

Town Charter Proposal



Presented by the Selectboard
December 6, 2011

What's new?



Following are significant changes that have been made to the draft Charter presented by the selectboard at the October 20, 2011 informational meeting.

- ❑ The auditor positions will remain elected
- ❑ Added a provision to appoint an assessor
- ❑ Added a provision to form a committee to interview and recommend candidates to the selectboard for appointments to the treasurer and delinquent tax collector positions

What's new continued



- ❑ Added a provision to appoint a grand juror or town agent if necessary (currently these positions are elected and not active)
- ❑ Removed language pertaining to terms of office for appointed positions
- ❑ Added language for an outside audit to be conducted every 3 years
- ❑ Terms for elected positions now appointed would end at the same time
- ❑ The entire Conflict of Interest section was replaced

What is a charter?



- ❑ A charter allows a municipality to govern differently than what is covered by general state law
- ❑ State law prevails if not specified in a charter
- ❑ A charter must be approved by the voters and ratified by the legislature
- ❑ Approximately 65 Vermont towns/cities/villages have adopted a charter including several neighboring communities

Why is a charter being proposed?

Under general law:

- Elected officials must be a resident of the town
- The selectboard has no authority over elected officials and how responsibilities are carried out
- There is no provision for removing elected officials from office
- There are no experience, qualifications or continuing education requirements for elected officials

Additional reasons



- ❑ To improve financial controls and increase management oversight
- ❑ Ability to appoint a town assessor and town administrator
- ❑ Addresses conflicts of interest for all elected and appointed officials

Elected v. Appointed



The charter proposes changing the following positions from elected to appointment by the selectboard:

- Treasurer
- Listers
- Delinquent Tax Collector
- Cemetery Commissioners
- Town Agent
- Town Grand Juror

Why change to appointed positions?




- ❑ Provides greater accountability
- ❑ Implement agreed upon management controls, policies and procedures
- ❑ Ability to appoint an out-of-town applicant if qualification requirements are met and/or there is no interest by town residents to fill a position

Treasurer & Delinquent Tax Collector selection process



- ❑ Committee composition: 1 Selectboard member, 2 Justices of the Peace, 2 residents
- ❑ The Selectboard will choose their representative and the Justices will choose their representative
- ❑ The representatives will select the 2 residents
- ❑ The committee will solicit and interview applicants
- ❑ Names of applicants deemed qualified will be submitted to the selectboard
- ❑ The Selectboard will appoint from the list submitted

Positions that will remain elected



- Selectboard
- Town Clerk
- Moderator
- Auditors
- Library Trustees
- Justices of the Peace

Removal of elected officials

- ❑ Under general state law there is no provision to remove any Vermont elected official from office for non-criminal activities
- ❑ The charter provides for the ability for voters to remove an elected official from office providing the conditions and procedures in the charter are followed

Process for adopting a charter



- Requires 2 public hearings
- Voted on by Australian ballot
- If approved, Town Clerk sends required documentation to Secretary of State
- Presented as a bill to the legislature for ratification
- The same process applies to amendments

Timeline



- ❑ 2nd Informational meeting - December 6, 2011
- ❑ 1st public hearing - January 23, 2012 (tentative)
- ❑ 2nd public hearing - March 5, 2012
- ❑ Australian ballot vote - March 6, 2012
- ❑ Present to legislature
- ❑ Effective date TBD

Questions & Comments



The Selectboard thanks you for attending tonight's meeting. We encourage you to participate in upcoming selectboard and informational meetings, as well as the public hearings scheduled for January and March 2012. Your feedback is very important to us concerning this important proposal for our community.