

Town Meeting Day is Fast Approaching. Are You Ready?

December 15, 2020

Preparations for your town's annual meeting are already underway, but this year feels much different because of the public health emergency posed by COVID-19. From budgeting to handling voter-backed petitions, Town Meeting Day-related questions and uncertainty abound. That's why VLCT's Municipal Assistance Center (MAC) has updated a variety of town meeting resources to reflect changes applicable in 2021. For the most current information, please check our [Town Meeting Municipal Topics webpage](#) and [Town Meeting COVID-19 FAQs](#). We are continuously updating all our town meeting resources to reflect ongoing changes to the relevant laws and procedures.

Important Deadlines. The next Town Meeting Day falls on Tuesday, March 2, 2021.* By that date, town departments must have developed their budget proposals for consideration and the selectboard must have determined what issues it will put forth to voters. In the current stage of town meeting preparations, we recommend that you consult the [VLCT Quick Guide to Vermont Town Meeting](#), which summarizes both the process and statutory requirements.

The town's selectboard is responsible for drafting and posting the warning and notice for annual town meeting, and this has not changed for 2021. The town meeting warning and notice must be posted no more than 40 but no fewer than 30 days before town meeting. In 2021, the last day to post a warning is Sunday, January 31, but we recommend preparing content well in advance of this deadline.

COVID-19 Related Changes.** Our new online resource, [Town Meeting COVID-19 FAQs](#), addresses the frequently asked questions our members have (rightly) been asking in preparing for Town Meeting Day 2021. We recommend that you refer to it once you review the Quick Guide.

In response to concerns posed by COVID-19, the Vermont Legislature last session passed [Act?162](#), which allows selectboards to vote to use Australian ballot for any annual or special

town meeting in 2021. The temporary law allows those towns that normally vote from the floor on Town Meeting Day to instead use Australian ballot if the selectboard makes this switch. Towns whose meeting locations do not allow for the required physical distancing space may find the switch to the Australian ballot system of voting helpful during the ongoing pandemic. The choice is optional; any town that plans to continue with a floor meeting must do so in compliance with the relevant health and safety guidance from the CDC, Vermont's Department of Health, the [Agency of Commerce and Community Development](#), and the [Secretary of State's Elections Division](#).

If the selectboard votes to use Australian ballot for town meeting, an informational hearing is required pursuant to [17 V.S.A. § 2680\(g\)](#). The Open Meeting Law applies to this informational hearing, so it can be held remotely per [Act 92](#). The law also lifts the requirement that a person collect voter signatures to have his or her name placed on a ballot as a candidate for a local election held at a 2021 municipal meeting. Please refer to our [Australian Ballot Info Sheet](#) and [Model Australian Ballot Informational Hearing Notice](#).

MAC has received many inquiries about town meeting – especially from towns that usually vote from the floor. We know the legislature will be considering town meeting changes early in the session when it convenes in January. VLCT's Advocacy team strongly encourages municipal officials to contact their legislators and ask for authority to move the date of town meeting to allow in-person meetings during warmer weather and for the legislature to provide authority and funding to send mail-in ballots to all registered voters. Please contact our Advocacy team, [Gwynn Zakov](#) or [Karen Horn](#), if you have further questions.

The Warning and Voter-Backed Petitions. Articles contained on the warning can be initiated by either the selectboard or the voters. We recommend that the selectboard adopt a policy to guide petitioners for social service appropriations and apply it consistently. Selectboards can handle these appropriation requests however they see fit; some will warn the item(s) by majority vote, and others will require a petition. Even if you have adopted a policy that requires petitions in all or certain instances, the board may (by majority vote) change that practice. It helps to be consistent and ensure your "usual" groups know the process. Our model social service appropriation policy explains how to allow these requests without need for a petition in light of the pandemic and the risks associated with gathering signatures. However, this is a decision each selectboard must make for itself.

If a petitioned article does not fall within the legal authority of the voters, it is for the selectboard to decide whether to include it as an advisory, non-binding article. Voter-backed petitions must be signed by at least five percent of the voters of the town and filed with the town clerk no fewer than 47 days before Town Meeting Day. The last day petitions may be submitted for the 2021 meeting is Thursday, January 14.

Annual Auditor's (Town) Report. Some towns forgo the requirement and expense of publishing the warning in a newspaper of general circulation by including it within the town (aka auditor's) report. State law requires the auditor's report be distributed to every registered voter in town at least ten days before town meeting – which in 2021 will be Saturday, February 20 – but the town may vote to give notice of the report's availability. For more information on the legal requirements for the annual town report, please see MAC's [Annual Town Report FAQ](#).

Communication and Coordination. No matter which format the selectboard chooses to hold town meeting, the board and the town's local election officials will need to work together to ensure the voters are heard and can make meaningful decisions. As in prior years, we recommend that you include your moderator in these discussions. Everyone involved in Town Meeting Day should review the draft warning for mistakes and be on the same page as far as process and expectations are concerned. The selectboard and local election officials will also need to work closely with the [Vermont Elections Division](#), which is responsible for overseeing all elections in the state.

*The dates provided correspond to Town Meeting Day on March 2, 2021, the first Tuesday in March. If your town has voted to begin its annual town meeting on a different date, you will have to recalculate these deadlines accordingly.

** This article was written in early December. For the most up-to-date information about any potential changes that may be applicable to Town Meeting Day 2021, please visit our [Town Meeting Municipal Topics webpage](#).

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