

BOARD FOR REGISTRATION OF VOTERS

MEET: Time 6:00 1/03/23

Where: Community Room at the Police Department and remotely via Zoom

Present: Grace Grundhauser, Helen Rock, Larry Granillo, Karen Rowell, Elisabeth Mickenberg, Mike McGarghan, Michelle Lefkowitz, Kate Baldwin, Annie Schneider, Alison Harte

Absent: Charles Cashatt, Thea Knight

Also Present: Sarah Montgomery, Assistant City Clerk; Jeff Comstock, Ward 7 Inspector of Elections

Meeting called to order by Chair Grace Grundhauser at 6:04pm

Agenda: Approved unanimously.

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

Previous Meeting Minutes:

Larry Granillo made the motion to amend the previous meeting minutes to accurately reflect the discussion to add, "but noted that he is unsure if that would be acceptable under the city's responsible use policy" after his statement speaking to logging a BRV helper into VEMS on a separate computer. Kate Baldwin seconded the motion. The minutes, as amended, were approved unanimously.

Public Comments:

Jeff Comstock, Inspector of Election in ward 7, spoke briefly. He said that he is still interested in learning more about the BRV training manual, and is also generally interested in learning more about the work of the BRV. Grace Grundhauser noted that while the training manual is not on tonight's agenda and will be addressed more fully by a subcommittee, she appreciates his interest in learning more.

Approval of Applications: Sarah Montgomery reported:

December - New Registrations 156, Transferred out of Town 143, Purged 13

Michelle Lefkowitz made a motion to accept the numbers as presented, seconded by Annie Schneider. The motion passed unanimously.

Approval of Voter Challenges:

Sarah Montgomery presented a list of 1,131 voters whose automatically mailed ballots from the General Election or the East District Election were returned as undeliverable. Any voters who had ballots that were undeliverable, but otherwise participated in these elections (or the CSWD Election) or updated their voter registration since early September, were not included on this list. Because the address of these voters is in question, the clerk's office is recommending the board approve challenging these voters' registrations.

Mike McGarghan asked: what is the process to vet new applicants to ensure that they are not already registered to vote? Sarah Montgomery answered that on new registration forms, there is a section where voters are asked to list the last address where they were registered to vote. If the last place registered was out of state, a notification goes to the previous place where they were registered. If the voter was previously registered elsewhere in Vermont, the clerk's office will transfer the voter's registration from that town to Burlington. The clerk's office also receives notifications from other states when our voters register elsewhere, so they can be removed from the Burlington list.

Helen Rock asked: Is the only reason a voter would appear as challenged on the voter list due to an undeliverable ballot? Is there a way to see why they have been challenged? Sarah Montgomery answered that voters are challenged for other reasons as well, including if other voter registration mail we send to their listed mailing address is returned as undeliverable or if they sell the Burlington property that is listed as their legal address in their voter registration. Sarah noted that there should always be a reason, and usually a comment, as to why the voter has been challenged in VEMS. If there is not a comment added, it is because the challenge has been done as part of a large batch, which is usually the result of an undeliverable ballot. Larry Granillo added that voters are also challenged after a period of time due to inactivity. Sarah Montgomery confirmed that if a voter had not voted in the past two General Elections, or any of the elections in between, a voter will be challenged. Then, if they don't taken any further action, they will remain on the checklist for another two General Election cycles before they are removed from the checklist.

Mike McGarghan asked: How many total voters are there on the checklist? How many are challenged? Sarah Montgomery answered that there are a total of 35,310 voters on the checklist, around 11,000 of which are currently challenged.

Kate Baldwin asked: How are voters able to respond to the challenge letters that are sent out? Sarah Montgomery answered that with the challenge notice letter, there is a postage paid postcard included that the voter can fill out and return. The voter can either request to be removed from the voter list or, if they still reside in Burlington, can activate and update their registration.

Grace Grundhauser asked: If these voters are challenged, will they not automatically get ballots mailed to them? Sarah Montgomery answered: yes, that is correct. Grace Grundhauser noted that this is something to consider since people have come to expect that they will receive these absentee ballots prior to an election.

Lis Mickenberg made a motion to approve the voter challenges. Seconded by Karen Rowell. Passed unanimously.

Clerk's Report:

Sarah Montgomery reported that the clerk's office just completed the post-election wrap up work from the General Election. All participation has now been entered. Now, the move is to focus more on the upcoming March election. The current focus is on gathering together all of the question and candidate information that will be placed on the ballot. As of now, there are six charter change proposals as well as

the school budget question that will appear on the ballot. Candidate forms are due to the clerk's office on January 30th. Positions that are open include City Councilor, School Commissioner, Ward Clerk, and Inspector of Election.

Grace Grundhauser asked Michelle Lefkowitz if she was able to follow up with the Secretary of State's office about the VEMS issues everyone was experiencing on Election Day. Michelle answered, yes, she did follow-up and the state said they were on it, but she will circle back to them with a reminder.

Helen Rock asked if there is cohesion and discussion among ward clerks about who should handle same day registrations and voter challenges. Sarah Montgomery answered that there does not seem to be a set way each ward does it and that ward clerks do not meet as a group regularly. Mike McGarghan noted that he had been at an election worker training previously, but that it has been several years since he heard about one happening. Jeff Comstock added that this coincides with his experience.

Mike McGarghan asked if there was an answer from a previous discussion as to when tabulators were implemented in the city. Michelle Lefkowitz, who worked at the clerk's office when that happened, said she remembers it being around 1986. She explained that before the tabulators, there was a lever machine, where a voter could make selections and cast the vote. There was no paper involved.

Application Signing Schedule:

The following schedule was set for approving voter registration applications at the clerk's office: 1/5 – Karen; 1/12 – Kate; 1/19 – Helen; 1/26 – Grace; 2/2 – Larry.

New Business

Mike McGarghan asked: will further discussion about voter identification be on a future agenda? Grace Grundhauser answered yes.

Mike McGarghan asked, what about board member attendance? If a member does not attend meetings, does that constitute them abandoning their post? Grace Grundhauser suggested that this be addressed as a future agenda item. Helen Rock stated that her understanding is that someone could initiate the process to have someone removed from the board. Michelle Lefkowitz stated that she believes this is part of the rules of the board – if someone misses more than three meetings in a row, the board can initiate a challenge. Larry Granillo asked if it would make sense to contact the board member in question first, since even though it may be written in the rules, the board has been operating under different norms for some time now. If the norms are changing now, it could merit a discussion with the member. Mike McGarghan stated that this has been discussed at previous meeting already, so he feels there was already opportunity for someone to reach out to Charles to discuss the issue. Grace Grundhauser said that she has reached out to Charles and has tentative plans to meet with him to discuss this. She added that though Charles does not attend meetings, no action has been taken because he has been a very dedicated worker on election days. Kate Baldwin agreed and added that she thinks Charles has night obligations that prevent him from attending evening meetings. If this is the case, she would not like to discriminate against someone because they work a different schedule. Lis Mickenberg noted that since

the board has been functioning this way for some time, it would be worth adding the topic as a future agenda item to discuss it more fully. Annie Schneider noted that she trained with Charles, and found that he was an amazing worker. She also wants to be conscious about where lines are drawn around attendance. Helen Rock agreed that Charles is amazing, but she is also concerned that he misses meetings. She would like to discuss it further and see if his schedule could possibly be accommodated if the meeting time was moved. Mike McGarghan would like to see the board rules be followed fairly and consistently. Mike McGarghan made a motion for the board to make a decision about what the abandonment of the position of a board member is and to contact the City Council if needed. To deal with this sooner rather than later. Seconded by Karen Rowell. Discussion: Larry Granillo asked: are we trying to make a decision tonight or at the February meeting? Mike McGarghan answered: by or at the February meeting. Lis Mickenberg stated that the focus of the February meeting should be March Election prep. Mike McGarghan noted that he has voiced this issue previously and it is not getting addressed. Alison Harte commented that the discussion seems to be more about the norms of how the board functions rather than exactly what is written in the rules. Lis Mickenberg added that while this is something that needs to be resolved, she does not think it needs to be this urgent since there is an election coming up to plan for and staff. Mick McGarghan would like to see the item added to an agenda. Helen Rock added that Mike has brought this question up previously and it is something that should be addressed by the board. Michelle Lefkowitz called the question. Mike McGarghan amended the question for clarity. The question called: Should we decide today to determine if the position was abandoned? Seconded by Karen Rowell. Vote: 1 Yes, 9 No. Motion Failed. Grace Grundhauser stated that, regardless of any motion passed, she will reach back out to Charles to discuss attendance. Kate Baldwin noted that when looking at the memberships and responsibilities document that Grace circulated prior to the meeting, she does not see anything about missing three meetings. It speaks to participating in city elections and board activities. Lis Mickenberg made a motion to put this item on the soonest possible agenda, likely to be April. Seconded by Michelle Lefkowitz. Passed unanimously.

Lis Mickenberg announced that Sarah Montgomery has been promoted from the Associate City Clerk position to the Assistant City Clerk position. Someone will be hired to fill the Associate City Clerk position and will be working with the board and on elections with Sarah.

Mike McGarghan mentioned that he likes the idea of members rotating through different wards on election days and thinks it would be beneficial in building consistency. Lis Mickenberg noted that it might be more confusing since each ward has a slightly different set up and processes.

Kate Baldwin noted that with the new Secretary of State, it would be a good time to connect with their office to share any concerns and receive updates about new things that may be implemented.

Helen Rock would like to feel more well prepared in advance of each election – learn best practices from other members and be aware of the nuances of each specific election (ex: separate districts, etc.).

Michelle Lefkowitz asked folks who had indicated interest in helping with the manual stay after the meeting to discuss a time to get together to work on this.

On a motion by Mike McGarghan, seconded by Lis Mickenberg, the meeting was adjourned at 7:02pm.

Respectfully Submitted By: Sarah Montgomery, Assistant City Clerk