

VIOLATION COMPLAINT

Letter from Dr. Fabio Girelli-Carasi (by email, dated Friday, June 26, 2020)

Dear Ms. Gabriel:

According to the provisions for Open Meetings promulgated in [1 V.S.A. § 314](#) I am writing to complain about the illegality of the Selectmen Board meeting of June 23, 2020.

The meeting was illegal in that, in contravention to current regulations, it was announced without provisions for electronic distant participation of the public. The meeting proceeded to take place without an option for electronic distant participation despite numerous requests from the public to this effect. Moreover, the meeting took place indoors with a participation in excess of 25 people, and was therefore illegal according to the current provision of the law.

According to [1 V.S.A. § 314](#) and the advice I received from the Office of the Secretary of State, "the public body must respond publicly within 10 calendar days, either by acknowledging the violation and stating its intent to cure, or by stating no violation occurred and so no cure is necessary. If the public body acknowledges a violation, it must cure it within 14 days. A cure usually involves ratifying or declaring as void actions taken at an improper meeting and/or adopting specific measures that actually prevent future violations."

I request the public body in question acknowledge the violations; void the resolutions approved in the meeting, including a resolution concerning the purchase of "oil"; and state its intent to cure and to adopt specific measures to prevent future violations.

Thank you for your attention to this matter,

Fabio Girelli-Carasi, Ph.D.

Letter from Dr. Girelli-Carasi to Jacob Humbert, Assistant Attorney General, and Mr. Humbert's, reply.

From: FGC <fgc22060@gmail.com>

Sent: Friday, June 26, 2020 11:57 AM

To: Humbert, Jacob <jacob.humbert@vermont.gov>

Subject: Fwd: Complaint about Halifax Selectmen Board meeting, TUE JUNE 23, 2020

Dear Mr. Humbert:

Below please find the complaint I filed with the secretary of the Board of Selectmen of Halifax, concerning the validity of the meeting of Tue, June 23, 2020.

As per your previous communication I have complied with step 1 of the complaint by notifying the public body in question, and by recommending a specific course of action to cure the violation.

This is, therefore, step 2. I am submitting my complaint to your office in hopes that your office will take it under consideration for further action.

Thank you very much for your courteous attention to this matter.

Fabio Girelli-Carasi, Ph.D.

From: Humbert, Jacob <jacob.humbert@vermont.gov>

Date: Mon, Jun 29, 2020 at 5:37 PM

Subject: RE: Complaint about Halifax Selectmen Board meeting, TUE JUNE 23, 2020

To: FGC <fgc22060@gmail.com>

Dr. Girelli-Carasi:

Please let me know whether the selectboard provides you a timely response and, if applicable, a notice of intent to cure.

Thank you.

Jacob A. Humbert, Assistant Attorney General
Director, Administrative Law Unit
Vermont Attorney General's Office
109 State Street
Montpelier, Vermont 05609
jacob.humbert@vermont.gov