

**TOWN OF SHELBURNE  
BOARD OF CIVIL AUTHORITY  
MINUTES OF MEETING  
February 6, 2017**

**APPROVED – 6/12/17**

**MEMBERS PRESENT:** Tom Little (Chair); Josh Dein, Peter Gadue, Lee Suskin, Jennifer Leopold, David Webster, Nancy Baker, George Schiavone, Colleen Parker, Jerry Storey, Jaime Heins, Randy Rowland, Mary Kehoe, Bill Deming, Rebecca Moore.

**ADMINISTRATION:** Diana Vachon, Town Clerk.

**OTHERS PRESENT:** None.

---

**1. CALL TO ORDER**

Diana Vachon called the meeting to order at 7:05 PM and reviewed the items in the meeting packet.

**2. REORGANIZATION OF THE BOARD**

*Chair & Vice Chair*

**MOTION by George Schiavone, SECOND by Rebecca Moore, to nominate Tom Little as Chair of the Shelburne Board of Civil Authority.**

**MOTION by Colleen Parker, SECOND by Nancy Baker, to nominate David Webster as Vice Chair of the Shelburne Board of Civil Authority.**

There were no further nominations.

**VOTING: unanimous; both motions carried.**

Tom Little is Chair of the Shelburne Board of Civil Authority. David Webster is Vice Chair of the Shelburne Board of Civil Authority.

**3. OATHS OF OFFICE**

Board members will sign and submit the Oath of Office documents.

**4. APPROVAL OF MINUTES (10/3/16)**

*October 3, 2016*

**MOTION by George Schiavone, SECOND by Peter Gadue, to approve the minutes of October 3, 2016 as written. VOTING: 9 ayes, 6 abstentions (Jaime Heins, Colleen Parker, Randy Rowland, Mary Kehoe, Bill Deming, Rebecca Moore); motion carried.**

Chair Little noted a quorum of the Board of Civil Authority is the number of members in attendance adding up to one more member greater than half the total members on the board. As a quasi-judicial board hearing appeals a quorum is as few as three members in attendance and the three members can take action if voted unanimously.

**5. APPROVAL OF BALLOT CLERKS FOR TOWN MEETING**

Tom Little volunteered for the 6 AM shift on March 7, 2017. Jaime Heins, Jennifer Leopold, Nancy Baker, Rebecca Moore volunteered for clean-up. Rebecca Moore and Nancy Baker volunteered for 5 PM and David Webster volunteered for 7 PM to bring the CVU budget vote ballots to CVU. It was noted that Bud Ockert is an election official and not a JP.

**MOTION by Nancy Baker, SECOND by Jerry Storey, to approve the chart of ballot clerks for Town Meeting March 7, 2017 as amended. VOTING: unanimous; motion carried.**

Chairman Little will research how the Town Clerk, Diana Vachon, can handle the ballots if she is in a contested race for the Town Clerk position. Members of the Board of Civil Authority will be with the ballots at all times. Chairman Little will email information from his research to the board members.

#### **6. REVIEW/ACTION ON PURGED CHECKLIST**

Chair Little said the checklist cannot be purged within 90 days of an election, but recommendation of names to be challenged can be made. A letter will be sent to the individuals and follow up done then the Town Clerk will put the names through the checklist.

David Webster asked about the names of people who have passed away. Diana Vachon said the Secretary of State periodically sends a list of people who have passed away and should be purged from the voter checklist.

#### **7. OTHER BUSINESS**

##### *BCA Training*

Chair Little asked Diana Vachon to forward information on any training opportunities for board members through VLCT, Vermont Bar Association, Town Clerks Association. The VLCT website has a lot of information as well.

##### *BCA Orientation Session*

Chair Little will poll the members on interest in holding a BCA orientation session. Nancy Baker suggested the role of the BCA in elections be covered in an orientation session. Lee Suskin suggested also covering how to handle write-in votes for Democrat, Republican, and Independent, and selectboard members who are nonpartisan participating in write-ins.

##### *Legislative Day 2/15/17*

A workshop on "same day registration" will be offered at the VLCT State House Legislative Day. Diana Vachon will send the list of other work sessions on Legislative Day to the board.

##### *Disposal of BCA Materials*

Nancy Baker said guidance is needed on disposal of BCA materials some of which contains financial information. Chair Little pointed out the information is public even

though it is sensitive. The town does not have a records retention/destruction policy. David Webster suggested there be a secure shred bin for the material which is then recycled. Chair Little suggested a best practice for disposal of information relative to appeals could be drafted and incorporated into the Rules of Procedure.

Nancy Baker will research the matter and Diana Vachon will contact the Secretary of State's Office for guidance.

#### *Rules of Procedure*

Board members will review the document and provide comment. There is agreement the rules need to be clear and uniformly applied. Renewed discussion seems wise on issue such as whether further evidence can be taken following a site visit if there are questions by board members and whether the BCA should hire its own legal counsel when warranted.

Chair Little will form a subcommittee to review the Rules of Procedures and best practices. Chair Little will get input from the Town Manager and Town Attorney on public document management.

#### **8. PUBLIC COMMENT**

None.

#### **9. ADJOURNMENT**

**MOTION** by Nancy Baker, **SECOND** by David Webster, to adjourn the meeting.  
**VOTING: unanimous; motion carried.**

The meeting was adjourned at 7:58 PM.

*RScty: MERiordan*