

**TOWN OF SHELBURNE  
BOARD OF CIVIL AUTHORITY  
MINUTES OF MEETING  
September 21, 2020**

**DRAFT - DV**

**\*Meeting by publicly accessible Zoom video/teleconference platform.**

**MEMBERS PRESENT:** Tom Little (Chair); Nancy Baker, David Webster, Jennifer Leopold, Bill Deming, Lee Suskin, Randy Rowland, Mike Donohue, Peter Gadue, Cate Cross, Mary Kehoe, Joan Lenes, Laura Gannon-Murakami, Jaime Heins, Rebecca Moore, Diana Vachon, Town Clerk

**ADMINISTRATION:**

**OTHERS PRESENT:** Lilly Young Shelburne News, Candace Page Shelburne News, David Silvestri - Owner of the Quality Inn

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**1. CALL TO ORDER**

Chair Tom Little called the meeting to order at 7:05 PM and read the following:

As Chair of the Shelburne Board of Civil Authority, I find that, due to the State of Emergency declared by Governor Scott as a result of the COVID-19 pandemic and pursuant to Addendum 6 to Executive Order 01-20 and Act 92, this public body is authorized to meet electronically.

In accordance with Act 92, there is no physical location to observe and listen contemporaneously to this meeting. However, in accordance with the temporary amendments to the Open Meeting Law, I confirm that we are:

- a) Providing public access to the meeting by video with additional access offered through audio. We are using Zoom for this remote meeting.<sup>1</sup> All members of the Board of Civil Authority (BCA) have the ability to communicate contemporaneously during this meeting through this platform and the public has access to contemporaneously listen and, if desired, participate in this meeting by Zoom.
- b) Providing public notice of instructions for accessing the meeting. We previously gave notice to the public of the necessary information for accessing this meeting, including how to access the meeting using video in our posted meeting agenda on the Shelburne BCA webpage. Instructions have also been provided on the town website at Shelburnevt.org.
- c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access. If anybody has a problem, please call 802-238-4989; and
- d) Continuing the meeting if necessary. In the event the public is unable to access this meeting, it will be continued to a time and place certain.

Please note that all votes taken during this meeting that are not unanimous will be done by roll call vote, in accordance with the law.

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<sup>1</sup> Many public bodies are using video teleconferencing technology, such as GoToMeeting, to ensure the remote meeting complies with the Open Meeting law. If you have any questions about the appropriateness of the technology you are using to conduct your meeting, please consult VLCT's Municipal Assistance Center (MAC) at 1-800-649-7915 or [info@vlct.org](mailto:info@vlct.org).

**2. REVIEW OF AGENDA**

The Agenda was approved with minor changes.

**3. PUBLIC COMMENTS**

None.

**4. DISCLOSE CONFLICTS OF INTEREST**

Bill Deming and Randy Rowland have recuse themselves from participating in the Shelburne Farms Tax Appeal.

**5. MINUTES**

*August 31, 2020*

**MOTION by Pete Gadue, SECOND by Mike Donohue, to approve the revised minutes as circulated of 8/31/20 with the following correction(s)/clarification(s):**

- **Correct the spelling of Alec Webb's name throughout the document as Alec not Alex.**

**VOTING: all ayes except one abstention (Mary Kehoe); motion carried unanimously.**

**6. ABATEMENT REQUEST FROM THE QUALITY INN**

Chair Little explained the Abatement should have been warned as a separate meeting of the Abatement Board and not on the same agenda as the BCA. David Silvestri was amenable to the need to warn the abatement properly. He briefly explained why he is asking for an abatement. He stated he received the Abatement Handbook and Rules of Procedure from the Town Clerk. The Board thanked David Silvestri for his time and will be in touch soon.

**8. DISCUSS PREPARATION FOR THE NOVEMBER 3 GENERAL ELECTION**

There was discussion regarding a registration application. Mr. William Wallace is registering using 3229 Shelburne Rd Shelburne, VT as his residence address, which is a motel on Shelburne Rd. He used to live in AZ and has completely changed his name. He has a bank account in Barre and a P.O. Box mailing address in Montpelier. The Vermont Secretary of State recommended the BCA review the application and decide on whether or not to accept it. After much deliberation, the BCA unanimously decided to accept the application providing the applicant either takes the Voter's Oath or certifies that he has taken it previously.

Diana Vachon reviewed the various opportunities to help with the November 3 General Election. We will have absentee ballot reconciliations on 10/7, 10/14, 10/19, 10/21, 10/26, 10/28, 11/2, and 11/3. We will tabulate absentee ballots on 10/8, 10/15, 10/22, 10/29, 11/2, and 11/3. Diana provided a list of poll workers for the day before the election and on Election Day, and BCA members volunteered for open slots.

**A MOTION was duly made and seconded, to approve the poll workers as presented and give Diana Vachon the ability to fill in the vacant slots as needed. Motion passed unanimously.**

The Board discussed the efficiency of counting write ins from the ballots. Several members counted until 11 pm on Primary Election night. It was suggested we count the write ins as we tabulate the absentee ballots. Chair Little and Clerk Vachon will contact the Vermont Secretary of State's Director of Elections and ask if this is permissible.

Clerk Vachon ask the Board for permission to challenge voters as she and her staff become aware of the voter moving. She will report the changes at BCA meetings.

**MOTION by David Webster, SECOND by Laura Gannon-Murakami, to authorize Clerk Vachon and her staff to challenge voters who have moved out of town, as permitted by law, and report the changes to the BCA on scheduled meetings. There was a brief discussion. Motion passed unanimously.**

#### **9. OTHER BUSINESS**

None.

#### **10. DELIBERATION ON SHELBURNE FARMS TAX GRIEVANCE APPEAL**

Chair Little stated the Board would now be going into a closed deliberative session to discuss the Shelburne Farms Tax Grievance Appeal. He asked those who recused themselves and members of the public to sign off the Zoom teleconference meeting.

#### **11. ADJOURNMENT**

With no further business and without objection the meeting was adjourned at 8:25 PM.

*RScty: Diana Vachon, Town Clerk*