

## **Election Committee Minutes from the Meeting on December 6, 2023**

The 2024 VMA Election Committee held its sixth meeting on Wednesday, December 6, 2023, by Zoom. In attendance: Council liaison Katie Howard and Council chair Arthur Alexander. Committee members Jen Bergeron, Naomi Naierman, John Sharrow, Paul Weller, and Marty Langelan. Resident Larry Wasson. Village Manager Michael Silliman.

Marty, the Committee chair, called the meeting to order at 7:46 pm. The Committee approved the November 30 meeting minutes. Marty noted that several residents had made helpful suggestions by phone and email about the draft ordinance we posted; their suggestions were now marked on our December 6 working draft. Marty welcomed everyone present to participate in the discussion at this meeting.

The Committee voted 5-0 to approve the 1-page Schedule for the 2024 election, and to call it a “Schedule” instead of a “plan.”

The Committee then went over the working draft of the updated, consolidated election ordinance we had approved at the November 30 meeting, to review and vote on every section in detail before submitting the proposed ordinance for the December 14 Council meeting.

Part I: Purpose. No change. Approved 5-0.

Part II: Election Process. The Committee approved the minor edit in the first paragraph, to shorten the first sentence. The Committee agreed to use the word “manage” instead of “conduct” in the second sentence of paragraph 2 if the ordinance will then list the Committee’s specific duties at the end of paragraph 2. The Committee voted 5-0 to approve and add the description of the duties as shown in the draft. With those changes, the Committee voted 5-0 to approve Part II.

Part III: General Provisions.

1. No change – approved 5-0.
2. Voted 5-0 to add the specific requirement that the Committee submit the proposed Election Schedule to the Council for approval no later than six months before Election Day each year. Marty agreed to send the 2024 Schedule to the Council on December 7.
3. Agreed to clarify the provision about posting the election information -- no change in substance, just more specific and complete. Approved 5-0.
- 4 – 10. Approved 5-0. Added the word “venue” in # 7; no change otherwise.
11. Per recommendation from the VMA attorney, specified the process for referendums in VMA, instead of just referring to the state law, and voted 5-0 to adopt a simple, clear VMA process.

The Committee then unanimously approved Part III.

Part IV: Qualified voters.

Discussed and voted 5-0 to incorporate the new “qualified voter” definition the Council had adopted, with the specific language that had been provided by the VMA attorney. Voted 5-0 to approve the provisions to implement that definition, for property owners to be able to retain their right to vote when temporarily residing elsewhere for work, military service, etc. The Committee agreed to ask the Council to decide how long a “temporary” absence can be. The Committee recommends 7 years in general, and no time limit on military voting. Approved Part IV by 5-0.

Part V: Voter Roll.

The Committee voted 5-0 to approve minor edits in paragraphs 2 and 3 and approve Part V.

#### Part VI: Procedure for Voting

The Committee reviewed the provisions, voted 5-0 to insert “public” before “reminders” in the last paragraph, and voted 5-0 to approve Part VI.

#### Part VII: Nominations and Candidate Filing Process

The Committee voted 5-0 to accept a resident’s minor edits in paragraphs one and three, and then approved Part VII.

#### Part VIII: Announcement of Candidates

The Committee voted to accept an edit from a resident to clarify the last line, and approved Part VIII by 5-0 vote.

#### Part IX: Election Forum

The Committee discussed the timeline for the forum, voted to change “ten days before Election Day” to “ten business days before Election day,” then voted 5-0 to approve Part IX.

#### Part X: Instructions for the Election Contractor.

There was a discussion about the VMA election contractor reporting to the Committee. A resident cautioned about the possibility of interference by the Village Council in elections, and expressed his position that the Committee should direct the work of the contractor. The committee voted 5 to 0 to amend the first sentence to say, “the Village Manager issues and administers the contract at the direction of the Committee.”

There was a separate vote about a proposal to add language in the third sentence to say, “the mail-vote service contractor reports to the Committee, which keeps the Village Manager fully informed.” That vote passed with three in favor and two abstentions.

The Committee held a series of specific votes to adopt the proposed language in the paragraph pertaining to the election schedule, the paragraph pertaining to the mailing date, the paragraphs containing specifications for the ballot packet, and the rest of this section. In paragraph seven, the committee voted 5 to 0 to adopt language proposed by a resident to direct that the mail- vote contractor “correct problems at the direction of the committee” following the test mailer. With respect to the envelope drop-box, the committee voted 5 to 0 to add the phrase “to ensure its security.”

The Committee then voted 5-0 to approve Part X.

#### Part XI: Vote Counting Procedures

On paragraph one, the Committee voted 5-0 to add “after 5 PM on the designated date.” On paragraph three, the Committee voted 5-0 to adopt a change proposed by Ron Bolt about how the Committee will notify individual voters if they need to cure their ballot envelopes. On paragraph seven, the Committee voted 5-0 to adopt “by email.” On paragraph nine, the Committee voted 5-0 to add the language “consistent with the provisions of this ordinance,” to address the recommendation from Ron that we make it clear that the Committee cannot change the provisions in the ordinance but can only operate within the approved ordinance to give additional instructions to the contractor to resolve problems if they arise. The Committee then voted 5-0 to approve Part XI.

#### Part XII: Election Interference

As Ron Bolt recommended, the Committee replaced the previous reference to the state election law with the specific language to establish that VMA prohibits election interference and provide the basic instructions on what to do if interference occurs in VMA. The Committee voted 5 to 0 to adopt the proposed language, and strongly recommends that the ordinance include this provision to protect VMA.

Part XIII, Part XIV, Part XV: No change. Unanimously approved.

The Committee then reviewed the draft of Appendix A: The Voter Roll Verification Procedure.

Part I. The committee voted 5-0 to adopt the language on voter eligibility.

Part II. The committee voted 5-0 to adopt the language on timing.

Part III, section 2a and b. The committee voted 5-0 to add “by applying the steps below,” which was a proposed change from Ron Bolt. 2f. The committee adopted Ron Bolt’s suggestion, by 5-0 vote.

Throughout the draft of Appendix A, the Committee expressed concern about the meaning of “a reasonable period” and the differing timelines of “reasonable,” “30 days,” “60 days,” etc., from the 2023 procedures that the Committee was using as the basis for 2024. The Committee chair asked that Ron Bolt review these. Katie requested Arthur’s approval for a legal review of the timing elements and verification procedures; Arthur agreed, and requested a clean copy of the 2024 document to send to Ron, highlighting the sections where the Committee had specific questions. (Marty sent that to Arthur and Katie the next day. Ron responded to the request on Friday afternoon, December 8.)

The Committee agreed 5-0 to accept the draft of Appendix A, pending further clarification and advice from the VMA attorney.

The Committee then turned to Appendix B: The Forum Procedure.

The Committee voted 4-0 to adopt the proposed language with respect to “...finalize venue, date, time and details,” and “to make the forum readily accessible,” and approved Appendix B.

At 9:25 pm, the Committee completed its review of the election documents, and voted 5-0 to approve the proposed overall ordinance. The Committee also voted 5-0 to authorize the Committee chair to draft a “public explanation” of the ordinance, to comply with the Council SOP for introducing ordinances that Arthur had outlined in 2021. Marty will circulate the draft “explanation” document for administrative approval by the Committee.

Marty noted that a resident had asked whether the Election Committee members have liability protection under VMA policies. Michael Silliman and Katie agreed to investigate this. Michael believed (and later confirmed) that Committee members are covered when acting on behalf of VMA.

At 9:31 pm, the Committee voted 5-0 to adjourn the meeting.

[APPROVED by the Committee at its public meeting on December 18, 2023.](#)