of people is not helpful.

Olga Bravo explained the importance of verifying somebody identity because identify theft is a big issue and if we are not able to verify their proper identity then there is going to be problem.

Grace Grundhauser asked if the board would like to make a motion to extend this meeting till 7:10pm, going over the meeting length set in the beginning.

Michelle Lefkowitz made the motion, seconded by Alex Demoly. Approved unanimously.

Lauren Ebersol asked for clarification on what the board is working to decide here on this topic.

Sarah Montgomery replied she is sharing this information with the board for informational purposes.

Grace Grundhauser added that this is important for board to have this conversation, since they are working the elections and people are going to ask these questions.

Helen Rock asked: How do we resolve issues with a legal resident whose name is not the checklist and is send to the BRV table?

Grace Grundhauser answered that is something she will need work with Sarah on – updating the BRV manual book before the March Election and devote more time discussing these procedures.

Sarah Montgomery added that voter registration drives and voter outreach are part of the board's mission, so this new information about our registering resident voters is important for them to know.

Alison Harte asked: What are sort of options does the board have to do outreach?

Michelle Lefkowitz recalls doing voter registration drives in front of City Hall, and going to the High School.

Mike McGarghan added that he wouldn't want to be involved in the voter outreach.

Alison Harte thought it would be good idea to talk about this in future meetings and discuss strategies on how to do voter outreach.

New Business:

Mike McGarghan asked if there are any rules on member's absences from meetings because he is going to out of town in January and will miss the March Election. He will join the meetings remotely.

Grace Grundhauser doesn't think so and asked Mike McGarghan to send her notice on when he is going to be away.

Youth Member Responsibilities:

Postponed until next meeting.

Adjournment:

Mike McGarghan made the motion to adjourn. Seconded by Karen Rowell. Approved unanimously.

The meeting adjourned at 7:08PM.

Respectfully Submitted By: Tenzin Chokden, Associate City Clerk

Rules and Procedures for the Board for the Registration of Voters

(Proposal 6-1-2021)

PURPOSE: The Board for Registration of Voters is committed to the enfranchisement of eligible residents through the voting process. Voting is a right and responsibility. The Board encourages voter registration and acknowledges the right of voters to freely participate in elections. The Board may actively initiate and participate in voter registration outreach.

The Board's legal responsibility is to maintain the voting checklist for the City of Burlington by upholding the Vermont Election Laws ([Title 17 of the Vermont Statutes Annotated](#)).

AUTHORITY AND RESPONSIBILITIES: The Board for Registration of Voters is responsible for and has authority for all duties with respect to preparing The City of Burlington's voter checklist pursuant to chapters [14](#), [15](#), [16](#) and [43](#) of the City's Charter, and [Title 17 of the Vermont Statutes Annotated](#). The Board shall comply with the [Vermont Open Meeting Law](#) and other laws covering public bodies.

In order to effectively and justly carry out its responsibilities all members will be expected to familiarize themselves with the Vermont Election Law in [Title 17 of the Vermont Statutes Annotated](#), along with pertinent sections of the Burlington City Charter. The Board will maintain an office in City Hall, wherein shall be kept available for public inspection the records of all legal voters. The Board shall advise any petitioner affected by an adverse decision of his or her statutory right to be included in the list of legal voters to seek judicial review of such decision.

MEMBERSHIP: As established by the City-Charter, the Board for Registration of Voters shall consist of 12 registered Voters of the City of Burlington, appointed by the City Council, with the Mayor presiding. Appointments to the Board for Registration of Voters shall be for five (5) years. Members may reapply and may be appointed for successive terms without limitation.

Members of the Board may be removed for incapacity, negligence, or bad conduct when a majority of the City Council, Mayor presiding vote to remove the member pursuant to [Chapter 129](#) of the Burlington City Charter. In addition and pursuant to this same section, when in the judgment of two-thirds of the City Council, on the initiative of the Mayor, a member is no longer effectively serving the city, that member may be removed from the Board.

Therefore because members are expected to actively participate in city elections, meetings and other Board activities, a member's continued non-participation in Board activities may result in the Board's recommendation to the City Council for removal from the Board. A two-third majority vote of the Board is required for such a recommendation to the City Council.

OFFICERS: At the first meeting of the Board, following the annual appointments, the Board shall elect a Chair by majority vote. A Vice Chair and Secretary may be elected at the discretion of the Board. Terms of office shall be one year.

QUORUM: A simple majority of the Board shall be considered a quorum

MEETINGS AND MINUTES: The Board for Registration of Voters shall hold meetings on the first Tuesday of each month unless otherwise determined by a majority vote of the Board. Additional meetings are scheduled to accommodate closing of the checklist prior to elections ([Vermont Statute Annotated, Title 17](#)). All meetings of the Board shall be open to the public except at such times when an executive session is in order. No action shall be taken at any meeting of the Board without a quorum present. No action shall be taken in executive session. (See [open meeting law](#))

Roberts Rules of Order revised shall govern proceedings of the Board for all cases which are not specifically covered by other laws, ordinances, by-laws, or regulations.

Minutes shall be kept of all meetings. The minutes shall be available for public inspection according to open meeting laws.

WARNINGS OF MEETINGS: In accordance with [Vermont Open Meeting Law](#), the Board shall provide the Clerk / Treasurer's Office with notice of regular meetings on or before the Thursday before the week of the meeting. The Clerk / Treasurer's Office will warn the meeting. For special meetings, the Board shall publicly announce at least 24 hours before the meeting the time, place and purpose with appropriate media and post with the Clerk / Treasurer's office and two other public places. Emergency meetings may be held without public announcement, without posting notices and without 24 hours notices to members, provided some public notice is given as soon as possible before such meeting.

SPECIAL MEETINGS: Special meetings of the Board for Registration of Voters may be called by the Chair, when the Chair deems it expedient or upon the request of two (2) members of the Board for the purpose of transacting any business designated in the call. In accordance with [Vermont Open Meeting Law](#), Notice for a special meeting may be made by telephone or other appropriate technology at least twenty-four (24) hours prior to the date of such special meeting. At such special meeting no business shall be voted on other than that specified in the call.

ADOPTION OF RULES AND PROCEDURES: The Board may adopt rules and procedures as it may deem wise for the regulation of its work. Rules may be amended by a two-thirds majority provided that the proposed amendment(s) have been discussed at two meetings prior to the meeting at which the amendment(s) will be voted upon.

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.