

A Citizen s Guide To

VERMONT
TOWN
MEETING



Office of
the Vermont
Secretary of State
2008

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Introduction

On Town Meeting Day, the first Tuesday in March, citizens across Vermont come together in their communities to discuss the business of their towns. For over 200 years, Town Meeting Day has been an important political event as Vermonters elect local officers and vote on budgets. It has also been a time for neighbors to discuss the civic issues of their community, state and nation.

This short publication is designed to help you learn about Vermont's Town Meeting Day, its history and how it works today. We also hope that the materials in this booklet will help you get involved in your town meeting.



Deborah L. Markowitz
Secretary of State
July 2008

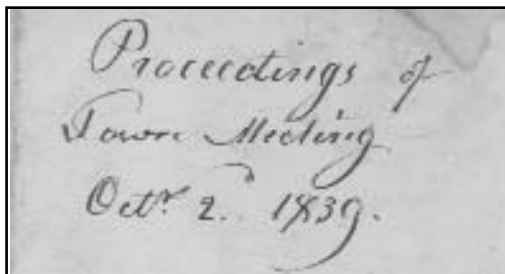
Chapter 1

The Origin of Town Meeting Day

The first town meeting in America was in Massachusetts in 1633, but the practice of **direct democracy** dates back to around 400 B.C. in Athens of ancient Greece. Unlike town meetings today, in ancient Greece women, children and slaves could not vote, and meetings required the presence of at least 6,000 citizens!

Vermont town meeting is a tradition dating back to before there was a Vermont. The first town meeting was held in Bennington in 1762, 15 years before Vermont was created. In the late 1700s, as today, town citizens in Vermont held meetings so that they could address the problems and issues they faced collectively. Popular matters of legislation in earlier town meetings included whether or not to let pigs run free or whether smallpox vaccinations should be allowed in the town (some thought vaccinations were dangerous). Voters also decided what goods or labor could be used as payment for taxes.

Town meeting also served a social function (as it does today), bringing people together who might not otherwise know each other. This can strengthen social ties within a town and help people work together to tackle community problems.



Excerpt from town meeting minutes dated October 2, 1839.

What is Town Meeting Day?

On the **first Tuesday of March** most Vermont towns hold a meeting to elect local officials, approve a budget for the following year and conduct other local business. Vermont town meetings (except for Brattleboro where a system of representative democracy is

On the first Tuesday of March most Vermonters hold a meeting to elect local officials, approve a budget for the year, and conduct other local business.

used) are the practice of direct democracy. That is, eligible citizens of the town may vote on specific issues that are announced through a warning.

The town meeting **warning** tells us when and where town meet-

ing will be held, and it lists all of the articles (topics) that are going to be discussed and voted on at the meeting. The warning must be publicized at least 30 days before the meeting.

Voting At Town Meeting

Towns can vote in two different ways at March Town Meeting – by **floor meeting** or by **Australian ballot**. Most towns use a combination of both voting methods.

The floor meeting is what we generally picture a Vermont Town Meeting to be like – it is when people gather together at a public meeting place like the town hall or local school to discuss and vote on issues. Floor meetings can last a few hours – or they can go all day. The length of the meeting depends on how many articles are on the warning and how much discussion there is over the issues raised by the articles.

Australian ballot voting takes only a few minutes. It takes place at a polling place where voters mark a secret ballot which is counted when the polls close. This is also how we cast our ballots at the general election in November. Town **Boards of Civil Authority** (BCA) determine when the polls open in the morning (between 5:00 a.m. and 10:00 a.m.). All polls must close at 7:00 p.m.

Most towns use a combination of Australian ballot voting and a floor meeting. In 2008, 15 towns conducted all of the town business using Australian ballot voting only, 61 decided all of their business by floor vote, and 170 towns used a combination of both.

Floor Meeting

At a floor meeting there are no representatives (except in Brattleboro, which uses a system of representative democracy as mentioned earlier). Citizens speak directly for themselves, seeking to clarify or amend items to be voted, or to persuade those present on whether or not to vote for a particular measure.

Town Meeting Holiday

Vermont law makes town meeting a holiday for employees of the state government. The law also gives an employee the right to take unpaid leave from work to attend his or her annual town meeting, subject to the essential operation of the business or government. An employee must give the employer at least seven days notice if he or she wants to take advantage of this right to attend town meeting. Students who are over 18 also have the right to attend town meeting (unless the student is in state custody at a secure facility). These students may not be treated as truants for missing school to attend town meeting. 21 V.S.A. §472b.

Vermont law gives towns the flexibility to hold Town Meeting at a time it believes will be more convenient for its voters.

Communities may choose to hold their floor votes on the Friday, Saturday, or Sunday before Town Meeting Day. Australian ballot voting must take place on Town Meeting Day.

Many factors can affect turnout at town meeting. For example, in 2001 there was a big blizzard. That year many towns postponed their meetings. Towns that went ahead with their meeting had very few people attending. Also, because many of Vermont's schools are not in session the week preceding town meeting, voters who are parents of school children may be away on vacation. A small percentage of Vermont's towns hold their meeting on Saturday. Many people were surprised to discover that turnout for Town Meeting did not increase with Saturday meetings.



Williamstown town meeting, 1977.



What Happens on Town Meeting Day?

Over the past 200 years little has changed about what actually happens at town meeting. The meeting begins with each town electing a **moderator** who runs the town meeting. The town clerk keeps minutes of the discussion and records the votes.

Every town begins its meetings in its own way. After the moderator **calls the meeting to order** (by banging the gavel and asking everyone to quiet down so the meeting can start), many towns begin with the Pledge of Allegiance. Some introduce the select-board or school board, some thank the volunteers who are providing food or displays at the meeting, some welcome and recognize the oldest or newest members of the community, and some simply get down to the business of the day.

The moderator begins the work of the meeting by announcing the first article listed in the warning. After an article is voted on, the moderator announces the next article listed in the warning. Unless the voters decide to pass over an article or rearrange the order of the articles, the meeting will address each article in turn, from the first to the last, until they are all addressed.

***Robert's Rules of Order* can be purchased in most stationery stores or downloaded at <http://www.sec.state.vt.us/townmeeting/>**

Vermont law requires that the moderator use a very formal procedure to run the meeting called ***Robert's Rules of Order***. *Robert's Rules of Order* sets specific rules for the meeting to help the moderator keep order and ensure that the meeting is fair. These rules are published in a small book that can be referred to during the meeting if necessary.

Typical Procedure Using *Robert's Rules of Order*

a) The Moderator reads the article: **“Shall the Town give \$2,000 to the ice rink for their youth hockey program?”**

b) A voter raises his or her hand to be **recognized** (called on). The moderator recognizes the voter and the voter stands up and makes a motion to adopt the article: **“I move the article.”**

c) The moderator asks if there is a “second to the motion” (another voter who wants to discuss and vote on the article): **“Do we have a second to the motion?”**

Voters raise their hands to be recognized by the moderator. When a person is called on, he or she speaks to the moderator. Voters may make statements in support of or against the proposal.

d) A second voter “seconds” the motion: **“I second the motion.”** If there is no second, the article is “passed over” (not discussed or voted on.)

e) After the “second,” the moderator says, “It has been moved and seconded that we...” and restates the motion in order to place it before the assembly. The moderator then asks for any discussion on the motion: **“Would anyone like to begin discussion on the motion?”**

f) Voters raise their hands to be recognized by the moderator. When a person is called on, he or she speaks to the moderator. Voters may make statements in support of or against the proposal. This discussion is called **debating the motion**. At any time, a

voter can move to close the debate. A motion to cut off debate needs a two-thirds majority to pass. The moderator ensures that everyone who wants to speak has a turn before anyone is allowed to speak a second time. This prevents the debate from getting personal, and makes sure everyone has an equal opportunity to participate.

g) A voter may move to amend the article: **“I move to amend the article by reducing the proposed amount to \$1,500.”** An amendment can be rejected by the moderator (ruled **out of order**) if it is not **germane** (relevant) or if it is **hostile to** (against) the article. For example, an amendment that proposes to take the \$2,000 for the ice rink and use it instead for repairs on the town pool would be rejected as hostile.

h) After an amendment is made, the moderator asks for a second, and if there is one, the moderator will see if people want to discuss the amendment. At the end of discussion there will be a vote, first on the amendment, and then, if discussion is complete, there will be a vote on the original motion, as amended.

i) Each article on the warning can only have one amendment at a time, and each amendment to the article can only have one amendment to the amendment at a time. The votes go in reverse order.

j) There are three ways for the town meeting to vote on an article:

1. For a **voice vote** the moderator will say, **“All in favor indicate by saying Yea,”** followed by, **“All against signify by saying Nay.”**

2. If the moderator cannot tell the outcome of the voice vote he or she can ask for a **“hand count”** (**“All in favor of the motion, please raise your hand.”**)

3. If seven voters move to **divide the assembly**, the motion is voted by **paper ballot**: “**I move to divide the assembly.**” The moderator asks “**Are there six more voters who ‘second’ this motion?**” If so, paper is passed out to all voters and they indicate their vote by writing yes or no. The votes are usually counted by the clerk and **board of civil authority** (local officials who help run the election) and are then reported to the moderator.

No matter which voting method is used, a voter must be present to vote at town meeting. A person cannot go home early and ask a friend or family member to cast his vote for him.

k) After the vote is announced, the moderator moves to the next article on the agenda by reading it to the assembly. If a voter interrupts this reading by moving to reconsider the prior vote, the moderator must stop his reading and ask if there is a second to the motion to reconsider. The meeting may only reconsider a vote once before going to the next item on the agenda.



Who May Participate?

Only **legal voters** may participate in town meeting.

This means that **non-voters** (people who live in other towns, young people, or people who live in town but who are not registered to vote) do not have a right to speak at town meeting. Of course, non-voters may never vote at town meeting. The meeting may vote to allow a non-voter to speak at town meeting. To do this, the

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voters must pass a motion to allow the individual to **address the assembly**. This motion must pass by a two-thirds majority vote.

There is a well-known story about a governor who visited one of Vermont's town meetings and asked permission to address the assembly. The town was unhappy about some piece of legislation the governor had supported and as a result, the vote to permit her to speak to the meeting initially failed. After some debate, a motion to reconsider was passed and the governor was allowed to address the meeting.

The Business of the Meeting

At town meeting voters hear and approve of reports from town officers, they elect new officials, and review and approve a budget for the town. Voters also decide whether to raise money from taxes to give to groups that serve the town, like a youth center, a homeless shelter or a transportation program for the elderly. Some communities also vote on the school budget (at a school district meeting warned for the same day as town meeting).

Most items on the warning for town meeting are required by Vermont law, but some articles are added by the selectboard (the board of three to five people who are elected to run the town) so that the board can get feedback or approval from the citizens on an issue facing the town. Other articles can be added by local officials or by citizens who bring in a petition signed by five percent of the registered voters of the town. (Forty days before Town Meeting Day.)

Some towns discuss social issues facing the state or the country like whether to ban genetically engineered seeds, whether to close Vermont's nuclear power plant or whether the country should go to war. These articles are usually added to the town meeting warning by voters who bring a petition to the selectboard, but occasionally a selectboard will agree to put the articles on the warning without a petition.

Not every petitioned article must be included in the warning – the topic for discussion must be an issue that the voters have the power to decide.

One selectboard asked the voters to decide where the new town hall should be built. This was an issue the selectboard could have decided on its own – but it preferred to let the townspeople help make such an important decision.

The **budget** is the amount of money spent to support the town government. It pays for town buildings, roads, town employees, the town library, etc . . . The budget is paid for by taxing the property owned by individuals and businesses in the town.



Elections of Local Officials

Vermont law requires voters to elect a variety of officials at town meeting. Some are elected to serve for one year. Others are elected to serve for as long as a three-year term.

Vermont law requires local officials to be elected by paper ballot (unless they are elected by Australian ballot). Towns that elect officers at a floor meeting nominate candidates during the meeting (a voter will nominate the candidate who can then accept or decline to run). Once nominations are closed, paper is passed out and voters write out their preference. If no candidate receives a majority vote the moderator will ask voters to vote again. If no candidate receives a majority of the votes by the third ballot, the moderator eliminates the candidate with the least votes and repeats the procedure until someone receives a majority of the votes. 17 V.S.A. §2660(c).

If there is only one person nominated for a position, a voter can move to direct the clerk to **cast a single ballot** in favor of the person nominated. This saves time and paper!

In towns that vote by Australian ballot, the person who receives the most votes wins (even if it is a plurality of votes rather than a majority). Towns that elect officers by Australian ballot require

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candidates to submit a **nominating petition** signed by 30 voters or one percent of the checklist – whichever is **less**. The petition must clearly indicate the office and term length on the petition prior to

Examples of Local Officials Who Are Elected at Town Meeting:

Moderator – Runs the annual town meeting and any special meetings of the town held during the year.

Selectboard – A board of three to five people who run the town. They implement decisions made at town meeting. (In cities, voters elect a city council and mayor instead.)

Town Clerk – Keeps land records and records of marriages, births and deaths and runs the elections.

Treasurer — Oversees the town’s finances, pays bills and balances the accounts.

Listers – Decides the value of land and buildings in the town. (Properties that have a higher value pay a larger tax.)

Auditor – Reports on whether the town is handling and spending its money correctly. The auditor’s report is discussed at town meeting.

circulating it for signatures. 17 V.S.A. §2681(b). The nominating petition must be filed with the municipal clerk by **5:00 p.m. on the sixth Monday preceding the day of the election.**

In many towns it is difficult to find people willing to run for every town office. If no one is elected at town meeting, the office is **vacant**. The selectboard must appoint someone to fill the vacancy.

The Australian Ballot Alternative

Most towns have adopted the **Australian ballot** system of voting for at least some of the articles at town meeting. We also run our state elections using Australian ballot.

The Australian ballot is a secret ballot. Under this system of voting, **polls are open from at least 10:00 a.m. until 7:00 p.m.** Voters can show up within this timeframe to vote by marking a printed ballot. Australian ballot voting was adopted in Vermont in 1892. It was the system of voting that was being used at that time in Australia.

In contrast to floor voting at a traditional town meeting, the Australian ballot allows people to vote quickly and at a time that is convenient for them. This system also allows a person who is sick or out of town, or who prefers not to come to the polls on Election Day, to vote early or vote by mail by an **absentee ballot**. Ballots are delivered to sick or disabled voters. At a traditional town meeting you have to be present to vote – if you are sick or at work you miss out. It is not surprising that towns that use the Australian ballot generally have much higher voter participation rates than those that do not.

A town must vote to use the Australian ballot system. Most towns choose to vote on some topics this way and vote others at the traditional meeting. The law also requires certain votes be by Australian ballot – such as votes on whether to borrow money for over ten years to build a new town building. Most towns use Australian ballot to elect town officers. In contrast to traditional town meeting, where articles are routinely amended, the Australian ballot system requires voters to vote yes or no to an article.

Under Australian ballot voting, a warned article calling for the town to spend up to \$180,000 for a new fire truck lets voters either accept or reject the proposal. If a voter thinks the selectboard is asking them to pay too much for the truck, all the voter can do is vote no – the voter cannot write in an alternative proposal.

Australian ballot voting was adopted in Vermont in 1892. It was the system of voting that was being used at that time in Australia.

If the article is rejected, the selectboard can choose to not buy the truck or it can call a second vote at some later date, proposing a smaller amount to be spent for the truck. In contrast, at a traditional town meeting any voter may suggest amending the article to allow the town to spend less for the truck. It can all be done at the same meeting – with no need to call for a second vote.

2008 Town Meeting Voter Turnout

Towns that held both traditional town meeting and Australian ballot voting:

10.4% turnout – traditional meeting

47.8% turnout – Australian ballot

13.6% – Absentee ballot

Towns that held only a traditional town meeting:

21.1% turnout

The Law: Annual Meetings

A meeting of the legal voters of each town shall be held annually on the **first Tuesday of March** for the election of officers and the transaction of other business, and it may be adjourned to another date. When a town fails to hold an annual meeting, a warning for a subsequent meeting shall be issued immediately, and at that meeting all the officers required by law may be elected and its business transacted.

When a town so votes, it may thereafter start its annual meeting on any of the three days immediately preceding the first Tuesday in March at such time of day as it elects, and may transact at that time any business not involving voting by Australian ballot or voting required by law to be by ballot and to be held on the first Tuesday in March. A meeting so started shall be adjourned until the first Tuesday in March.

Notwithstanding section 2508 of this title (prohibiting campaigning in a polling place), public discussion of ballot issues and all other issues appearing in the warning, other than election of candidates, shall be permitted on that day. 17 V.S.A. § 2640.

**For more information on
Vermont town meeting, go to
www.sec.state.vt.us/townmeeting/**

Publications

**Most publications are available online at
www.sec.state.vt.us**

About Abatement

Digging Deep A Guide to Cemetery and Burial Law in Vermont

Disability Etiquette: A Guide to Respectful Communication

Drawing Clear Lines: Adopting Conflict of Interest Ordinances for Local Officials

Equal Access to Voting in Vermont: It s the Law

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Guide to Vermont s Town Clerks, Treasurers and County Clerks

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Handbook for Vermont Moderators

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