

Vermont House
Committee on Government Operations

H.95 “3+3”
Essex Charter Change Hearing
5/13/2021

Ken Signorello

4 Issues Raised at May 7, 2020 Gov. Ops. Meeting

- Population Proportionality
- Transition from 5 to 6
- Pending Merger Vote (Now Separation)
- Even-Numbered Board

Population Proportionality

QuickFacts

[What's New & FAQs >](#)

Essex town, Chittenden County, Vermont; Essex Junction village, Vermont

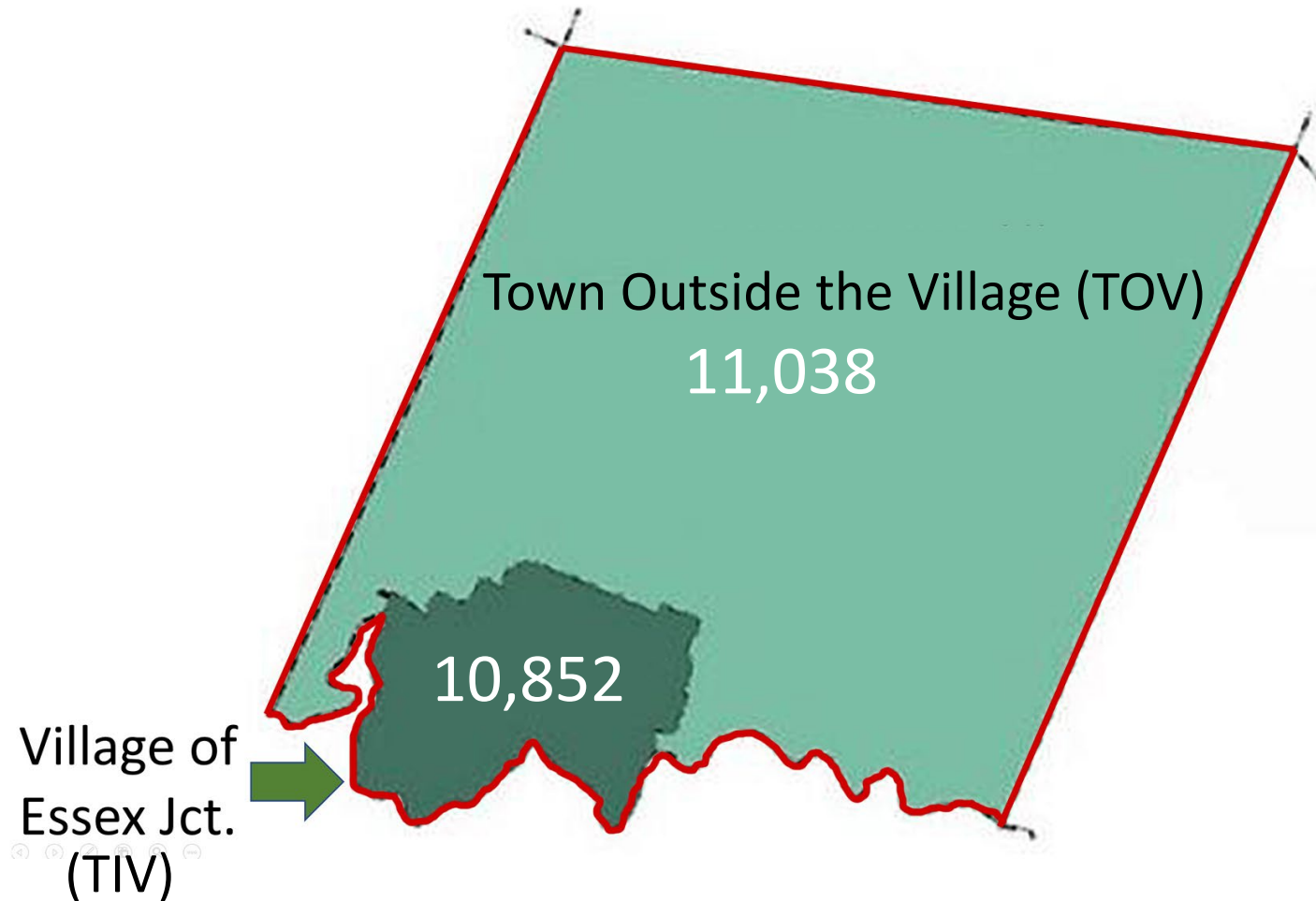
QuickFacts provides statistics for all states and counties, and for cities and towns with a *population of 5,000 or more*.

Search: Enter state, county, city, town, or zip code | -- Select a fact --

CLEAR | TABLE (2) | MAP | CHART | DASHBOARD | MORE

All Topics	Essex town, Chittenden County, Vermont	Essex Junction village, Vermont
Population estimates, July 1, 2019, (V2019)	21,890	10,852
PEOPLE		
Population		
Population estimates, July 1, 2019, (V2019)	21,890	10,852
Population estimates base, April 1, 2010, (V2019)	19,593	9,291
Population, percent change - April 1, 2010 (estimates base) to July 1, 2019, (V2019)	11.7%	16.8%
Population, Census, April 1, 2010	19,587	9,271

Population Proportionality

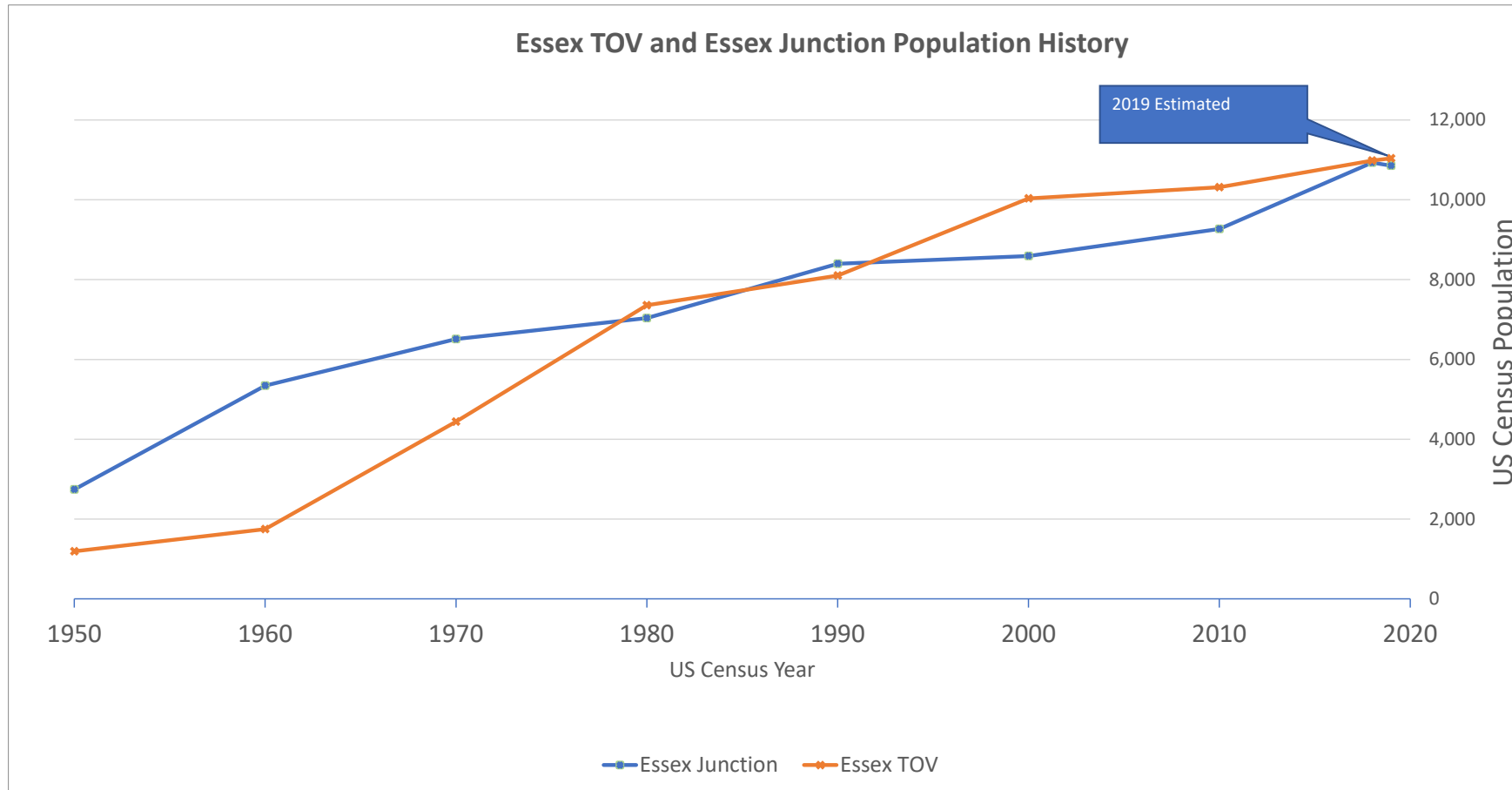


Population Proportionality

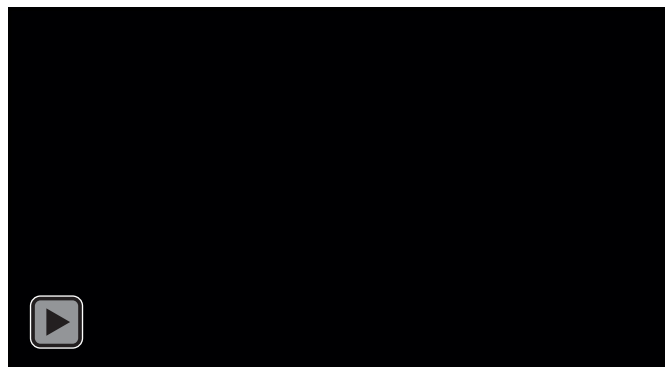
- SCOTUS cases ([*Brown v Thomson* 1983](#), [*Mahan v. Howell* 1973](#)) establish that state legislative and local districts could vary by as much as a 10% from ideal.
- Ideal representation refers to the principal of 1 person / 1 vote or equal populations should have equal representation.
- US Census July 1, 2019 estimate:

• Town of Essex	21,890	10,945 = Ideal
• Essex Junction	<u>10,852</u>	-0.85% (< 1%)
• Essex TOV	11,038	+0.85% (< 1%)

Population Proportionality



Local officials anticipate these districts will be within 10% for at least 12 years – plenty of time to organize a redistricting commission – which would be needed by the school district too.



Transition Plan

Title 24 § 117-202 (c): *(Preserve existing terms)*

“Unless necessary to fill a vacancy, no more than two selectmen shall be elected at any annual meeting. Notwithstanding, the terms of the presently elected Selectmen shall not be modified”.

Transition Plan

Title 24 § 117-203 (c): *(Filling a Vacancy)*

“In the event of death, resignation, or incapacity of any selectmen, the remaining members of the Board may appoint a person eligible to fill that position. At the next annual meeting, the vacancy shall be filled by serving the remaining balance of the term. . . . In the event the Board is unable to agree upon an interim replacement until the next annual Town meeting, a special election shall be held forthwith to fill the position.”

Transition Plan

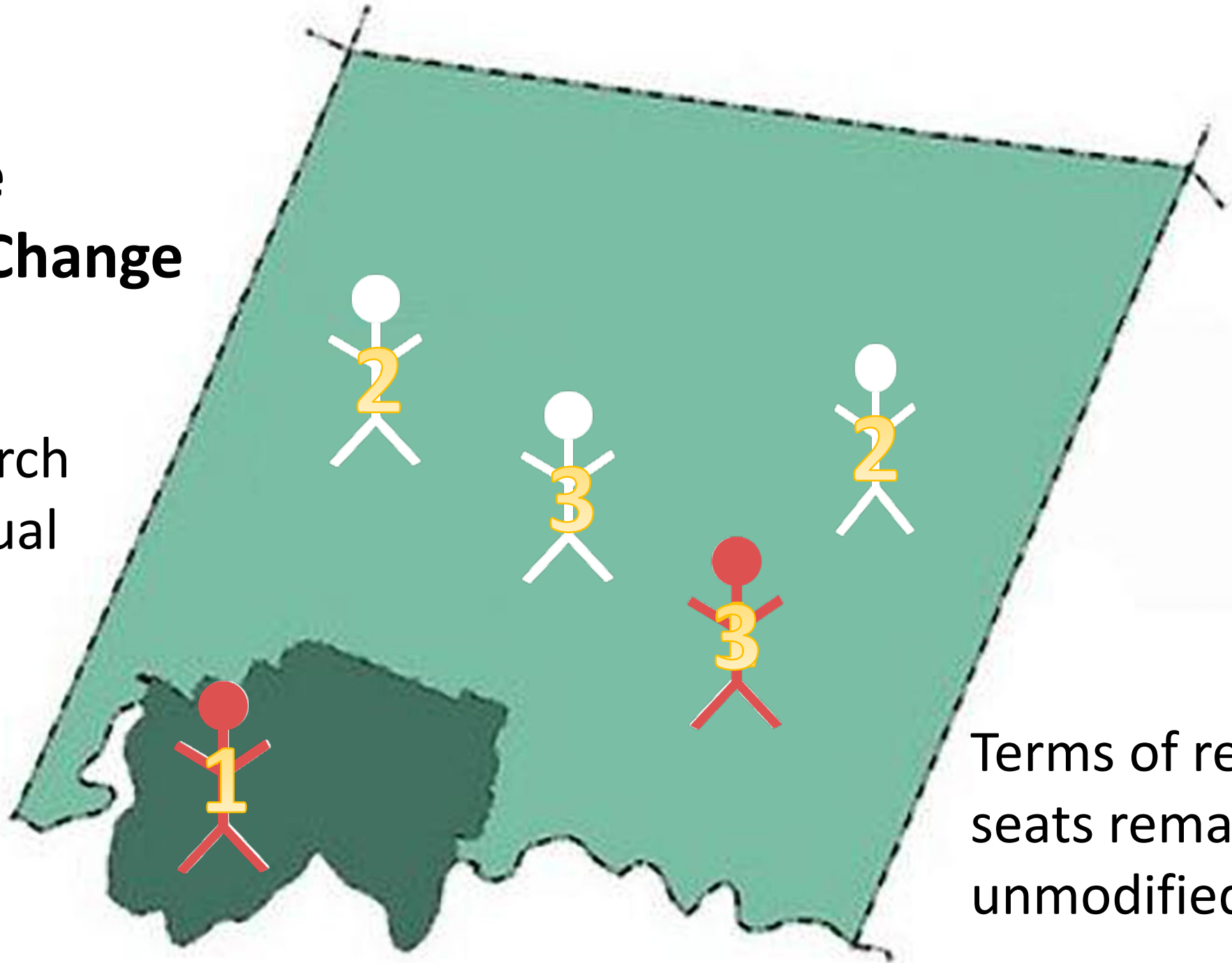
At Each Annual Meeting after the Charter Change

Election Year	Board Makeup After Election
2022	3 At-large / 2 District Seats
2023	1 At-large / 4 District Seats
2024	6 District Seats

Term-Length: 3 Years

After the Charter Change

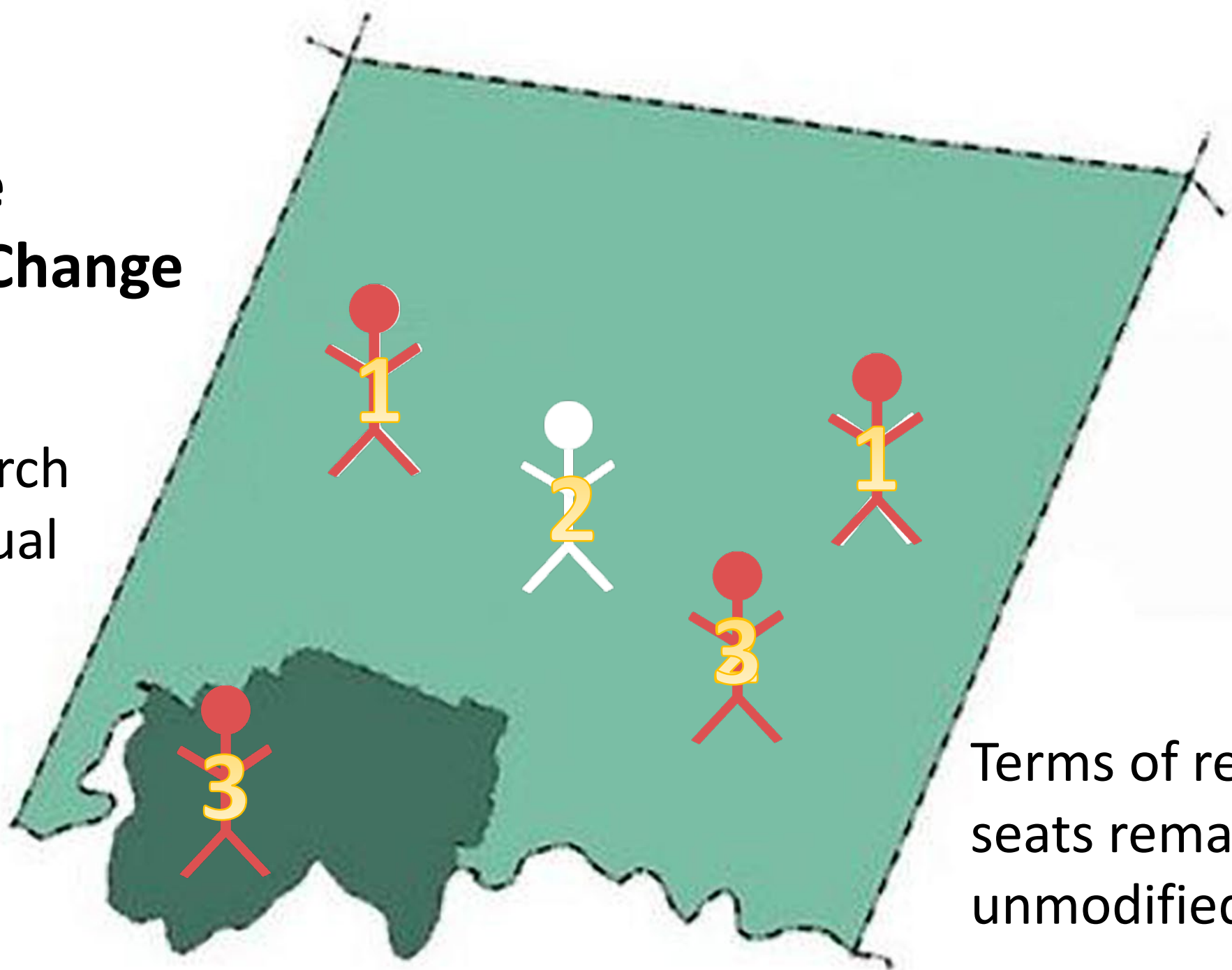
At the March 2022 Annual Meeting



Terms of remaining seats remain unmodified.

After the Charter Change

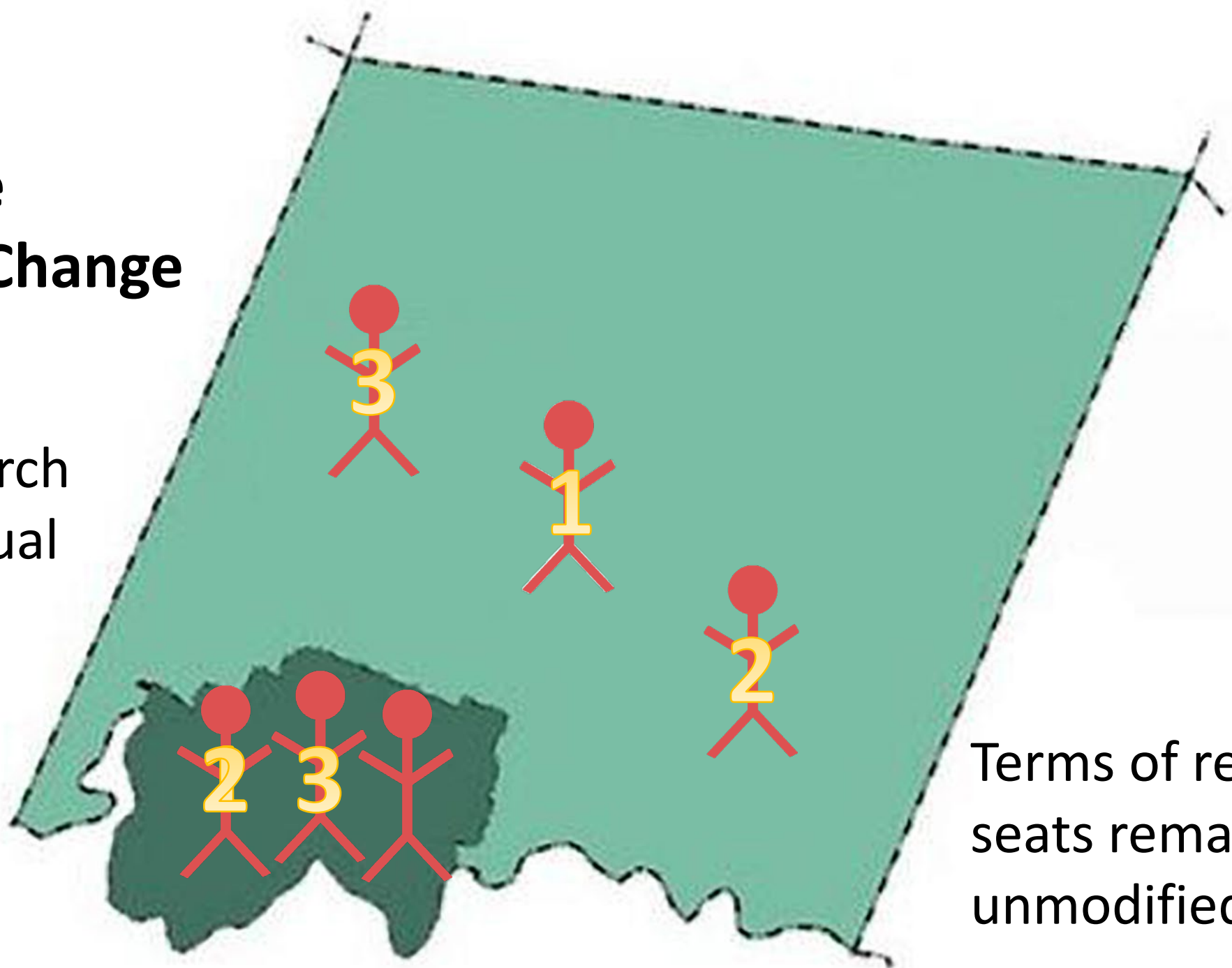
At the March 2023 Annual Meeting



Terms of remaining seats remain unmodified.

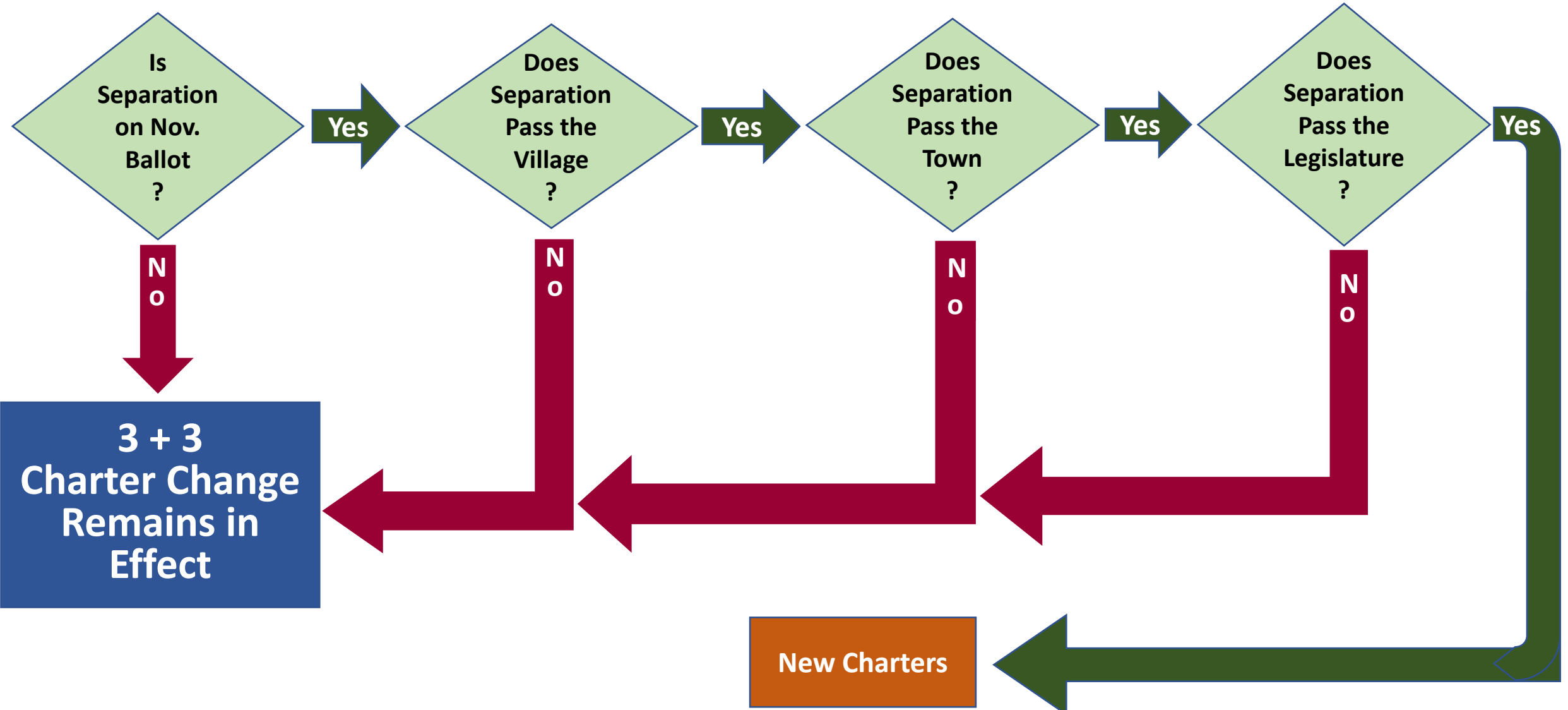
After the Charter Change

At the March 2024 Annual Meeting

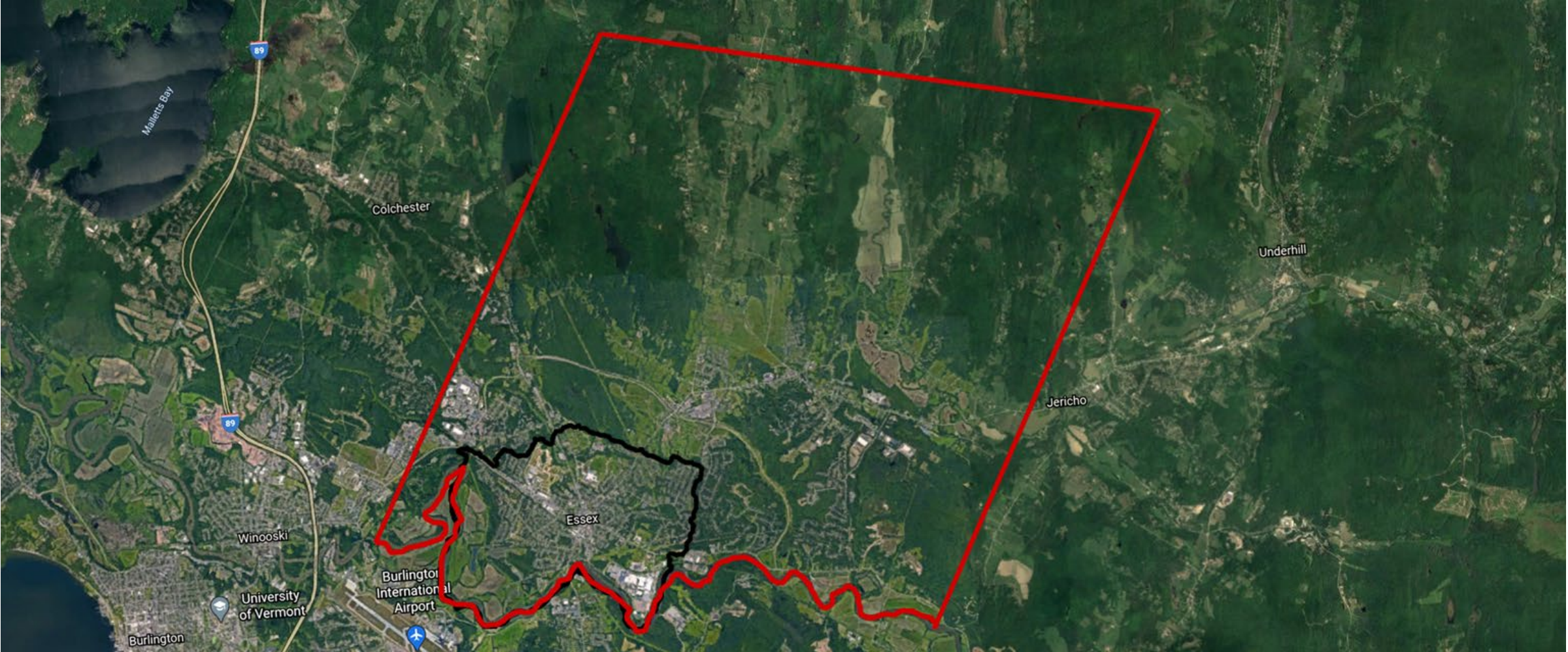


Terms of remaining seats remain unmodified.

Pending Separation Vote

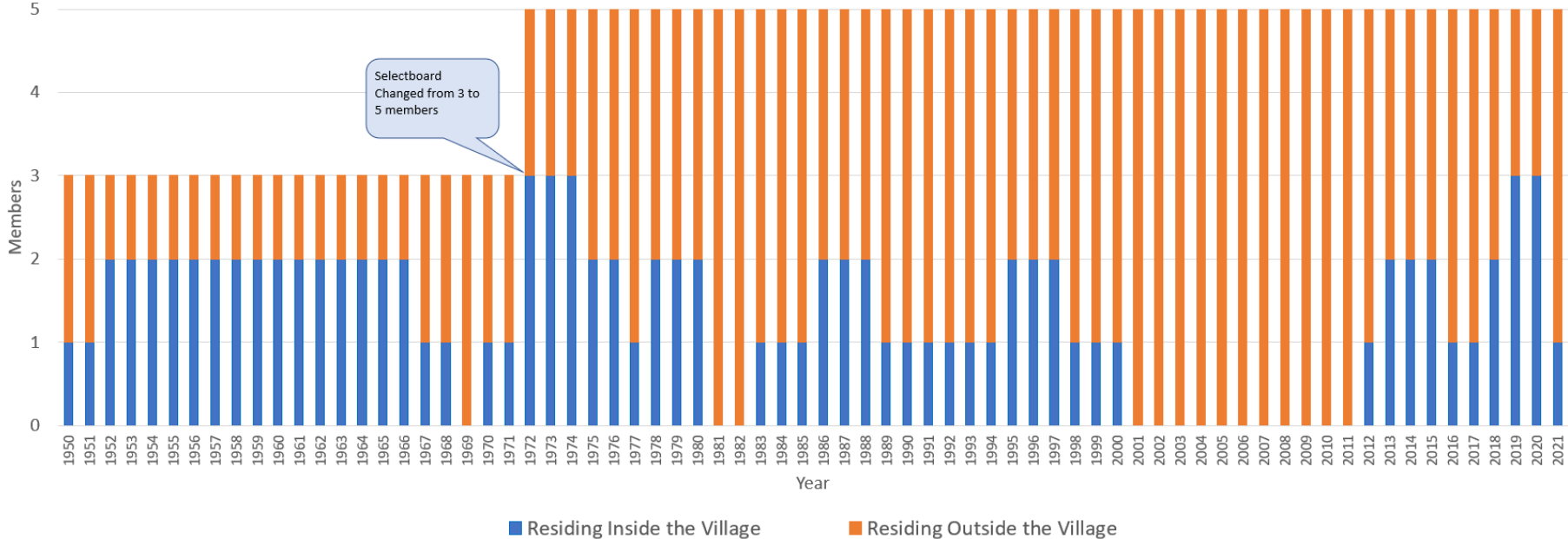


An Even-Numbered Board

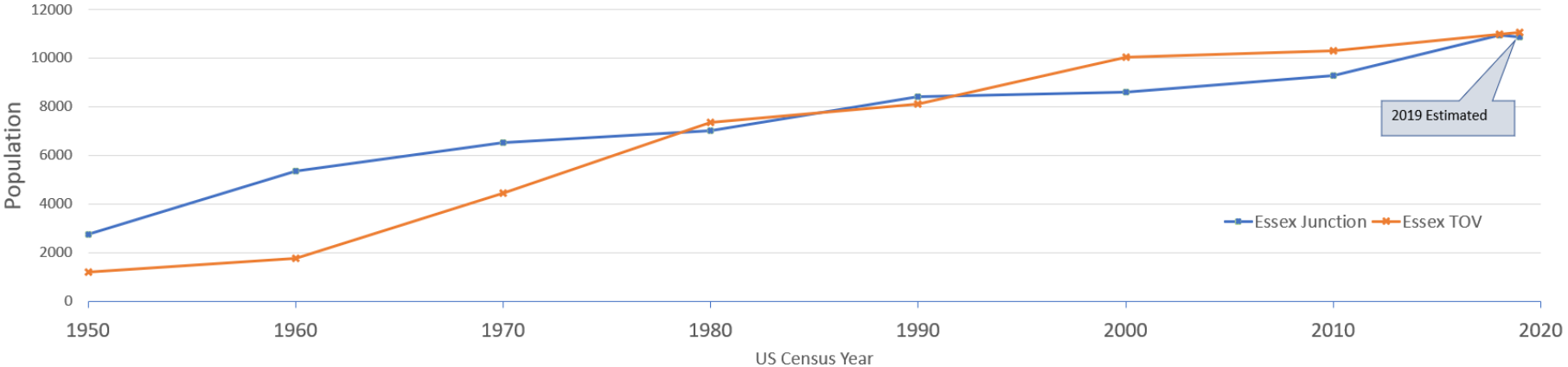


An Even-Numbered Board

72 Years of Elected Essex Selectboard History



Essex TOV and Essex Junction Population History



An Even-Numbered Board

- Tie votes happen now – not uncommon (resign, absent, recuse)
- Ties don't need to be “broken”. It's the same as a “no” on an odd-numbered board
- Our school board has a district-based even number
- VT House Agriculture and Forestry Committee has 8 members

4 Issues from May 7, 2020 - Resolved

- Our current population and proposed districts are proportional and redistricting not necessary in the near future.
- Transition will take 3 years, respect our current charter with no additional transition language.
- Pending separation is not on any ballot yet; may not pass; and if it does, would produce a new City charter and require major changes to the Town charter.
- Even boards are not that unique and result in decisions that appeal to a broader base of voters.

Election Results

March 2020 Election Results 3+3 Charter Change

	Certified	Total	TOV	TIV
Yes	4032 61%	4029 61%	2601 71%	1428 48%
No	2614 39%	2611 39%	1040 29%	1571 52%
Total	6646	6640	3641	2999

Final Thoughts

- Our historic districts may have equal populations, but they differ in many ways.
- Our diversity requires policies that will be favorable to more than half the voters.
- Redistricting can be done by an ad hoc committee appointed by both the school district and Selectboard, if and when needed.
- When we gathered petition signatures for the 3+3 charter change in the TOV and the TIV, we heard over and over, “That seems fair” and “That makes sense.”
- I believe that’s why 61% of the entire town voted **YES**.
- Our voters knew instinctively that this was right for Essex now.