

**TOWN OF SHELBURNE
BOARD OF CIVIL AUTHORITY
MINUTES OF MEETING
November 1, 2021**

DRAFT

***Hybrid meeting held in-person and by teleconference.**

MEMBERS PRESENT: David Webster (Chair); Nancy Baker, Lee Suskin, Bill Deming, Rebecca Moore, Laura Gannon-Murakami, Joan Lenes, Susan Bowen, Judy Rosenstreich, Denis Barton, Pete Gadue, Sally Martel.

ADMINISTRATION: Diana Vachon, Town Clerk; Linda Barker, Treasurer.

OTHERS PRESENT: State representatives, Kate Webb and Jessica Brumsted, Media Factory.

1. CALL TO ORDER and AGENDA

Chair, David Webster, called the hybrid meeting to order at 7 PM.

2. PUBLIC COMMENTS

None.

3. CONFLICTS OF INTEREST

None.

4. MINUTES

August 9, 2021

MOTION by Nancy Baker, SECOND by Denis Barton, to approve the 8/9/21 minutes as presented. VOTING: unanimous; motion carried.

5. REAPPORTIONMENT 2022

David Webster read correspondence from Tom Little explaining the requirement per the state constitution for reapportionment of the state House and Senate every 10 years based on the most recent census population data. The changes proposed impact the lakefront properties in Shelburne in District 5-2 and the village which will be divided across two districts.

State representatives, Kate Webb and Jessica Brumsted, explained the reapportionment divides the voting districts by roads rather than natural boundaries and this will separate neighborhoods. The village is also divided. This will cause more confusion for voters and add to trust issues around elections. The number change with the reapportionment is very slight for Shelburne and relationships have been built based on the existing boundaries. Shelburne has always shared lakefront issues with Districts 5-1 and 5-2. Historic patterns should be considered with the reapportionment. There is not a compelling reason to change the boundaries.

David Webster noted the current deviation between the two voting districts is 11 (District 5-1 with 4261; District 5-2 with 4250). With the proposed reapportionment the deviation is 53 (District 5-1 with 4282; District 5-2 with 4229).

There was continued discussion of the reapportionment. Suggestion was made to send a supportive statement to the legislature to maintain the districts as they currently exist since both districts have lakefront and different financial income sources, both districts have senior housing, affordable housing, neighborhoods with families and children, downtown (village) area, and there is broad representation in the districts. The state representatives have always worked collaboratively for the town regardless of boundary lines. The proposed changes do not improve on any of this. Shelburne is intact in terms of representation of the entire town and relying on natural boundaries rather than roadways. Route 7 is a federal highway that should not influence how the town's state representatives are elected. Shelburne has always been associated with Lake Champlain and both representatives need to represent a portion of the shoreline.

Lee Suskin referred to 17VSA1903.B (1-3) which directs the Reapportionment Board to look at preservation of existing political subdividing lines and recognize and maintain patterns of geography, social interaction, trade, political ties, and common interests. The proposal does not do this.

David Webster recapped the discussion:

- The BCA wants to keep the voting districts as they exist today.
- The proposed district boundary changes do not address state statute (17VSA1903.B).
- The town wants natural boundaries, not highways or roads, to be used to define the districts because these boundaries are more likely to preserve the subdivisions of the community that currently exist.
- The town is not interested in having the village divided.
- The town is interested in maintaining historic patterns of division.
- The town is interested in having Lake Champlain represented by both state representatives rather than having the shoreline properties all in one district.
- The town is not dealing with a cross-boundary issue (with other towns) with the voting districts.
- Change to the district boundaries is confusing and the delta between the districts currently is less than the delta if the boundaries are changed.

There was mention of ensuring the public is aware of the information and discussion on reapportionment with an article in the local newspaper. It was noted there will likely be public hearings on the matter before the state legislature.

MOTION by Bill Deming, SECOND by Joan Lenes, to object to the current reapportionment proposal for Shelburne and provide a written rationale. VOTING: unanimous; motion carried.

The following statement will be submitted to the state legislature by BCA Chair, David Webster, on behalf of the BCA:

- Per Vermont Statutes Annotated 17 Sec. 1903(b), “the representative and senatorial districts shall be formed consistent with the following policies insofar as practicable: (1) preservation of existing political subdivision lines; (2) recognition and maintenance of patterns of geography, social interaction, trade, political ties, and common interests; (3) use of compact and contiguous territory. In unanimous agreement, we find that the proposed adjustments to Shelburne’s legislative districts Chittenden 5-1 and 5-2 fail to meet these standards for the following reasons: The Shelburne Road/ Route Seven corridor has been used as the principal line of division in establishing the town boundaries rather than the existing natural division of Munroe Brook. As a result the historic Village center is bisected, with east and west sides of the highway in separate districts. The Falls district is similarly divided between those who live on the north and south side of Falls Road. In addition, to better equalize the populations of the two districts, it is deemed necessary to carve out sections on the east side of Shelburne Road at both the north and south ends of the town. These actions split up neighborhoods and do not maintain the patterns of geography and social interaction referred to in (2) above resulting in confusion for residents. Furthermore, they do not further the goal referred to in (3) above for compact and contiguous territory. Lake Champlain is an important feature of the Town of Shelburne and we feel it has benefitted from the broader representation afforded by being part of both districts whose legislators share in the responsibilities and communications related to its environmental health and future. The proposed boundaries place all of Shelburne’s considerable lakefront property in a single district (5-1). Again, this is driven by the Shelburne Road/Route Seven corridor as dividing line with no compelling rationale behind the change and without resulting in more compact or contiguous territory. Finally, the current population size variable between Districts 5-1 (4,261) and 5-2 (4,250) is 11. The proposed population sizes, 4,282 and 4,229 respectively, will increase the variable to 53. Clearly, population equalization between the two districts will not be improved. We therefore register our opposition to the proposed boundaries of Chittenden Districts 5-1 and 5-2 and request that the boundaries currently in existence be maintained since they better address the underlying policies in the statute referenced above, and maintain the established historic patterns. We further note that the boundary adjustments at issue are contained entirely within the Town of Shelburne and do not impact the eastern boundary shared with the Town of St. George, which is also part of District 5-2, nor with the Towns of South Burlington and Williston to the north or Charlotte and Hinesburg to the south. This is further evidence that there is no compelling reason to adjust the internal boundaries as proposed.

6. OTHER BUSINESS

Town Policy on Masks

MOTION by Lee Suskin, SECOND by Nancy Baker, that no member of the BCA shall attend a meeting in violation of the town policy on masks and can participate remotely via Zoom.

DISCUSSION:

- Susan Bowen said scientific proof of the efficacy of masks against the corona virus needs to be provided before requiring that masks be worn.

VOTING: all ayes except one nay (Susan Bowen) and 2 abstentions (Pete Gadue, Sally Martel); motion carried.

7. ADJOURNMENT

MOTION by Pete Gadue, **SECOND** by Nancy Baker, to adjourn the meeting.

VOTING: unanimous; motion carried.

The meeting was adjourned at 8:15 PM.

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