

TOWN OF STAMFORD, VERMONT

— Chartered 1753 —

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December 12, 2024

Sent by email only to Leslie.Welts@vermont.gov

Leslie A. Welts
Asst. Attorney General
State of Vermont
109 State Street
Montpelier, VT 05609-1001

Re: Section 2605 Petition filed by Bruce Busa

Dear Asst. Attorney General Welts:

This letter is in response to your November 26, 2024 request concerning the Bennington-1 Representative challenge you received in connection with the 2024 General Election on November 5, 2024.

1. Yes, I agree that the boundary description provided in this question was the correct boundary description for the Bennington-1 House District on the date of the election.

2a. For a town like Stamford where the whole town is within the district, there was not very much to do. The Secretary of State's office was able to update all of the voters in Stamford, moving them from the prior district to the new district as a whole.

2b. For a town that is split into more than one district, the process is much more complicated. The town clerk should review the voter checklist in conjunction with a map identifying the new boundaries of the two new districts. The town clerk needs to determine all of the registered voters that fall into each district and separate them on the checklists and the map. I believe it is important to work closely with the Board of Civil Authority in your town as well as the Secretary of State's office. The Secretary of State's office handles the final updates in the VEMS system of the changes that need to be made. The Representative District could provide minimal assistance if needed, but would not be familiar with the town's specific voter checklist or actual voters.

3. At the time of the election I was not aware of any problems with the voter checklist and believed the checklist was accurate. I have since been made aware that there were several voters along the Pownal boundary between the Benn-1 District and the Benn-5 District that were on the wrong checklists. I have come to believe that the Bennington-1 District checklist did not reflect all of the eligible voters.

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4. I do not believe the checklist for the Benn-1 House District conforms with the boundary description that was provided in question 1 above. I believe that there were several households along the border that were inadvertently listed on the checklist of the wrong district.

5. According to a copy of Pownal's Board of Civil Authority minutes of November 18, 2024, the BCA determined that there were 56 voters that were erroneously part of the Benn-5 District checklist that should have been on the Benn-1 District checklist. The minutes also state that the BCA determined that there were 13 voters that were erroneously part of the Benn-1 District that should have been part of the Benn-5 District checklist. There was 1 voter from the Benn-1 District that was properly listed on the Benn-1 District checklist but has since moved to a home located in the Benn-5 District.

6. I am not aware of any voters telling an election worker that they thought they should be in a different district.

7. I am not completely sure. I would assume that they pull the names of all of the active voters listed in each district from the VEMS software to prepare a universal mass list of voters in order to send ballots by mail.

8. There were 2,619 votes cast for the office of State Representative in the November 5, 2024 election. I am unable to determine for the entire district, how many were early voting ballots, mail-in ballots, absentee ballots or day-of in-person ballots. For my individual town of Stamford, we had a total of 755 voters on the town checklist. There were a total of 568 votes cast in the November 5, 2024 election of which 246 were absentee.

9. The outcome of the election for the State Representative seat was:
1,265 votes for Jonathan Cooper
1,240 votes for Bruce Busa
1 write in vote for Bill Lounsbury
1 write in vote for Sara Rukavina
1 write in vote for Other (unknown to me)
2 overvotes
109 blank votes

10. Yes, the election vote results were certified by myself and another election official on November 12, 2024. I contacted the Secretary of State's office to determine whether I should hold a canvassing committee meeting and certify a winner because at that point I had heard rumors that not everyone in Pownal who lived near the boundary received the appropriate ballot for their district. I was informed by the state that I should hold the meeting and certify the winner. I scheduled a canvassing meeting and emailed the clerks in Pownal, Woodford, Searsburg and Readsboro to invite them to attend. During the canvassing committee meeting, which was attended by myself and my assistant, we reviewed the votes received by each of the other towns in the district. There were no candidates that had to be merged on the VEMS online system. There were 3

write-in votes. We completed the online canvassing process, downloaded the Official Report of the Canvassing Committee, signed it and uploaded it into the VEMS system. I also printed the statement certifying Jonathan Cooper as the winner and mailed it to him.

11. Yes, a recount of the election was requested by Bruce Busa. I do not know the date that Mr. Busa requested the recount or how he requested it. I was informed by the clerk at the Bennington Court that my sealed ballot bag had to be delivered to the court house which is how I knew about the recount.

12. Yes, the recount was conducted at the Bennington Courthouse. I have not been informed of the outcome and do not know the results.

13. I do not know if any candidate has challenged the recount procedure.

14. I do not know if or when the Bennington County Superior Court entered a judgement order certifying the recount results. My ballot bag has not been returned to me as yet and I have not been informed by the court of any results.


15a. The minutes from Pownal's Board of Civil Authority meeting held on November 18, 2024 is attached.

15b. The Official Report of the Canvassing Committee is attached.

16. The Board of Civil Authority for the Town of Stamford met on November 19, 2024. The BCA decided to write a letter to the Secretary of State which I am also attaching. The BCA determined that the votes were fairly and properly cast in the towns of Stamford, Readsboro, Woodford, and Searsburg and these towns should not have to conduct another election. The voters that were appropriately listed on the Benn-1 District checklist in Pownal also properly and fairly voted and should not have to go through another election. It is not appropriate to invalidate these votes cast and allow people to vote a second time. The Stamford BCA believes that only the voters in Pownal who did not receive the correct Benn-1 district ballot should have the chance to vote on the proper ballot. I hope that this point of view will be considered as you investigate and discuss this challenge petition.

Please feel free to reach out to me with any additional questions you may have.

Respectfully,



Lori A. Shepard
Stamford Town Clerk and
Ben-1 Representative District Clerk