Town Meeting Day 2021 is Tuesday, March 2. Vermont town meeting is direct democracy practiced in its purest form. It is the key to town government, as voters determine the town and school district business for the coming year.

The auditors annual financial report must be distributed by Saturday, February 20, 2021, unless the town has voted to give notice of the report’s availability.

TOWN MEETING QUICK LINKS

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COVID-19 Town Meeting Information

VLCT recommends against holding any in-person meetings until such time as the State declares it safe to do so. In our opinion, the only safe course of action, from a public health and legal perspective, is to either 1) switch to Australian ballot voting this year and hold your Australian ballot public informational hearing remotely, or 2) postpone your annual or special town meetings. The risk to the public health is simply too great and the legal uncertainties too many for towns to hold such meetings at this time.

In response to the concerns posed by COVID-19, the Governor signed Act 1 (H.48 [15]) on January 19, 2021. The law does the following:

- Allows municipalities to postpone their 2021 annual meeting to a later (and potentially safer) date. It will be up to the municipality to determine the later date.
- Allows local legislative bodies to require municipal clerks to mail 2021 annual meeting early voter absentee Australian ballots to all active registered municipal voters to encourage absentee voting.
- Clarifies that municipal officers will serve until the annual meeting and when successors are chosen if a local legislative body chooses to move the date of the 2021 annual meeting.
- Authorizes the Secretary of State to order or permit supplemental election procedures related to the provisions within the bill. A directive pursuant to this authority was issued on January 20, 2021 and contains options for elections procedures that a town may, not must, make to its elections in 2021. You can find the directive and accompanying memo online at https://sos.vermont.gov/elections/about/covid-19-response/[16].

You can read more about Act 1 (H.48) in our Town Meeting COVID-19 FAQs [17].

The Vermont Legislature also passed Act 162 [18], which allows a legislative body to vote to use Australian ballot for any town meeting in 2021 (annual or special town meetings). The temporary law allows municipalities that normally vote from the floor on Town Meeting Day to instead use the Australian ballot by vote of the legislative body. The law also lifts the requirement that a person needs to 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.

The choice to switch to Australian ballot voting 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, VT Department of Health, and the Agency of Commerce and Community Development. However, as mentioned above, MAC recommends against holding any in-person meetings until such time as the State declares it safe to do so.

Note that if the legislative body votes to use Australian ballot, an informational hearing will be required pursuant to 17 V.S.A. § 2680(g) [19] in order to provide an opportunity for public discussion of the ballot items; because the Open Meeting Law applies to this informational hearing, it can be a remote hearing per Act 92 [20]. See our Remote Public Meeting Toolkit [21] for guidance. We have also developed an Australian Ballot Info Sheet for those new to this form of voting as well as a Model Informational Hearing Notice which can be found in the Resources below.

In addition to the guidance the Vermont Legislature has provided in recent temporary town meeting legislation (Act 162 and Act 1 (H.48)), the Agency of Commerce and Community Development (ACCD) issued “Special Guidance for Annual Meetings (Town Meeting)” on January 27, 2021, which is available in Section 13.1:
https://accd.vermont.gov/news/update-new-work-safe-additions-stay-home-stay-safe-order#meetings-of-public-bodies [22]. This guidance contains mandatory safety and health guidance that towns must follow when conducting in-person business and when holding any in-person public meeting, such as a floor town meeting or Australian ballot informational hearing. Towns must adhere to both the “Mandatory Health & Safety Requirements for All Business, Non-Profit & Government Operations” listed at the top of the page as well as the “Special Guidance for Annual Meetings (Town Meeting).”

These resources have been developed by VLCT for informational purposes only and does not constitute legal advice or a substitute for legal counsel. This information is not intended to create, and receipt of it does not constitute, an attorney-client relationship. You should not rely or act upon this information without seeking professional counsel. VLCT makes no express or implied guarantee of legal enforceability.
or legal compliance. VLCT also does not represent that any resource is appropriate for any particular municipality. Please seek legal counsel before taking action based on anything found in these resources.

The Municipal Assistance Center (MAC) maintains a comprehensive set of town meeting resources including general information, models and templates, and FAQs on a variety of town meeting topics. Please refer to our downloadable town meeting resources at the bottom of this page. We are also available to assist town officials with any town meeting related questions regarding their roles and responsibilities. Email us at info@vlct.org or call 1-800-649-7915. Please contact as soon as possible during this busy time of year.

If you are looking for general information on elections, election results, or running for local office, please call 802-828-2363 or visit the Vermont Secretary of State's Office, Elections Division's website.

Links
[1] https://www.vlct.org/node/11219
[8] https://www.vlct.org/node/15684
[9] https://www.vlct.org/node/4704
[10] https://www.vlct.org/node/4718
[12] https://www.vlct.org/node/5007
[23] mailto:info@vlct.org