Bethel University and Beyond

Frankenstein 2018. Roll Your Own (Sushi). Basic Animal First Aid. Acupuncture, Chronic Pain, and the Opioid Crisis. Nerf Gun Club. Demystifying Grant Funding. Introduction to Renaissance Astrology. Hemp Cultivation and Processing. These topics are among the 55 courses that will be offered by Bethel University during the month of March. Bethel University (anagram: truly tin bee-hives) — a temporary — or “pop-up” — community college located in Bethel, Vermont — celebrates its fifth anniversary this year. Anyone can teach a course and anyone can take one. For free!

As we wrote here two years ago, the idea for a pop-up university evolved as a way to help Bethel recover from Tropical Storm Irene, which devastated the town in August 2011. The Bethel Revitalization Initiative, BU’s parent organization, asked townspeople in what direction recovery efforts should go. The most common responses were having classes in town and utilizing town hall and other spaces more. From this, the Bethel University model was born.

(continued on page 12)

Listening Sessions 2018

Last month’s “From the Executive Director” column mentioned a series of upcoming Listening Sessions that will take place from March through May of 2018 in various locations around the state. Their purpose: simply to foster a conversation between VLCT staff and our Vermont neighbors. Following is the schedule. If you’re in the area, please come, for we want to hear your perspective about the issues facing local government and understand which issues you want to pursue. We want to be sure that VLCT is properly positioned to support you as we move forward into our next half-century!

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<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Location</th>
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<tr>
<td>March 14</td>
<td>9:00 a.m.</td>
<td>Fayston Town Hall</td>
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<td>March 22</td>
<td>5:30 p.m.</td>
<td>Stowe Town Hall</td>
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<td>March 27</td>
<td>6:00 p.m.</td>
<td>Hartford Town Hall</td>
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<td>March 29</td>
<td>6:00 p.m.</td>
<td>Orwell Firehouse</td>
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<td>April 11</td>
<td>10:30 a.m.</td>
<td>Randolph Town Hall*</td>
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<td>April 11</td>
<td>5:00 p.m.</td>
<td>Burlington’s Contois Auditorium*</td>
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<td>April 12</td>
<td>2:00 p.m.</td>
<td>St. Albans City Council Chambers</td>
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<tr>
<td>April 24</td>
<td>6:30 p.m.</td>
<td>West Rutland Town Auditorium</td>
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<td>May 2</td>
<td>6:00 p.m.</td>
<td>Brattleboro Municipal Building</td>
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<td>May 16</td>
<td>6:00 p.m.</td>
<td>Bennington Fire Department</td>
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<tr>
<td>May 22</td>
<td>6:00 p.m.</td>
<td>Newport City Municipal Building</td>
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<tr>
<td>May 23</td>
<td>5:30 p.m.</td>
<td>St. Johnsbury Welcome Center*</td>
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*These dates were added after press time, and aren’t included in the printed newsletters.

For the most up-to-date list, please visit vlct.org/news/vlct-listening-sessions.

Our Calico Wrens

In 1999, the euro was established, the first Welsh Assembly in more than 600 years opened in Cardiff, NASA launched the Mars Polar Lander, Bertrand Piccard and Brian Jones became the first humans to circumnavigate the Earth in a hot air balloon, and Lucrecia Wonsor (anagram: our calico wrens), the newest member of the VLCT Board of Directors, began

(continued on page 12)
From the Executive Director

Here we are again – Town Meeting Day is just around the corner!
Since the very first town meeting was held in Bennington some 256 years ago, the first Tuesday in March has been an important day for local governments and the essential role of direct democracy in our communities.

Although many of the topics discussed and the issues addressed have changed over the decades, the foundation of Town Meeting Day has remained the same – to provide residents with an opportunity to voice their opinions about the business of their towns, vote on various issues, and elect municipal officials.

The weeks leading up to Town Meeting Day are an active time at VLCT, as our staff works to support municipalities as they prepare for a productive Town Meeting Day. There is always a good deal of work to be done in preparation and, with changes to Vermont's open meeting and public records laws, there are often questions from municipal leaders looking to ensure everything is well in order for the day's activities.

On Wednesday, February 8, VLCT hosted its annual Town Meeting Tune-Up Workshop. Held each year in Montpelier at the Capitol Plaza Hotel, this popular workshop provides town moderators and others with a wealth of helpful information and guidance on holding an effective town meeting. Although Mother Nature tried to derail this year’s workshop with a heavy snowstorm, her efforts were unsuccessful. We had a strong turnout, with more than 60 engaged attendees. For the very first time, we offered a live-stream of the workshop for those unable to make the trip, and 33 people participated online.

The day was lively and interactive. Some highlights included a morning focused on “Ruling the Unruly”, led by Westford Town Moderator Ed Chase, an informative and entertaining after-lunch mock Town Meeting, with high school student Harrison Bushnell leading the invocation and experienced moderators Steve Jeffrey, Susan Clark, John Gailmor, and Jerry Cole playing the part of citizens of a fictional Vermont town. Moderated by Ed Chase, the mock town meeting went through many common scenarios encountered by moderators, as well as some challenges of moderating a lively town meeting.

Despite the inclement weather conditions, Town Meeting Tune-Up 2018 was successful, and we received a lot of positive feedback from both in-person and online participants. It was great to find a way to provide attendees with online access to this important and timely material. Online participation is something VLCT would like to make available to members for future workshops.

We recognize that town meeting is a critical and sometimes stressful time for local officials, so don’t hesitate to contact us if you have any questions or concerns. Our Municipal Assistance Center staff is ready help you with details so you are ready and confident to hold your town meeting this year. We wish you great success!

Maura Carroll
Executive Director, VLCT
The Municipal Roads General Permit (MRGP) – Issued!

On January 26, 2018, the Vermont Department of Environmental Conservation (VTDEC) issued the final Municipal Roads General Permit (MRGP). The permit, response to comments, and support documents can be found on the Vermont Watershed Management’s website. Following is a summary of how the permit will affect municipalities.

Fees. All incorporated cities, towns, and villages with operational control over municipal roads are subject to the requirements of the MRGP and will need to apply for the permit by July 31, 2018. VTDEC is currently developing the Notice of Intent (NOI) application form, which they will make available to municipalities when complete. The initial permit fees due with the NOI include a $240 administrative processing fee, which will be required twice during each five-year permit cycle: with the NOI and again when the municipality submits the so-called Road Erosion Inventory or REI. This administrative fee is also required with major permit amendments. A $400 application fee is due once every permit cycle.

In addition, municipalities are required to pay an annual flat operating fee of $2,000. VTDEC has received a great deal of criticism on this fee and acknowledges – in their response to comments on the draft MRGP – that they are not opposed to a fee structure based on the size of the municipality and its road mileage. However, the fee structure was established through the 2015 Legislative Fee Bill, (3 V.S.A.§ 2822), not the MRGP.

In summary, as of this writing, each municipality in Vermont will pay administrative and application fees totaling $880 throughout the course of each five-year permit cycle. In addition, each municipality will also pay an annual operating fee of $2,000 during the five-year period, for a total of $10,000. For up-to-date information on how you can influence the legislative process, read the latest legislative reports from VLCT Advocacy posted weekly on the VLCT website, vlct.org.

Road Stormwater Management Plan (RSWMP). Municipalities are required to

(continued on page 6)

MRGP Summary for Municipalities

July 31, 2018
MRGP application coverage –
Notice of Intent and annual fees begin

April 1, 2019
Annual reporting begins

December 31, 2020
Road Erosion Inventories and Implementation Tables due

2021 Field season (or sooner)
Road upgrades begin

December 31, 2025 (or sooner)
All Very High Priority road segments brought up to standards, except Class 4s

December 31, 2028 (or sooner)
All Very High Priority Class 4 roads brought up to standards

December 31, 2036 (or sooner)
All hydrologically-connected roads meet the MRGP standards

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Questions asked by VLCT members and answered by the League’s legal and research staff

Ask The League

The Tax Assessment Appeal Process; 2018 Post-Town Meeting Wrap-up

Effectively Managing the Tax Assessment Appeal Process

The tax assessment appeal process can be quite onerous, especially for a town that has recently undergone a town-wide reappraisal. However, there are a few ways in which town officials can make the process run smoothly and help reduce the number of appeals.

Many taxpayers appeal their property tax assessments because they do not understand the assessment system or think that they have been singled out for reappraisal. Providing information to those taxpayers helps to dispel those concerns and provides assurance that tax assessment appeals are handled fairly and objectively by town officials. The VLCT Municipal Assistance Center (MAC) has developed a Model Informational Handout for Board of Civil Authority Hearings, available on the VLCT website’s Resource page, that can be used for this purpose.

MAC also recommends that every board of civil authority (BCA) adopt and follow written rules of procedure and distribute copies of those rules to taxpayers appealing their assessments. Rules of procedure can be helpful to members of the BCA because they provide a script for hearings and instruction about the appeal process. Rules of procedure are also helpful for taxpayers because they provide information about what to expect at a hearing and give assurance that the appeal process is conducted fairly and objectively. A lack of familiarity with the process may cause appellants to be confused, anxious, and angry. On the other hand, when rules of procedure are adopted and distributed, taxpayers can consult the rules and see how the board’s actions relate to what is outlined in the rules. As a result, taxpayers will understand that the BCA’s

(continued on next page)
process and decisions are objective and not arbitrary. MAC does not recommend the use of Robert’s Rules of Order, since those rules are complex and not well suited to small boards. Instead, we recommend adopting a set of rules that are easy to access, read, and understand such as MAC’s Model Rules of Procedure for BCAs, which are also available on our website.

The tax assessment and appeal process must proceed according to the deadlines set out in Vermont statute. MAC has compiled those deadlines into a document called VLCT Tax Assessment Appeal Process Overview and Deadlines, which you can find on our website.

Attitude is just as important as information and procedure. Town officials must maintain a professional and receptive attitude throughout the grievance and appeals process. Taxpayers will be less likely to appeal beyond the lister grievance or BCA appeal if they perceive that appraisals were made fairly and that they were treated respectfully by town officials. On the other hand, if taxpayers perceive that their appraisals are arbitrary or that town officials are unhelpful or unduly defensive, they are more likely to appeal.

Tax assessment grievances and appeals are to be expected. They are part of the duties of town officials and should be handled in a professional, timely manner and as objectively and neutrally as possible. Although the appeals process may be difficult, town officials should not lose sight of the fact that the appeals process helps the town correct errors and omissions and ensures that properties are assessed equitably. The listers and the BCA members are elected to serve the taxpayers and therefore should try to provide the best customer service possible. In this way, town officials can live up to their duties as public servants while also making the process open, accessible, and reasonable for everyone involved.

MAC offers training and written resources for listers and BCA members regarding the tax assessment appeal process. This spring, day-long workshops will be held on Tuesday, May 1 in Rutland and again on Tuesday, May 8 in Burlington. Information about those workshops can be found on VLCT’s Event Calendar web page. MAC staff attorneys are also available to conduct customized on-site trainings for listers and BCA members on the tax assessment appeal process. Contact info@vlct.org for pricing and scheduling information.

Sarah Jarvis, Staff Attorney II
VLCT Municipal Assistance Center

2018 Post-Town Meeting Process

The gavel has come down and the polls are closed, but the work necessary to ensure a truly successful town meeting is just beginning. This article will help you navigate the numerous post-town meeting legal requirements found in Vermont statutes.

The Official Record. Under state law, the town clerk must record “all proceedings of all town meetings.” There is no requirement that the clerk create a full transcript of the meeting, but the record should at least include the following information: all articles introduced, the substance of any motions made, the identity of the motion-makers and of those who spoke in regard to the articles and motions, and the results of all votes taken. Once it is created, the record must be approved by any two of the following officials who were present at the meeting: moderator, selectpersons, and justices of the peace. The clerk must request
bring all hydrologically-connected road segments up to the MRGP standards as soon as possible, but no later than December 31, 2036. Through the first two years of the permit, from 2018 to 2020, municipalities will have to complete an REI, which is an inventory of all “hydrologically-connected” road segments identified on the ANR Atlas likely to drain to surface waters or wetlands. In general, hydrologically-connected road segments include road segments that are next to or cross over streams, wetlands, lakes, or ponds. The road erosion inventory form is available on the MRGP website. Currently, VTDEC is developing a mobile application for digital devices that municipalities will be able to use to inventory hydrologically-connected road segments.

The RSWMP also requires an implementation table (plan and schedule) for bringing the connected segments that do not fully meet the MRGP standards into compliance. Many towns have already started their inventories, choosing to hire consultants or their regional planning commission, or doing it themselves. VTDEC says that statewide, on average, half of a town’s roads are considered hydrologically-connected. Once the baseline inventory is complete, municipalities will have until December 31, 2036, to ensure that the connected road segments meet the standards imposed by the permit.

Municipalities will be required to submit an annual report to VTDEC summarizing which segments were upgraded to meet the standards during the previous year. Municipalities must determine the amount of work to complete each year in order to meet the December 31, 2036, deadline. Within each five-year permit term (the first one ends December 31, 2022), municipalities must bring into compliance at least 15 percent of the non-compliant road segments identified on the implementation table based on the road erosion inventory. According to VTDEC, the 18-year schedule of compliance allows municipalities to plan for and prioritize projects based on funding and resources. Very High Priority Road Segments. Hydrologically-connected paved and gravel road segments with drainage ditches that earn a “Does Not Meet” score on the Road Erosion Inventory on slopes greater than 10 percent are considered Very High Priority Road Segments and must be upgraded to meet the MRGP standards by December 31, 2025. Class 4 hydrologically-connected “Does Not Meet” road segments on slopes greater than 10 percent to meet MRGP Standards by December 31, 2028.

The MRGP considers paved roads with catch basins and drainage outlets located within 500 feet of a water body to be hydrologically-connected. Hydrologically-connected paved road segments with catch basins and drainage outlets scoring “Does Not Meet” on the Road Erosion Inventory are also considered Very High Priority and must be upgraded to meet MRGP Standards by December 31, 2025.

Road Stormwater Management Standards. The MRGP includes minimum performance standards based on best management practices (BMPs) applicable to all hydrologically-connected road segments. The BMPs are intended to correct active erosion and prevent future erosion based on site conditions. BMPs include measures such as:

- grass and stone-lined drainage ditches, stone check-dams, and distributed flow infiltration
- cross culverts and turnouts to divert stormwater off roads
- road crowning, grader berm removal, and lowering of high road shoulders
- upgrading road drainage culverts and installing outlet stabilization and/or headwalls where erosion is present
- seeding, mulching, or otherwise stabilizing soils exposed by maintenance and new construction
- stabilizing catch basin outlets.

Class 4 roads that adversely affect water quality may require the installation of best management practices to reduce severe gully erosion (equal to or greater than 12” in depth) but will not be required to be open to travel as part of the MRGP.

Funding Assistance. Funding assistance for MRGP compliance is available.
through grant programs offered by VTDEC and the Vermont Agency of Transportation (VTrans). A link to these funding opportunities is on the MRGP website noted earlier in this article. Funding sources include VTrans Better Roads and VTDEC Grant-in-Aid, along with VTrans Transportation Alternatives and Stormwater Mitigation grants.

For more information on the VTDEC Municipal Roads program and the development of the Municipal Roads General Permit, contact MRGP Coordinator Jim Ryan at jim.ryan@vermont.gov or 802-490-6140.

Drainage Management Standards for Town Highway Access Policies. The Municipal Assistance Center’s Water Resources Assistance Program has developed drainage management best practices and sample standards for town highway access policies to help towns comply with MRGP requirements available online at vlct.org/resource/highway-access-drainage-management-standards.

Spring Selectboard Institute
March 24, 2018, Lake Morey Resort, Fairlee
This workshop will provide selectboard members with the skills they need to manage the affairs of their town by focusing on the fundamentals of municipal governance, legal requirements, and current issues facing selectboards. Topics may include understanding the municipal organization, essentials of municipal law, running effective meetings, managing the town budget, and how to reduce liability risks.

Governmental Auditing and Finance Symposium
March 27, 2018, Capitol Plaza Hotel and Conference Center, Montpelier
This annual symposium is a comprehensive series of educational sessions about governmental accounting and auditing presented to municipal officials with local governmental financial responsibilities. Continuing professional education hours are available for CPAs who attend.

Effective Property Tax Assessment Appeal Hearings
May 1, 2018, Holiday Inn, Rutland
May 8, 2018, DoubleTree (formerly Sheraton), South Burlington
This popular workshop is designed for selectboard members, listers, justices of the peace, town treasurers, and town clerks, and any officials who participate in or are affected by the appeals process. All municipal officials are welcome and encouraged to attend. Come learn about the process and the various roles and responsibilities of boards and officials. Participants will also be able to learn from others’ experiences.

Save these Dates!

Selectboard members, municipal managers and administrators, department heads, HR directors, and other municipal officials with supervisory and management responsibilities are encouraged to attend these sessions.

Human Resources Webinars are Free for VLCT and PACIF members. Register at www.vlct.org/events or contact hlaw@vlct.org for more information.

- March 15, 12:00-1:00 PM: Effective and Lawful Interviewing
- April 19, 12:00-1:00 PM: “You’re Hired!” – Now what?
- June 21, 12:00-1:00 PM: Effective Performance Management

Spring Town Health Officers Trainings

- Tuesday, April 17: Langevin House, Vermont Technical College, Randolph
- Friday, April 20: DoubleTree (formerly Sheraton), South Burlington

This workshop serves as an overview and refresher for new and experienced town health officers, selectboard members, code enforcement officers, and town managers or administrators who deal with local public health hazards and rental housing code of enforcement. These are the third and fourth workshops of the 2017-2018 series.

Spring and Summer Events

- May 23: Spring Planning and Zoning Forum
- June 5: Municipal Employment Law and Human Resources
- June 14: Leadership in Local Economic Development
- July 11: Delinquent Tax Collectors Workshop

Check out our website, www.vlct.org/events, for more information on these and other upcoming VLCT training events!
UI Members: Please Report 2017 Wages Soon

In early February, every group in VERB’s Unemployment Insurance (UI) Program should have received an email and a hard copy mailing from Kelley Avery, VLCT’s UI Underwriter, with information on completing their 2017 UI Wage Reports. Annual wage information is a crucial piece of the UI program because each member’s reported wages are a factor in calculating their contribution for the next year.

It is very important to start with Kelley’s new Excel file, 2017 UI Wage Report Form. Using it is really easy, and taxable wages are calculated automatically as you enter each employee’s gross 2017 wages. Please follow the instructions to open, populate, and save the 2017 Excel file, and be sure to attach your final Excel file to an email to Kelley well before the May 1st deadline. If you can’t put your hand on the February letter or find Kelley’s email, please download this year’s Excel file from the Unemployment Insurance page of the VLCT website, https://www.vlct.org/rms/verb/unemployment-insurance. All the instructions you need are in the file, but Kelley will be happy to help if you have any questions about this request or the UI Program in general. Please contact her at kavery@vlct.org or 800-649-7915, ext. 1965.

Section 125 Plan Administrative Challenges

VLCT used to sponsor Section 125 (or “Cafeteria”) plans – which allow employers to offer certain employee benefits on a pre-tax basis – but stopped doing so several years ago when Vermont Health Connect went into effect. Due to the knowledge we accrued back then, we still receive frequent questions from members regarding the nuances of these plans and the requirements for administering them. Such questions are completely understandable: implementing and using these plans can be really confusing!

Section 125 plans are benefit arrangements such as flexible spending accounts (FSAs), health reimbursement arrangements (HRAs), health savings accounts (HSAs), and premium-only plans (for pre-tax premium payroll deductions). Our assistance with these is part of VERB’s Health Insurance Advisory Services (HIAS) Program; we strongly encourage other VLCT members to address their questions about these plans to their plan provider (such as Choice Strategies, Future Planning Associates, or Health Equity, to name a few). There are a myriad of tax implications and complex compliance issues involved with administering these plans, and your provider is best prepared to guide you through it all.

Slips, trips, and falls are the single biggest cause of municipal workers’ comp claims in Vermont!

Slippery ice, snow, and slush can ruin your employees’ winter. With a variety of free courses including “Slips, Trips & Falls” PACIF Online University lets PACIF member employees learn at any time, on any computer, at any pace many practical ways to promote safety and reduce liability.

For info, visit www.vlct.org/pacif-online-university

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Trust Matters
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Employers who choose to “self-administer” or do not have a current plan sponsor should understand that doing so poses a potential risk if their group happens to be audited. For example, in order to comply with IRS regulations, an employer must have a “plan document” for administering Section 125 plans. A prior plan document from a previous provider may work, but it is safest to have one that is completely up to date and accurate.

The Affordable Care Act (ACA) has added regulations to Section 125 plans that affect applicable large employers (ALEs – employers with more than 50 employees) with respect to the ACA’s shared responsibility rules, “affordability” issues, and required employer IRS reporting. These regulations impose another level of compliance challenges.

For more information, all groups can refer to resources provided at www.irs.gov. Members of the HIAS Program are welcome to contact Larry Smith (lsmith@vlct.org) or Kelley Avery (kavery@vlct.org) at 800-649-7915 for customized assistance with plan documents and other resources. If your group is not currently enrolled in VERB’s HIAS Program, you can contact Larry or Kelley for more information on the program and how to sign up for these services today.

PACIF Adding Loss Control Files to Web

The new VLCT website was introduced last summer and grows a little every week here and there. This spring, significant improvements are being made to the depth and range of the Loss Control information and resources posted there.

Two common ways to use a website are to browse through pages and menus, clicking on links that look interesting (or returning to a page you know you want), or to type a relevant term into a search bar. VLCT’s website has a third option for locating resources that might not appear elsewhere: the Resource Library. To get to it from any page, hover over

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Trivia

No matter that I tried to hide the answer to last month’s trivia question behind a California Poultry Journal red herring, Bevan Quinn, Herb Durfee, Jule Rohleder, Pam Stefanek, Rosie Laquerre, and Michael Donoghue from Guilford, Norwich, Hyde Park, the Otter Creek Natural Resource Conservation District, East Montpelier, and the Vermont Press Bureau, respectively, knew that poet John Godfrey Saxe wrote that Vermont was famous for four things: men, women, maple sugar and horses (“… the first are strong, the last are fleet, the second and third are exceedingly sweet; and all are uncommonly hard to beat”), and further that he absquatulated from Vermont following an unsuccessful campaign, his second, to become governor. That 112-word sentence is being brought to you today by the letter R, which figures prominently in “red herring.”

Once upon a time late in the 19th century, the Vermont House of Representatives introduced a certain resolution. A special committee, comprising one member from each of Vermont’s fourteen counties, took the matter of the resolution under consideration. A statewide campaign ensued that led to a public vote. The top vote-getter, with 9,575 votes, was declared a resounding success by Vermont’s farmers. Three weeks after the resolution was introduced, a bill passed that designated, er, something to be effective February 1, 1895. What was it?

Is that abstruse enough for you?! If not, email your answer to dgumm@vlct.org. My answer, which has been approved by the U.S. Bureau of Diversions, will appear in the astonishingly assertive April issue.

Ask the League

(continued from page 4)

Certifying Elections. State law mandates that the town clerk report the election results that the town clerk report the election approval of the record from these officials within seven days after the meeting and the request must be given prompt consideration. 24 V.S.A. § 1152.

of certain officials. Certificates of election can be found on the Elections Division page of the Secretary of State’s Office website, https://www.sec.state.vt.us/elections/town-clerskelection-workers.aspx. Here are some of the elected positions to be certified:

- **Town Clerk:** File a certificate of election or appointment and a copy of the official oath with the county clerk within six days of the election or appointment. This certificate must be signed by the moderator if the clerk is elected from the floor; by the chair of the board of civil authority if the clerk is elected by Australian ballot; or by the selectboard if the clerk is appointed. 24 V.S.A. § 1151.
- **Treasurer:** Report the name of the town treasurer to the state treasurer on or before July 1st of every year. 24 V.S.A. § 1166.
- **Selectpersons:** File with the secretary of state a list of the names and addresses of selectpersons elected and notify the secretary of state of any changes in the list as filed. 17 V.S.A. § 2665.
- **Lister:** Names, post office addresses, and lengths of term of office of each lister must be reported electronically to the director of the Division of Property Valuation and Review after each annual meeting and in the event that a lister is appointed to fill a vacancy. 24 V.S.A. §1168.
- **First Constable:** Certify the name and post office address of the person elected to the county clerk. 24 V.S.A. § 1169.
- **Justice of the Peace:** Send or deliver to each candidate that is elected a certificate (on a form provided by the secretary of state) signed by the town clerk and one other election official. The town clerk shall also file with the secretary of state a list of the names and addresses of justices of the peace and notify the secretary of state of any changes in the list as filed. 17 V.S.A. § 2592(i).

Announcing and Reporting Votes. The clerk’s post-town meeting responsibilities also include reporting certain actions taken by the voters at town meeting. When a town votes to raise a tax, borrow money, or to make any appropriation, the town clerk must certify such vote within five days to the town treasurer and selectboard chair. 24 V.S.A. § 1167. If the townspeople voted to amend their town charter, the clerk must, under direction of the selectboard, announce and post the results of the vote immediately after it is counted. Within ten days, the clerk must certify facts of the origin and procedure followed for each amendment adopted, if any,

On-Site BCA Training – Effective Property Tax Appeals

Staff attorneys from the Municipal Assistance Center will travel to your town office to conduct training for all members of the Board of Civil Authority – selectboard members, town clerks, justices of the peace – as well as listers and hired/appointed appraisers. It will cover:

- the objectives and parameters of the tax appeal process;
- the procedures and timelines that must be followed; and
- tools for managing the entire process appropriately and effectively.

The cost for PACIF members is $415.

Schedule your training for April, May, or June now!

Contact Abby Friedman at afriedman@vlct.org or 800-649-7915, ext. 1926
Ask the League
(continued from previous page)

to the secretary of state and certify the result before any subsequent action on the amendment by the Vermont Legislature. 17 V.S.A. §§ 2645(b), 2663.

Towns that conduct elections by Australian ballot have different reporting requirements depending on how votes are tabulated. In towns that count by hand, the presiding officer must publicly announce the results when each summary sheet is completed. For those that use vote tabulating machines, the presiding officer may publicly announce the results from the tabulator tape and post them as “unofficial incomplete results” in the polling place. The clerk must deliver one certified copy of the election return to the secretary of state, the senatorial district clerk, the county clerk, and the representative district clerk within 48 hours of the close of the polls. 17 V.S.A. § 2588.

Appointing Assistants. After his or her election, the town clerk must appoint at least one assistant. 24 V.S.A. § 1170. The clerk’s assistant must be sworn into office. 24 V.S.A. § 1171. A record of the assistant’s appointment must be certified by the clerk and a copy of the assistant’s oath must be deposited with the county clerk. 24 V.S.A. § 1172. The treasurer may, but does not have to, appoint an assistant. 24 V.S.A. § 1573. If the treasurer fails to appoint an assistant with the county clerk, and the representative district clerk within 48 hours of the close of the polls. 17 V.S.A. § 2588.

Appointing Assistants. After his or her election, the town clerk must appoint at least one assistant. 24 V.S.A. § 1170. The clerk’s assistant must be sworn into office. 24 V.S.A. § 1171. A record of the assistant’s appointment must be certified by the clerk and a copy of the assistant’s oath must be deposited with the county clerk. 24 V.S.A. § 1172. The treasurer may, but does not have to, appoint an assistant. 24 V.S.A. § 1573. If the treasurer fails to appoint an assistant within ten days of a selectboard’s request to do so, the selectboard may appoint one for him or her. Appointments for both offices must be recorded in the town clerk’s office.

Administering Oaths of Office. A handful of town officers must be sworn into office before carrying out any of their duties. Among them are the clerks and their assistants (24 V.S.A. §§ 831 and 1171); justices of the peace (4 V.S.A. § 491); selectpersons, constables, listers, grand jurors, and fence viewers (24 V.S.A. § 831); village clerks, treasurers, and collectors of taxes (24 V.S.A. § 1306); assistant election officials (17 V.S.A. § 2454(a)); and members of the board of civil authority (32 V.S.A. § 4405). State law prescribes different oaths for different town officers. The town clerk may administer oaths of office whenever they are required and must keep a record of all oaths taken. 24 V.S.A. § 1160. The clerk’s oath may be administered by a justice of the peace; notary public; supreme, superior, or assistant court judge; presiding officer, secretary, or clerk of either chamber of the Vermont General Assembly; or by the Governor. 12 V.S.A. § 5852. A listing of the different oaths of office is posted on the Elections Division page of the Secretary of State’s Office website, https://www.sec.state.vt.us/elections/town-clerks-election-workers.aspx.

Setting Accounts. When a new treasurer is elected, his or her predecessor must immediately pay over to his or her successor all funds belonging to the town and town school district and deliver all official books and papers in his or her possession. 24 V.S.A. § 1578. Similarly, if there is a change regarding the collection of taxes, the predecessor collector must give the treasurer all uncollected tax bills and all moneys collected thereon. These bills must be audited and reissued to the new collector, who must in turn provide a receipt for them. 32 V.S.A. § 4671.

Bonding Requirements. Certain officers and employees must provide a bond conditioned on the faithful performance of their duties. These include constables, road commissioners, collectors of taxes, treasurers, clerks, assistant treasurers when appointed by the selectboard, and any other officer or employee of the town authorized to receive or disburse town funds. 24 V.S.A. § 832. The purpose of the bonding requirement is to protect the municipality financially from the possible wrongdoing, misappropriation, or honest mistake committed by its officers or employees. Bond amounts are set by the selectboard and paid for by the town. 24 V.S.A. § 835. Such bonding is customarily done through the town’s insurance carrier or a specialty surety company. (VLCT PACIF provides coverage to its member municipalities that meets the statutory requirement for bonding but is technically not a bond. Certain acts committed by elected and appointed officials and employees are covered by the PACIF program as stated in the coverage document. PACIF will facilitate the procurement of additional coverage.) On approval, the selectboard must file all bonds with the town clerk who must record them in a separate book kept for that purpose. 24 V.S.A. § 833.

Organizational Meetings. After its election, the selectboard must hold an organizational meeting at which it must elect a chair and, if it so votes, a selectboard clerk. 24 V.S.A. § 871. Certificates of election for these positions must be recorded with the town clerk. The first organizational meeting of the selectboard is a good time to establish the board’s regular meeting schedule and adopt rules of procedure available on the Resource page of our website, vlct.org. The selectboard may also want to use this meeting to designate physical locations in the town for posting meeting notices, choose the town’s newspaper of record for public notices, and authorize a designated selectboard member to sign orders on behalf of the town. The selectboard must also appoint a legally-qualified voter to serve as the tree warden and may, though it is no longer required to, appoint three fence viewers, a poundkeeper (residency not required), and one or more inspectors of lumber, shingles and wood, and weighers of coal. These appointments, if made, must be recorded by the town clerk. 24 V.S.A. § 871.

Carl Andeer, Staff Attorney I
VLCT Municipal Center
Lucrecia
(continued from page 1)

her career in municipal government as recording secretary for the Killington Planning Commission. Lucrecia and her family had recently moved to Vermont from New Jersey – after having first immigrated from Portugal to Massachusetts – and was encouraged by her husband to apply for the job. Since then, her roles in municipal government have expanded to include Killington Town Clerk (15½ years), Town Treasurer (5 years), Recreation Commission Recording Secretary (6½ years), Economic Development and Tourism Commission Recording Secretary (3½ years), and Town Wellness Coordinator (coming up on 12 years).

For years, Lucrecia has been actively involved with the Vermont Municipal Clerks’ and Treasurers’ Association, having served on various committees since 2006 and on the Executive Board since 2009. Last year, she ended her two-year tenure as VMCTA President. VMCTA also awarded her Certified Vermont Clerk and Certified Vermont Treasurer designations. More recently, the International Institute of Municipal Clerks bestowed upon her the prestigious designation of Master Municipal Clerk. Additionally, Lucrecia is a member of the New England Association of City and Town Clerks.

“I have always been impressed by her professionalism, her sense of fairness, and the calmness that she demonstrates in her day-to-day activities,” says South Burlington City Clerk Donna Kinville, who followed Lucrecia up the VMCTA ladder from the Executive Board to her current position as the association’s President. “She is truly an asset to her town and to the clerks and treasurers of the state.”

“She’s a perfectionist,” says Killington Town Manager Debra Schwartz, “which I mean in a very positive way. She is totally dedicated. She always wants to do the right thing; she is thorough and statute-abiding. She contributes to everything.” Adds Killington Town Planner and Zoning Administrator Richard Horner, who has worked with her since 1999, “Lucrecia is a great clerk – fair and compassionate.” As an example, he cites her willingness to stay late at the office or work on weekends and holidays to help people with marriage licenses or other needs. Killington, after all, is a resort town, and many home owners can’t get to the town office during normal business hours.

Two years ago, Lucrecia started Killington’s town garden, securing participation from numerous town employees – “from the road crew who built the raised beds,” says Debra, “to the rest of us planting, weeding, watering and, of course, eating the fruits of our labors.” Currently, she receives email tips from Vermont gardening guru Charlie Nardozzi, who serendipitously spoke at VLCT’s Town Fair 2016 on “The Employee Garden Program: Employee Wellness and Green Thumbs at Work.” The garden began with funding from a VLCT wellness award. Last year, Lucrecia convinced the Killington Selectboard to allocate $1,000 for the town’s wellness fund, money that is used to buy seeds and plants for the garden.

The growing of the town garden is an apt metaphor for Lucrecia, as is demonstrated by her lifelong passion for learning. She’s always looking for opportunities to grow individually and professionally – like, for instance, serving on the VLCT Board. “I feel I can bring a unique perspective to the VLCT Board,” she writes on her board application. “Having served on the VMCTA Executive Board, I bring experience in developing educational trainings for clerks and treasurers, working to find common ground on issues so that all our members feel heard.”

“I’m passionate about anything that involves clerks and education,” she continues. “I would like the selectboard and the residents to realize that the job of the clerk and treasurer is a profession – the person in that role needs to be trained and the town needs to support that individual.”

Lucrecia says she comes to the board with no agenda. “I’m still learning how everything works. I’m extremely honored to be on the board and am looking forward to learning a lot. VLCT is an organization that represents the interests of municipalities throughout Vermont.”

On those occasions when she isn’t involved in municipal government, Lucrecia likes to spend time “hiking, snowshoeing, gardening, and anything outdoors. I love the winter. My husband and I are avid hikers. We make it a point to try to hike up to Killington Peak once each year.” (Note: Killington Town elevation, 1,841 feet; Killington Peak, 4,241 feet.)

Where does Lucrecia see herself in five years? “I hope to still be town clerk,” she answers. “I’ll be here as long as everyone wants me here. I love the job, the community, the people.”

The feeling, according to one and all – including a hundred or so of Killington’s famed calico wrens (and you thought the title had no bearing on the article, ha!) – is mutual.

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David Gunn
Editor, VLCT News
The VLCT News is published eleven times per year – the August and September issues are combined – and reaches readers no later than the first week of the month.

Two kinds of advertising are available in the VLCT News:

Classifieds
(Posted online and also placed in the printed VLCT News)

The VLCT News publishes classified advertisements from municipal entities, public agencies, businesses, and individuals, subject to the VLCT Advertising Policy. Ads are free for VLCT members (regular, contributing, and associate). Effective February 7, 2017, municipal non-members will pay $50 per ad and non-municipal entities will pay $75.

While there is no deadline for posting classifieds online, the print advertisement deadline (below) applies to classifieds that run in the printed VLCT News. Payment must be made by check to VLCT prior to the advertisement being posted.

Classifieds are generally limited to 200 words in the newsletter, but they may be 300 words in length when posted online. The online version can also include hyperlinks to images or other websites.

For more information on placing classifieds, contact classifieds@vlct.org.

Display Ads
(Placed in the printed VLCT News)

The deadline for submitting display advertisements is the first Friday of the month prior to the issue date.

Download a calendar of print deadlines and find information on print ad requirements, sizes, and prices at www.vlct.org/advertising-information.

For answers to specific questions about print advertising, email vlctnews@vlct.org.

Help Wanted

City Engineer: The City of Somersworth, located in the Seacoast region of New Hampshire, is seeking a full-time City Engineer to provide highly responsible administrative, planning, and professional work in directing public works projects. Work is performed under the administrative direction of the Public Works and Utilities Director. This is an exciting opportunity to work with a growing community involved in public infrastructure projects including transportation, water, sewer and stormwater improvements. Requirements: engineering degree, N.H. Professional Engineer license or ability to obtain within one year of date of hire, valid driver’s license; experience in municipal related environment preferred. The City of Somersworth offers a competitive leave and benefits plan, including participation in the N.H. Retirement System. Present salary range, $74,467 to $94,249; starting salary negotiable DOQ. Details and application available at www.somersworth.com/employment/employment-opportunities/. To apply, email a cover letter, resume, and completed employment application to Human Resources Manager Linda Corriveau at lcorriveau@somersworth.com, or send to Linda Corriveau, Human Resources Manager, City of Somersworth One Government Way, Somersworth, NH 03878. Applications reviewed as received. Position open until filled. EOE. (02-06)

Recreation Director: The Town of Bristol is seeking highly motivated candidates for the position of Recreation Director. Bristol (pop. 3,894) is a steadily growing, vibrant community located in the Champlain Valley in Addison County, Vermont. The selectboard is seeking an individual with strong interpersonal, management, and organizational skills to plan, organize, and coordinate a year-round community recreation program for seniors, adults, youth, and visitors, including physical activities, special interest classes, summer programs, and seasonal community events and to supervise the Hub Teen Center/Skatepark and Bristol Pottery Studio staff. A detailed job description is posted at www.bristolvt.org under Opportunities. Salary, $35,000 to $45,000, commensurate with experience. Excellent benefits package. To apply, email a confidential cover letter, resume, and three references to townadmin@bristolvt.org with Bristol Recreation Director Search in the subject line, or mail to Bristol Recreation Director Search, PO Box 249, Bristol, VT 05443. The deadline to apply is Friday, March 9, 2018. The Town of Bristol is an EOE. (02-06)

(continued on next page)
equal opportunity provider and employer.
(02-06)

Town Assessor/Appraiser. The Town of Shaftsbury is seeking the services of a Town Assessor/Appraiser. The position, which, in the past has been filled by outside contractors or Town employees, is responsible for providing varied technical, clerical, and administrative work in support of the elected Town Lister Office. Applications are encouraged from companies and individuals who can be approved by the Vermont Department of Property Valuation. Job details plus application instructions are posted at http://shaftsburyvt.gov/dev/wp-content/uploads/2018/01/Assessor-Appraiser.pdf. (02-01)

Planning and Zoning Administrator. Springfield, Vermont, is a prominent community in the Connecticut River Valley with deep historical roots as a manufacturing and cultural center and active revitalization initiatives throughout the town. The Town is seeking a highly motivated and qualified individual to be responsible for all the Town’s statutory planning and zoning functions. Duties include issuing zoning permits, assisting all permit applicants, assisting with code enforcement, providing official interpretation of land use regulations, drafting and presenting zoning and subdivision regulations and town plan edits to the Planning Commission, performing clerical duties for both the Planning Commission and the Developmental Review Board, maintaining records of permits, decisions, and meeting minutes. The ideal candidate should have a demonstrated history of being even-handed in administering regulations, excellent computer skills, and the ability to collaborate with other Town departments and work in a team environment. Qualified applicants should have a related bachelor’s degree or a comparable combination of education and work experience in the planning and zoning field. Competence in office software (Word, Excel, database management) and GIS and excellent written and oral communication skills are also desired. The position is full-time with a competitive salary and comprehensive benefits. To apply, email cover letter and resume by Thursday, March 1, 2018, to the HR Manager at toshr@vermontel.net with Planning and

Zoning Administrator Position in the subject line. EOE. (01-26)

For Sale

2009 Ford Expedition Surplus Vehicle. The Town of Littleton, N.H., is accepting bids on a 2009 Ford Expedition. The vehicle, a former police patrol car, is a white 4-door SUV with 4-wheel drive, V-8 engine, AT, PS, PB, PL, PW, and programmable code access. The car’s mileage is 138,763. For additional information, call 603-444-7711, ext. 300. You may view the patrol vehicle at the Littleton Police Department, 2 Kittridge Lane in Littleton by appointment. Submit bid in a sealed envelope marked “2009 Ford Expedition PPV” by Friday, March 2, 2018, to Chief Paul Smith, Littleton Police Department, 2 Kittridge Lane, Littleton, NH 03561. The Chief of Police must receive the bid for it to be eligible. All ineligible bids will be returned unopened. The Town of Littleton reserves the right to accept or reject any or all bids. (01-30)

Highway Trucks and Equipment. The Town of Georgia is accepting bids for two used highway trucks and a plow, wing and rear sander: 1995 International 4900 DT466 (red); 8,497 hours and 124,535 miles; wooden flatbed; 1996 International 4900 DT466 (blue); 9,886 hours and 124,973 miles; plow frame; dump truck. A separate bid is required for the plow, wing, and rear sander. The vehicles and equipment are sold “as is, where is” with no warranty implied or expressed. Bidders must clearly identify on which vehicle they are bidding and the amount of the bid. For more information or to schedule an appointment to inspect the vehicles, contact Highway Foreman Toddie Cadieux at 802-524-9794. Submit your sealed bid by Friday, March 9, 2018, to the Town Offices at 47 Town Common Road North in Georgia, or mail to Town of Georgia, Attn: Truck Bids, 47 Town Common Road North, St. Albans, Vt. 05478. If your bid is accepted, purchase must be completed within seven days of your notification of acceptance by bank check or cash at the Town Clerk’s office or the offer and acceptance are invalid. Bids will be opened at the regular selectboard meeting on March 12, 2018. The Town of Georgia reserves the right to decline any and all bids. (01-25)

Request For Proposals

Maintenance Garage Construction. The Town of Shaftsbury is soliciting for bids for a new maintenance garage. The project consists of constructing a new 7,200-square foot maintenance garage building and related site work plus a new salt shed, transfer station, and related site work at the Owner’s North Road site. The project will be a single lump sum contract including the design and construction of the garage building plus all specified site work as described in the plans and specifications. You may obtain bid documents by registering bidder information at the office of Goldstone Architecture (JByer@GoldstoneArchitecture.com or 802-753-7469). Bid documents in the form of electronic files (PDF) will be provided at no charge; printed copies will be provided upon request and payment of a non-refundable $50 fee. The bidder’s attention is directed to the “Instructions to Bidders” section of the bid documents for additional information and requirements including Bidder Qualifications, Bid Security and Bonds. Submit your bid by Friday, March 9, 2018, to Town of Shaftsbury, Cole Hall, 61 Buck Hill Road, Shaftsbury, VT 05262. (01-04)
Bethel University
(continued from page 1)

And how it has grown! From 2014 to 2017, registration increased 800 percent, and the number of courses expanded from 18 to 77.

Rebecca Sanborn Stone, one of BU’s drivers, explains that when she and her BU colleagues started, they had few expectations of what it would be – it was truly an experiment. And as they learned over the years what worked best, they revised the model accordingly.

Case in point: the number of BU courses. Last year’s 77 class offerings began to present logistical challenges – from finding enough spaces for the classes to meet to supplying BU staff to oversee access to the spaces and introduce the presenters, or “professors,” as BU calls them.

But that’s a good problem, because it’s an indicator of success. “We’re glad that things are lively and busy now,” says Rebecca, “and that so many people want to teach, but we are conscious of trying to be strategic, making sure the program continues to support the community’s goals and needs. Limiting numbers seems like the best way to do that. But this is also an experiment, so we’ll see how it goes and evaluate as we go along.”

Rebecca and her colleagues see BU as a critical part of a larger Bethel revitalization story (or stories, really). It’s been a great “portal” for people to start getting involved in the community, and many people have gone on to do bigger things. For example, one woman who covered meetings several years ago for the local newspaper eventually got personally involved in BU, and went on to be a core organizer of the Better Block project. She worked on several follow-up projects, including pop-up shops in a historic building, and started her own candy making business. She’s now selling her products locally, and she and her husband just purchased a vacant historic downtown building with two other women, who also got involved through BU. (One of these women, Lylee Rauch-Kacenski, will teach “Plant-Based Comfort Foods: Sauces and Fillings” as part of the BU curricula this year.)

Those women have been involved in other projects as well, and one was recently appointed to the selectboard. Together, this group of four is turning the building into a community incubator space. In total, three big and underused historic buildings are now on the way to re-opening as vibrant economic/community spaces. Rebecca says BU certainly isn’t “responsible” for all of that, but she thinks it’s a catalyst and has certainly contributed to a wave of investment and energy in town.

Meanwhile, other Vermont municipalities are watching BU. “Hartford is doing a week-long version during the summer that is specifically focused on resilience,” says Rebecca. “It’s a little different than our model. Every year, we get four or five inquiries from places that would like to start a similar model.”

Lifelong Bethel resident Kirk White, who will teach “Acupuncture, Chronic Pain, and the Opioid Crisis,” has been involved in improving the community for years. “I’m the one who decided to create the Bethel Revitalization Initiative,” he says. “I’m a longtime community instigator!”

BETHEL UNIVERSITY

Other “professors” include Eddie Staples, a 13-year old home-schooled student who will reprise his popular sushi class. “Last year,” says Rebecca, “he literally blew everyone away with his sushi class because he employed a blowtorch.” He also answers to the title of Professor Nerf Gun, whose 2017 class attracted 45-50 enrollees, many of whom were adults. With help from his mother, he transformed the entire school gym into a cardboard city that included walls and buildings behind which nerf ball aficionados could hide. “He’s cultivated this whole community of people who are so excited about nerf gun wars,” adds Lylee.

Another popular course, Wine Appreciation 201, allows participants to sample and evaluate a selection of wines. It’s the only course that entails a fee, however the $15 goes directly towards the Bethel Revitalization Initiative. The class takes places in the Bethel Village Sandwich Shop, a.k.a. BU’s student union, where shop owner and course co-instructor David Sambor proudly displays an array of tee shirt, coffee mug, and BU pendant merch. (Makes a great gift)

During its first five years, BU has received only $3,500 in grant money, all they’ve ever applied for. A Small and Inspiring Grant from the Vermont Community Foundation in 2014 became the seed money that helped with the success of the first year. All other funding has come from donations and local sponsorships “such as Green Mountain Feeds, Gifford Hospital, all of the local banks,” says Rebecca. “This year, one of our bigger sponsors will be AARP of Vermont, which has been a great supporter since we did the Better Block project with them.” They see Bethel University as a way to help aging adults connect with the community.

So much to do in thirty-one days in a community of only two thousand and change! Do you live near Windsor County? How about Orange, Addison, or Washington? If so, or even if you live farther away, you owe it to yourself to visit Bethel University’s website https://betheluniversityvt.org/ and register for a class (you can even register up to the day of the class) or to read about past course offerings. Next year, you might even consider teaching a class on tin beehives, truly!

David Gunn, Editor
VLCT News

Loss Control Files
(continued from page 9)

Resources in the top green bar and select the top item. The list shows up to 20 resources at a time, and you can use the links at the bottom to page through them. Filter which resources appear in the list by checking one or more of the “facets” in the left-hand panel, or by clicking on one of the tabs under the words Resource Library, or both. The RMS tab shows all items relating to PACIF and VERB, and some of the Topic filters specify one of the VLCT trusts. Other filters specify the type of resource, such as Event, Form, Guidance, and Template. Toolkits are collections of several files that make sense together to help users handle complex situations.

If you haven’t already gotten the hang of the Resource Library at www.vlct.org, we encourage you to explore it when you have a chance. It is growing quickly these days!
Additional Upcoming Training
Visit our website for the most up-to-date training calendar.