

Select Board Members

X_Peter Hood, Chair
X_Liz, Scharf, Vice Chair
X_Randy Drury
X_Vic Dwire
X_Phil Hyjek

**MIDDLESEX SELECT BOARD
SPECIAL MEETING
TUESDAY, JANUARY 24, 2023
Middlesex Town Hall and via Zoom*
Middlesex Town Clerk's Office
5 Church Street
Middlesex, Vermont 05602
(802) 223-5915**

MINUTES.

PRESENT: Peter O. Hood, Chair*, Liz Scharf, Vice Chair*. Members Randy Drury, Phil Hyjek* and Vic Dwire*. Treasurer Dorinda Crowell*. Moderator Susan Clark*. The meeting at Town Hall was recorded on Zoom. Select Board Assistant Sarah Merriman took the minutes and was present at Town Hall, which was open to the public. (*signifies attendees via Zoom)

Call to Order/Amendments

Peter called the meeting to order at 6:02 PM. There were no amendments to the agenda.

Holding the 2023 Annual Town Meeting on March 7, 2023, via Australian Ballot

Peter noted the Governor has yet to sign H.42, a bill allowing temporary COVID-protection measures such as holding public meetings via Zoom alone and allowing floor-vote towns - like Middlesex - to hold Town Meeting via Australian ballot. At this moment, there is no ability to hold Town Meeting by Australian ballot, he said. He proposed a motion stating that SHOULD the governor sign Act 42, the Town will act accordingly. Liz asked if that was legal. Peter said the only other option was to adjourn and reconvene and with time being of the essence, he would prefer not to do that.

Randy asked why this issue was being reconsidered when the Board voted at its regular meeting of January 17, 2023, to hold Town Meeting in person; Peter said Victor asked to put it on the agenda and Peter allowed it. Vic said COVID is still around. People are immune compromised and cannot attend, like himself. He thought it better this year to go with Australian ballot, thereby giving more people the opportunity to vote. He doesn't like voters having to choose between not going to the meeting for health concerns and, therefore, not being able to vote or attending the meeting and risking infection. Randy said he believes people have had ample opportunity to be vaccinated or wear masks if they so choose. COVID is not a reason not to hold Town Meeting in person this year. Vic said he checked with the VT Dept of Health, and they said the best way to stay uninfected was to distance and avoid large crowds.

Peter clarified that he believes the future is Australian ballot for all the reasons Vic and others have been saying. He said he loves Town Meeting, but he doesn't like the idea of a small group of people voting on the budget. Holding an in-person Town Meeting would permit voters to weigh in on whether to place future public questions and the budget on an Australian ballot. That's one way to go. (H.42 does not allow floor-vote towns to put those questions on a temporary Australian ballot.) On the other hand, Peter said, he spoke with Rep. Ela Chapin about the conundrum of letting such questions be decided at an in-person Town Meeting when those gathered would lean toward in-person Town Meetings. He said he will not be able to attend an in-person Town Meeting because his immune system will be compromised, which means he won't be able to vote.

Liz said it poses a bit of a problem if Vic won't feel comfortable and Peter won't be there and Phil will be off the Board as of 7 PM, March 7th. If three out five want to move to Australian ballot - the question will be put off another year. Peter said the Board could always call a Special Town meeting. Susan said that would be a mistake.

Phil said Vic is raising a valid concern not discussed at the January 17th meeting. He'd lean toward not holding it this year and then work on the Legislature to come up with an equitable mechanism. Liz said she could go either way if Vic and Peter cannot attend. Vic said there are other people in Town he spoke with, including a 96-year-old who wasn't going to sit in Rumney School because he wasn't comfortable, either. Another resident on Brook Road said though he votes at every Town Meeting, he wasn't going to attend because his wife was immunocompromised.

Susan said putting off the two questions about whether to vote on the budget and the public questions by Australian ballot instead of from the floor would allow for an exploration of alternatives to an in-person Town Meeting. She noted other towns across Vermont are asking the same question. She said maybe people want to gather at other times of the year to address other questions that are more interesting.

MOTION: Victor moved, and Phil seconded holding the March 7, 2023, Town Meeting by Australian ballot contingent on the Governor signing H.42 or if H.42 becomes law through default*. All but Randy voted in favor. The motion passed.

Approving a Warning and a Contingency Warning should H.42 Not Be Enacted

MOTION: Phil moved, and Vic seconded the Warning for the March 7, 2023, Town Meeting if held by Australian ballot AND, if H. 42 does not become law, the Warning designed for an in-person Town Meeting at Rumney School. The motion passed.

Mailing March 7, 2023, Town Meeting Ballots to All Active, Non-challenged Voters

MOTION: Randy moved, and Vic seconded sending March 7, 2023, Town Meeting ballots to every registered, active, non-challenged voter. The motion passed.

The meeting adjourned at 6:40 PM

Respectfully submitted by Sarah Merriman, Town Clerk/Select Board Assistant

THE ABOVE MINUTES WERE APPROVED AS A WARNED AGENDA ITEM AT A REGULARLY SCHEDULED MEETING OF THE MIDDLESEX SELECT BOARD ON FEBRUARY 7, 2023.

PETER O. HOOD, CHAIR

ELIZABETH SCHARF, VICE CHAIR

RANDY DRURY

VIC DWIRE

PHIL HYJEK

**Note of public information: on January 25, 2023, Governor Phil Scott signed H. 42, thereby putting into effect the Select Board's decision to hold the March 7, 2023, Town Meeting by Australian ballot based on the Warning approved - and signed - by the Select Board later that did not include the two "floor-vote" questions regarding how to hold future Town Meetings.*