

Minutes
ORGANIZATIONAL MEETING OF THE BOARD OF
CIVIL AUTHORITY

TOWN HALL BASEMENT Meeting Room

Thursday, February 9, 2017, 6 PM

MEMBERS PRESENT: Sue Gage, Clerk, Bud Coolidge, Marge Munger, Seth Hopkins, Doug Bailey, Dick White, Seth Clifford, and Wendy Rowe-Feldman

Ms. Gage, Clerk called the meeting to order at 6:00 pm, and received nominations for chair. Ms. Munger moved to cast one vote for Del Cook as Board of Civil Authority Chair, seconded by Mr. Clifford. Mr. Bailey moved to close nominations, seconded by Ms. Gage. Mr. Cook was unanimously elected Chair.

Ms. Gage continued managing the proceedings as newly elected Chair Cook was not present. Ms. Gage entertained motions for Vice-Chair. Mr. White moved to cast one vote for Seth Hopkins for Vice-Chair, seconded by Ms. Munger. Ms. Gage moved to close nominations. Mr. Hopkins was elected unanimously. Ms. Gage handed the gavel to Mr. Hopkins.

Mr. Clifford moved to authorize the Presiding Officer, Town Clerk Susan Gage to make decisions regarding the conduct of elections including staffing volunteers and requests by organizations to conduct sales or disseminate information at the polls. Mr. White seconded the motion. Mr. Bailey asked who is allowed to work at the polls, and whether non-BCA members may work at the election. Ms. Gage confirmed that she may enlist folks from the community to work the polls. Discussion was then closed and the motion passed.

Candidate and Poll Watcher Guidelines Review and Adoption – Members reviewed the *Candidate and Poll Watcher Guidelines*. Discussed the location of candidates running for office. Motion to adopt the policy as worded by Ms. Gage, seconded by Mr. White. Mr. Coolidge suggested we re-word and combine paragraphs 2 & 3. Motion to adopt as revised the policy with the wording change by Mr. White, seconded by Mr. Clifford. The policy was re-adopted with the wording changes.

Policy on Politicking at the Polling Place - Members reviewed the *Policy on Politicking at the Polling Place*. Ms. Gage moved to readopt, seconded by Ms. Munger. Motion to readopt *Policy on Politicking at the Polling Place* passed.

Board of Civil Authority Rules for Conduct of Meetings and Hearings - Members reviewed the *Board of Civil Authority Rules for Conduct of Meetings and Hearings*. Mr. White moved to readopt, seconded by Mr. Clifford. Motion to readopt *Board of Civil Authority Rules for Conduct of Meetings and Hearings* with amendments passed.

Emergency Evacuation Procedures – New policy. Ms. Gage suggested a wording change around the location to meet should an emergency occur. Mr. Hopkins suggested substituting the words “secure” in place of the words “grab”. Motion to adopt the Emergency Evacuation Procedure policy by Mr. White, seconded by Mr. Clifford. The policy was adopted.

Ms. Gage handed out training and resource information from the Vermont League of Cities and Towns (VLCT) website. Ms. Gage insisted that as many as possible attend the Tax Appeal training coming up this year as this board will likely handle tax appeals from the reappraisal that will be happening in 2018. Ms. Gage also spoke about information on the Vermont Secretary of State website.

Mr. White made a motion to adjourn, seconded by Mr. Clifford. Meeting was adjourned at 6:40 pm.



Susan M Gage, Clerk

Candidate and Poll Watcher Guidelines

1. No campaigning, electioneering or discussion of the election is to take place inside the building or any location where an election is being held (the polling place).
2. No campaign materials including signs, buttons, leaflets, or any other election materials are permitted inside the polling place, except that individual voters may bring in brochures and written campaign materials for their own use, but these may not be shown to others or left in the voting booth or polling place.
3. No one may impede or block the path to and from the polling place.
4. Candidates and/or campaign workers are not allowed on the entrance walkway. Candidates and/or campaign workers must remain on public sidewalks or on the Town Hall steps only. Candidates and/or campaign workers are asked to respect travel along public sidewalks.
5. Care should be taken to allow easy access by the public to parking places. Be careful of traffic entering and exiting the parking area. Candidates and/or campaign workers may be asked to remove their cars from the parking lot if the parking area becomes too congested.
6. Campaign signs are not permitted in the ground in or around the polling area. Candidates and/or campaign workers are permitted to hold signs on public sidewalks or on the Town Hall steps but signs will not be allowed in the ground around the polling place. Vehicles with campaign signs may only park at or near the polling place for the average amount of time it would take someone to vote.
7. Poll watchers are permitted inside the polling place and must remain in the designated observation area. They must not interrupt the election officials or the election process. No speaking to the voters. No cell phones or pagers are permitted.
8. If any question arises, please contact the presiding election official.
9. Poll watching rules apply during the vote counting process.

References:

Title 17 VSA Section 2505 Guardrail
Section 2508 Campaigning during polling hours, voter access
Section 2572 Viewing of the checklist
Section 2581 Closing polls

Re-Adopted by the Board of Civil Authority on Feb 12, 2015

Revised and Adopted by the Board of Civil Authority on July 26, 2016

Revised and Adopted by the Board of Civil Authority on February 9, 2017

Town of Brandon Policy on Politicking at the Polling Place

Vermont law prohibits politicking within the building containing the polling place. 17 VSA §2508

- Voters must remove campaign buttons, hats, and other paraphernalia before coming in to vote. Coats should be kept on if a person is wearing a campaign shirt.
- All conversations about candidates should be kept outside of the polling place.
- Individual voters may bring in brochures and written campaign materials for their own use, but these may not be shown to others or left in the voting booth or polling place.
- Exit polling is considered politicking and must remain outside of the polling place.

Vermont law permits the presiding officer to designate an area outside of the polling place where candidates, supporters and pollsters can stand, offer information, conduct polls, and/or hold signs.

- **The voter's progress into and out of the polling place may not be blocked.**
- Candidates, supporters and pollsters may stand on the public sidewalk across from the polling place or on the stairs of the Town Hall and not be on or block entry to the polling place walkway.
- No unattended signs are permitted at or near the polling place.
- Vehicles with campaign signs may only park near the polling place for the average amount of time it would take someone to vote.

**Revised and Adopted by the Board of Civil Authority on July 26, 2016
Readopted by the Board of Civil Authority on February 9, 2017**


BRANDON, VERMONT
Board of Civil Authority
Rules for Conduct of Meetings and Hearings

1. Meetings shall be chaired by the Chair of the BCA, or in his/her absence, by the Vice-Chair. In the absence of both the Chair and the Vice-Chair, the meeting shall be chaired by a chair pro tempore, to be selected by the BCA members present from among their number.
2. When hearing tax appeals, a majority of those present shall constitute a quorum, so long as there are at least three members present. 24 V.S.A. § 801. If a quorum is not present, the only action that may be considered is a motion to recess or adjourn.
3. When serving in an electoral capacity, a majority of those present shall also constitute a quorum, however official action may not be taken without the concurrence of at least three members of the BCA. 17 V.S.A. § 2103.
4. A member shall be disqualified from all tax appeals in any year in which he/she appeals their own taxes or has an interest in a property under appeal beyond the Assessor. 32 V.S.A. § 4404(d).
5. A *Conflict of Interest* shall be defined as a direct or indirect personal, familial, or financial interest by a BCA member or the member's spouse, business associate, employer or employee, in the outcome of a hearing that is greater than that experienced by a member of the general public, or a situation where a BCA member has publicly displayed a prejudgment of the merits of a proceeding. BCA members shall recuse themselves from proceedings where they have a conflict of interest. (Derived from 24 V.S.A. § 1984.)
6. *Ex parte communication* shall be defined as any communication regarding the merits of an appeal that occurs between a member of the BCA and a party to an appeal that occurs outside of a duly warned hearing. Ex parte communication must be strictly avoided. Any ex parte communication that occurs must be reported in the public hearing and included in the minutes.
7. All business shall be conducted in the same order as it appears on the warning, except that by majority vote, the chair may alter the order of items to be considered and/or the time allotted.
8. All motions must receive a second before being voted on.
9. The chair shall have the same participation rights as any other member and shall rule on all questions of order, evidence and procedure.
10. The chair shall conduct the first tax appeal hearing on a matter in the following order:
 - A. Open the hearing.
 - B. Request disclosure of conflicts of interest and ex parte communications.
 - C. Ask the appellant, his/her representative(s), and the Assessor or Assessor's Administrative Assistant to step forward and take the following oath: *Under the pains and penalties of perjury, do you solemnly swear or affirm that the evidence you give in the cause under consideration shall be the whole truth and nothing but the truth?*

- D. Ask the Assessor or Assessor's Administrative Assistant to introduce the subject property on appeal.
 - E. Invite the appellant or his/her representative to present their appeal.
 - F. Invite the Assessor or Assessor's Administrative Assistant to respond to the information presented by the appellant.
 - G. Invite questions from the members of the BCA.
 - H. Invite the Assessor or Assessor's Administrative Assistant to present their valuation.
 - I. Invite the appellant to respond to the information presented by the Assessor or Assessor's Administrative Assistant.
 - J. Invite final questions from members of the BCA.
 - K. At the end of the hearing, appoint an inspection committee of at least three members. Explain to all present that the inspection committee must report back to the BCA within 30 days and the BCA will issue a decision within 15 days of receipt of the inspection committee report.
 - L. The Chair shall recess the hearing to a date and time certain.
 - M. Repeat steps 10. A. through 10. L. for each of the remaining scheduled appellants.
11. The chair shall conduct the second and any subsequent hearings on a tax appeal in the following order:
- A. Open the hearing.
 - B. Invite the inspection committee to present their report.
 - C. Invite final comments from the appellant.
 - D. Invite final comments from the Assessor or Assessor's Administrative Assistant.
 - E. Invite final questions from the BCA.
 - F. 1.) Either close the hearing and explain that the BCA will now enter a private, deliberative session and will issue a decision in writing within 15 days; or 2.) Close the hearing, explain that the BCA will issue a decision in writing within 15 days, and begin to deliberate on the appeal. Though such deliberation may be conducted in public, the parties should not participate at this stage once the hearing is closed.
 - G. Repeat steps 11. A. through 11. F. for each of the remaining scheduled appellants.
12. These rules may be amended by a majority vote of the BCA, and remain in effect for this grievance period.
13. These rules shall be made available at all meetings and hearings.

Re- Adopted by the Board of Civil Authority at their Organizational Meeting held February 9, 2017

Attest:



Town Clerk

Emergency evacuation procedures

In the event of an emergency evacuation of the polling places during polling hours here are some procedures to follow. Please keep in mind that in a true emergency your personal safety is our main concern but when appropriate, please follow these procedures.

Front Desk Workers:

Secure entrance checklists and ballots -

Ballots should be on a cart at all time in case of an emergency

Assist in getting voters to leave the polling area – they will be allowed to take their ballot with them and finish voting once the building can be entered again.

BCA workers

Assist in getting voters to leave the polling area – they will be allowed to take their ballot with them and finish voting once the building can be entered again.

Turn off, unplug the tabulating machines and wheel the black box out of the building. If any ballots are in separate boxes or bags, please attempt to bring them along also.

Secure the election notebook and keys to tabulating machine and note the occurrence of the emergency evacuation when time permits.

The meeting place shall be the Town Offices unless circumstances don't permit then the Presiding officer will make an announcement of where everyone is to meet or leads everyone to a specific area.

Once the building has been cleared for re-entry, the voters who were in the polling place shall be escorted back into the building and allowed to continue to vote. Once they have resumed voting, the new arrivals shall be allowed to vote.

Adopted February 9, 2017