



Board for Registration of Voters

Tuesday, January 2, 2024, 6:00 PM,

**149 Church Street, Burlington, VT, 05401; Sharon Bushor Conference Room, 1st Floor,
City Hall 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. V2 Draft Minutes 11-7-23
2. Draft Minutes 12-5-23

V2 Draft Minutes 11-7-23.pdf
Draft Minutes 12-5-23.pdf

4. Public Forum

5. Clerk's Report

6. Approval of Voter Challenges

7. Election Day Training

8. New Business

9. Adjournment

9.1. Motion to Adjourn

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 minutes, 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 the Vermont registration form.

Mike McGarghan noted that he thinks this will be an issue down the road because many people in immigrant communities are often changing their addresses.

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 making 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.

Helen Rock noted that we are asking for ID verification information.

Mike McGarghan stated that he takes issue with being called racist or bigoted, and would like an apology for that comment.

Helen Rock said that she did not call him racist, but that she felt the language used was targeted towards a certain group of people.

Mike McGarghan responded that his comment was not directed toward any specific race, or sex, or creed. It was about people residing here legally versus illegally.

Helen Rock apologized.

Grave Grundhauser noted that the discussion should be kept to the business of the board. If one member offends the other, she asked that they speak to each other outside of the meeting.

Helen Rock apologized again and clarified that she felt the way Mike was speaking was generalizing a group of people and was disrespectful.

Karen Rowell thanked Helen for apologizing and said that she has a hard time with this topic because she thinks that one of the reasons people want to become citizens is so they can vote. She thinks making

voting something to strive for makes it important. She believes that the citizens should be making these decisions about the country. She asked for clarification on what form of identity legal resident voters are being required to present.

Sarah Montgomery explained that the primary identification we are asking voters to provide is their VT ID number. If they do not have a VT ID, they may present an alternate identification.

Alison Harte stated the discussion happening in this meeting is a good reason to set some ground rules for conduct for board members at meetings. Not being on the same page about these things can make meetings frustrating for members.

Will Cunningham asked for clarity: is legal residency status being verified with the ID information the voter is providing?

Sarah Montgomery answered no, that step is to verify the voter's identity, not residency status.

Alex Demoly asked: what photo IDs are acceptable? Sarah Montgomery answered state or federally issued IDs.

Will Cunningham asked: For what elections is only residency required to vote? Sarah Montgomery answered that legal resident voters will be eligible to vote only in city or school elections.

Olga Bravo asked if voters would inadvertently be issued a state or federal ballot once they voted in a city election. Grace Grundhauser answered that the voter lists would be separate, so that would not happen.

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.

Olga Bravo asked if this is something that is happening across VT. Grace Grundhauser answered no, just Burlington. Michelle Lefkowitz added that Montpelier and Winooski also have this in place. Karen Rowell shared that this was approved by the voters in March.

Mike McGarghan said that there is a handout that explains which elections legal residents can vote in. He also noted that he has family that is affected by immigration challenges and this is a sensitive and energetic topic for many. People shouldn't be discounted as racist or bigoted for discussing it. He is all for legal immigration processes.

Lauren Ebersol asked for clarification on what the board is working to decide 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 on the checklist and is sent 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. Helen Rock recalls having a table at City Market for registering voters as well.

Mike McGarghan added that he wouldn't want to be involved in the voter outreach. He noted that there are plenty of people who have lived in our community for a long time but are not registered to vote, and he would prefer to focus efforts on those individuals.

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

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

Board for Registration of Voters

The meeting was called to order at 6:00pm.

In attendance: Olga Bravo, Lesley Gendron, Alex Demoly, Mike McGarghan, Grace Grundhauser, Annie Schneider, Helen Rock, Michelle Lefkowitz, Karen Rowell, Lauren Ebersol; Youth Member: William Cunningham

Absent: Alison Harte, Thea Knight

Also Present: Sarah Montgomery (Assistant City Clerk)

Agenda: Approved as presented.

Meeting length: The meeting length was set for one hour.

Minutes: Michelle Lefkowitz commented that under the adoption of minutes section, it shows that she made a motion to accept the agenda – this should be corrected to minutes. Mike McGarghan stated that there was more conversation by the board around the section where he was called racist and bigoted. He would like this additional information included.

Mike McGarghan made a motion to have the clerk amend the minutes, and to revisit them at the next meeting. Seconded by Karen Rowell. Motion passed unanimously.

Public forum: No members of the public were present.

Clerk's Report:

Sarah Montgomery reported that the current number of voters on the checklist is 31,236. Out of those, 8,065 voters are challenged. In November: 156 new voters were registered in Burlington; 71 voters were purged; 81 voters were transferred out of town.

Sarah Montgomery reported: Clerk's office is moving into full prep mode for the March election. Nominating caucuses are currently happening and candidate forms are due in the clerk's office by January 29th. Postcard notices will be mailed out to all active registered voters in early January, alerting voters of which ward they will be in and where their polling place is. This notice will also include information stating that if a voter would like to vote by mail in the Presidential Primary, they will need to specifically request this ballot, whereas the Annual City Election ballots will automatically be mailed out to all active registered voters.

Mike McGarghan noted that there was a problem similar to this (two ballots, one mailed and one not) with the county ballot in November. How will this be better?

Sarah Montgomery answered that the city is trying to do more voter outreach about this issue for this election. The method of mailing for each (by request vs. automatic) cannot be changed. City Council has adopted a resolution to automatically mail ballots to all active registered voters for local elections. The Presidential Primary is a state election, so the state determines whether those ballot are mailed or not. Since this is a presidential primary, the voter needs to choose whether they want to receive a democratic or republican ballot, so it would not be logistically possible to automatically mail those ballots out.

Mike McGarghan asked if there is an option to add an insert to the Annual City Election ballot letting voters know that they need to request a Presidential Primary ballot.

Sarah Montgomery answered yes, something can be included on that insert, but it will likely be a little too late at that point – city election ballots go out 20 days before the elections, so by the time the voter receives that notice, requests a ballot from us, and we mail it to them, it will be very tight for them to return it to us on time. This is why the postcards are being sent out in advance.

Mike McGarghan stated that he still thinks it would be helpful to include. Sarah Montgomery agreed that it can definitely still be done, just shouldn't be the only thing that is done.

Grace Grundhauser asked if there is anything else the board can do to help with sharing this information.

Sarah Montgomery said that the board sharing the information via Front Porch Forum or any other communication venues they have access to would be helpful. Part of the messaging is just so voters know that there is another ballot available to vote in March, not just the city ballot they will receive in the mail.

Helen Rock noted that she would be willing to share the information and help make a plan for posting in community forums.

Grace Grundhauser shared that she has the Front Porch Forum account that has the ability to share city wide messages as well.

Karen Rowell said that she has been kicked off of Front Porch Forum because they do not allow conservative views to be shared.

Helen Rock asked if there are any other public printed materials or specific forums where this information could be shared.

Sarah Montgomery answered that NPAs might be another avenue to share the information.

Mike McGarghan asked if the information could also be posted where other public election notices are posted.

Lesley Gendron asked if there is something that is simplified that can be shared on social media – similar to the information that will be on the postcard.

Sarah Montgomery said she could send out this language to the board.

Mike McGarghan asked if the city uses a Facebook account, to be able to pay for a sponsored add.

Sarah Montgomery answered that the Clerk's office does not.

Grace Grundhauser noted that the board might have a Facebook account that was set up previously.

Helen Rock asked if the postcard will specifically tell voters where their polling place is.

Sarah Montgomery answered yes.

Michelle Lefkowitz said this should also be published in Seven Days.

Lesley Gendron noted that the Facebook group has 21 followers. Mike McGarghan said this is why having a sponsored message to cover a certain geographic area might be effective.

Sarah Montgomery said that election training for ward clerks and inspectors will happen in early January. Some time should be set aside to do some training with the BRV on legal resident voting procedures as well – either as part of a regular meeting, as a standalone training, or as an addition to the existing BRV pre-election training.

Grace Grundhauser noted that she would be interested in sitting in on a ward clerk training. Other members also expressed interest in attending that training.

Voter Challenges:

Grace Grundhauser shared that the agenda looks like same as it has previously. The board will discuss further how to present these challenges on the agenda at future meeting.

Alex Demoly asked if someone is selling their property, are we just editing their address or are we fully removing them from the voter list?

Grace Grundhauser answered that this process never removes voters from the list. It starts the process of making them eligible for removal if they do not respond, but that would only happen after two General Election cycles pass without them taking any affirmative action (responding to the challenge).

Karen Rowell asked if these voters would still receive ballots by mail.

Grace Grundhauser answered that once a voter is challenged, they will not receive a mail ballot.

Will Cunningham asked if voters will be taken off the challenge list if they vote.

Grace Grundhauser answered that they will need to resolve the challenge before they vote.

Michelle Lefkowitz asked if the voters that are on the list because of undeliverable voter registration certificates are new voters?

Sarah Montgomery answered yes.

Helen Rock asked if we are seeing anything on the voters' addresses that would cause the mail to be undeliverable – missing apartment numbers, etc.

Sarah Montgomery noted that it will sometimes be on campus addresses that are bouncing back, but she hasn't noticed any other specific trends.

Michelle Lefkowitz asked how we can help inform voters, especially student voters, that they need to provide more accurate mailing addresses. Suggested adding information to the website. Grace Grundhauser added that she could reach out to her UVM contact.

Lauren Ebersol noted that another issue on Election Day is that students often think they can register to vote here and then go back home and vote there. Should this be discussed with UVM as well?

Grace Grundhauser noted that this is probably worth a separate discussion, since it is a more complicated topic, and more of a legal question.

Mike McGarghan asked if voters would not receive a ballot once they are challenged. Grace Grundhauser answered that this is correct.

Helen Rock added that if a voter is still eligible to vote in Burlington, and responds to the challenge in time, they could still receive a ballot.

Michelle Lefkowitz made a motion to accept the challenge list. Seconded by Lesley Gendron. Unanimous.

Youth Member Responsibilities:

Grace Grundhauser read the BRV Youth Member position description document.

Mike McGarghan asked if this youth member appointment was in addition to the 12 members. Grace Grundhauser answered yes.

Mike McGarghan also noted that term length may not be relevant to a youth member.

Annie Schneider noted that there have been two youth members in the past, so there is no limit to only having a single youth member on the board. Grace Grundhauser said that this should be clarified on the document.

Helen Rock said it would be helpful to have a reference to the document (resolution, etc.) that outlines boards' abilities to have a youth member.

Alex Demoly noted that the language on the document is confusing since it refers to the lawful action a board can take, but also notes that the youth member cannot take lawful action.

Helen Rock noted that there is a "Youth on Boards" section that is on the city website – the information there should be taken into consideration when creating this job description, to ensure there is no conflict between the two.

Mike McGarghan said that he doesn't think we need to include the bullet about the spirit of cooperation, since that could limit individual viewpoints and force conformity.

Helen Rock said this is an expectation for the board as a whole. Annie Schneider said that if this expectation was removed from the youth member description, it would also need to be removed from the expectations for the whole board.

Karen Rowell added that she doesn't think a line like that would necessarily be weaponized.

Mike McGarghan added that he wants to ensure that people can have discussions and share different points of view.

Grace Grundhauser added that she doesn't think this is an extraordinary thing to have on a board or committee description. The idea is to move ahead with the work of the board without getting bogged down. She is not inclined to remove that line. It is about trying to accomplish something as a board.

Mike McGarghan asked what happens if expectations are not met, such as not attending meetings, elections, etc.?

Helen Rock made motion to look at City Council information and then revisit this document. Seconded by Annie Schneider. Passed unanimously.

Grace Grundhauser also has some edits from this discussion that she will add to it.

BRV Rules and Procedures Document Review:

Grace Grundhauser noted that this is a great document because it has live links to the statutory authority of the board. So, if there are members who want to delve more into the board's authority, this document is a good starting point.

Mike McGarghan asked if there is a definition for incapacity, negligence, or bad conduct. As the document stands it does not seem clear.

Discussion by board members about what the process would be for removal. Does this need to be determined by a 2/3 vote of the BRV then a 2/3 vote of the CC?

Lauren Ebersol suggested that the board look at other existing documents to see how things are done on other boards, since this is not unique to this board.

Michelle Lefkowitz noted that the current document reads that City Council may take action without board recommendation, if they are aware of any bad conduct, etc.

Grace Grundhauser agreed that there should be come more clarity about this in the document.

Michelle noted that the link to charter specifies where the removal language comes from.

This will be discussed again at a future meeting.

March Election Prep:

Grace Grundhauser noted that only 7 of the 8 wards will be covered by fully trained people in March. Grace Grundhauser suggested that Lesley Gendron would likely be able to work on her own, even though she hasn't received full training, because she has volunteered during past elections.

Helen Rock asked if it would be possible to use meeting time for training.

Lesley Gendron asked what happens if there are not enough members to cover all polling places? Grace Grundhauser answered that there is no good answer to that. The board may be able to tap into past board members for on the spot training on Election Day. Past members won't be able to fulfill full board duties, but they can provide support.

Mike McGarghan noted that members should make sure to get VEMs access now.

Helen Rock made a motion to use part of the January and February meeting for training. Seconded by Karen Rowell. Passed unanimously.

Mike McGarghan asked if those meetings could be kept to the standing agenda, to allow the time for training.

Motion passed unanimously.

Adjournment:

Mike McGarghan made a motion to adjourn. Seconded by Lesley Gendron. Meeting adjourned at 7:08pm

Respectfully Submitted By: Sarah Montgomery, Assistant City Clerk