**Minutes of regular meeting of the Whitingham Selectboard**

**March 15, 2017**

These Minutes shall be accepted into the public record (with any corrections noted)

at a future meeting of the Whitingham Selectboard.

The Whitingham Selectboard held a regular meeting on Wednesday, March 15, 2017 at 7:30pm in the Selectboard Office of the Municipal Center, 2948 VT Route 100, Jacksonville, VT.

Selectboard members present: Vice Chair, Allan Twitchell; Members Karl Twitchell and Robin Kingsley. Chair, Keith Bronson attended via Skype.

Others present: Gig Zboray, Selectboard Administrative Assistant; Almira Aekus, Tax Collector; Jim Dassati, Deerfield Valley News.

**Call to Order. Additions or Changes to Agenda.**

Vice Chair, AllanTwitchell, called the meeting to order at 7:31pm. There were no additions or changes to the agenda.

**Hearing of Visitors**:

None.

**Annual Reorganization**:

**A motion was made by Robin Kingsley and seconded by Karl Twitchell for the Selectboard to re-organize in the following manner, all in favor:**

**SELECTBOARD CHAIR**

Keith Bronson 2018

**SELECTBOARD VICE CHAIR**

Allan L. Twitchell 2018

**FIRE WARDEN**

Allan L. Twitchell 2018

**TREE WARDEN**

Peter Bernard 2018

**TOWN HILL COMMITTEE**

Keith Bronson, Steven P. Betit, Seth Boyd

Alan K. Hadley and Aysha Peltz 2018

**MEMORIAL DAY COMMITTEE**

Stewart B. Reynolds and Dana Dix 2018

**CIVIL DEFENSE DIRECTOR**

Allan L. Twitchell 2018

**E-911 COORDINATOR**

Marylee Putnam 2018

**WINDHAM REGIONAL COMMISSION REPRESENTATIVES**

Jenepher Burnell and Kristine Sweeter 2018

**HEALTH OFFICER (State appointed)**

Gig Zboray Term expires 10/31 2019

**DEPUTY HEALTH OFFICER (State appointed)**

Jenepher Burnell Term expires 10/31 2019

**DOG WARDEN / ANIMAL CONTROL OFFICER**

Daniel Hollister 2018

**ZONING AND FLOOD PLAIN ADMINISTRATOR**

Gig Zboray 2018

**LEGAL COUNSEL**

Fisher & Fisher Law Offices 2018

**LEGAL NEWSPAPER**

Deerfield Valley News 2018

Brattleboro Reformer (alternate)

**PLANNING COMMISSION**

Bradford Lackey, Chair 2020

Peter Barus 2018

Phil Edelstein 2020

Kristen Breeden 2019

Linda Donaghue 2019

**ZONING BOARD OF ADJUSTMENT**

Scott Reed 2018

Lyman Tefft 2018

Troy Felisko 2020

Craig Aekus 2020

Dana Dix 2019

Marshall Dix 2019

David Dumaine, Chair 2019

**WINDHAM SOLID WASTE MANAGEMENT DISTRICT**

Clyde Twitchell, Jr. 2018

**HOUSING REHABILITATION COMMITTEE**

Linda A. Donaghue and Donald McKinley 2018

**SEWER COMMISSION**

Marshall Dix, David Dumaine and Lyman Tefft 2018

**ECONOMIC DEVELOPMENT GROUP**

Gretchen Havriluk 2018

Jenepher Burnell 2018

Phil Edelstein 2018

Jack Keefe 2018

Kyle Frey 2018

**Cemetery Commissioner,** 2 year term, no one was elected. Gig must post that the position is available. The State no longer requires the positions of Fence Viewers and Service Officer so those positions were dropped. Although Tree Warden is no longer required the Selectboard opted to keep it.

The fire department has not held their annual reorganizational meeting therefore the appointments will be made at a future Selectboard meeting.

**RULES OF PROCEDURE:**

**A motion was made by Karl Twitchell, to accept the Guide for Rules of Procedure as a guideline for meeting procedure, seconded by Robin Kingsley, all in favor.** (See attached.)

**Transfer Station / WSWMD updates**

Board of Supervisors Chair, Lou Bruso, has submitted his resignation. The WSWMD Board of Supervisors voted to take a loan of $75,000 to meet current expenses saying that this loan would be payable from solar lease monies and raising rates at their convenience center. The loan approval was contingent on it not being based on the Towns getting an increase in assessment. Gig has started preparing a SWIP and has received a cost estimate for help with the document from the Windham Regional Commission of an amount not to exceed $3,000. The Selectboard approved that amount pending arrival of the agreement at which time a motion will be made.

**Education Funding**

1. **Create agenda for special meeting on March 22**

Minor changes were made to the draft agenda.

1. **Discuss forming a committee**

Information received from VLCT about committees is:

* Be very clear about charge of committee
* Be very clear about scope of work
* Determine how long the committee members will sit
* Make clear the committee is not authorized to make decisions
* Committee must comply with Open Meeting Law and Public Records Law
* Interviews with potential attorneys should be in Executive Session so as not to reveal legal strategy

There was quite a bit of discussion about the possibility of a lawsuit and how to form a committee, who would be on the committee, etc. Karl Twitchell feels that there is more here than just a lawsuit, he feels lobbying could make a difference. Keith Bronson feels it is valid to get an opinion from Attorney Ginsburg, the attorney from the Brigham case.

Almira Aekus noted that there is a School Board meeting tomorrow night at 6pm at the High School. Robin Kingsley noted that the State is trying to get rid of some Supervisory Unions now.

**Tax Collector**

Almira received a quote to perform the upcoming tax sale from the attorney that was mediator on the recent tax sale mediation (Lawrence Slason of Salmon & Nostrand). She had previously received a quote from Fisher & Fisher. Almira would be comfortable with either choice. In discussing tax sales with Jim Carroll the attorney assigned to the Town by VLCT for the tax sale litigation he mentioned that his firm handles and holds all the money through the redemption period. Greg Brown liked that idea. If Fisher did the tax sale the Town would hold the money. Almira would like a document signed at the end of the sale by the highest bidder stating exactly what they purchased and what will be due at the end of the redemption period. Almira will send out notices to delinquent taxpayers on April 1st. Robin Kingsley would like to read both contracts before a decision is made. Gig will scan and send both to Keith Bronson and Greg Brown for a decision at the March 29th meeting.

**Investment Funds**

Almira noted that right now the Town is making next to nothing on a savings account. If we switch the account, the interest will go from .05% to .15%. The funds in the account are: Eames, sewer capital improvement, sewer hook-up, old home week, grandlist reappraisal, Allen Trust (historical), records preservation, Wheeler Trust (cemetery), fire equipment, highway equipment, civil defense, municipal maintenance, and litigation.  Tax sale money that we hold would be placed in this fund as well. The funds will stay in Merchants Bank but will be switched to a different type of account, all funds will remain FDIC insured. **Robin Kingsley made a motion to allow Almira Aekus to move the funds to a higher paying interest account within Merchants Bank, seconded by Karl Twitchell, all in favor.**

**Approval of Payables Warrant – March 16, 2017**

**A motion was made by Robin Kingsley to approve Payable Warrant W1738 dated March 16, 2017, seconded by Karl Twitchell, all in favor.**  The Selectboard authorized payment of the Jacksonville dam fee to the State with regret.

**Approval of Payroll Warrant – March 16, 2017**

**A motion was made by Robin Kingsley to approve the Payroll Warrant W1737 dated March 16, 2017, seconded by Keith Bronson, all in favor.**

**Approval of Minutes of March 1, 2017**

**A motion was made by Robin Kingsley to approve the Minutes of March 1, 2017, as written, seconded by Karl Twitchell, all in favor.**

**Other business / Administrative Assistant – as needed**

1. **Animal Control – contract expires 3/31/17** Dan Hollister has been doing a great job and the Selectboard is happy to renew a contract with him.
2. **Website update** Gig notified the Board that over 40 proposals to update the website were received. A small committee is working on opening them. A second homeowner in town offered to build a new site for free and the committee has been in contact with him, no strings attached. The board allowed for Gig to drop the website development class she has been attending.
3. **Fairpoint contract** more forms needed signing to get the billing corrected (finally after 5 months).
4. **Signing of WRC appointments letter by Allan Twitchell.** Windham Regional Commission requires a Notice of Appointment form to be completed and signed.

**Adjourn**

**A motion was made to adjourn by Robin Kingsley, seconded by Karl Twitchell all in favor.**

Allan Twitchell adjourned the meeting at 8:46pm.

Respectfully submitted, ~Gig Zboray

**GUIDE FOR RULES OF PROCEDURE**

**FOR THE WHITINGHAM SELECTBOARD**

**A. PURPOSE**.

The Selectboard of the Town of Whitinghamis required by law to conduct its meetings in accordance with the Vermont Open Meeting Law. 1 V.S.A. §§ 310-314. Meetings of the Selectboard of the Town of Whitinghammust be open to the public at all times, except as provided in 1 V.S.A. § 313.

**B. APPLICATION**.

This policy setting forth rules of procedure shall apply to the Selectboard of the Town of Whitingham which is referred to below as “the body.” These rules shall apply to all regular, special, and emergency meetings of the body.

**C. ORGANIZATION**.

1. The body shall annually elect a chair and a vice-chair. The chair of the body or, in the chair’s absence, the vice-chair shall preside over all meetings. If both the chair and the vice-chair are absent, a member selected by the body shall act as chair for that meeting.

2. The chair shall preserve order in the meeting and shall regulate its proceedings by applying these rules and making determinations about all questions of order or procedure.

3. A majority of the members of the body shall constitute a quorum. If a quorum of the members of the body is not present at a meeting, no meeting shall take place.

4. No single member of the body shall have authority to represent or act on behalf of the body unless, by majority vote, the body has delegated such authority for a specific matter at a duly-noticed meeting and such delegation is recorded in the meeting minutes.

5. Motions made by members of the body do require a second. The chair of the body may make motions and may vote on all questions before the body. A motion will only pass if it receives the votes of a majority of the total membership of the body.

6. There is no limit to the number of times a member of the body may speak to a question. A member may speak or make a motion without being recognized by the chair. Motions to close or limit debate will be entertained.

7. Any member of the body may request a roll call vote.

8. Meetings may be recessed to a time and place certain.

9. These rules may be amended by majority vote of the body, and must be readopted annually.

**D. AGENDAS**.

1. Each regular and special meeting of the body shall have an agenda with each item of business to be considered by the body. Those who wish to be added to the meeting agenda shall contact the Selectboard Office to request inclusion on the agenda. The chair shall determine the final content of the agenda.

2. At least 48 hours prior to a regular meeting, and at least 24 hours prior to a special meeting, a meeting agenda shall be posted in the Town Clerk’s office and at the following designated public places in the municipality: Jacksonville Post Office and municipal center hallway. At least 48 hours prior to a regular meeting, and at least 24 hours prior to a special meeting, a meeting agenda shall be posted on the Town of Whitingham website ([www.townofwhitingham-vt.org](http://www.townofwhitingham-vt.org) or any domain address it may change to).The agenda must also be made available to any person who requests such agenda prior to the meeting.

3. All business shall be conducted in the same order as it appears on the noticed agenda, except that any addition to or deletion from the noticed agenda must be made as the first act of business at the meeting. No additions to or deletions from the agenda shall be considered once the first act of business at the meeting has commenced. Any other adjustment to the noticed agenda, for example, changing the order of business, postponing or tabling actions, may be made by majority vote of the body.

**E. MEETINGS**.

1. Regular meetings shall take place every-other Wednesday at 7:30pm at the Whitingham Selectboard Office, 2948 VT Route 100, Jacksonville, VT.

2. Special meetings shall be publicly announced at least 24 hours in advance by giving notice to all members of the body unless previously waived; to the editor of the Deerfield Valley News; and to any person who has requested notice of such meetings. In addition, notices shall be posted in the municipal clerk’s office and at the following designated places in the municipality: Jacksonville Post Office and municipal center hallway.

3. Emergency meetings may be held without public announcement, without posting of notices, and without 24-hour notice to members, provided some public notice thereof is given as soon as possible before any such meeting. Emergency meetings may be held only when necessary to respond to an unforeseen occurrence or condition requiring immediate attention by the public body.

4. A member of the body may attend a regular, special, or emergency meeting by electronic or other means without being physically present at a designated meeting location, so long as the member identifies him or herself when the meeting is convened, and is able to hear and be heard throughout the meeting. If a quorum or more of the body attend a meeting without being physically present at a designated meeting location, the following requirements shall be met:

a. At least 24 hours prior to the meeting, or as soon as practicable prior to an emergency meeting, the body shall publicly announce the meeting and post notice of the meeting in or near the municipal clerk’s office and the Jacksonville Post Office and municipal center hallway.

b. The public announcement and posted notice of the meeting shall designate at least one physical location where a member of the public can attend and participate in the meeting. At least one member of the body, or at least one staff or designee of the body, shall be physically present at each designated meeting location.

**F. PUBLIC PARTICIPATION**.

1. All meetings of the body are meetings in the public, not of the public. Members of the public shall be afforded reasonable opportunity to express opinions about matters considered by the body, so long as order is maintained according to these rules.

2. At the conclusion of each agenda item, but before any action is taken by the public body at each meeting, there may be a few minutes afforded for open public comment. By majority vote, the body may increase the time for open public comment and its place on the agenda.

3. Comment by the public or members of the body must be addressed to the chair or to the body as a whole, and not to any individual member of the body or public.

4. Members of the public must be acknowledged by the chair before speaking.

5. If a member of the public has already spoken on a topic, he or she may not be recognized again until others have first been given the opportunity to comment.

6. Order and decorum shall be observed by all persons present at the meeting. Neither members of the body, nor the members of the public, shall delay or interrupt the proceedings or the peace of the meeting or interrupt or disturb any member while speaking. Members of the body and members of the public are prohibited from making personal, impertinent, threatening, or profane remarks.

7. Members of the body and members of the public shall obey the orders of the chair or other presiding member. The chair should adhere to the following process to restore order and decorum of a meeting, but may bypass any or all steps when he or she determines in his or her sole discretion that deviation from the process is warranted:

a. Call the meeting to order and remind the members of the applicable rules of procedure.

b. Declare a recess or table the issue.

c. Adjourn the meeting until a time and date certain.

d. Order the removal of the disorderly person(s) from the meeting.

**ADOPTED**: AS A GUIDELINE BY THE WHITINGHAM SELECTBOARD

on March 15, 2017