



**Monday, August 12, 2024, 8:15 PM, Contois Auditorium, 149 Church Street, 2nd Floor
(because elevator is inoperable, Bushor Conference Room, Ground Floor, is available
for ADA Accessibility)**

Please click the link below to join the webinar:

<https://zoom.us/j/93996182599>

Or Telephone: +1 305 224 1968 US

Webinar ID: 939 9618 2599

**CCTV link: https://www.youtube.com/playlist?list=PLIjLFn4BZd2PwCge7INoKug676jIf_iUA **

1. Agenda

Subject	1.1. Motion to adopt agenda
Meeting	August 12, 2024 - Board of Civil Authority Meeting - Monday, August 12, 2024, 8:15 PM, Contois Auditorium, 149 Church Street, 2nd Floor (because elevator is inoperable, Bushor Conference Room, Ground Floor, is available for ADA Accessibility)
Category	1. Agenda
Department	Council and Board
Type	Action Procedural
Recommended Action	Motion to adopt agenda

2. Consent Agenda

Subject	2.1. Motion to adopt the consent agenda and take the actions indicated
Meeting	August 12, 2024 - Board of Civil Authority Meeting - Monday, August 12, 2024, 8:15 PM, Contois Auditorium, 149 Church Street, 2nd Floor (because elevator is inoperable, Bushor Conference Room, Ground Floor, is available for ADA Accessibility)
Category	2. Consent Agenda
Department	Council and Board
Type	Action (Consent) Procedural
Recommended Action	Motion to adopt the consent agenda and take the actions indicated

Subject	2.2. Resolution: Ratification Of City Clerk's Designation of Pairs Of Representatives To Deliver Ballots Pursuant To 17 V.S.A. 2538; Authority To Make Such Designations For Future Elections (Councilor Bergman)
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Meeting	August 12, 2024 - Board of Civil Authority Meeting - Monday, August 12, 2024, 8:15 PM, Contois Auditorium, 149 Church Street, 2nd Floor (because elevator is inoperable, Bushor Conference Room, Ground Floor, is available for ADA Accessibility)
Category	2. Consent Agenda
Department	Clerk/Treasurer's Office
Type	Action (Consent) Resolution
Recommended Action	waive the reading and adopt the resolution

3. Adjournment

Subject	3.1. Motion to adjourn
Meeting	August 12, 2024 - Board of Civil Authority Meeting - Monday, August 12, 2024, 8:15 PM, Contois Auditorium, 149 Church Street, 2nd Floor (because elevator is inoperable, Bushor Conference Room, Ground Floor, is available for ADA Accessibility)
Category	3. Adjournment
Department	Council and Board
Type	Action Procedural
Recommended Action	Motion to adjourn

Resolution Relating to

RESOLUTION _____

RATIFICATION OF CITY CLERK’S DESIGNATION OF
PAIRS OF REPRESENTATIVES TO DELIVER BALLOTS
PURSUANT TO 17 V.S.A. § 2538; AUTHORITY TO MAKE
SUCH DESIGNATIONS FOR FUTURE ELECTIONS

Sponsor(s): Councilor Bergman
Introduced: _____
Referred to: _____
Action: _____
Date: _____
Signed by Mayor: _____

CITY OF BURLINGTON

In the year Two Thousand Twenty-Four.....

Resolved by the Board of Civil Authority of the City of Burlington, as follows:

- 1 That WHEREAS, 17 V.S.A. § 2538 provides a process for delivery of ballots to persons who are early or
- 2 absentee voters due to illness, injury, or disability; and
- 3 WHEREAS, the statute provides that not later than three (3) days prior to the election, the board of
- 4 civil authority or, upon request of the board, the town clerk, shall designate in pairs justices of the peace in
- 5 numbers sufficient to deliver the ballots; and
- 6 WHEREAS, in any pair, neither member shall be a member of the same party as the other member of
- 7 the pair, and with limited exceptions, a justice of the peace who is also a candidate may not deliver ballots;
- 8 and
- 9 WHEREAS, nearly all the City’s justices of the peace are members of the same political party, and the
- 10 one member who is not is also a candidate, so that the City is unable to designate pairs meeting the statutory
- 11 requirements; and
- 12 WHEREAS, the statute provides that in such circumstances the board of civil authority or, upon the
- 13 board’s request, the town clerk, shall designate legal voters who are not justices of the peace whose names are
- 14 provided by local party chairs, as well as unaffiliated legal voters on their own application, to form pairs with
- 15 the justices of the peace to deliver ballots; and
- 16 WHEREAS, a statewide election will be held on August 13, 2024, and the City Clerk has designated
- 17 legal voters as prescribed by the statute to assist with the distribution of ballots; and
- 18 WHEREAS, because the City Clerk was not previously requested by the Board of Civil Authority to
- 19 designate legal voters to deliver ballots, the City Clerk now desires the Board to ratify the City Clerk’s
- 20 designations;
- 21 NOW, THEREFORE, BE IT RESOLVED that the Board of Civil Authority of the City of Burlington
- 22 ratifies the City Clerk’s designation of legal voters to assist with the distribution of ballots pursuant to 17
- 23 V.S.A. § 2538, and the lists of pairs of justices of the peace and legal voters so designated, as presented in the
- 24 staff memorandum, is hereby approved; and

RATIFICATION OF CITY CLERK'S DESIGNATION OF PAIRS OF REPRESENTATIVES TO DELIVER BALLOTS PURSUANT TO 17 V.S.A. § 2538; AUTHORITY TO MAKE SUCH DESIGNATIONS FOR FUTURE ELECTIONS

25 BE IT FURTHER RESOLVED that for future elections, the City Clerk shall be authorized to designate
26 pairs pursuant to 17 V.S.A. § 2538 without further authorization from the Board of Civil Authority.

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29 ER/Resolutions 2024/*Ratification of City Clerk's Designation of Pairs of Representatives to Deliver Ballots Pursuant to 17 V.S.A. § 2538;*

30 *Authority to Make Such Designations for Future Elections*

31 08/12/24



OFFICE OF THE CLERK/TREASURER

City of Burlington

City Hall, Room 20, 149 Church Street, Burlington, VT 05401

Voice (802) 865-7000

Fax (802) 865-7014

TTY (802) 865-7142

MEMORANDUM

TO: Board of Civil Authority

FROM: Sarah Montgomery, Assistant City Clerk

CC: Katherine Schad, Chief Administrative Officer
Erik Ramakrishnan, Assistant City Attorney

DATE: August 12th, 2024

RE: Designation of Pairs of Representatives to Deliver Ballots for the August 13th State Primary Election and Special Ward 3 Election; Authority to Make Such Designations for Future Elections

Executive Summary

In accordance with 17 V.S.A. § 2538, the City Clerk's office has designated the following pair to deliver ballots for the August 13th, 2024 elections:

Jean Kaeding (I), 35 Cambrian Way
Helaine "Lainey" Rappaport (D): 72 Heineberg Road, Apt. #303

Pursuant to state statute, the City Clerk's office is requesting the authority to make such designations for future elections, without further approval from the Board of Civil Authority.

Board of Civil Authority Motion

To adopt the resolution as written.

Resolution Relating to

RATIFICATION OF CITY CLERK’S DESIGNATION OF
PAIRS OF REPRESENTATIVES TO DELIVER BALLOTS
PURSUANT TO 17 V.S.A. § 2538; AUTHORITY TO MAKE
SUCH DESIGNATIONS FOR FUTURE ELECTIONS

BCA
RESOLUTION 2.2.
Sponsor(s): Councilor Bergman
Introduced: 08/12/24
Referred to: _____
Action: adopted
Date: 08/12/24
Signed by Mayor: 08/13/24

CITY OF BURLINGTON

In the year Two Thousand Twenty-Four.....

Resolved by the Board of Civil Authority of the City of Burlington, as follows:

1 That WHEREAS, 17 V.S.A. § 2538 provides a process for delivery of ballots to persons who are early or
2 absentee voters due to illness, injury, or disability; and

3 WHEREAS, the statute provides that not later than three (3) days prior to the election, the board of
4 civil authority or, upon request of the board, the town clerk, shall designate in pairs justices of the peace in
5 numbers sufficient to deliver the ballots; and

6 WHEREAS, in any pair, neither member shall be a member of the same party as the other member of
7 the pair, and with limited exceptions, a justice of the peace who is also a candidate may not deliver ballots;
8 and

9 WHEREAS, nearly all the City’s justices of the peace are members of the same political party, and the
10 one member who is not is also a candidate, so that the City is unable to designate pairs meeting the statutory
11 requirements; and

12 WHEREAS, the statute provides that in such circumstances the board of civil authority or, upon the
13 board’s request, the town clerk, shall designate legal voters who are not justices of the peace whose names are
14 provided by local party chairs, as well as unaffiliated legal voters on their own application, to form pairs with
15 the justices of the peace to deliver ballots; and

16 WHEREAS, a statewide election will be held on August 13, 2024, and the City Clerk has designated
17 legal voters as prescribed by the statute to assist with the distribution of ballots; and

18 WHEREAS, because the City Clerk was not previously requested by the Board of Civil Authority to
19 designate legal voters to deliver ballots, the City Clerk now desires the Board to ratify the City Clerk’s
20 designations;

21 NOW, THEREFORE, BE IT RESOLVED that the Board of Civil Authority of the City of Burlington
22 ratifies the City Clerk’s designation of legal voters to assist with the distribution of ballots pursuant to 17
23 V.S.A. § 2538, and the lists of pairs of justices of the peace and legal voters so designated, as presented in the
24 staff memorandum, is hereby approved; and

* * * * *

ORIGINAL

DISTRIBUTION:

I hereby certify that this resolution has been sent to the following department(s) on

RESOLUTION RELATING TO

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.....
.....

Adopted by the City Council

....., 20.....

..... Clerk

Approved....., 20.....

..... Mayor

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Resolution Relating to

RATIFICATION OF CITY CLERK'S DESIGNATION OF PAIRS OF REPRESENTATIVES TO DELIVER BALLOTS PURSUANT TO 17 V.S.A. § 2538; AUTHORITY TO MAKE SUCH DESIGNATIONS FOR FUTURE ELECTIONS

25 BE IT FURTHER RESOLVED that for future elections, the City Clerk shall be authorized to designate
26 pairs pursuant to 17 V.S.A. § 2538 without further authorization from the Board of Civil Authority.

27

28

29 *ER/Resolutions 2024/Ratification of City Clerk's Designation of Pairs of Representatives to Deliver Ballots Pursuant to 17 V.S.A. § 2538;*

30 *Authority to Make Such Designations for Future Elections*

31 08/12/24

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DISTRIBUTION:

I hereby certify that this resolution has been sent to the following department(s) on

ORIGINAL

RESOLUTION RELATING TO

Ratification of City Clerk's Designation of Pairs of Representatives to Deliver Ballots Pursuant to 17 V.S.A. Sec. 2358; Authority to Make Such Designations for Future Elections

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Adopted by the City Council

August 12, 2024

[Signature] Clerk

Approved August 13, 2024

[Signature] Mayor

Attest:

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