

BOARD FOR REGISTRATION OF VOTERS

MEET: Time 6:01 12/13/22

Where: Community Room at the Police Department

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, Associate City Clerk; Jeff Comstock, Ward 7 Inspector of Elections

Meeting called to order by Chair Grace Grundhauser at 6:01pm

Agenda: Approved unanimously.

Meeting Length: A motion was made by Helen Rock and seconded by Lis Mickenberg to set the meeting length for one hour. Unanimously approved.

Previous Meeting Minutes: Kate Baldwin made a motion to approve the minutes. Michelle Lefkowitz seconded. Unanimously approved.

Public Comments:

Jeff Comstock, Inspector of Election in ward 7, spoke. He asked about the participation numbers from the General Election and if they are accurate. Sarah Montgomery answered that they are skewed since the General Election ballots and CSWD ballots were going into the same tabulators, making the participation percent look significantly higher than it was. Jeff Comstock requested the numbers for just CSWD votes for ward 7. Sarah Montgomery will follow up with him with that data.

Approval of Applications: Sarah Montgomery reported:

November - New Registrations 1,009, Transferred out of Town 561, Purged 36

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

Clerk's Report:

Sarah Montgomery reported on the November 8th and December 6th elections. In November, the total number of votes cast for the General Election was 16,680. Out of these, 10,281 of these were voted via absentee ballot, with the remaining 6,399 ballots voted in person on Election Day. The ballots for this election were automatically mailed to all active registered voters. Around 20,000 total ballots were mailed. Of those, 1,681 were returned to us as undeliverable. If the voters whose ballots were returned to us did not vote in person or change their address since the ballot mailing, their voter registration will be challenged.

The CSWD election, which was held in conjunction with the General Election, had a total of 7,930 votes cast. Out of these, 1,011 of them were received via absentee ballots, with the remaining 6,919 ballots voted in person on Election Day.

For the East District's special election on December 6th, there was a total of 1,095 votes cast. Out of these, 874 were received via absentee ballot, with the remaining 221 ballots voted in person on Election Day. This was the city's first ranked choice election since the charter change was passed. All went well. Jeff Comstock asked if the tabulators flagged a voter making an error on a ranked choice ballot. Sarah Montgomery answered, yes – there are different errors that a voter can make (for example, marking the same candidate for more than one rank), but the tabulator will flag them just like it would on a plurality race. If at the polling place on Election Day, the voter would have the opportunity to fix their ballot. Jeff Comstock asked if voters would have a chance to fix this type of error if they submitted an absentee ballot. Sarah Montgomery answered: No. The only way a voter has an opportunity to cure is if they incorrectly submit their absentee ballot (no signature on envelope, ballot not inside envelope, etc.). If an early voted ballot has an overvote, duplicate vote, etc., it will be cast through the tabulator as is.

Mike McGarghan asked: when did we start using tabulators instead of doing a hand count? What were voter registration numbers versus participation when that was the process? He would like Sarah Montgomery to follow up with this information. Michelle Lefkowitz noted that she has this information and can also help with this answer. Helen Rock asked if this is a relevant point of business. Grace Grundhauser said that she can share the mission of the board with the group via email if that is helpful.

Election Review:

Kate Baldwin said that she had a lot of technical issues with VEMs throughout the day in November. She kept having to log out and log in to refresh the system and get it working. Michelle Lefkowitz, Grace Grundhauser, and Larry Granillo stated they also ran into this problem.

Karen Rowell asked: If someone isn't on the entrance checklist, but they are showing up perfectly in VEMS, can they just go get a ballot or does more information need to be conveyed to the checklist workers? Lis Mickenberg answered that this is when the "BRV to Ward Clerk" form should be used. Helen Rock said that in this situation, she walks the voter back over to the checklist to double-check that they really aren't on it. Lis Mickenberg agreed that sometimes that voter is on the checklist but it is missed when the checklist workers first check. Mike McGarghan added that he has had the same situation – where everything looks fine in VEMS, but the voter is not on the checklist. He asked if there may be a problem with how the printed checklist is generating. Lis Mickenberg added that you also need to check the address in VEMS to make sure that voter is in the correct ward – if they are registered in Burlington, but not in the right ward, they will not show on that ward's checklist. Mike noted that sometimes he wasn't sure why voters were coming to the BRV table. Grace Grundhauser said that is why the voter scenario table/ cards are so important; it helps everyone know why someone needs to go to the BRV. She asked if anyone else noticed the scenario of VEMS being perfect, but the voter not being listed on the checklist. Larry Granillo answered that he has had problems where people weren't initially showing up on the checklist but were in VEMS, but he has always been able to problem solve it and

there wasn't actually an error on the checklist. For example, the spelling or formatting of the voter's name was slightly different. Mike McGarghan noted that he was initially unable to find someone in VEMS who had voted in multiple past elections; he asked the voter for ID to use that information to help identify the voter in VEMS. Lis Mickenberg noted that you can also ask the voter to write their name down so you can verify the spelling. Grace Grundhauser noted that this is a sensitive subject and we want to be very careful about when we ask for and check IDs – she suggested tabling the topic since it is a passionate topic that merits a larger conversation.

Annie Schneider said that she had a lot of issues with a person's voter registration (address, etc.) being changed by the DMV without them requesting the change. Helen Rock said her husband recently renewed his license and the language to opt out of updating his voter registration was really confusing. She thinks it would be worth looking at how it is asked and see if we can have any input in that language. Michelle Lefkowitz said she appreciate this issue being brought up as she also experienced this with voters.

Alison Harte noted that it was really helpful being in different wards and seeing how things are handled differently across them. She said that in ward 3, Michelle Lefkowitz was amazing, but seemed to have more to handle than BRV members in other wards since she was also handling all the same day voter registration. In other wards, the election officials have a separate person/ table for same day registrations. Michelle Lefkowitz noted that if she would have had time to ask, she is sure that the election officials would have helped with registrations.

Mike McGarghan said his VEMS was mostly fine, minus the quirk of getting stuck on subsequent pages when clicking past the first page of search results. Helen Rock said there were times she wasn't getting results at all for a voter, but the person she was working with was which is the only reason she knew it was a system error. Concerned about thinking a voter is not in the system, when in reality VEMS is just not working correctly. Grace Grundhauser noted that if the Secretary of State does not fix this (though they should), board members at least have some strategies to work around the problems. Karen Rowell suggested sometimes it seems to work better if you search a partial name rather than the whole name. Larry Granillo added that if you get no results for a voter, you can search your own name to see if it is a system error or if it is accurate. Michelle Lefkowitz would like to review this again before March.

Mike McGarghan asked: if we have a helper, how should they log into VEMS since only the BRV members have VEMS accounts? Larry Granillo suggested that if they have a separate computer, the BRV member could log them into it using their credentials, but noted that he is unsure if that would be acceptable under the city's responsible use policy.

Michelle Lefkowitz made a motion to suggest she call the Secretary of State's Office to let them know about all the problems that were experienced with VEMS. Annie Schneider seconded. Passed unanimously.

Mike McGarghan noted that it would be really helpful for everyone to make a list of their problems and concerns after each election while it is fresh.

Voter Scenarios

Grace Grundhauser shared her screen to show the voter scenario table from the draft BRV Guidelines manual. The table shows one page of scenarios for what to do if a voter is on the checklist and one page on what to do if a voter is not on the checklist.

Helen Rock asked what do if a voter is sent over because they are marked as not having an oath, but they have voted in multiple previous elections. Lis Mickenberg stated that a board member would need to administer the oath and complete the "BRV to Ward Clerk" form to indicate that. This would then go to city hall, where the staff would update the voter's registration in VEMS.

Sarah Montgomery noted that an "Affirmation of Domicile" form is always needed if a voter is challenged. Many "Checklist Revision" forms were returned instead from Election Day for challenged voters. Lis Mickenberg noted that the challenge forms used to be totally in the ward clerk's purview – only recently had the BRV taken on this responsibility. She asked: in how many wards are BRV members currently doing this? Michelle Lefkowitz said that if a voter is challenged, but they are at the same address, the election officials can do it. If other changes need to be made, they need to go to the BRV table. The board discussed that the "Checklist Revision" form and the "BRV to Ward Clerk" forms should be used if a voter is not challenged, but is moving within the city.

Mike McGarhan asked: What if people aren't on the checklist but are in VEMS? Larry Granillo answered that they would need to be given a "BRV to Ward Clerk" form so they can be added to the checklist. If a voter is not on the checklist, they cannot be given a ballot. They can also register to vote that day if they are not in VEMS at all and then be added to the checklist.

Michelle Lefkowitz proposed a committee be formed to work on the manual outside of the regular BRV meetings. Helen Rock seconded. Passed unanimously. Helen, Mike, Michelle, Grace, and Larry all expressed interest in being on the committee.

Helen Rock noted it can be confusing to use some broad statements in the manual (such as "send your voter to the same day registration table", etc.) since some of these things vary between wards. She also wanted to note that it should be discussed at a future meeting that there are varying levels of supports from election officials in different wards.

Mike McGarhan asked: if a voter puts their driver's license number on a new registration form, should they also be putting the last four digits of their social security number? Grace Grundhauser and Helen Rock both answered that the form clearly states that the voter should enter their Vermont Driver's license number, and only if they don't have one should they enter the last four of their social security number.

New Business

No new business.

On a motion by Michelle Lefkowitz, seconded by Alison Harte, the meeting was adjourned at 7:08pm.

Respectfully Submitted By: Sarah Montgomery, Associate City Clerk