

Can a town resident demand that the selectboard address an issue in an executive session?

The resident may certainly make a *request* that the selectboard address an issue in a closed executive session. However, neither a resident, a qualified voter, a town employee, or an elected official can force the board into a private executive session.

Under 1 V.S.A. § 313 of Vermont's Open Meeting Law, a public body may only enter a private executive session if, (1) a motion to go into the executive session is approved by a majority of the entire public body, and (2) the reason for the executive session is one permitted by statute. The motion is key because the public body may only discuss the matter identified in the motion in the executive session. Accordingly, if a motion is not made to go into executive session or a motion is made and not passed, the selectboard may not go into executive session no matter who requests the session.

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