

BOARD OF CIVIL AUTHORITY
MARCH 16, 2016
Appeal to BCA for Second Recount

Pursuant to the request recorded in the Town Records, Book 20, page 396, the Board of Civil Authority was convened on March 16, 2016 at 2:00 p.m. in the Selectboard Meeting Room by Chair Elliott Greenblott. Members present included Franklin Chrisco, Diane Cooke, Elliott Greenblott, Lee Madden, Sharry Manning, Robert Oeser, Gail Speno, Ben Underhill, Beverly Webster and Veronica Wheelock; and Town Clerk Annette Cappy. Also present was candidate Avery Schwenk. Members of the media were also in attendance.

Chair Elliott Greenblott announced that the purpose of the meeting was to consider a request from selectboard candidate Avery Schwenk for a second recount regarding the Selectboard race of March 1, 2016 – *Selectboard Member, one year, vote for not more than two.*

Mr. Avery stated that while he did not believe that there was any intended impropriety in the manner of the March 10 recount, it was not however, conducted in strict accordance with State Statute, 17 V.S.A. §2683-2687. Mr. Avery's objections were as follows:

- The presiding officer did not assign counting teams of four.
- Ballots were not recounted more than once.

Town Clerk Annette Cappy moved to grant Mr. Schwenk's request and to schedule a recount as soon as possible. She also stated that statute procedures for recounts had been amended significantly since 2015 and clarification from the Elections Division of the Secretary of State was sought. Procedures for the recount were conducted in accordance with their well-intentioned but erroneous advice. However, taking responsibility for the process of the recount, the clerk urged members of the board to vote in favor of an additional recount.

With little discussion, the board unanimously voted to grant Mr. Avery's request for a new recount and scheduled it for the following day, Thursday, March 17 at 10.30 a.m.

There being no further business, the meeting adjourned at 2:26 p.m.

Attest:

Annette L. Cappy
Town Clerk