

BOARD OF CIVIL AUTHORITY  
ELECTION RESULTS RECOUNT  
MARCH 17, 2016

Pursuant to the request recorded in the Town Records, Book 20, page 396, the Board of Civil Authority was convened on March 17, 2016 at 10:30 a.m. in the Selectboard Meeting Room. Clerk Annette Cappy opened the meeting for the purpose of recounting ballots for the race of Selectboard for a term of one year, with two members to be elected, per the Warning recorded in the Town Records, Book 20, page 386. Members present were Franklin Chrisco, Elliott Greenblott, Lee Madden, Sharry Manning, Robert Oeser, Gail Speno, Ben Underhill Beverly Webster and Veronica Wheelock; Town Clerk Annette Cappy and Assistant Town Clerk Jane Fletcher. The following were enlisted to assist the BCA: Spoon Agave, Michael Averill, Brian Bannon, Mary Ellen Bixby, Kathleen Brooks, Brenda Bryer, Calista Carbonell, Linda Daniels, Kim Ellison, Edna Fletcher, Pam Greenblott, Sylvia Lyon, Judith Manley, Susan Murray, Scott Riess, Kathleen Snow, Alyssa Todd, and Marshall Wheelock. Also present was candidate Avery Schwenk. Members of the media were also in attendance.

The BCA had met on Thursday, March 10 for a recount of the race of Selectboard member for one year, from the March 1 election. The outcome resulted in candidate Richard DeGray receiving enough additional votes in the recount to make him the winner of the race rather than Avery Schwenk, as announced after the polls closed on Election night. Candidate Avery Schwenk challenged the procedures used in the recount of March 10. A hearing was held before the BCA on March 16 at which time Mr. Schwenk testified that the conduct of the March 10 recount was not in accordance with State Statute and requested that this race be recounted a second time. The Board granted the recount and ordered it to commence the following day at 10:30 a.m.

Prior to the beginning of the count an oath was administered to all participating in the recount.

Ballots from the March 1 election were delivered to the meeting room from the locked vault of the municipal center by BCA members Elliott Greenblott and Franklin Chrisco.

Those present were invited to inspect the unbroken seals of the ballot bins containing March 1, 2016 ballots, as resealed after the March 10 recount. The seals were then broken and removed from each bin. District 1 ballots were removed from the bin. Ballots were placed in stacks of 50 and two tally sheets were attached to each stack. The stacks of ballots were then distributed to counters who worked in teams of four. There were five counting teams.

The town clerk announced the procedures to be followed for the ballot count as follows:

- All teams will consist of 4 team members; a caller, an observer, a tally person and a double checker.
- Ballots will be counted in stacks of 50.
- Two members of each team will represent the interests of Richard DeGray and two members will represent the interests of Avery Schwenk.
- On the first round of counting 50 ballots the tally taker and double checker will each have a tally sheet.
- After counting all 50 ballots, the tally taker's and the double checker's tally sheets must match. If the two tally sheets do not match, the team will begin again and continue for as many times as necessary.
- Once a team's two tally sheets match, they will switch roles so that the caller and observer will be the tally person and double checker: the tally person and double checker of the first round will then be the caller and observer. Two new tally sheets will then be given to the team and they will proceed as they had for round one, except for reversed roles.
- Each stack of ballots will have no fewer than four matching tally sheets before totals are reported for inclusion on the Summary sheet and the counted ballots returned to the storage bin.

- As each team of counters complete their count, ballots and balanced tally sheets will be returned to the town clerk and a new stack of ballots given.

After completing the count for District 1 ballots, the ballots were returned to the bin. Teams proceeded to count ballots from District 2, then ballots from District 3, each time, following the same procedures.

As each of the five teams completed a stack of ballots, they presented them to Assistant Clerk Jane Fletcher who entered the totals into a spreadsheet (summary sheet). The four assigned presiding officer observers were present to witness the spreadsheet entries.

In addition to witnessing tally entries the observers also circulated among teams to ensure that the teams were observing the procedures as set forth in 17 V.S.A. §2683-2687.

Avery Schwenk was present within the counting area. He was invited to observe and make any comments regarding the procedure.

When the count was completed, and tallies entered into the summary sheet, the four observers were each given a copy of the summary sheet (spreadsheet) which listed the results of each of the 71 stacks of ballots. The clerk announced the tally of each candidate from each tally sheet. The observers confirmed that the tallies as entered, were in agreement with those announced.

Final results of the recount for Selectboard member for 1 year as voted on March 1, 2016 are as follows:

	3/1 Results	3/10 Results	3/17 Results
Richard DeGray	1504	1505	1506
David Gartenstein	2019	2019	2019
Avery Schwenk	1505	1497	1505

At 5:35 p.m. the meeting adjourned.

Attest:

Annette L. Cappy  
Town Clerk