

MINUTES

Recall Provision Committee

Date / time December 6th, 2022/5:00pm | *Meeting called to order by* Ashley Sparks at 5:09

In Attendance

Ashley Sparks, Wilder Sparks, Anne Kaplan, Bob Handsaker, Chris Geier

Action Items

1. Approval of minutes from November 1st, 2022 meeting. (Bob moved to approve, Wilder seconded) notes are approved unanimously
2. Review of recall provisions from other towns
3. Review of town counsels notes and town meeting notes
4. Discussion on provisions and notes
5. Votes on what to include in Charlemont's provision
6. Set next meeting date and time

Discussion Topics

1. Granby and Colrain Provisions.

Colrain- 50 registered voters for affidavit, petition at 10%, majority needed to recall. Colrain has had it on the books since '09 and is believed to have never used it, confirmation needed.

2. Main items that need to be determined for Charlemont are specific numbers for how many signatures are needed, and what could trigger the recall. It was discussed that 10% of registered voters seems like a fair threshold.

3. Details to be established:

When can recalls be initiated? How many signatures to trigger a recall? How long before they can hold office again? How often can a recall be triggered?

Discussion about whether to require reasons for recall in the provision.

Should it be a majority vote or a 2/3 vote? Majority vote is favored with the committee.

If a recall is triggered, should the recalled person's name be included on the ballot? Or is the "no" vote on the ballot sufficient? Which ballot form would be clearer to voters?

Include a clause about temporarily appointing a substitute Town Clerk if they are the one being recalled. Placement in section two discussed.

4. Proposed to adopt Colrain's provision with several exceptions:

Selectboard should not be allowed to postpone recall election to next election at their discretion. Replace with wording from Granby provision.

Temporarily substitute Town Clerk if they are recalled.

5. Votes on: Affidavit threshold, petition threshold, recall threshold, timing of elections, Town Clerk substitute:

Wilder motioned we vote on the affidavit threshold being 50 registered voters. Anne seconded. Bob, Chris, Anne, Wilder, and Ashley voted yes. Motion passed unanimously.

Motion to set the threshold for the petition to trigger the recall at 10%. Bob, Anne, Wilder, Chris, and Ashley voted yes. Motion passed unanimously.

Motion to set threshold for petition to trigger recall at 10%. Chris, Bob, Anne, Ashley and Wilder voted yes. Motion passed unanimously.

Motion to set the timing for the special election at no less than 64 days, no more than 90 days from the certification of the petition, unless there is a town election within 100 days. Ashley moved, Wilder seconded. Chris, Bob, Anne, Ashley and Wilder voted yes. Motion passed unanimously.

Motion that recall be a simple majority. Chris moved, Anne seconded. Chris, Bob, Anne, Ashley and Wilder voted yes. Motion passes unanimously.

Motion to allow the Selectboard to appoint a temporary or interim town clerk to handle the recall process and election should the town clerk be the elected official subjected to recall. Anne moved, Chris seconded. Anne, Bob, Ashley, Chris, and Wilder voted yes. Motion passes unanimously.

6. Discussion about how to draft provision. Who drafts, how will it be presented? Town council should review. We should discuss with selectboard first. Redline version to highlight changes from Colrain provision. Wilder will draft.

Next Meeting:

January 3rd, 2022, 7:00 pm, Virtual

Motion to adjourn was made at 6:10pm and was passed unanimously.

Respectfully submitted by Wilder Sparks