

The recording has started just so everybody knows. Excellent. What part of the world are you coming

0:16

from? Thatford. Thatford. Now,

0:23

I wouldn't be coming here from there if that's where I was starting at.

0:34

doesn't say that quite right, but you get the idea.

0:56

Hey, what is that interesting thing behind you? Is it a giant giraffe?

1:01

You know, I have no idea. I finally was able to get my um administrator to approve like the team's app and there

1:07

was one virtual background that didn't move and that this was it. So, this is what I have. It's some fantastical

1:14

um arches with flowers maybe. I don't know.

1:20

Future Mars. Yeah.

1:36

Hey Lauren, how are you? I'm well. How are you? Good, thanks. Good morning.

1:46

Thank you so much for preparing the agenda and helping us with the conversation today, Susan.

1:52

Oh gosh, no problem. Um,

1:59

all right. We Sorry, I'm late. I was in a meeting until just about a second ago.

2:04

Um, and I'm going to have to uh jump in and out um because I have another

2:11

meeting today that I need to be in. Um, I have not met you, Cynthia Shelton.

2:17

Been invisible. Nice to meet you guys, too. Nice to meet you. Um, should we do a round of

2:22

introductions? Yes, I think we should. Um, okay. I'll start. My name is Lauren Hibbert. I'm

2:29

the deputy secretary of state. Kelly Pella, administrative assistant.

2:34

Hi, Susan Clark. I'm from Middle Sex and I um uh representing the League of

2:40

Vermont League cities and towns on this commission. Cynthia Shelton Thatford, Vermont, and

2:46

I'm a member of the public. Frank Nelson, I'm from PA. I'm the planning commission energy coordinator

2:52

and rail trail delegate.

2:58

Um Don Hi.

3:03

Hi, I'm Don Fer. I'm from Planefield, Vermont, and I'm a member of the public. Awesome. Welcome, Don. Uh, Mark.

3:12

Uh, Mark W. I'm from Colchester. I'm an attorney in the elections division. I work with Crist.

3:18

Thank you, Kate. Good morning, everyone. Kate LaRose. She her. I live in the Northeast Kingdom and

3:25

I work with BCIL. I am here on behalf of um the HRC and I uh have worked with um

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disabled peers around the state who have been begging for their rights to vote in local elections and asking for

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accommodations for the last three years and I myself have not been able to um

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been able to fully participate in um local government or elections. I've been denied that right for four years now I

3:51

believe it is. Thank you Kate. Um, Laura Seagull.

4:01

Hello everyone. My name is Laura Seagull. I work for DEA and I'm the director for death and hurricane and

4:06

death plan services. I am based in South Bington but welcome day. I have two interpreters with me today, Mary K and

4:13

Lisa. Thank you for having me here. Thank you all for being here. Uh, Laura

4:20

Kushman.

4:27

Good morning. My name is Laura Kushman and I am an attorney at Disability Rights Vermont.

4:33

Hi, Laura. Thank you for coming. I'm Jenny. Yes, I'm Jenny Frouser. I am the general counsel and director of

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municipal assistance at the Secretary of State's office. So um as a threshold issue um Kate had

4:49

re it had raised the issue of getting um agendas and materials earlier um and um

4:58

I don't know if this has already been discussed but I just want to um say of course we will strive to do that. I

5:05

think 24 hours or 48 hours it would be best. Um, I also need some patience on

5:13

this issue because um, everybody who's working on this project is doing it on top of other really important big

5:21

responsibilities. Um, and I also want to say thank you to Susan who did a lot of work preparing this agenda. Um, it's not

5:29

easy to prepare an agenda and I really appreciate that you did it and I'm very excited for the conversation that we have today. Um, and if anyone ever wants

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to prepare an agenda or um lead the facilitate the conversation, that would be more than welcome. Um, because you

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all are here um because you're interested or experts in what you're

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doing um and what the topics are. Um and um I again I would I take the the

5:57

feedback um and I will strive to help us get those agendas out earlier. Um, I

6:03

understand the rationale for it. I understand the reasons um, we want to do that and um, and I just can't promise

6:12

that I'm always going to be able to do that. Um, because

6:18

Yes. Sorry. Quick question for clarification, I guess, just because I know that and I have um, some questions I had shared

6:23

earlier before you had come in the room. Um, I know that there's we're charged with two things. were charged with open

6:29

meeting law but also with best practices for inclusion and accessibility. And so is it I just wanted to check my

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understanding under open meeting law I know at least we need to be providing them 48 hours in advance right and so my

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request it was going to be a reasonable accommodation to accommodate my disability to fully participate but then

6:48

I thought you know what what a great opportunity to showcase universal design because everyone um does better um

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including for language access and being able to fully participate. Um

7:01

I guess my question is can we commit not um because we are charged with all of

7:06

these things. Can we commit moving forward that we will do at least one week?

7:13

No, I can't commit to one week because I that gives us only a week to prepare for

7:19

an agenda and I don't think that's a reasonable time for our office to process what has happened and to prepare

7:26

for the next thing given everything else. If this were um a meeting that we

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had once a month, I could do that. But I'm aware and I I can't publicly share

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the work that this team is doing every day. And we're trying to balance a lot.

7:45

And so I can commit to trying to do at least 48 hours, but I can't commit to a

7:51

week, Kate. And I'm really sorry if you want to prepare an agenda. What is the exact reason that that cities, municipalities will give

7:59

for not honoring reasonable accommodations? So, I just want to name that. Um, not enough time, not enough people, other priorities. Um, and I want

8:06

to make sure, so I just want to double check. Can we commit then to honoring open meeting law that we will at least

8:12

share them 48 hours in advance? So, I think it's actually a gray area

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whether or not and this is one of those things that maybe requires a legislative fix. Whether or not this is a regular

8:23

meeting or a special meeting, um I would say our, you know, our aspiration here would be the 48 rather than the 24.

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Obviously, we didn't hit the 24 this time. That, you know, that's on us. We aimed to do that. It did not happen. And

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like that's that's a failure. Yeah. Um, but I I don't know that we h

8:44

that I think I would have to delve into the into the case law to see if there's anything that would guide this

8:50

particular situation whether we're in 24 hours that attaches to special meetings for 48 hours. Well, and we're already in a little bit

8:56

of a gray area being that it's a legislative work group. Right. So, but there's lots of things and I think

9:03

the challenge that is we're just um it's very meta. Um we are

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The challenge that we're in is um we really want to talk about accessibility

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and obviously we're charged with doing that and we're trying to set up best practices and we're trying to have open

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dialogue about all of these things and it's a good example of the very true

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reality that municipalities and other public bodies

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do not have resources and do not have people That is not just an excuse. I I I

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think that can be misused and and argued. Um but that is a real thing. I

9:48

think we all um have experience of having way too many things happening and

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not enough capacity and resources and money and technology. So I think we are

10:01

a little microcosm of a much bigger problem. That doesn't mean that we shouldn't

10:06

do better and talk about all of these things, but I can tell you we are really

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trying our best with this working group and um and trying to make sure that

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everyone's voice is heard and everyone's opinion is taken fully into account and

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we're trying to get materials to people as quickly as possible and yes, we can commit to 48 hours, but

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thank you. Yeah, I don't I don't think that it's an undue burden 24 versus 48 48 versus but like whatever. Like my

10:36

other question um that I posted because I don't actually understand as you acknowledged like we don't like what

10:43

what are the rules of this working group. Um I'm realizing that we don't adopt agendas and we don't follow  
10:48  
Robert's rules. So I guess I'm just not really clear like because we don't do agenda building. Um, the one thing that  
10:55  
felt very important to me to touch uh base on at some point today is an overview of 17 VSSA 2656. Um, because I  
11:03  
had questions for clarification about that as it pertains to the SOS's office feeling that um asis  
11:12  
uh mun uh towns cannot um offer remote participation. So that was my request is  
11:17  
if we are doing agenda building if that is something that is allowed here I would like that on the agenda for even five minutes please today.  
11:25  
Um I think that I I I I could be wrong about this but each of the case studies  
11:31  
the idea of the agenda is that each of the case studies looks at  
11:37  
five issues. Does it meet the goals of or of accessibility inclusion? What are  
11:42  
legal concerns? Is it legal now or would it need to would the law need to change? And then there's voter security  
11:48  
technology um resources that the town needs and other points. And the idea of structuring the um agenda this way is to  
11:57  
be able to dig into exactly the kind of issues I think you um what is what is the law say? Does does this model meet  
12:06  
the current law? If somebody wanted to use this model, would we need to change the law? So, so that I I think that  
12:12  
we'll get into that as we Yeah. But I heard at least two questions  
12:17  
in what you just stated, Kate, which the first one was the structure of this  
12:22  
meeting, and I think we have talked about that quite a bit. Um, and I'm happy to talk about it more, but um,  
12:30  
this is really we're providing advice through the working group to the legislature on a whole variety of  
12:36  
things. This last meeting we talked about how this office is intending to um  
12:42  
draft and understand um the perspectives from this meeting on the report um and  
12:49  
um sort of the plan working forward. We've chunked up the topics in act 133  
12:54  
into meetings. We're coming to the close of the topics per se. I think we have  
13:00  
two more. One more. We have three more scheduled meetings and one is just one top.  
13:07  
Yeah, one is overflow. So, we have two more. Um, in terms of agenda building, I don't have memorized what the next two  
13:14  
topics are. Um, initiatives for public fund  
13:20  
participation and funding. So if anyone would like to build an agenda for um  
13:27  
initiatives for public participation, uh please volunteer. We had put uh  
13:33  
disability rights Vermont and VLCA on that initiative. But um  
13:42  
but that was just a suggestion of who we thought were the most important stakeholders. Um obviously we're all  
13:47  
important stakeholders. Um, so if um anyone would like to build that  
13:55  
agenda, please do and then we can get it and get it to folks as early as  
14:00  
possible. Just there's a Kate put something in the  
14:06

chat there. There's a question about Kate, what is your question?

14:11

I I guess um so I understand the structure and the legislative intent and charge. What I don't understand is what

14:18

type of meeting body are we? So like I'm hearing right now like so are we making

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decisions via Robert's rules? Is this something where we like we're just it's it's this weird quasi thing where

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half the time we're told we cannot discuss certain things because of open meeting law and then other half the time

14:34

I'm hearing well open meeting law like maybe applies here, maybe it doesn't. We don't have time. So I like I'm just I'm feeling frustrated because I just want

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to know what type of structure we even are. We are considering ourselves an open meeting even though that is not

14:48

legislatively clear. That is just there's not a clear answer on that and we're going to have to all be care like

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that just we have to be okay with that because there's not it's not clearly defined in the law. But we are doing our

15:01

very best to follow open meeting law because we think that's what's right. We have not limited comments to just the

15:09

people named to the working group because given the topic that did not feel like the right choice to this

15:15

office and we have intentionally not followed Robert's rules because that is

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a very um very structured hierarchical

15:26

limiting way to have a conversation. Not that there's not value to that and purpose to that in certain places, but

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we have made the intentional voice, the intentional choice to have additional voices here. That's why we have these

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two fine folks here. And we've allowed them to comment at all times in the conversation, which is would not happen

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if we were having a more structured conversation. And that was an intentional choice by our office. We

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talked about it and we decided not to do Robert's rules because we wanted to have a more free flowing conversation. Now, I

16:03

don't think that there's things that we have voted on per se. I don't think that there's a list of topics that should be

16:10

voted on. And that goes to the conversation that we had last meeting about how I'm envisioning this report

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will be which will be it will be a summation of our conversations with recommendations to the legislature. Some

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of those recommendations we may universally agree upon and some we may not. And so in the report you have our

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commitment. the things that are not universally agreed upon, we will discuss

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and you all will have the opportunity to see the report and we will discuss it. I

16:45

fully anticipate we're going to need at least two or three more of these meetings. Um

16:52

but um probably in October so that we have some time to um do drafting and and

17:01

have a product to look at. Yes, Frank. I had the same questions Kate kind of

17:07

and I think that probably if you wanted to look at we're an advisory group to the to the legislature.

17:14

Undoubtedly we're an advisory group to the legislature. So then if this was spelled out in the

17:19

in in our document that maybe legislative working groups would be considered advisory but have an a public

17:27

open um participation format like you're operating under. then that would clarify

17:33  
any any gray areas um going forward. I do think there's a footnote to be had

17:39  
in in our opening um about the ambiguity and a recommendation to make legislative

17:46  
working groups expressly open meeting um following open meeting and um

17:53  
advisory. I do think that makes sense. some some working groups have are much

17:58  
more decision-m um but we are given our charge advisory priority

18:04  
and I and I do want to mention that the open meeting law itself does not compel a public body to follow any specific

18:11  
rules of procedure with some exceptions well there are some some other some bodies are bound by requirements such as

18:19  
school boards in law outside the open meeting law but under the open meeting law there is no obligation to use any

18:25  
rules of procedure and if you decide to as a body you can choose which ones you wish to use. Um so

18:33  
we are not violating the open meeting law by not adopting a rule set of rules

18:38  
of procedure. We would be under free under the open meeting law to adopt whatever rules of procedure we wish whether we drafted them ourselves

18:45  
whether we used Robert's rules whether we used any of the other assorted options that are out there. The one

18:51  
advantage on the advisory we if you molded that in is that you don't have to have a physical location for advisory

18:59  
to be remote. I would think for almost all working groups you would because it would be a

19:04  
subset of the state and the state all meetings are required to be hybrid.

19:10  
On a side, I have a the head of our school board who is very involved on

19:15  
these education issues that are flying through and there's a working group for that that's going to be closed with two public participations

19:22  
things. So, I wonder if they're looking at it for the where this working group for the education to iron out that stuff

19:29  
is going to be open to the public etc. Kind of like our model here.

19:34  
I am not going to comment on that because I'm not in the weeds on that. So I don't I don't want to say that they're

19:41  
doing the right thing or the wrong thing or what what their process, but there is a question mark. So it really should be there is a question should be guard

19:47  
rails and operating in the guardrails. Yeah.

19:54  
Um Alicia I'm or I don't know how you pronounce your name. I think you're new

20:01  
to our working group. So I just want to say hello.

20:06  
We can't hear you. You took yourself off of mute but we can't hear you.

20:14  
Can you hear me now? Yes. Yeah. Okay. Thank you. Thank you very much. I did attend uh the

20:20  
last meeting but I wasn't clear at the time whether nonappointed members could

20:27  
contribute which I now understand um from email and also this conversation is the case. I yeah, Alicia Weiss, thank

20:35  
you for uh the invite. I'm uh a member of the accessibility committee uh in

20:42  
Planefield, Vermont. I've also been a disability advocate and worked in disability services field for 20 years.

20:51

Well, I'm sorry that I didn't recognize your name from last time and welcome again. Yeah, that's fine.

21:02

Okay, any other open questions or shall we turn to the topic at hand

21:10

or discussion? I mean, I don't want to shut down conversation either.

21:19

Okay, awesome. Susan, thank you so much for um

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preparing the agenda and um if you're comfortable, I'd like to turn it over to

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you to structure the conversation. Sure. Okay. Um thanks. And um just by

21:37

way of of um clarity of why I why me, right, is um this is an issue that's

21:44

something that's really interesting to me, something that I've worked on for many years. I'm the town moderator in

21:49

Middle Sex and I've I'm also a trainer and a researcher uh working with towns

21:55

on uh public engagement. Um so I've written a couple of books on this topic and our town uh is the Middle Sex case

22:03

study that is in is here. So I I'm in Middle Sex and so this is something I'm I'm really interested in. Um so what um

22:11

what I thought we could do was do not sure how many people had a chance to look at this uh memo which of course was

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you know sent out on Tuesday um and so thought we could spend um a

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little time uh going over the basic facts so that we all understand it. It's

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a really wonky wonky topic. Um, very in the weeds, you know, town meetings, how they're different from other meetings.

22:35

Talk about that. Um, so, uh, there will be, um, uh, with apologies a, uh, 10-minute presentation here at the maybe

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less. I think I can do it in less uh at the beginning um here and then break it down to in the ca the point of the case

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studies is to be able to kind of dig in um as as uh as people who care about all

22:55

of these issues, what works, what doesn't, what are some of the ways that we can unpack uh uh you know, how to

23:02

move forward um on this topic. So, um I'm going to start

23:09

uh by talking about what is town meeting. Um

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when we say town meeting, um what we mean is the town's annual meeting. Um

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and that means it's where voters of each town elect the town officers, adopt a budget, um and address public issues.

23:27

When voters, um come together in person. It's called a floor meeting. So, you'll hear you'll hear that term floor

23:32

meeting. Um, and if you think back to social studies class, you know, if you think of the three branches of

23:38

government, um, executive, legislative, judicial, um, they serve as checks and

23:44

balances, uh, for each other. And this isn't a perfect comparison because the powers are different at different

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levels, but, um, at the national level, you've got the president, that's the executive branch, um, and all the people

23:57

that that that work under that, uh, branch. Um and uh at the at the national

24:02

level, the legislative is the is Congress. So um at the state level, the executive branch is the governor. Um the

24:08

legislative branch is the legislature under the gold dome. And at the town level, this is where it gets

24:13  
interesting. The select board is the executive branch. And on issues of finance and governance, the town's  
24:18  
legislature um is uh any voter who attends town meetings.  
24:24  
So only towns have town meetings. By the way, I talked to a lot of people who ask me about their town meeting in  
24:29  
Burlington. Um, cities don't have town meetings. They have meetings, but they're not town meetings. Um, so  
24:36  
Vermont has 10 cities. Um, and they use things like city councils and, uh,  
24:42  
mayors and, you know, it's a different form of government. Um, who's not? Another thing that's  
24:48  
important to know when we're talking about electronic meetings is that um, town meeting is it's really different  
24:54  
from a public hearing or a so-called town hall event. Sometimes people get confused between town meeting and town  
25:00  
hall. Um, people uh, at a town meeting are not just voicing their opinions the  
25:05  
way they are at a public hearing. Um, town meeting is what's called, getting wonky here, direct democracy. It's  
25:12  
called direct democracy. And what that means is that I am the government. The voters are making binding decisions in  
25:18  
real time. And it's also deliberative. It's direct deliberative democracy. Um meaning it's not just an up or down  
25:24  
vote. It is uh voters having the power to discuss and amend. Um so the other  
25:30  
direct deliberative democracy system in the US that's um everybody knows about is our jury system. So when you walk in,  
25:39  
when you're on a jury, you walk in and you become part of government. You are deliberating. You're making binding  
25:45  
decisions. Is this person guilty or not guilty? Acting as part of the judicial branch of government. So the thing  
25:52  
that's fascinating about this is what it does to us as humans. There's there's studies that show um when we as people  
26:01  
um are involved in an empowered deliberation, not just sounding off or voicing opinions, but actually being  
26:08  
part of the decision-m um it actually strengthens the fabric of our democracy. Um there are findings  
26:15  
that show uh that it often results in people ultimately being more civically engaged over the long term, like over  
26:22  
their lifetime. It's so fascinating. If you serve on a jury, you're more likely to vote for the rest of your life. Uh so  
26:28  
increased voting, increased participating in politics, having faith uh in public institutions, being  
26:34  
involved in local discussions, following the news, um feeling empowered um about  
26:39  
your own and your neighbors political abilities. And I get passionate about this especially now when we've got  
26:45  
people who are doubting the value of their own democracy. Um how can we strengthen the fabric of democracy?  
26:51  
getting people actively involved is one way. So that's a good reason to be  
26:57  
talking about this, right? This is one of the reasons for this change in act 133. Let's look into electronic  
27:04  
participation. Let's offer remote town meeting participation to ensure that this experience um is available to  
27:11  
people who can't attend in person. It's important for people with disabilities or mobility issues. It could be helpful  
27:17  
to people who struggle to find child care, who are deployed in the military. Lots of good reasons to do this. A few  
27:24  
more facts. Um, Vermont is not the only town meeting state. I talked to a lot of

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Vermonters who think we're super special. We're not. Um, this form of government is used all across New

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England in hundreds of towns. It's Vermont, New Hampshire, Maine, Massachusetts, Connecticut, and by the

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way, also Switzerland. Um, and if it's fun time sometime we can all get together. I can show you my slides. I

27:49

thought you were going to say one time we can all go to Switzerland. Well, I I did take Switzerland.

27:57

I was getting excited. Yeah. As long as there's chocolate there, right?

28:03

Listen, there was chocolate. Absolutely. Yes. And uh and it is one of the most

28:08

democratically engaged countries. Um and um and by the way, one of the happiest. Anyway, but it might be the chocolate.

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Um, so that said, um, so it's it's it's widespread across New England. Um, that

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said, Vermont towns are not required to use town meetings, um, technically the

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floor meetings. We can vote as a town to switch to Australian ballot. Um, and when I say Australian ballot, everybody,

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this is everybody in the world calls this ballot. Only Vermont calls it Australian ballot. Um, and the reason

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that we we I mean there's a the there's a reason that that we do that, but it's

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too boring to tell you. Um, so, um, if you if a town switches to ballot, it's

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preceded by an informational meeting and that but that meeting has no no power. It's it's a public hearing. Um, so

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Australian ballot voting can be adopted for any of three things. For election officers, for adoption of the budget,

29:06

um, and for public questions. So rough estimate and I know the secretary of state's office will drill down on this

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and get us more specific data, but I'm guessing between 2/3 and 3/4 of Vermont towns use a floor meeting for some kind

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of decision-m um in uh and it's tricky to summarize, but I did put a link um in

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the in the memo that shows the information town by town as best as it

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has been collected. Um and another option just um to be clear under Vermont

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law is representative town meeting and with this system um it looks if you go

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to a representative town meeting it looks just like a town meeting but all of those people were elected to be there

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is the only town of Vermont that has this form but it is widely used in other New England states lots of lots of other

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places and it's what you want. Um, so I think it's clear the issue that we're

30:01

dealing with is that you have to be present in order to vote at town meeting. So there are many towns that

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are concerned that they're disenfranchising voters who cannot attend in person. So those towns, many

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towns switch to Australian ballot. Meanwhile, you've got towns that are

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concerned about losing that empowered deliberative democracy and they want to retain their floor meeting. So now towns

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are asking, well, we care about both of these things. Why can't we have both? How can we create a more inclusive

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access to our deliberate meetings? Figuring out how to allow remote

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participation and voting could be a both end solution. So that's that's our our charge today.

30:45

Um, I thought maybe well what what we're going to do is um use four examples of

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towns who have tried this or are trying to do this and each one is quite different. Um, and so we thought we

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could use these as a way to sort of examine this electronic town. What's worked? What's missing? And again, our

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our our thoughts of to unpack those are number one, does it does it does it meet

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the goals of accessibility and inclusion in an empowered town meeting? Um, number

31:17

two, legal concerns. Is this is this legal? Um, or what would need to change to make it so? Um, in my experience, if

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you ask three lawyers, you get four different opinions.

31:31

Try, right? um at least you know it you know try to

31:37

unpack it a little bit. Um, number three, voter security. And this is a big one. Um, that, uh, there's a lot of

31:42

scrutiny. Um, especially, you know, whether founded or unfounded. Um, a lot of, uh, concern about the voter fraud at

31:49

the national level that has, uh, colored everything we do in terms of, um, you

31:54

know, is there tampering, is there undue influence, um, dead people voting, there all kinds

32:00

of crazy accusations that that we need to be really clear about. Um, number

32:06

four, technology. um how how how how does this work? Um and how available and

32:11

accessible is the technology? Um number five, resources needed. And this of course gets back to that question we

32:18

were talking about. What what does a town need? What kind of staffing? What kind of training? What kind of

32:24

equipment? Um and ultimately what kind of funding. Um and then you know other

32:29

uh because because more stuff will come up. So, so that's a lot. And I would suggest that we take like 30 seconds of

32:37

silence to just kind of ponder what we heard, jot down questions um that that you

32:44

might have.

32:55

It's okay if I interrupt. I've been trying to I was waiting for my for me to

33:00

have a chance to speak. So, um I was just wondering something. Um

33:07

I'm just reflecting on the past four years in my position, the referral that I've gotten. I've seen a common trend

33:14

that people feel like it's very challenging for them to participate in person meeting because they're unable to

33:20

hear. And so when I think about the state of

33:25

Vermont has we own 234 ben out of 234 version not one has a

33:34

hand loop system and so it's very disappointing when

33:41

people ask me do you know of any conference room that have it it's not well advertise I've tried so hard look

33:48

high and low to find if there's any conference room in a hotel in a school

33:54

that clearly display a sign that you have a hand loop system. So this is why

34:02

many people who might have a hand challenges might prefer to participate remotely because they can use AI

34:08  
captioning or they can hire a live captioner, you know. know I'm just wondering that's

34:16  
why I that um I asked if you have a budget to work with but you don't how

34:22  
can we be inclusive if we don't have a budget to work with

34:27  
I think Laura again I just want to go back to this is all for that question

34:33  
about do we have a budget as this working group no um but the um it the

34:43  
question is is emblematic of the problem across the whole state. And I think when

34:48  
we're talking about accessibility, um the fact that there's not hearing

34:54  
accessibility in any building without someone bringing their own interpreter or um the town providing an interpreter

35:03  
um needs to be pointed out. Um, and it it needs to be clear and the the

35:09  
legislature has a policy choice on whether they help provide a budget to

35:17  
towns and towns um need to either

35:22  
receive money from the state or create that space in their own budget um to to

35:29  
to facilitate at least some buildings having that hearing loop system that

35:37  
many people need. Um, can I ask a follow-up question, Laura?

35:43  
Um, or anybody who knows the answer to this, would

35:48  
offering the meeting by Zoom, um, which has, like you said, the AI closed

35:55  
captioning be one way to meet that need

36:00  
would, uh, yeah, so that's my question. So one of the problem about using AI

36:06  
captioning is we at a participant would not know who's speaking especially in

36:13  
the room unless you say your name this is choosing this is Lauren you know and

36:19  
usually if you say that and you have a live captioner participating they're able to make sure your name is right

36:26  
next to whenever you're speaking live captioner no they just keep it the same

36:32  
the meeting It's like it's not an equal level of

36:38  
I just feel it's just like you know you notice how when I was in the meeting room with you guys I kept raising my

36:44  
hand because that is equal asset I you guys can hear you can tell when someone

36:51  
is done speaking and then you can just talk I can't that's why I have a liar on

36:58  
the hand That's that's really helpful um clarity

37:05  
and I I would just add as town meeting moderator and in Robert's rules in general one of the things we always do

37:11  
is ask people to identify themselves before they start speaking as as soon as they're called on they usually say their

37:17  
name and often their which road they live on as useful information.

37:24  
Yeah, Kate. Yeah. Um thank you and thank you so much Laura for for sharing that and raising

37:30  
that. It's so important. Um, and when we talk about full and equal, just to reiterate, you know, offering somebody  
37:37  
Zoom participation who wants to be in person and can be in person is not full and equal and vice versa, right? So,  
37:43  
like making sure that um I've heard people in the in the room there talk about how important inerson meeting is  
37:49  
to them. Um, and so we wouldn't want to take that away from other people who are asking for accommodations for that. And  
37:55  
you know, I I'm I the way that we talk about how we fund um is so frustrating  
38:01  
because as towns, we start from scratch with our budgets and we build in what we  
38:06  
need. It's through taxes, you know, right? We have revenue. And so accessibility is a utility. You know, we  
38:14  
don't say that we're not going to offer heat. We don't say that we're not going to offer electricity. And this shouldn't be thought of any  
differently. And I the  
38:20  
reason that I raised my hand though um but I just got very excited about what Laura shared um is I do want to talk  
38:27  
about I was very excited to have the extra time um for the two days to review the 10-page uh memo that Susan put  
38:34  
together. Thank you. Um more time would have always been better. Um 7 days would be ideal um for an accommodation, but I  
38:40  
was able to clear my schedule um and power through. So thank you. Um, it does on page five talk about the voter  
38:48  
identification issue and you did just bring it up so it feels gerine to this conversation.  
38:53  
When we talk about voter identification, I guess the thing that I'm struggling with, I'll step back. So, towns have  
38:59  
been told that they either have to stop offering remote meeting participation by the Secretary of State's office or they  
39:04  
are told that they cannot offer it when they want to. And so my understanding is that this law, this statute 17 VSA 2656  
39:13  
is what is continually cited for why that can't happen. But what I want clarification on, I guess, is, you know,  
39:20  
when you look at the entirety of the statute, which I posted here in chat, it starts with regardless of the type of  
39:27  
voting used, right? So regardless of the type of voting used, the presiding officer shall  
39:34  
follow reasonable and necessary procedures to ensure that the persons who are not voters of the town do not  
39:40  
vote. So I guess my question is why is it that this additional level of checks  
39:45  
and balances is being layered on top of remote meeting participation and not say  
39:51  
for example absentee ballot requests or why would this be any different than the way somebody would request an absentee  
39:57  
ballot the way that they would request remote meeting access or some towns you know you're not walking in and showing your ID when  
you're participating on the  
40:03  
floor. So, I guess that is my question that I need to understand before we move further on this is with the Secretary of  
40:09  
State's office telling towns they can't do this, what is the reason why?  
40:15  
And the other thing I'll add is that I know that Susan, you said there's no precedence um uh around other towns for  
40:22  
floor votes, but there is precedent when it comes to our judiciary, right? And so that's pretty important about verifying  
40:28  
ID. So if people can participate remotely in hearings and for the  
40:34  
judiciary that is a level of identification that meets the standard,

40:39  
why not here?

40:47  
Susan, yeah, I feel like Kate's questions are great, but maybe jumping

40:53  
ahead of where you wanted us to be, which was gut reactions to what you just

40:58  
talked about in terms of town meeting and its history and its structure. Yeah. What I because I agree completely

41:06  
that these questions about what exactly are the legal concerns and where are

41:12  
there any are there roadblocks? Are there perceived roadblocks? Um, and I

41:17  
think we can get at those questions with each of these case studies. And and so I

41:22  
really um um want to highlight Kate's question and also by the way the the

41:28  
question of are is there precedent outside of this system for example that is are the judiciary options? Um I

41:35  
remember um I remember Mark Mark has mentioned that. So um

41:41  
we could just in in interest of time we could move on to the case studies unless anybody has overarching questions about

41:48  
um town meeting. Yeah. Yeah. May I just um make a comment? I

41:53  
mean I have many overarching comments such as um you know justice delayed is

42:00  
justice denied. When there is a remedy and you don't apply it uh you're denying

42:05  
fundamental rights. So that to me is the overarching uh issue. Uh uh delay

42:13  
disability rights have been delayed and rationalized because of costs and

42:19  
difficulty. But if we had would we have been okay with waiting to desegregate

42:25  
schools which also required uh cost and

42:30  
many arrangements. No we would not. um people with disabilities have been

42:36  
treated not as secondclass citizens but as third at least third class citizens. But

42:42  
just to clarify and um about the automatic

42:48  
uh captioning as someone who worked in higher ed and is very familiar with all

42:53  
the case law uh automatic captioning because it is

42:59  
errorprone is not considered uh legally a reasonable and adequate accommodation

43:06  
for somebody who who is hearing impaired or deaf. I can probably make out what

43:12  
you know and laugh at the error uh that is made uh sometimes they're hilarious,

43:19  
sometimes they're just confusing by the AI captioning, but that is not

43:24  
considered an a reasonable accommodation uh meeting meeting standard of equal

43:30  
access. We have ADLs uh in our you know in our town hall

43:36  
building person you know needs to ask for it. We have a limited number and but it's not as good as a hearing loop. And

43:42  
Laura, maybe we could connect sometime afterwards because I am interested in writing a grant for uh hearing loop.

43:50

Okay. Thank you. Laura. Laura.

43:57

Oh, Laura, you're on mute. There we go. Oh, no. Sorry.

44:05

Other Laura, I apologize. Laura Seagull. and then Laura Kushman and then Laura

44:11

Seagull. Okay. Um I um just wanted to say like we

44:18

should address we should sort of make some time specifically to discuss

44:24

potential legal challenges but because I I think that Kate's question is an

44:30

important one but obviously uh with a legal question we might want to take a

44:35

little time to do some research. I don't know that anybody can just speak to the answer that question without taking a

44:41

deeper look at um the statute and the the potential challenges, but I don't

44:48

think it's something that we should ignore or just move past. Um, even though I really do think that we need to

44:54

move on with our case cases and and um but so uh maybe we can set a time aside

45:03

uh or a day or a different discussion for talking about potential legal challenges.

45:10

I think that's a good suggestion, Laura. And I didn't at all mean to say that we should set Kate's question aside. That

45:16

was not my intent. I was just saying I didn't want to derail uh Susan's agenda which she created which was to go

45:22

through these case studies and I think to to talk about these case studies and then the concrete issues that come up um

45:29

including Kate's question but absolutely yes and

45:35

it been it's been my observation that we in these meetings um we sort of go all

45:41

over the place we work all over the agenda we and really important certain

45:47

questions come up and then we don't answer those really important questions because we have this need to bounce all

45:53

over the pla you know it's it it's uh it's a little difficult to get anything

45:59

done um and so I I would just like

46:05

suggest that we make a a list of the question the unanswered questions so that we can circle back to them um

46:13

because and not get distracted by them That's all you're doing. Sure.

46:19

Yes. I think that's that suggestion is well heard. Laura Seagull.

46:28

Yeah. So in my experience, I'm always telling people, please do not let AI be

46:34

your only option because of the error. And I think I used to work for a law

46:40

firm. I think cases get thrown because they rely on AI captioning

46:46

or they didn't provide the right interpreter. So that's why I I try to warn people really need to try to find a

46:53

way to provide captioning and you can I mean we have a one resource but it's not

47:00

a lot of money but I know people don't use it. relay conference captioning. It's about \$75,000 a year and they don't

47:08

always use it every year and it's just baffling to me. I'm like, come on. This is a valuable resource that people can

47:15  
use. So, and but no car. I wish we had the  
47:20  
interpreters, but we don't unfortunately. And so, and it's part of my work. I've  
47:26  
constantly been trying to ask the appropriation committee can we have funding set aside every year for  
47:33  
communication access precisely for this reason there are towns that don't have the money to get interpreter  
47:40  
or or businesses that don't have the money or you know anyway I am trying to  
47:45  
stay on point but when I wanted to mention one thing about the voter  
47:51  
identification I do remember there have been times where it would help someone  
47:56  
who is deaf and blind. And people did accuse me of tampering. And I was like, but how do you expect  
48:03  
them to vote? It's their right, human right to vote. And if they want to vote,  
48:09  
I have to make sure I can accommodate them to make sure they can do it at their level of what they're able to do  
48:15  
to participate. You know what I mean? Just like there are de people who don't feel comfortable going to the polling  
48:21  
location because they know when they get that paper that they have to read to vote, they're not going to understand it  
48:26  
because English isn't their first language. They need someone standing there to interpret it. And I've seen  
48:32  
other state what they do is they create like specific designated location where there will be an interpreter on site to  
48:40  
help out. Can we do that in Vermont? Probably. But I would have to talk more  
48:46  
offline of how that would look. Yeah. Thank you. Frank, did you still have a  
48:52  
comment? Yeah. Um, covering Laura's position because I brought it up at the select  
48:57  
board the other night as one of the things that's being percolated here is um that having a screen like this and if  
49:06  
it's a big room, you can't see the tech speak to text from speech to text. So a  
49:12  
handheld device like a tablet or something would be able to do that. So you'd be kind of sitting in a Zoom meeting in the meeting itself. So  
you're  
49:18  
able to follow along and see who's talking and stuff from a distance as well. So that would be one solution. But  
49:25  
the um undue hardship issue relative to having interpreters at all the town  
49:32  
meetings all around the state and all the sub meetings which is required of this is subgroups and everything else  
49:38  
that would be fitting underneath the open meeting law would might be an undue  
49:43  
hardship for a large percentage of the state where the electronic devices might not be. But you would have to have  
49:49  
somebody auditing to make sure that the text coming through was correct in in real time. That would be my comment on  
49:56  
that. And I think that also speaks to Laura Kushman's comment on there are legal  
50:04  
questions embedded in that comment that we should talk about. Um, but maybe we should go to the case  
50:11  
studies. Yeah. Well, allow us to talk about the legal issues specifically because I think they might be a little different  
50:17  
in each case. So it'll allow us to get to really dig into it a little bit. Um  
50:23

yeah, so and and especially given uh our our uh you know our limited time uh at  
50:28  
this meeting and we want to get through these. The first one is a relative the first case study is Cambridge um uh  
50:35  
Vermont and this is um a relatively uncomplicated um one and so we might be able to do it  
50:42  
faster than some of the others. Um, in Cambridge, Vermont, um, in response to a  
50:48  
voter's request for an ADA accommodation, uh, Cambridge facilitated a voter's  
50:54  
remote participation and voting from a room in the same building where the town  
51:00  
meeting was held. Um, so, um, that participation was facilitated, the  
51:06  
technology, uh, was, uh, YouTube and Zoom. Um and there was a justice of the  
51:13  
peace who was available to assist the voter with with paper ballot because there are three ways you can vote at town meeting. One is um all  
those in  
51:20  
paper say I. Um a second one is raise your hand and a third one is um paper  
51:26  
ballot which is just a little not an Australian ballot a little piece of paper that where you write yes or no. Uh and that's that can be requested  
um on  
51:34  
any vote for privacy. Um and it is the reason that we use Australian ballot to  
51:39  
differentiate that word the we use the word Australian to differentiate a pre-printed ballot. Um so because this  
51:47  
in Cambridge it was an on-site accommodation um the voter um checked in  
51:52  
just like any other voter um that eliminated um voter identification  
51:58  
concerns um because that that person um you know checked in just as as other  
52:04  
voters. Um I talked with some folks in Cambridge. The town officials and the  
52:10  
voter have expressed satisfaction with that arrangement. So um this system  
52:17  
could be useful to accommodate folks with say a compromised immune system,  
52:22  
folks who would like to attend town meeting um but don't want to be in a big group of people um or sensory processing  
52:28  
issues or social anxiety disorder. But to state the obvious, it only accommodates voters who have the ability  
52:35  
to travel to the meeting site. Um, so our six questions, as you'll see on our  
52:41  
agenda, um, question number one, does it meet the goals, how well does this example provide accessibility and  
52:47  
inclusion to an empowered town meeting? I kind of stated the obvious.  
52:54  
It uh, it kind of sort of, I think, is is the answer to that one. if for  
53:00  
particular uh uh needs. Um I would say that it doesn't at all  
53:06  
because the burden was on the individual with the disability to advocate and  
53:12  
fight hard to get that accommodation. That was not an easy I would like this, here you go. Um and  
53:19  
in every case for people with disabilities, we are being told that when it comes to  
53:24  
local civic engagement, the burden is on us. And that is why it's so great that  
53:30

the charge of this committee from the legislature is universal design as well as accessibility. Um and so by making

53:37

things universal, we take the onus away and the burden away from the disabled person.

53:44

Got it.

53:54

And I'll also add my understanding of that one example is that accommodation was not offered to any other voter in

54:00

that town. So it wasn't once that was given other voters in Cambridge were not

54:05

being offered, hey is this something that would be useful to you? You can have this. It was very quiet and only

54:11

that one voter was given that option.

54:17

Cynthia, um Kate, at one point, um you had mentioned you had a list of all of

54:23

the challenges that you've come across of all the different ways that people are challenged. Did that memo or did

54:30

that list ever surface? I mean, my list would not be an

54:36

exhaustive list. Um there's myriad ways. Um I guess what um what would be useful?

54:44

Um because I think between me and the Lauras and the federal like a lot of existing stuff we can provide that.

54:51

I am imagining as this talk continues a chart uh of XY where there's a chart of

54:57

challenges and a chart of solutions and we can check off where they are met and where they are not and then you'd have

55:03

it at a glance. But we couldn't do that without your list of challenges. Oh. that we could.

55:10

Yeah. From a best practice standpoint for universal design, absolutely. From a do we meet ADA, we can't do that because

55:17

there is no one-size-fits-all. Here are the ADA accommodations, right? It really

55:23

ADA is so beautiful in that it really is based on the specific needs for full and

55:30

inclusive access for the individual. And so there's not like we would never be done writing a list. I guess

55:36

that is true. And that is true with this whole topic. However, I'm imagining like the campground accessibility charts that

55:43

you can get on the state parks sites and you can see at a glance whether or not

55:48

your needs are being met by what is available. And if we made a list a chart

55:54

such as that, then we would be able to cut ask a lot of the questions. Does it meet this or does it meet that

56:00

challenge? you would be able to see, right? Anybody?

56:06

There's the DRVT guide um as a starting place and then I think also the list shared in this document that shows the

56:14

170 towns that do floor votes or don't.

56:22

So, go ahead. following the lead here. Maybe

56:27

informally those who are involved with intimate knowledge of disability problems with meetings could just like

56:35

get together outside of this framework and come up with a list and then we could respond further down the road from

56:42

the list and it could be included in the uh document that's going to be given to the legislature.

56:47

I think that would be helpful in that. I think we will want some case studies

56:54

not just of how towns have accommodated but issues that folks have had accessing

57:00

um an open meeting or town meeting as examples. Um but I do really hear Kate's

57:08

p Kate's point that and I think it is fundamental to the challenge. There's

57:14

not a list of this is acceptable or this is not acceptable because of the way that ADA is structured. And to Laura's

57:22

point, there hasn't been litigation on is this accommodation sufficient or not.

57:28

Um, so there's just a couple of layers of complexity to this entire conversation that we have to

57:34

acknowledge. Laura,

57:39

oh, Laura, you're on mute. Sorry. I again I I just think that

57:45

trying to create some list of every possible

57:51

uh challenge accommodation that somebody is going to need disability is it it's I

57:58

don't we could spend a whole lot of time trying to create that list, but it

58:04

wouldn't be exhaustive. And so I'm not really sure. I mean maybe we need to

58:10

look at what it is at universal design first and say these are the suggestions

58:17

from universal design of ways to make this more accessible and then look at the tech technologies that are suggested

58:25

to be used in universal design and figure out whether or not it's realistic for us to get those technologies in

58:33

place and then figure out who those technologies will serve and if

58:38

there's somebody that isn't being served even though we've found 10 technologies

58:44

for the I mean if you look at the document that I sent I realized I didn't send it out in advance time for anybody

58:50

to look at it but there's a chart it says these are the features of these different

58:56

um means of having a hybrid meeting um or having a remote meeting and these are

59:04

the features and this so it will provide these things for these people. But I

59:10

think for us to try to like I think it's backwards for us to be like who's going to this one person has this um

59:18

accommodations request and like it we're we're starting backwards. We should just

59:24

look at universal design generally figure out what of in universal design

59:30

we can we can implement and and and

59:35

there will be even after we do all of that some people whose disabilities are

59:42

are not covered or accommodated even by all of the technology we put in place.

59:48

and we will it it's not like reasonable accommodation is going to go away. The

59:54

need for it is going to go away just because we do all of this. Um so, you

1:00:00

know, we'll need best steps for how to continue to accommodate people moving forward as well. Um, but yeah, I think

1:00:08

to try to imagine what all of the asks might be in advance and move that way

1:00:14

towards our planning to for electronic. Anyway, it's backwards. I think

1:00:21

Laura, I you sent that to everybody's email, right? The document. I did. Everybody that's on the email

1:00:27

list, right? And and we can put that up on the website as well for people to review.

1:00:33

Um, what I I I love what you just said, Laura. I think that's super super helpful. And what I can imagine is these

1:00:41

two conversations um meeting um the the disability rights folks having this rich

1:00:48

information that that we bring to the table and um you know what with my

1:00:54

limited information what I brought is well here's what we've tried um and the and the question is where do they meet?

1:01:02

What what are things? I really want to do something now. I really I I our our

1:01:08

final case study is our ideal pie in the sky best case. What would we love to have? Um but here are some people who

1:01:16

are trying stuff now and we don't even know if it's legal or not. And so that's

1:01:22

why we want to unpack what can we do? What can we do now? Did was did what

1:01:27

what c what Cambridge did was it legal? Um uh yes. it met with voter security.

1:01:33

Um, seems like the technology worked for them. What were the resources needed? I

1:01:39

think, you know, that can be clear. Um, but let's move on to the next case study, which is a little more

1:01:44

complicated. Was that one legal? Was that one, you know, so so I I think in our in our remaining hour, we can look

1:01:51

at what's what's what we doing and then hopefully match that up with uh the

1:01:56

information from uh what's possible ADA wise. Does that make sense?

1:02:02

Okay, great. So, I will talk about what happened in Middle Sex and um this was

1:02:08

um this happened between 2008 and 2020. So, for 12 years um Middle Sex offered

1:02:14

remote town meeting participation. We called it RTMP. Um I'm the town moderator in Middle Sex. Um and I'm the

1:02:20

chair of a volunteer group called the town meeting solutions committee. Um that was created. I wish every town had

1:02:26

one. I would like every you know it's a how can we make democracy stronger bunch of volunteers um so the solutions

1:02:34

committee developed the process and changed it over the years that it was in place um at the time remember 2008 was a

1:02:41

long time ago it was precoid it was it wasn't pre- internet but almost I mean there were a lot of people who were not

1:02:48

using the internet so this we were definitely um uh creating things from

1:02:53

scratch um we consulted who with the secretary ary of state at the time, Deb Marowitz, she encouraged us. So from her

1:03:00

perspective in 2008, go for it in terms of legality. Um we discussed a little

1:03:06

some tweaks with Roberts. Um we discussed um the project with attorneys

1:03:12

at multiple legal cities and towns town moderator trainings and basically I got

1:03:18

a lot of big eyeballs um and attorneys saying

1:03:23

well this is the wild west. um basically but no one advised us to stop. Um

1:03:29

quickly how we did it um in terms of resources that were required at the town level, we at a minimum needed one person

1:03:35

to run the camera and the sound and the internet and and basically be on tech. We needed a second person and both of

1:03:41

these people were volunteers to act as the partner in the room, the liaison between the remote participants and the

1:03:48

moderator. Um, and it would have required more uh of those volunteers if

1:03:54

we had had more remote participants. Um, but we only had a couple. Um, and so it

1:04:00

only needed one. Um, and it it obviously requires the town moderator to be integrated into the process. Um, and um,

1:04:07

the other thing that was required um, at the time at least was the volunteers visited with the remote attendees. They

1:04:13

did test runs to make sure that they were comfortable with the software and that they had everything that was installed.

1:04:19

Terms of the technology on the town side, you know, you needed the laptop, the web conferencing platform, uh the

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webcam, reliable internet. Um we had a backup of using phone um as the backup

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in case the internet crapped out. Um the good news was that our community media

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center uh Orca Media uh ultimately began live streaming our town meetings. Um and they're they're still doing that now.

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And that was super big help in any town that does that. Um because the camera and the sound could be provided in the

1:04:47

bedroom wasn't on the town. Um on the user side, the user needed to have a

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phone and internet connection uh a computer with a camera uh up-to-date uh browser software um uh the the web

1:04:59

conferencing uh software and and training. Um and um that volunteer group did um make free computers available if

1:05:07

in case a person didn't have a computer. Um but nobody took us up on that. Um in

1:05:13

terms of voter identification, to be clear, the Vermont statute requires that the presiding officer shall follow

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reasonable and necessary procedures to ensure that persons who are not voters of the town do not vote. Um could that

1:05:28

be more vague? Um and in a floor meeting, the presiding

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officer is um the uh town moderator. So, um, the question was, was I confident

1:05:41

that these people who were, um, zooming in were who they said they were, or

1:05:48

could they be avatars, or could they be evil people from some foreign country

1:05:53

trying to influence our town budget? And the answer is, I was confident. I

1:06:00

was confident. We had met with these folks earlier in the day. Um, so I did not have any doubts about that. um

1:06:09

uh and um back to legal um you know starting in 2020 we had the COVID

1:06:14

pandemic. At that same time you'll recall that there was um

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a lot of national enormous attention being given to like I said real or imagined voter fraud issues. Um, and so

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election officials were really being um, subjected to unprecedented scrutiny. Um,

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so I think the Secretary of State consistently over the many decades I've

1:06:42

worked with Secretaries of State do not want to be cops. They do not want to be telling people what to do. And I I

1:06:48

re-read the various conversations and memos that I've had with various secretaries of state over the years and

1:06:55

I think it's probably an exaggeration to say that they said stop

1:07:00

but they advised us that there were deep

1:07:06

concerns especially with um uh during COVID there were remote town meetings

1:07:12

that were happen not not remote meetings sorry um there were

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town meeting was was stopped by by state law. Basically, towns were advised not to have in-person meetings. So, the

1:07:23

meetings were fully remote. This was a ours was a hybrid model um and that was

1:07:28

of a lot of concern. So, anyway, we were I would say advised not to offer um this

1:07:34

um until and it was all about voter identity. How how do we know for sure?

1:07:39

Um, and I would just say that the more people who want this, the

1:07:47

higher that effort uh becomes um to make sure that we're not again having, you

1:07:54

know, avatars voting or or voter fraud. Um, I think we it's it's a a good

1:07:59

tension in our democracy about we want a safe and secure democracy and we also want an open and welcoming democracy.

1:08:05

And those are two really good things that are in tension with each other and they really come up come up here.

1:08:12

And Susan, this is such a great example. I don't see this in the write up. Was this universal design? Anyone who wanted

1:08:18

to participate remotely could or did they have to be overseas with the military or somebody who qualified under

1:08:24

the ADA? Yeah, great question, Kate. And um

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again, we were sort of, you know, the wild west. We didn't really know what we were doing. We just wanted to we wanted

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to do this. What we did, we did a lot of publicity about this. We put flyers in

1:08:41

in Meals on Wheels. We, you know, we went to senior centers. We did a lot of

1:08:46

um publicity to try to generate interest. Um and I will tell you at the time there was no interest. Um we we had

1:08:52

to twist people's arm to to to participate from afar. But who we focused on were people with um health

1:09:00

and mobility for who could not attend for health and mobility issues or who could not attend because of some kind of

1:09:06

um traveling for public service things like military or peaceore. Um those were

1:09:11

these were volunteers and it took a lot of work to do this and frankly

1:09:18

um it's harder to get folks excited about doing something like this when

1:09:23

what we're serving is somebody who's on vacation in Florida. You know, if that's the reason that they can't attend a

1:09:29

meeting, it's hard to rally volunteers and get excited about this. So that that's just I'm not saying that's a

1:09:35

that's not probably a very um circumspect uh answer, but it was it's

1:09:41

it's my response for the time. Um absolutely wanted to accommodate people who requested it um who needed it.

1:09:51

I just have a process related question. My concern isn't so much voter identification for people participating

1:09:58

remotely um but

1:10:03

for the voting process if someone called for a paper ballot during the floor meeting how was that

1:10:11

handled for the people who were participating from spoken as a true former town clerk

1:10:17

that is a great question all right so here's how we did it for

1:10:23

voice votes there that volunteer partner liaison um uh just made sure that the

1:10:29

voters's voice could be heard in the room for a show of hand votes. the um

1:10:34

liaison turned the monitor around so that when the um uh moderator was

1:10:40

counting votes they could see how many um and the backup was that if video was unavailable the liaison would hold up

1:10:46

the sign indicating you know two votes or again paper ballots were never

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required during those 12 years but that was the tweak that we worked on with with Demarcus at the time if they had

1:10:59

been the plan was for the moderator to ask for the assembly's consent because

1:11:05

Robert's rules allows um you know unanimous consent to allow the remote

1:11:10

voter to vote through the partner. So that's called proxy voting and it's

1:11:15

the Vermont law I think is silent on proxy voting but um the Robert's rules says no proxy voting,

1:11:21

right? Um so you had to suspend the rules to allow proxy proxy voting. Um, yeah. And were the tallies of votes delivered

1:11:28

as a total for yay and a total for nay or was it individual votes that were

1:11:35

shared via the proxy? Or would it have been I guess you you didn't have to do it, but would it have been

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would it have been the proxy saying um what this person's vote was or was it

1:11:46

like there were three there were three nos or and three yeses or they voted for

1:11:52

this person in this race or it's just a um uh anonymity question, right?

1:12:00

Yes. Yeah. And this was we we what we were seeing this as was in this

1:12:05

particular case and again we didn't have to do it but hypothetically it was kind of like having assistance and these

1:12:12

folks um can tell more about this but having assistance voting um you have a

1:12:17

JP uh or or someone who is a designated person who is who probably knows how you

1:12:23

vote right I mean they're helping you so they know how you vote so there isn't that there's a very limited expansion of

1:12:29

privacy and that was our idea here was that if anything came to a paper ballot,

1:12:34

which honestly is rare at a tongue game, um that person would expand their bubble of privacy to their to the proxy.

1:12:41

That was that was just my process question was where was that where was that bubble? Yes.

1:12:47

Is there a legal document by which you can assign proxy because that's kind of like a power attorney type thing almost

1:12:53

in a voting sense. Not for voting. It's not I don't think it's legal for voting. uh hasn't been in

1:12:59

other perspectives. Maybe that's something that could be made, but you can't have a power of attorney to vote

1:13:05

for anyone else. Um and that could be an accessibility issue, but not

1:13:12

I just want to mention something that's happening in the chat is that um because you don't have it. No, maybe you can say

1:13:18

there, but does we have a member of Cambridge of Cambridge resident on this call, which is which is Karen, which could be useful.

1:13:23

Great. Yeah. Okay. Um so I guess going through the

1:13:30

agenda here um how well does the Middle Sex um process meet the goals in terms

1:13:37

of providing accessibility and inclusion to an empowered town meeting? Are there any comments on that one before we go on

1:13:42

to the legality? I have a I have a question. uh there were two dimensions to or two tracks to

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this as I see it because I've been looking at you know the platforms that

1:13:56

are ADA compliant and have uh voter security and identity uh that have

1:14:02

evolved over the years but there for me there are two questions one town meeting

1:14:08

a lot you know we're talking about participatory democracy and

1:14:14

typically the issues issues that are brought to a floor vote are issues for

1:14:19

which there uh is discussion in the room. So for me there's in terms of

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equal participation can the person participate in the conversation and can

1:14:31

they vote if they're remote. So I'm not clear if in the middle sex model and I

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applaud you for this work. I mean I think the effort uh was really laudable

1:14:45

and uh quite forwarding for its time. Were people only able to vote or were

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they also able to raise their hand as we do in virtual

1:14:59

meetings now and participate in a discussion that might have resulted in

1:15:04

an amendment to uh you know the issue

1:15:09

that was being voted on. So did they Yeah. Exactly.

1:15:14

Were they able to participate in both ways? Absolutely. Yeah, that is exactly what

1:15:20

we were going for. Um, and so the answer is yes. Um, they were they would they

1:15:26

used they they would raise their hands and the the the partner would raise their hand. Um, so that the moderator

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could see that the person online wanted wanted to speak and when there were two people they would literally they had a

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piece of paper like Pat and uh Harry were the two people who were at home. Um, they would raise their hand to with

1:15:43

a piece of paper that said Pat or Harry. That's because moderators need to make

1:15:49

sure that everybody gets to speak once before anybody speaks twice. So you want to know who is raising their hand. Um

1:15:56

and um and yes that so people did speak from home uh and uh commented and were

1:16:03

able to vote from home. Thank you. That's great.

1:16:10

Do we want to talk other questions or do we want to talk about the legality? Um, and and I don't, like I said, you ask

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four lawyers and you'll get five answers or whatever, but um, are there comments from our attorneys or comments from our

1:16:24

non-attorneys asking what questions do we have about um, uh,

1:16:30

whether whether we're allow should Middle Sex go back and do this next year?

1:16:35

Yeah, there you go. Yeah. I mean, every time you try it, it's going to get better. You're going

1:16:41

to have more data, right? and more reasons to get sued. Oh,

1:16:48

well, I think I'll also name that you could get sued in either direction, right?

1:16:53

One could get sued under elections law for not complying with elections law. One could also get sued under disability

1:16:59

law for not complying with protections that are required there. So, it is, you know, two sets of laws that need to be

1:17:06

looked at in tandem. Yes. Yes. And if you try, at least you're willing to be proactive. I mean,

1:17:13

you should get points for that in a court of law.

1:17:21

Can I ask my question now about 2656? Perfect. Great. Thank you. So, I guess so my

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question is that first half of that statute is regardless of the type of

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voting used. So this is not a law unique to floor votes, right? The statute is

1:17:38

not unique to floor votes. So my question is what

1:17:44

what is this looking like in terms of like are we saying when people if it's not a floor vote or they do some

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Australian ballots and some floor votes if somebody is requesting an absentee ballot then that meets for the secretary

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of state's office as it is now that meets the reasonable and necessary procedures to ensure that persons who

1:18:05

are not voters of the town do not vote because I'm I'm just confused why it

1:18:10

would be satisfied there but not in somebody requesting to participate via a uh remotely because the request process

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is going to be very similar. It's going to be you know through the town clerk at like the the gates are the same.

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So I guess just to level set

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as Susan said different administrations at the Secretary of State's office have interpreted this law differently

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both because the language is broad and not very

1:18:49

specific. It allows a lot of discretion when you say reasonable and necessary that can be open to lots of

1:18:54

interpretation. Um it also is dependent on the particular facts and circumstances of the scenario and

1:19:01

technology has definitely changed in this whatever span of time we're looking at 20ish years. Um,

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and I don't know, and Mark may be able to speak to this, whether our elections

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team, as it is now, new secretary, new set of attorneys looking at these

1:19:23

questions under new facts and circumstances like where we are now, technologically speaking, have have come

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up with a a definitive interpretation of this that they are

1:19:36

sharing or guidance on this question. I think the guidance of which you speak was under the past administration that

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came out um different secretary different set of attorneys and so I I

1:19:48

would not say that we secretary of states are continuing with that interpretation but I don't know if we

1:19:53

have articulated a new one and

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as someone who does has a high level understanding of our election statutes but does not get into the I don't get

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into the nitty-gritty of application because I do other work here. I think

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anytime you have this kind of question with the number of like essential rights

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that are in play, having more clarity from the legislature can't but be a good thing. Whether we can get there, I don't

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know because ultimately without that, without more clarity than this statute provides,

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any guidance from our office still could not necessarily insulate towns from potential litigation.

1:20:41

Okay. So, reiterate just to make sure I understand. So, are you saying right now

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if a town said, "Can we do this?" you would not say no. You would just say, "We don't know." And then towns would be

1:20:54

deciding if they're going to want their liability on the election side or their civil rights side.

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I can speak to this in my answer. It was raised before like with elections division, we are a

1:21:04

guidance. Uh we help towns out. We're not in the business of telling people what to do or

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giving them legal advice. So um we don't go around telling them what they can do.

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There are times when we're protecting um uh elections where we can step in and

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say what people can't do, but they are kind of rare. Um so in this kind of circumstance, we wouldn't be necessarily

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telling a town what they can or can't do, but we would be giving them guidance on what is kind of prudent to do. I

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think there's an issue, too. The Vermont League of Cities and Towns, former Secretary of State's administrations,

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and moderators have been um locked in step on this answer in the past. So,

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where am I at? I need to start with a caveat that I'm an election attorney. I'm a member I'm a cog in the system.

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I'm not the director. I don't speak necessarily for the elections division. I'm not general counsel and I'm not

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certainly not secretary of state. I'm here to help work on this issue. I think

1:22:02

we've been um hung up on 172656. Um I've reviewed Will Senning's answers

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in the past. Uh they're quite uh clear and strong. uh he was the former director of the elections division. He

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doesn't work at the secretary of state's office anymore, but the president has us saying no that it's not uh something

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that towns should be doing as guidance. Um so we are currently giving the same

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guidance because that is a press we at and I haven't been given a different directive to do something different. And

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I think that part of this process is if we're going to come up with answers that are different. Although I am working

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with towns to try and help them have um measures that uh will uh be more

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inclusive and accessible. Uh personally uh so we are working on that. I think

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there's significantly more issues than 2656 which keeps getting raised. Um that

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is one of many. There are 63 statutes that call for present and voting including indebtedness and financial

1:23:05

statutes, charter statutes, um uh

1:23:14

many others. There's like 63 of them. So there is a provision in um is it 2550? I

1:23:22

believe there's a provision that allows uh early and absentee voters to be deemed present and voting. So, that is

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something if you're going to make a change that you would need to look at having a similar change if someone's

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going to be remote and you want them considered present in voting. And I'm not having an opinion one way or

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another, but that that would have to uh be changed significantly for

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all of the statutes that are written. Otherwise, you're rewriting many many many statutes. Um there are also

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preservation of order issues, moderators preserving order. They have certain rules in statute about how they preserve

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order for people who are in a location. Um that would have to be modified for someone outside of a location. Can you

1:24:08

if they're disorderly, can you shut off their camera, shut off their link? Um what do you how do you handle that?

1:24:14

That's not um laid out for a moderator. There's also control issues for the BCA,

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like you're not allowed to wear t-shirts and have posters in the room that say

1:24:26

vote for Jed at this local election or vote against schools or whatever. Um

1:24:33

that you're going to have issues when someone's projecting from their home um because you're going to need to see them

1:24:39

uh projecting from their home how how you can control such things. There's a lot of statutory issues that that arise

1:24:48

more than just 2656 and some of the voting rules like you know the right now the guidance is you

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stand up and do a show a vote by standing up and then you or raising your

1:25:00

hands you divide the room do paper like there's no

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there's no uh uh there's nothing in place for doing this otherwise and these are all things you'd have to adjust uh

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and look chat. There's quite a few. It's not just 2656. I don't know if that's helpful.

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Yep. So, I I I Yeah, it's helpful not

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helpful, right? Um it's helpful to know the universe. If you didn't do them, you could have a if

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you didn't do them, like you couldn't do a charter change, you couldn't do like financial votes because you're going to

1:25:41

get knocked out for president and voting if people aren't present and voting. I think those are in real jeopardy

1:25:48

and charter changes require president voting and indebtedness requires president and voting and 61 other

1:25:55

statutes. Isn't ch aren't charter changes always by ballot, Mark? Am I wrong about that?

1:26:02

is be approved by legislature. I thought ultimately they were but

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answer that in one second.

1:26:14

The mun 2645 municipality may propose to the general assembly to adopt repeal or amend its charter by majority vote of

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the legal voters and municipality present and voting at any annual or special meeting worn for that purpose.

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And there's no so no voting there. Oh, no. Voting on a charter proposal shall be by Australian ballot.

1:26:32

Okay. So, probably Trump's 2645. Sorry.

1:26:38

This is one I'm in all the time and and Mark's not and even I had to look it up.

1:26:44

Yeah, there was a lot to look up. Yeah, that's a lot. Um, just in the interest of of using our last half hour

1:26:51

to raise issues, we're not going to answer everything, but um we do have an hour.

1:26:56

An hour. Sorry. Okay. Okay. just okay thank you thank you quite is all right yeah um does it make sense to

1:27:04

move on we have got two more case studies to go through plus our what's our dream scenario so is it okay if we

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move on to Jericho um okay yes okay Jericho um did an

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interesting thing um they uh had an article on their town

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meeting warning to switch to Australian ballot couple of articles um in 2024 and the people in the town

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amended those articles. So they said, "Yeah, we do want to move to Australian ballot, but we also want a town

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meeting." Um and uh so they um they said, "We want to have a meeting and we

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want that meeting to be empowered. We want to be able to amend and then we want to have an Australian ballot vote."

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And this is not currently allowed under Vermont law, which they didn't happen to

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know when they passed that article. So, um, they created a committee, the

1:28:01

Reimagining Town Meeting Task Force in Jericho. And this is an unbelievable committee. It has university professors.

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It has the former uh speaker of the house. Um, it has a lot of super uh

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smart and committed, dedicated people in Jericho that put their heads together to try to get as close as possible to what

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the people asked for at town meeting. And what they created was a three-part process. Um, they added a a cool thing

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which is that they added an early fall kickoff meeting, hybrid meeting, um, to develop ideas and a vision. So, this was

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sort of like, hey, what should the select board be thinking about when they're crafting the budget? What kinds of things do we want to do this year? So

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that was that was a a bonus thing. Then they had a January meeting um which

1:28:46

looked um a lot like a town meeting um and that was a hybrid meeting and that was where they looked at the budget.

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They had the ability to amend so it looked like a town meeting. I attended that was really interesting and then

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they had Australian ballot voting on town meeting day. So um this is

1:29:03

important to note that that meeting that looked like a town meeting was not technically a town meeting. It was

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technically by law a select board premeeting so it was technically a public hearing and for that reason they

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could experiment with fewer legal concerns about voter security. Um I

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believe they made really no effort to check uh who um you know that do any kind of voter people just were invited

1:29:27

to come to the to the online part. Um so they had 52 people um attending remotely

1:29:34  
that meeting and they also had um many people I think something like 75 or 80 in the room. Um and for Jericho, how do  
1:29:41  
you do that? How do you have 52 people attending remotely? It was an all hands-on deck moment. They had numerous  
1:29:47  
dedicated paid staff as well as the volunteers um including professionals  
1:29:52  
with expertise in remote meeting facilitation. They had two moderators. They had the moderator in the room, the  
1:29:57  
elected moderator, as well as um an assistant, a person who helped that moderator by by uh monitoring the online  
1:30:06  
participation and counting votes. So, they had the entire town meeting that way um with votes. Um and at the end of  
1:30:14  
the meeting, they did make amendments. They made significant amendments to the budget by vote. And at the end of the  
1:30:20  
meeting, the select board who was sitting at the front of the room voted immediately to  
1:30:26  
approve all the amendments made by the participants. Um so basically that's how  
1:30:31  
they um uh ratified uh the the work that had been done at that meeting. So  
1:30:37  
Jericho's super proud, rightfully so. They worked their butts off. They feel that they accomplished the goals of  
1:30:43  
broad inclusion, but they do have a lot of concerns and I think we can learn a lot from from um their concerns. They  
1:30:49  
are learning a lot. They felt they did not have adequate space or equipment to support the hybrid meeting. Um they  
1:30:56  
there were um um wasn't good sound. Um so they're considering better spaces. Um  
1:31:03  
they said it was clear that many online participants were not familiar with the tools and the functions relating to  
1:31:09  
participating online. They had trouble with hand, you know, voting by hand uh  
1:31:14  
function, closed captioning were new to some people. The sound quality, the visuals, the vote counts were all um  
1:31:20  
problematic. Um so they uh are trying to address those issues. They're excited uh  
1:31:27  
about moving forward this again next year. Um they do note that they want to  
1:31:32  
ensure that only those who are registered to vote are voting. And so they want to have the same standard for  
1:31:39  
folks who walk in the room and folks who are online. But so what that probably means is they're going to raise the  
1:31:44  
standard for folks who walk in the room in order to be able to be confident um that the folks online um are voters. Um  
1:31:52  
sorry Susan and that's in the essentially select board  
1:31:58  
premeeting public hearing in January. In January. So, they're going to have higher  
1:32:04  
standards for people walking in the room at a public hearing. I'm just I'm just Good question. Making  
1:32:11  
sure I heard what you said that. Yes. Again, now that there is they're going to do a more they did a report um and  
1:32:18  
they're going to do a more detailed report about the online portion of the meeting um later this summer. So, we'll  
1:32:24  
be learning more. They're learning as they go. But that was one of the conversations that they were having in  
1:32:30  
their report was we we don't want to make a higher standard. We want the same standard for everybody. And basically  
1:32:38  
like many Vermont towns, they had been I'm not going to say loosey goosey, but  
1:32:43  
very welcoming at town meeting. Um you come in and you know I I actually don't

1:32:49  
know how they they might have had I don't think they had a voter checklist. Some towns when you come to town meeting

1:32:55  
they check off your name. Other towns um just the moderator just

1:33:01  
says is there anybody here who's not a voter? Raise your hand. Thank you very much Mr. uh school board uh you know uh

1:33:10  
superintendent or whatever who doesn't live in our town. As a reminder you you can't vote and that is the voter

1:33:16  
identification equality, right? Because you're when you're talking about voting that's happening at

1:33:21  
a public hearing. Yeah. Which is non it's not it's nonbinding and it's sort

1:33:28  
of a straw bull. Yes. Um but raising the standard

1:33:35  
I it seems counterproductive because a public hearing anyone

1:33:41  
just like a town meeting anyone can come. So who can speak who can vote? The

1:33:46  
board who can speak and who can vote because you Yeah. Mhm. The select board the select board wanted to be

1:33:52  
comfortable that they were truly getting the sense of the meeting um and the the meeting being the um

1:33:59  
registered voters of the town because they were going to at the end of that meeting um validate you know by vote

1:34:08  
what had happened at the meeting and so to create their warning for the warning for meeting on my ballot

1:34:16  
if they were going to be honorbound by to to adopt what what the town voters

1:34:22  
said. They wanted to make sure it was the voters speaking. That's right. And and so with with no uh

1:34:31  
checking in with the town attorney before they actually formalized their warning for town eating.

1:34:37  
It's still the select board that's doing that. Yep. I realize that.

1:34:42  
Um, but there's, you know, like the sentiment of the town and the changes that were made and then sometimes you

1:34:49  
have to check in with an attorney. Yep. To maybe change language or make sure

1:34:54  
something isn't illegal. And um anyway, so they could or process things in my head. It's fine.

1:35:00  
I'm just just trying to wrap my head around. Select board could have said something like um upon we're going to get advice

1:35:07  
from attorney and right now the sentiment of the select board is that we're going to approve all of these art. I have that voter I have hands. So

1:35:14  
I'm

1:35:20  
not sure who was up first. Kate, it's Laura.

1:35:27  
Laura's next. The numbers are on there. Laura and then Kate and then me. Yep. Gotcha.

1:35:34  
Um remember what I wanted to say was

1:35:40  
something that I wanted to highlight to you all. If you go to any town website

1:35:45  
and you put in the search bar accessibility or accommodation, you are

1:35:52  
very likely to see just a web page that said our website is acceptable.

1:35:58  
Where is the pathway for us to put in a formal request to go to a town meeting?

1:36:04  
It should be transparent on the website and it isn't. And then not only that, if

you do set it up to make it obvious on the website, you need to be prepared for

1:36:09

what kind of accommodation might come on your radar because you don't want to say

1:36:14

no. And if you say no, you need to prove undo financial burden.

1:36:20

Yeah, that's that's Laura. That's why setting the bar higher

1:36:26

felt like a counterproductive um Yeah. And so I I chat to this day I

1:36:32

still haven't gone to a select board meeting, a town meeting, never because I

1:36:38

know it will cost them a lot of money and I don't want to be perceived as a

1:36:44

financial burden. Oh yeah, right. Right. Right.

1:36:51

Just a thought to think about.

1:36:58

Yeah, I think that's Go ahead. Go ahead.

1:37:03

Go ahead, Kate. Um, thank you. Yeah, so thank you so much for sharing the Jericho story. It feels really imperative and important to

1:37:10

me to highlight that the Jericho story is a really great example of people who

1:37:16

are disabled and who have been marginalized with lived experience leading the charge. They worked hard on

1:37:22

this for years. um Maria Raldi and others who have been system who are not

1:37:27

quiet about being systemically discriminated against have worked hard to make this happen, right? And so when

1:37:33

the retelling of the story happens, it really is about universal access and universal design. That's great. But

1:37:39

please let's not erase that disabled marginalized people put in immense

1:37:45

amounts of effort to make the universal design happen for everyone. So that was

1:37:50

really important to me to name. got to underscore that when anyone tells the story of Jericho. Um, the second thing that's really important to me about the

1:37:56

story of Jericho is that the the only the people in the room only the people

1:38:02

who are able to be in the room were able to vote on if the people not able to be

1:38:08

in the room because they were systemically discriminated against, they didn't have accommodations, were going to have rights moving forward. So that's

1:38:15

really important um that if you are not already in the room, you cannot vote to

1:38:21

say yes, we want to move to Australian ballot. So again, this is an example of only people with rights being able to

1:38:26

decide if those who have been discriminated against and don't have civil rights can get them in the future.

1:38:43

Okay, Mark. Yeah. And again, and I'm not speaking for the Secretary of State's office in

1:38:49

this manner, but I think um in my experience in working with municipalities, this premeating is a

1:38:55

very powerful tool that could really help this. As Kelly raised, um as this

1:39:00

issue has been raised, um we had a side discussion a little bit with Jenny and Susan, and I really believe in this

1:39:06

premeating. I think something needs to be codified as Kelly raised because it's a it's kind of a hybrid between because

1:39:15

a town meeting is a meeting of the voters. It's not a meeting of a of a of a of a legal body. Uh so there's a  
1:39:23  
difference there and we might need to codify what this premeeting is to give some guidance to towns without  
1:39:30  
restricting what it is. um I think to help use this powerful tool moving  
1:39:35  
forward. And we've seen a bunch of examples where this has really helped. But but like Kelly said, there's issues  
1:39:42  
and there are other issues where it's it's it's such a hybrid meeting that there could be problems with it and how  
1:39:47  
you conduct it and such.  
1:39:52  
On top of that, I think Karen had her hand up. Karen. Okay.  
1:39:58  
Um yeah, I just wanted to add that um Cambridge uh did try uh sort of this year in 2025  
1:40:08  
uh unofficially those uh have your say pre meetings. Um  
1:40:14  
it was explicitly just for the budget. No other um you know no other articles  
1:40:20  
were raised and it was a public hearing. anyone could attend uh several weeks  
1:40:25  
prior to town meeting. Um it gave the opportunity for people who  
1:40:33  
couldn't go to town meeting to potentially go. It was held on a weekend rather than a weekday. Um  
1:40:42  
and I think part of the hope was also to reduce the amount of discussion around  
1:40:48  
the budget at town meeting. Um it didn't change the fact that you know we do do  
1:40:54  
not have Australian ballot and we do still have a traditional town meeting. Didn't change that. But um it did have  
1:41:00  
good attendance. I think there were about 80 people there which is a lot for us.  
1:41:06  
I think Franks and Muhammad I had it right. Yeah. Um I talked to our town clerk about the  
1:41:12  
same issue of potentially making a more involved pre-Town meeting in the formulation of the budget. Okay. Okay.  
1:41:19  
And she said you had the 45day notice. You had to get the ballots out and they had to be proofed and passed back. And  
1:41:24  
so you had a time frame. So you had had to have all that done before even the issue of the war of the book the warning  
1:41:32  
with the items to be voted on at the Australian ballot. So the so the uh it  
1:41:37  
has to be time framed like January type thing before where where it becomes like part one part two of the town meeting  
1:41:44  
process where you have the budget premeeting cuz right now it's held the night before and there's it's boring as  
1:41:51  
hell because it's just reading it off there's no changes everybody's sitting there you know and it goes fairly quickly versus the old days when  
they  
1:41:57  
had the school involved with that too. So, um, but to pre-qualify in the budget process  
1:42:04  
to find out if somebody is a resident or not, the DRB hearings are the public,  
1:42:11  
but witnesses who have to are going to testify to DRB and participate have to  
1:42:18  
have to uh sign be on a list and say I want to be a witness and then they have  
1:42:25  
to sign up and swear that they're going to that to the to the back during the meeting essentially. So that may be one  
1:42:32  
way to verify and have a certain list of people that somebody may be able to be

1:42:37  
added on, but it's a way to verify who the people are because that

1:42:43  
becomes a matter of record of the meeting.

1:42:48  
Mohammed, thank you. Uh first of all, I want to

1:42:53  
say apologies. I was busy in another uh meeting. um not that it's more important

1:42:59  
than this one, but unfortunately it's now that I can I mean earlier a few minutes ago that I could make it here. I

1:43:06  
am very um appreciative of all the comments being made and uh I am learning

1:43:13  
or I'm thinking out loud especially listening to Mark. Um Mark has some

1:43:20  
great insight around statuses. Um I'm mentioning this because I find it

1:43:26  
important to know about the statuses to know where we heading and what changes

1:43:31  
we can make and no change cannot be made be without actually making a change in

1:43:39  
studies. So whatever change should happen there first.

1:43:45  
Um I'm finding this conversation a little bit like financial literacy class

1:43:50  
or financial literacy world. Um not many of us sitting right here had had that

1:43:58  
class when you were in high school or elementary school. And we know many other folks who have

1:44:04  
never had a financial literacy class. And when you hear all this jargon about budgets, the weight as a word, wait as a

1:44:13  
word. If someone is not educated in this jargon, they won't even understand what

1:44:19  
you're talking about. Again, I'm going back to Mark's ideas around studies

1:44:24  
about premeating. What is a preme? What is a town hall meeting? How many of

1:44:30  
our population understand the difference? I'm saying this to say I think it would be great if we could come

1:44:38  
up with short description of all this jargon either well I I'm going to say in

1:44:45  
writing of course and then in an audio video recording so our population is

1:44:52  
well educated in this terms in the first place because we can only assume people

1:44:58  
out there understand this but no it's not true people do But some people don't even understand what an Australian

1:45:04  
ballot means. So I'm just suggesting this. I'm really

1:45:11  
appreciative of this meeting and it's very insightful and thank you for all your insight.

1:45:16  
If I could just say one thing to that. So I think the thing is when I talk about codifying it, I am saying the same

1:45:22  
thing. Um but I'm saying legal jargon. So my apologies. I think we need to define what this premeating is right

1:45:29  
now. It's whatever a few towns have decided it is. It seems to work really well as a tool. I think it's a good tool

1:45:36  
we can follow, but there's no definition for it. And when you codify, it means you just make a rule to define what it

1:45:43  
is. I don't think it should be a restrictive rule. But I think it could be a good rule to move forward. And if

1:45:49  
we make some of these changes, I think we can build momentum. If we get some accessibility, then it's in the minds of

1:45:55

towns and clerks and BCAS to be inclusive. then they're going to be more

1:46:01

inclusive. So, I think being building momentum is an important part of this process. And I'm sorry for using legal

1:46:08

terms like that. I'm sorry. Don't apologize. You are you

1:46:15

are right on point. I'm just mentioning it to say we need to be more explicit for our community members to understand

1:46:21

what we're talking about. We all tend to just go with our vocabulary and jargon whereas people we speak with or people

1:46:28

we speak to do not have that level of vocab. So I just want to point that out.

1:46:34

I'm not blaming you at all. I'm just we are a team here and trying to to make things work. Thank you. Yay. Cynthia,

1:46:41

regarding the premeating, at least in Theford, um our premeating is an

1:46:46

opportunity for people who could meet in a smaller room and everything. And as

1:46:52

the uh self-desated town crier, I always put out ahead of time, hey, if you can't

1:46:57

go to town meeting or you have something to say, this is where you're actually going to get to speak directly to the

1:47:02

select board and you don't have to talk in front of all those people. But it's also a way for the select board to be to

1:47:09

get a heads up what the problems might be and and that's good in a way because

1:47:15

they'll be more prepared, but it also allows them to provide a defense so that they're prepared to push back. So like

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it's it's both good and bad um for the public as far as you know being able to

1:47:29

present an opportunity to to speak their peace.

1:47:36

college board is putting together their budget in the fall for the next fiscal

1:47:41

year and then it gets some stuff added in shortly thereafter the new year potentially. But that's the that's what

1:47:48

we're talking about because people in the old style thing would get up and complain about the numbers. Now it doesn't mean anything at our premium pro

1:47:55

because it's all settled. It's in the town of port. It's going to be voted on. There's no flexibility to it. And there's a frustration of the of the

1:48:01

citizenry that that happened, but they didn't go to the meeting of the budget meeting.

1:48:08

Can I just chime in with a little maybe maybe helpful? Um, most towns are

1:48:13

building their budgets in the fall because they have to start the work so

1:48:18

that the work is ready so that the things can be warned and printed and so

1:48:23

I don't think that that is done. uh no but I don't but it's also not done to be

1:48:31

um exclusionary everything in municipalities generally

1:48:38

starts months before the public becomes aware of it because it takes so much

1:48:44

time and effort. Um and could everybody do better at

1:48:49

sharing information with their residents? Absolutely. But I it makes me

1:48:56

sad to hear that people think that the work is being done

1:49:01

um right behind the scenes or in an effort to to not be inclusive. It's just like

1:49:08

you have to start in September if you're going to have a budget ready in January.

1:49:14

And and that I would say is more the norm than not. Um, and again, could

1:49:22

education be better to let towns people know that? 100%.

1:49:27

Yeah. So, um, three things, Kelly. I really agree with what you're saying. And, um, it's a big job running a, it's

1:49:34

like running a business. You have to plan ahead. Um, and one of the things that Jericho did, that's the reason

1:49:40

that's intriguing to me that Jericho chose to do, they they were asked for a premeating. They created two premeings.

1:49:47

Um and they did that because in the fall they wanted to um get everybody involved

1:49:53

in um helping the select word vision. Yeah. Um what are some of our priorities for

1:49:59

this year? Um and in fact after the process that information came back that said hey some of those amendments that

1:50:05

were um offered from the floor those should have been discussed back in September so that we could be thinking

1:50:11

and discussing uh that. So, so opening opening up the the the process, those September meetings of the SLboard,

1:50:18

they're all open. They're all available, but it's looks really boring. I mean, who is going to come to a meeting like

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the ward is like blah blah blah blah blah, you know, that's not so so th this this meeting that they offered in

1:50:30

Jericho, it's like there's going to be food, there's going to be presentation, there's going to be small group discussions. Um, so I think that that is

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is one way to do it. I I do um really agree in terms of codifying what do

1:50:42

these meetings look I know that's a wonky term that Mark used but my worry

1:50:47

about Jericho for example as an example is that this is a pinky promise there's

1:50:55

there's it's like hey you know select board is going to hear you and then we'll make decisions based on what we

1:51:01

heard that's very very different from an empowered tongue meeting and what I mean

1:51:07

Not to get too wonky here, but this is in Jericho. They have a lot of trust.

1:51:12

It's quite beautiful. It's quite beautiful to attend their meetings. Um, a lot of the select board trust the

1:51:18

people. The people trust the select board. There's a lot of mutual trust. But I am concerned about next generation

1:51:25

meaning that which could happen you know in a year or two. You have different select board members. Um it is um the it

1:51:34

what has what happens is that the will of the legislative branch it it's

1:51:39

basically um abdicated its power to amend and handed it over to the

1:51:45

executive branch. And when we think about that now, what happens when the legislative branch advocates its power

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by hand to the executive branch? All of a sudden, we get why there are democratic concerns in this very

1:51:59

well-meaning decision or or process that they that they and so how do we clarify

1:52:04

it so that the select board gets this isn't a pinky promise. This is really a meeting where we're going to say what we

1:52:11

and we expect you to hear us. Um that that's that's a question that I have. And then um I think finally uh the

1:52:20  
timing of the meetings is really um has to be kind of a laser beam. Um and

1:52:26  
Jericho has come up against this. They're talking about I think there were three possible January dates they were

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talking about for that meeting that would um be it's like we we want to make sure the January meeting isn't advant

1:52:39  
allows enough time to for the warning um to to be because you know the warning is is also a public process. it's also

1:52:45  
public access. You should, as we've been saying, we want enough pre- time to think about these things. Um, so they

1:52:52  
have to it's it's tight. It's tight to to to have those three meetings. Um, but it but it's possible.

1:53:02  
Interesting presentation. Thank you. We have one more.

1:53:08  
Okay. Woohoo. Yeah. And this is not in Vermont. Um, when I reached out to

1:53:15  
Massachusetts, fun fact about Massachusetts, by the way, they do not have Australian ballot.

1:53:21  
If you are a town, you run by town meeting or if you want to change, you

1:53:27  
can run to you can move to representative town meeting like we have in Brattleboro and they have many many there probably I don't know 40  
60 bunch

1:53:34  
of bunch of representative town meetings in Massachusetts or you can be a city. Um so those so they they have a lot of

1:53:44  
um energy and resources looking at the question of how can we have better floor

1:53:50  
meetings because we have a lot of floor meetings. So the town of Wayland, Massachusetts is um seeking authority

1:53:57  
from the legislature um to incorporate remote town meeting into their town

1:54:03  
meeting uh remote town meeting participation. Um they have a committee which I love the name of the electronic

1:54:09  
voting implementation subcommittee which is the Elvis committee. I love that.

1:54:15  
Right. Um and it is led by a software engineer. Um and he has a 40 plus minute

1:54:23  
PowerPoint which I'm happy to share with any of you. Um I have sent it to the

1:54:28  
folks who have expressed interest in technology. It's pretty wonky but um they focused on four things. um how to

1:54:35  
make remote participation simple um because they knew that they had had

1:54:41  
remote participation at their representative town meetings which Brownware also had and they knew that

1:54:46  
people got really confused um that the feedback was it's not easy to vote

1:54:52  
remotely so they wanted to make it really simple number two how to detect a widespread internet outage um because

1:54:59  
has a population of 10,000 people um so uh if you've got lots of people attending remotely. Um, you have a

1:55:06  
significant chunk of the participants who suddenly aren't at the meeting if you have a an internet outage. Um,

1:55:12  
number three, secure internet voting, the thing we're talking about. And number four, um, how to deter proxy

1:55:18  
voting. Basically, how do you make sure that one person isn't casting votes on behalf of of another person? Um, and

1:55:24  
they had lots of discussions around that. They were like, "What if we're trying to change the the zoning laws in

1:55:29  
our town?" And, you know, some developer tries to rig the the the vote on that in

1:55:34

their favor. So, they were concerned about that. So, they have imagined a remote voting system solution. And it it  
1:55:41  
basically, if I'm not a tech wonk, but it goes something like this. The remote voters, they use their own smartphone or  
1:55:47  
tablet. Um, and the town provides one if you don't have one. Um, the voter  
1:55:53  
pre-registers with the town clerk. um and receives um a voter code, a  
1:55:59  
password, and an audit code. Um when it's time, you vote uh the voter logs  
1:56:05  
onto a web page. Um and that page um has it's a very simple um visual. It has one  
1:56:12  
button for each activity. So, um I'm at the meeting and it has a button that you can press to request to speak or uh how  
1:56:19  
uh you when it's time to vote or if you need to obtain help. Um and um Frank,  
1:56:24  
you're going to love this part. The system captures a photo of the participant to be used for random uh  
1:56:30  
reconfirmation of voters um and deter proxy voting. Um I'm joking because I  
1:56:35  
know Frank has a lot of privacy concerns. I'm sure he hates that. Um but I but  
1:56:42  
especially with AI showing up. Yeah, exactly. But I will say that um uh  
1:56:47  
the photo goes away immediately after. So it's a there's a there's a spotion to have it go away after the after the  
1:56:53  
process. Right. Exactly. Um and then um that is also there's this audit function  
1:56:59  
to allow voters to report discrepancies um if you feel like wait a second you know that that's not how the thing  
1:57:05  
didn't say I voted the way I wanted it to. So that web page that voters see um  
1:57:11  
offers real time transcription of the meeting um and it displays um a list of  
1:57:17  
the people requesting to speak um and it allows uh remote voters to cast their votes and to see results of the voting.  
1:57:24  
So to be clear, this software does not exist yet.  
1:57:30  
But um if they get approved by the legislature, Wayland is confident that they can recruit companies to develop  
1:57:36  
this system because guess what? They've done this before. This approach has already worked for them in a different  
1:57:43  
democratic tool. And it is those voting clickers that that is that that I put in our memo. this idea that when you um and  
1:57:51  
and 70 towns in uh Massachusetts use these. So what happened was um Wayland  
1:57:57  
envisioned using clickers to be able to vote um rather than hand raising and  
1:58:02  
voice vote. They should just be able to vote yes or no. And they wanted it to be um not on the internet. They wanted to  
1:58:08  
be closed circuit um so that it couldn't be hacked. Um they envisioned these clickers. private companies manifested  
1:58:15  
the clickers because there were 70 they there were a lot of people they thought would buy them. The Massachusetts  
1:58:20  
legislature legalized the use of the clickers and now like I said there's more than 70 Massachusetts towns that  
1:58:26  
use them. Um so um bills to legalize remote town  
1:58:31  
meeting participation have been submitted to the Massachusetts legislature. Um none of them have yet  
1:58:36  
been brought to a vote. Um, but there are at least 15 towns in Massachusetts that are monitoring Whan's process uh uh  
1:58:43

and their progress with the with the legislature. Um, so

[1:58:49](#)

maybe we just pause for like 30 seconds to let that sink in. What questions do

[1:58:55](#)

you have about Whand?

[1:59:03](#)

I think 30 seconds.

[1:59:09](#)

I'll go. If nobody's going, I I want to add the comment. Um,

[1:59:14](#)

nobody ever wants to wait 30 seconds. I love the idea. It's brilliant in the

[1:59:22](#)

living in the 21st century. It is possible and it makes it accessible for

[1:59:27](#)

others. I just want to add that and hopefully someday some sometime soon we

[1:59:33](#)

get um that option of technology voting remotely and or attending meetings

[1:59:40](#)

remotely. I'm always in favor.

[1:59:47](#)

Does it meet the goals um uh in terms of accessibility inclusion for an empowered tummy for effort?

[1:59:54](#)

Uh yeah, I think this merger or the concept here is you got some some technology challenges and

[2:00:02](#)

ghosts potentially that we don't know about in the future with this AI thing that this model would be for

[2:00:08](#)

verification for that January meeting that you were talking about uh in

[2:00:14](#)

Jericho. that would be uh a good way to run that meeting and then have the

[2:00:19](#)

Australian ballot with all the time needed and the select board would be using that meeting information also with

[2:00:25](#)

the polling uh validated as an advisory and in the finalizing of what ends up

[2:00:32](#)

being voted on at the Australian ballot

[2:00:42](#)

comments about about Whan legal concerns. Obviously, it's not legal.

[2:00:48](#)

I guess I could chime in on that because I've been working with some towns that are interested in clickers specifically.

[2:00:54](#)

I think clickers have a lot of valuable use for time savings, mobility issues,

[2:00:59](#)

um privacy issues. So, um there are a couple of statutes. one that does uh 17

[2:01:06](#)

VSA 2493 does not allow a voter to cast their

[2:01:11](#)

vote by uh any other voting machine other than like a tabulator. It's in the definition of tabulator. So if that's

[2:01:18](#)

something we want to move towards clickers and I support towns who who believe that's in their best interest,

[2:01:24](#)

we'd have to have provisions in the town meeting statute that uh clarify that uh

[2:01:30](#)

that clickers do not contradict us. And it kind of makes sense because a town meeting is a lot different than an

[2:01:35](#)

Australian ballot meeting. An Australian ballot meeting or vote is private. No one gets to see. You're not allowed to

[2:01:41](#)

discuss. You're not allowed to politic. Town meeting specifically, you are in public. You are supposed to campaign.

[2:01:48](#)

You are supposed to politic. So to restrict clickers because of something

[2:01:55](#)

that happens in Australian ballot, I don't think it makes sense and I think that's something that we could get probably clarification in the

[2:02:01](#)

legislature from uh to do that. But that is a provision and there are towns

[2:02:06](#)

that are extremely interested in clickers right and just to be clear that's awesome Mark

[2:02:13](#)

that um on the agenda that you're skipping ahead. I just want to be clear, the clickers is is the next item, but

[2:02:21](#)

because only because I want to No, no, no, it's good. No, I I it's confusing because they're both from

[2:02:26](#)

Wayland, but um I I just want to see what folks have to say about the um

[2:02:34](#)

Wayland's um uh Alicia has already in the chat asked for the for the um PowerPoint. I can send it to everybody

[2:02:41](#)

um if you want to see it. Um but but thoughts about the direction that they're going and whether it is um a

[2:02:49](#)

useful thing for you know Vermont to uh tag on to

[2:02:56](#)

um when when you try something you find out where the holes are until you try

[2:03:01](#)

you don't know where the holes are. So wave and doing the right thing if that's the case if they that's what they

[2:03:07](#)

believe in.

[2:03:13](#)

Yeah, there are a lot of moving pieces of it. I I would love to see the um sort

[2:03:18](#)

of a visual processor. I would love to see the PowerPoint to get a better sense

[2:03:24](#)

of the principles on which they're you know build upon which they're building

[2:03:29](#)

this model and then I feel I'd be able to comment in a more informed fashion. I

[2:03:35](#)

don't really feel like I have my a complete handle on what they're doing. Uh

[2:03:42](#)

it certainly seems like they're trying to hit all the high points of voter

[2:03:48](#)

identification, inclusion, participation, but I don't have enough of a sense to

[2:03:55](#)

comment more than that. Okay, Elvis hits the high notes. Um the

[2:04:02](#)

yeah um one option I would think and we can always just something to think about it if this group wants is um we could

[2:04:10](#)

have maybe additional sessions if I mean I'm happy to send the PowerPoint. It actually is pretty self-explanatory but

[2:04:15](#)

we could also ask if Wayan wants to give a presentation to to this group. That's I mean it's always an option. Like I

[2:04:20](#)

said it's at least 40 minutes plus Q&A. So and probably not during the scheduled meeting if it would be an additional one

[2:04:27](#)

but and maybe that's down the road. Um, uh, okay. Uh, what was I going to say?

[2:04:36](#)

To me, it's almost like

[2:04:43](#)

some of these earlier um case studies are

[2:04:50](#)

civil unions and and Wayland is gay marriage,

[2:04:57](#)

if you see what I mean. And it's it sort of feels like social justice is like ever thus like you start with you start

[2:05:05](#)

with what you have and and you and then we you you move as at sort of at you

[2:05:11](#)

know at the speed of trust or you know whatever metaphors you want to use. Um

[2:05:17](#)

this is it like I said it doesn't exist yet but it has been envisioned which is a huge step forward.

[2:05:28](#)

question. Um, have any Vermont towns been sued for these issues

[2:05:36](#)

or is this just a fear? Are there any Vermont towns using clickers? I

[2:05:42](#)

having been sued for any violations of um non-inclusivity

[2:05:48](#)

because of disabilities for the whole for the whole question. There's there's this piano hanging over our heads that

[2:05:54](#)

we're going to get sued if we don't do the right thing. Suit if you do, sued if you don't, not

[2:06:02](#)

just for clickers about the whole thing. Is there anybody who actually has been sued or are we just is this a fear

[2:06:08](#)

that's hanging over us like a PM? Laura La.

[2:06:16](#)

Uh uh there's there there are certainly cases with HRC

[2:06:22](#)

right now. Whether or not they're going to go to civil litigation, uh not sure,

[2:06:28](#)

but uh yes, I mean people are pushing back

[2:06:35](#)

about not having a right to participate. Okay.

[2:06:45](#)

And I would just add that the piano hanging over the head for me um is the charge of this this working group from

[2:06:53](#)

the legislature which is around how do we ensure um that everyone is included

[2:06:59](#)

including people with disabilities. So different pianos different folks.

[2:07:04](#)

Absolutely. It's just the fear of actually making a change versus status

[2:07:10](#)

quo. the piano would determine that if you're afraid to do make any move at all, it's

[2:07:16](#)

not helpful. Well, I think a couple of issues. One, if you base it on whether you're going to get sued, I don't know if that's

[2:07:22](#)

going to be good policy because well, we get sued all the time. Secretary of State's office. I think doing the best

[2:07:27](#)

we can do is the best we can do. And if if we get sued, we get sued. Um I don't know,

[2:07:33](#)

maybe that's shortsighted and we can try and put preventions and protections in there, but you're not going to it takes

[2:07:39](#)

one voter to sue you. we're not going to keep a voter from suing us. Um, and like the pinky promise that was raised

[2:07:45](#)

before, like we're not going to be able to make politicians listen to us because we tell them they have to in a statute.

[2:07:52](#)

Like there are protections against that. You get them voted out of office. You campaign against them. You you say in

[2:07:58](#)

the newspaper, hey, select board doesn't listen to me. You put it in television. Like the voting process is the process

[2:08:04](#)

by the checks to get people to listen to you when they don't listen to you. So there are things there. But um anyway,

[2:08:14](#)

yeah, I think that the the larger issue here, and I'm surprised, you know, HRC

[2:08:19](#)

and disability rights for Vermont haven't received more complaints than I understand they have, but the larger

[2:08:26](#)

issue right now is that the state of Vermont, by nature of its voting laws,

[2:08:32](#)

is in defiance of the Americans with Disability Act.

[2:08:38](#)

Amendments act in 2010 and its own statutes which actually go further than

[2:08:45](#)

the ADA than federal law. Uh and you know we're we're always hearing that um

[2:08:55](#)

that federal law supersedes state law unless the state law is more generous,  
2:09:01  
if you will, more liberal in terms of its protections. Uh so doing nothing is  
2:09:08  
not an option. Right now we are in violation of the ADA. I mean what could be more fundamental than somebody's  
2:09:15  
right to vote?  
2:09:22  
All right. Other thoughts on Wayand?  
2:09:28  
Um I think No, no, no. I'm just I do think in the  
2:09:33  
interest of time if you want to hit our last two um yeah our last two items um because yeah  
2:09:40  
I mean I feel like the hope was maybe that we could do our dream scenario but um we've kind of touched on on some of  
2:09:47  
the key issues that would be in our dream scenario and maybe um a better use of our remaining minutes um is we we  
2:09:54  
have talked a little bit about voting clickers um and just um as a reminder  
2:09:59  
that that's to uh be They're handheld clickers. They can replace traditional  
2:10:05  
uh floor voting. So, it can be it could replace the voice vote, the hand raising, or the paper ballot. Um, and it  
2:10:11  
allows uh it allows voting um at a town meeting to be private and fast. um the  
2:10:17  
the um in terms of the question of electronic town meeting um it's it's a  
2:10:23  
little bit peripheral to that although they could it could be used in the Cambridge scenario when a voter is um on  
2:10:32  
site but in a separate room. Um, and they do use them that way in Massachusetts because Massachusetts town  
2:10:37  
meetings often get really big and so they often have multiple rooms. Um, and people can use the clickers, but they  
2:10:42  
are closed circuit technology, so you couldn't use it to vote from home. Um, you can only use it to vote on site. Um,  
2:10:50  
and I attended um the Hull, Massachusetts town meeting because my family knows that a good birthday  
2:10:56  
present for me is to take me to someone's town meeting. And so that  
2:11:02  
really happened. Um and um the in Hull, Massachusetts, they do use these these  
2:11:08  
voting clickers. Um and folks, I have some pictures. They're they're very cute. They're little. They when you  
2:11:13  
check in, it hangs around your neck and there's two buttons, yes or no. Um and  
2:11:19  
um they are uh uh useful in that way. The the thing to know, I think the thing  
2:11:26  
to know about both of um models is that they cost money. Um, so even though it's  
2:11:33  
going to be free to Whan, Whan is like, "Hey, it's the it's the the for-profit  
2:11:39  
world that is going to create this technology, it's not on us." Whan, but Wayland then has to buy it um or or rent  
2:11:46  
it uh or you know and so Whan towns all over uh Massachusetts that use these  
2:11:52  
clickers are hiring the company either to they are either buying buying the clickers or they're having them come  
2:11:57  
with the clickers to to the town meeting and running the tech for it. And I actually just recently I just uh  
2:12:03  
submitted a little request to the company saying, "Hey, what if I wanted them? What if my town of Middle Sex wanted them? What would it  
cost?" And

2:12:09

they said, "We'll get back to you." You know, that's exciting. We don't have anybody in Vermont who's ever asked for that probably because they're not legal.

2:12:14

But anyway, it's it'll be interesting to see what kind of costs that might be. And also towns do um share them. Um uh

2:12:22

so like uh cuz cuz in Vermont, of course, towns can have their town meeting on any of the three days

2:12:28

preceding town meeting day. And there's also a timing. So if we if there was a neighboring town that had their town

2:12:34

meeting on Monday and we have ours on Tuesdays, maybe we could share them, you know, reduce costs. In Massachusetts,

2:12:40

they use ARPA funding in a lot of towns to buy books. Um, so thoughts at all about the Oh, and

2:12:48

one more thing I would say just as a moderator, I thought it was really interesting to watch the moderator. Um,

2:12:55

we used the clickers most of the time when it was a, you know, okay, we've had the discussion, we've got differences of

2:13:01

opinion, we're ready for the vote. But sometimes the moderator can tell, okay,

2:13:07

let you know, somebody makes a motion to switch the order of two articles because it makes more sense to talk about this

2:13:13

one than that one. And they can tell that they're that everybody agrees with that. And so in that case, the moderator

2:13:19

didn't use the clickers. He just said all those in favor say I. And um and that was faster. So the moderator has

2:13:25

discretion um about whether you know which which technology which which is going to be faster to keep the meeting

2:13:32

moving along. I thought that was interesting, but I would

2:13:37

um any other thoughts about the clickers before? Yeah, great idea. The clickers,

2:13:43

I've used them in a big meeting before, but the remote thing part

2:13:49

just throwing this in because one of the things about open source is stuff can be changed and you can use the existing

2:13:54

code that's exist there like dity isn't open source. So someone can make changes and customize something freely without

2:14:02

licensing or patent issues coming into play. Um, and on top of that, our town

2:14:09

clerk wanted me to mention that she would like to see a return to requests

2:14:14

for absentee ballots because she sees the global sending is

2:14:19

not as effective as the request for an absentee ballot. And that's another way of verifying because pesome is being

2:14:26

sent absentee ballot. Okay. Uh then

2:14:32

okay. Um okay. Um then with our last few minutes

2:14:39

um I can talk about the last scenario. Yeah. That's good. the last scenario and then we might have a little time to to just

2:14:45

hit on some consensus points on dream scenarios perhaps and then we can I think we can also spill that over into

2:14:52

if not the next meeting the one that we have set aside for spill over topics spillover topics okay great yeah um this

2:15:00

is the question of a two-part town meeting um so two-part town meeting is used in New Hampshire um and it's uh in

2:15:09

they don't Australia it's Australia New Hampshire does not have Australian ballot voting the same way we do. Their

2:15:15

statute is different. And what they do, if you're a town that wants to use Australian ballot voting, you use in New

2:15:21

Hampshire what's called SB2, uh, because it was named after the Senate bill, too, that created it. Kind

2:15:28

of like my son's high school, U32. It never got a name. Um so the towns um

2:15:34

hold a deliberative session in the spring um where voters can discuss and

2:15:39

amend the budget and then about a month later with the warning and everything

2:15:44

the budget and articles um that were um confirmed at that premeeting um are

2:15:50

voted on by the citizens uh uh at the ballot box um and absentee ballots are

2:15:56

available. So they adopted this in 1995. Um and SB2 has um been adopted um I

2:16:04

think there's at least 60 towns in New Hampshire that use it. It's primarily the larger towns uh in the in southern New Hampshire. Um and the idea is to

2:16:11

combine the advantages of the deliberative meeting with that wide accessibility of the of the ballot vote.

2:16:18

Um and just as a note, this is really not unlike the model that Jericho voters asked for. This is what they passed, but

2:16:26

they were not able to create under Vermont law essentially. So Jericho has created a two-part meeting, but their

2:16:33

deliberative session is advisory uh officially. It's not officially binding until it's ratified by the select board

2:16:40

vote. So um yeah, so that it's that pinky promise we talked about. Um Cambridge, Vermont, um uh did a uh town

2:16:50

meeting modernization advisory committee. um uh which I think one of our our attendees here is was on that

2:16:56

committee um uh and uh they call for the legislature to allow this system in Vermont. Um in their study of

2:17:03

modernizing town meeting, the quote from the report is we can retain our citizens power at town meeting to amend and

2:17:09

change the budget and nominate candidates for town office and consider all the articles. However, we propose

2:17:15

that this good work should then be codified by Australian ballot on a date certain after town meeting and this

2:17:21

would require a legislative or town charter change. Um so that's just a concept that's out there that I wanted

2:17:28

to make sure that we um have in the mixing bowl.

2:17:34

So what Cambridge is asking for is essentially what they have already passed in in New Hampshire with that

2:17:39

Senate bill. Yes. I make a suggestion that that be include this New Hampshire Senate bill

2:17:45

be included in the report to the legislature just for them to play around

2:17:50

with and look at.

2:17:58

Was remote participation an option for the first part of the meeting, the

2:18:03

participatory uh deliberative meeting

2:18:09

in New Hampshire? You mean in New Hampshire? Because if not, it's not inclusive. It's an interesting

2:18:14

model, but if it's if we don't allow accessible remote participation, then

2:18:20

it's not inclusive. Got it. Yes. It's it's a it's I think that's a really important point, Alicia.

2:18:26

Um it's um kind of like I said, it's a little bit fixed civil unions instead of

2:18:31

gay marriage because ultimately everybody gets a vote. Uh so so it it's

2:18:37  
you know kind of the better than nothing scenario in that if you want every everybody to be able to vote on the  
2:18:42  
budget everybody is able to vote on the budget but um if you couldn't attend  
2:18:47  
that that uh initial meeting um you didn't have the ability to amend. It's it's the how do we get both hand. So  
2:18:53  
yeah. So if you if you fold in remote participation  
2:18:59  
to that first meeting, then you've got what you want. You you've got inclusion  
2:19:06  
in in all parts  
2:19:11  
back to square one. No, I mean, you know, which I think is  
2:19:16  
what Cambridge did, correct? Did did they not have in their uh premeeting did  
2:19:23  
they not have remote part access? I think we're talking about Jericho.  
2:19:28  
Jericho is the one that Oh, Jericho. I'm sorry. I'm I'm sorry. Jericho. Yeah. Yeah. They had remote access to both.  
2:19:35  
Yes. Yeah. Yeah. Okay. So many towns, so little time.  
2:19:42  
Muhammad.  
2:19:47  
Oh, thank you. Uh if it's not relevant, please uh feel free to say so. But I've been just thinking um overseas uh I have  
2:19:56  
never seen a country or I I am still not aware of a country that hold elections  
2:20:02  
without giving the entire population a full day off.  
2:20:10  
Um I understand I understand this is the US. Uh it's totally different. But I'm just thinking  
2:20:18  
uh to really actually even when we think about accessibility and allowing somebody actually to have the time to  
2:20:25  
leave home or leave work to go to wherever they should be voting in  
2:20:30  
person. How would that happen if such individual is not given time off from work and as  
2:20:39  
you may know as you may know many people rely on their paycheck. um you take time  
2:20:45  
off. Um some organization won't pay you for that unless you enter a sick day or  
2:20:51  
professional day or personal day. Some people run out of those very easily depending on circumstances.  
2:20:58  
So what's your thoughts about that? What can we do about that here in the US? Even at the president presidential  
2:21:05  
elections that we campaigned for two years,  
2:21:11  
huge chunk of time, lot of money being spent during that time. But on that day,  
2:21:17  
you still go to work. It just doesn't make sense in my head. But I'm just  
2:21:22  
putting this out there to uh help us all think about it.  
2:21:29  
I see Don has read up. Um yeah, I just wanted to um chime in  
2:21:34  
with something that I think is a uh additional benefit of the Jericho or the  
2:21:41  
New Hampshire uh like examples there. Um which is that because it's in two parts,  
2:21:47  
it allows not just a deliberation but also reflection. um which I think is good for some for

2:21:54

accessibility reasons for some people but just for everyone I think is is like good for democracy you know in case

2:21:59

people get swayed by the crowd you know you could it's still just an up or down but it's still helpful there and also um

2:22:06

I I turned my camera on here so you can kind of see how I'm participating here I have an energy limiting chronic illness

2:22:12

I get cognitive fatigue I'm starting to get a little worn out with the with just this meeting you know I know we all know

2:22:18

our town meetings we all love it when they go like six or eight hours. Um that's always be a challenge for some

2:22:24

people no matter how hard we try and no matter how many accommodations we put in. Um and so like that would also give

2:22:31

this back stop of another way to have at least some voice. Um if for accessibility reasons or for like life

2:22:38

reasons, jobs, whatever, people cannot participate in the deliberative process, they don't lose their say entirely. Um

2:22:45

so I like I like those like the two part for those two reasons. Uh thank you. Awesome.

2:22:54

Um, yeah. To to Oh, somebody else whoever just put their hand up. It's not

2:23:01

showing on our on our screen who the person is, but someone has their hand up and only one person. So, could you

2:23:07

please speak? It's Dawn. She just hadn't lowered it.

2:23:13

Oh, okay. Great. Thank you. Yeah. Um I would just add uh to Habit's point um

2:23:21

which makes my heart sing whenever I hear people say uh we need to you know give democracy the the the time that we

2:23:28

give uh and and the credit and the value uh that we give to everything else uh

2:23:33

that we value so much in our society like work. Um and um one of the things

2:23:40

uh years ago actually when we first started our remote town meeting participation um we approached the

2:23:46

legislature asking um to make town well town meeting is technically a holiday in Vermont and what that means is if you

2:23:52

work for the state you get it off um and and some employers um as Laura Kushman

2:23:59

is saying uh some employers do provide that day off um and uh others don't Um

2:24:05

the change that was made was at least to make town meeting. We uh we we wanted um people to get paid time off from work

2:24:12

and there was a lot of push back from the business community on that. Why are we balancing democracy on the backs of

2:24:17

businesses um and so that failed um but it was allowed to um that if you want to

2:24:25

go to town meeting um your boss uh has to give you at least unpaid time off. So

2:24:30

it's it's treated like jury duty. um meaning that if uh legally if you if you

2:24:36

um want to uh vote or or attend town meeting um you can um legally get time

2:24:41

off from your job or from school um under this under the change that was

2:24:47

made in that law. So that's just a you know a tiny a tiny step

2:24:55

90s. Well, I am mindful that we are at time

2:25:02

and I know we did not get to some of the meat we were hoping to, but I think we

2:25:08

made some progress. Um, I appreciate Susan all the work put into this. It was a lot. I appreciate everybody's joining

2:25:15

and and contributing here. I think um we will want to hit what Susan has as her

2:25:20

number five um at some point perhaps next meeting. I'm thinking our next

2:25:26

meeting is um on August, let's see, August 14th and

2:25:35

the topic is incentives for public participation which is spelled out in our statutory charge and I think there's

2:25:42

some overlap there. Um, we're we're to investigate whether increased use of

2:25:47

resources such as child care, hearing devices, translators, transportation,

2:25:52

food, hybrid meetings could increase participation in local public meetings. There's certainly some overlap there with what we plan to discuss here. Um,

2:25:59

so it might make sense when we look at the agenda for next time to maybe lead

2:26:04

with this and then roll into the the wider picture. Right. In that me in the memo that I

2:26:11

sent out, there's almost a PS at the end of it because it's sort of pre-thinking in a way for the next meeting. What are

2:26:17

improvements towns can offer now? You know, all this legal stuff aside, what can we do now to um maximize town

2:26:24

meeting accessibility or and a meeting at all of those? And so you'll see that I in start just a tiny starter list. Um

2:26:31

it is intended to um to be uh to inspire people to add lots more good things to

2:26:36

it. It's not a complete list at all. And I just want to mention again, we put it in the chat, but Susan's memo is

2:26:43

available on our website under this workg groupoup's um page. It's posted.

2:26:48

If you have trouble finding it, just let me or Kelly know and we can we can get you to it if you don't have a copy

2:26:54

already. Well, thank you all and see you at our next meeting.