

# Opinions

Office of the Vermont Secretary of State



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## A Message from the Secretary



There is a quote that I keep on the bulletin board behind my desk at the office: *“The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people;*

*that government decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government.”* I put it up nine years ago when I was first elected to serve the state. It was a reminder that my job was, well, not just a job. I am serving in a public office – and because of that I have a heightened duty to uphold the public trust.

Like those of you who were elected or appointed to local office, I assumed, before I took office, that it would be easy to see and avoid the potential pitfalls that can get public officials into trouble. However, it wasn't long until I realized just how challenging it would be to live up to the high standards to which I ascribed. Shortly after taking office I went to lunch with an old friend. She took me out in celebration of my new position. Afterward, as I sat back at my desk, I realized that she wasn't just a friend – she was also registered as a lobbyist that represented a variety of clients – including some associations of professions that were regulated by my office. I was only in office a month and I had already slipped up!

At a recent conference for state and local government officials and employees on government ethics, speakers talked about how difficult it is to provide a clear definition of what is unethical behavior. They said things like “you know it when you see it,” or you know whether it passes the “sniff test” or whether it gives you a stomach ache or keeps you up at night. The problem, of course, is that some people are better sleepers and

have stronger stomachs than others; and one person's “know it when you see it” can be different than another's personal standard. Even more challenging is the fact that what may have seemed appropriate at the time a decision was made, like letting a friend take you out to lunch, might seem inappropriate when you look back on it after the fact.

Perhaps this is why ethical conflicts divide communities like few other issues. It is also why it is important for state and local government to articulate clear ethical guidelines. And, of course, it doesn't hurt to keep a reminder close at hand – like a quote on a bulletin board.

Deborah L. Markowitz, Secretary of State

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## The Flight of the Pink Flamingo

My staff, if not quite tolerant of the housekeeping I apply to my office, at least find it a useful analytical tool for probing my psyche. Recently a staff member, spying a stack of yellowing newspapers under my desk, speculated that this was a carry over from my youth when I must have hidden girlie magazines under my bed away from the prying eyes of parents (as if this hiding place was not well known to parents across the ages).

Not so, I hastily defended myself. The pile reflected articles that caught my fancy as potential material for this column. Here, for example, was a column from November 2006 decrying the demise of the pink flamingo lawn ornament two months short of its 50<sup>th</sup> anniversary. The flamingo was invented by Don Featherstone of Union Products (he went on to become company president). For aficionados, the way to tell whether you have an authentic flamingo is to look for Mr. Featherstone's signature on the tail.

The article noted how the pink flamingo's sustained success was, in part, the result of changing public perceptions of its value. Once a humble lawn ornament available in 1957 for \$2.76, it became a symbol of American kitsch and, in the hands of baby boomers, a challenge to the boundaries of high art and good taste. Jenny Price, the article's author, linked the flamingo's demise to its acceptance by the art community. In the 1990s, for example, the Museum of Contemporary Art in Los Angeles sold the flamingo in its gift shop. Mr. Featherstone attributed the demise to more mundane reasons such as the rising costs of resin and electricity. Since this column is to inspire rather than depress, I should note that the copyright to the flamingo has been purchased and a New York company will be resuming production.

The rise, fall and resurrection of the pink flamingo lawn ornament could be an analogy for the Archives during my career. Okay, that may be a stretch but remember I am trying to justify that pile of yellowing newspapers. The State Archives—indeed, archives in general—were created as places to preserve and make accessible essential evidence of the commitments and actions of the institutions they serve (in my case, state government). As I have recounted before, over time that initial rationale changed and the Vermont State Archives became less associated with institutional evidence than with historical research. When I was hired (October 1982) the Archives, then

known as State Papers, primarily focused on annotating and publishing 18<sup>th</sup> century records. Just as we applied changing cultural values to the flamingo, changing popular perception relegated archives to being a preserve for historians, including the unfortunate linking of archives to “dark and dusty.”

In my early years I applied the skills I had learned in academic manuscript repositories, arranging and describing records and creating detailed finding aids to help researchers locate information. Much of this work reinforced the idea that the archives was a historical, not institutional, function. In the second phase of my career we began to promote the Archives as an institutional resource for providing context to current public dialogues, the “continuing issues” section of our website being a prime example (<http://vermont-archives.org/govhistory/governance/index.htm>). Currently the Archives is engaged in providing guidance for managing records and information so that essential evidence, born in a digital world, can be kept accessible. These efforts are reflected in part by the “managing records” section of our website (<http://vermont-archives.org/records/>).



The newest effort is a voluntary collaboration between the Archives in the Secretary of State's Office and the Department of Information and Innovation and the Department of Buildings and General Services (Public Records) within the Agency of Administration. The goal of the collaboration is to provide guidance on how to incorporate good recordkeeping practices into paper and digital systems. The collaboration launched a newsletter in September, the first issue explaining our origins and goals and noting an agreement on policy for managing records in all public agencies (<http://vermont-archives.org/records/standards/pdf/RecordsManagementPolicy2007.pdf>). The newsletter can be found at: <http://vermont-archives.org/records/iSTART/newsletter/pdf/iSTARTNewsletter200709.pdf>

The October and November issues will look at recommended file formats for records of continuing value. In December we will begin to look at policies for managing electronic communications, such as e-mail.

As a result of these programs, cultural understandings of the Archives, like those of the flamingo, are changing again.

# Civics Behind the Scenes

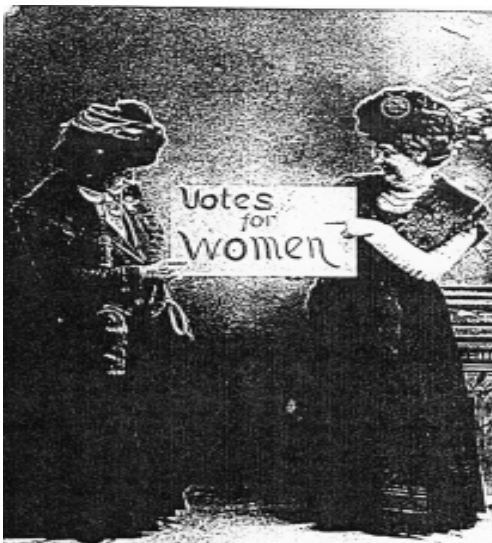
by Missy Shea, Civics Education and Voter Outreach Coordinator

The other day at the checkout in a local market, I picked up a magazine I hadn't seen before, *Women's Adventure*. I'm an avid outdoors person, and could tell by the article headlines on the cover that I would enjoy reading it. What I didn't know was that the magazine is also civically-minded.

I was pleasantly surprised to find a call-to-action article entitled "Jumpstart Your Vote," encouraging the mostly-female readership to first register to vote, then to become informed about the issues and the candidates. It pointed out that women can get involved in creating positive change through the simple act of voting. I wasn't as pleasantly surprised to read some specifics about women and voting. After reading the article and checking out the various websites to which it referred, I was sharply reminded that we need to continue to work diligently to promote and protect our right to vote.

I learned that in the late 1960s, when in particular the youth of our nation was so focused on obtaining equal rights for people of color, women, and the economically disadvantaged, nearly 68% of women voted in the national election; in 2004 that number fell to just over 60%. From the website *Women's Voices, Women Vote*, I learned that adult single women, classified as "women on their own," are the largest group of non-voters in the democratic process. Twenty million of them didn't bother to vote in the 2004 election, and 15 million more remain unregistered. The act of voting, as well as the education and encouragement of getting others to vote, is our collective civic responsibility. We can't take it for granted that someone else will do it for us.

So, rather than get frustrated every time we hear or see a political advertisement for the 2008 election, let it serve as a reminder that we don't have much time left to become informed about issues and candidates. Let it inspire us to encourage others to vote, too.



Courtesy of the Henry Sheldon Museum

For more information, check out the following:

Vermont Secretary of State, Elections and Kids' Pages,  
[www.sec.state.vt.us](http://www.sec.state.vt.us)

Project Vote Smart, [www.vote-smart.org](http://www.vote-smart.org)

League of Women Voters, information site, [www.vote411.org](http://www.vote411.org)

Declare Yourself, focus on young voters,  
[www.declareyourself.org](http://www.declareyourself.org)

Women's Voices, Women Vote, focus on single women voters,  
[www.wvvv.org](http://www.wvvv.org)

# Opinions of Opinions



- 1. Laws that refer to town government will generally apply to all municipalities.** Although most of Vermont municipal law refers to towns, Vermont statutes provide that “the laws applicable to the inhabitants and officers of towns shall be applicable to the inhabitants and similar officers of all municipal corporations.” 1 V.S.A. § 139. This means that a statute that grants a particular authority to the selectboard will grant similar powers to the governing board of another kind of municipality, unless a more specific law (ex. a municipal charter) applies to the particular municipal corporation.
- 2. No bidding required for town projects.** Vermont law does not require the selectboard to go through a public bidding process when they are making contracts or purchases for the town. However, the board has a fiduciary obligation to the people of the town that requires them to use the public’s resources wisely.
- 3. School districts must bid contracts over \$10,000.** Law requires public advertisement of all contracts over \$10,000 or an invitation to bid to three or more vendors or suppliers. 16 V.S.A. § 559. (If the board receives fewer than three bids the commissioner of education can grant an exception to this rule.) For school construction contracts over \$500,000, the board must follow rules established by the state board of education, and receive suggestions and recommendations on bidders from the state department of Buildings and General Services. 16 V.S.A. § 559.
- 4. Board members may not act on their own.** Officials who are elected or appointed to serve on a local board have authority to take action only as part of the board. The law provides that “when joint authority is given to three or more, the concurrence of a majority of such number shall be sufficient and shall be required in its exercise.” 1 V.S.A. § 172. This means that unless a board authorizes an individual board member to negotiate a contract or make a public statement about the board’s policy or position, an individual member of the board does not have power to negotiate or speak for the board. *Goslant v. Town of Calais*, 90 Vt. 114 (1916). (Statements by selectmen acting independently did not legally obligate the town.) *St. George v. Tilley*, 87 Vt. 427 (1914) (Action of one auditor, working alone has no official force and effect.).
- 5. Auditors must check books when selectboard request.** Vermont law provides that “at any time in their discretion, town auditors may, and if requested by the selectboard, shall, examine and adjust the accounts of any town officer authorized by law to receive money belonging to the town.” 24 V.S.A. § 1686. This means that if the selectboard wants information about the accounts of any official who receives money on behalf of the town they do not have to wait until the town report is prepared to ask the auditors to conduct an audit.
- 6. An official who fails to give financial records to the auditors will be ineligible for re-election.** If a municipal official “willfully refuses or neglects” to provide his or her books, accounts, vouchers or tax bills to the auditors or the public accountant upon request, he or she will be “ineligible to re-election for the year ensuing and be subject to the penalties otherwise prescribed by law.” 24 V.S.A. § 1686(c).
- 7. Town may vote to eliminate office of the auditor.** A town may choose to eliminate the board of auditors and instead hire a public accountant to perform the audit duties of the town auditor. 24 V.S.A. § 1686. However, even when a town chooses to retain the elected board of auditors it is good practice for every town to engage a public accountant at least every few years to perform a professional audit of the town books.

- 8. Towns can borrow for five years or less without bond.** Towns can choose to finance improvements or assets by borrowing for five years or less without a bond. To do so the voters must approve the proposed loan at an annual or special meeting of the town. 24 V.S.A. § 1786a.
- 9. When necessary the selectboard may borrow for highway purposes without vote.** The selectboard may borrow from the municipal equipment loan fund to purchase tools, equipment and materials necessary for the construction, maintenance or repair of highways and bridges without a prior vote. 24 V.S.A. § 1786a (b).
- 10. Special meeting agenda may not be changed prior to the meeting.** A board may make last minute changes to the agenda of its regularly scheduled meetings. However, when the board schedules a special meeting the agenda cannot be changed. The two kinds of meetings are treated differently because all the open meeting law requires of a regular meeting is that an agenda be available sometime before the meeting. 1 V.S.A. § 312 (c)(1), (d). It is not unreasonable to make last minute changes to an agenda - so long as it is done with enough time for interested members of the public to be apprised of the change. However, the open meeting law specifically requires that the reason for a special meeting be part of the public notice of the special meeting. 1 V.S.A. § 312(c)(2). This means that for special meetings the board must stick to discussing only those topics included in the public notice.



- 11. Agenda must provide specific topics to be covered.** An agenda for a board meeting must give board members and members of the public an idea of what is to be covered at the board meeting. The agenda should not say merely “old business/new business.” Rather, the agenda must list the topics that the board anticipates to cover. Some boards use similar agendas each month because they go over the same topics at each meeting. Other boards’ agendas vary greatly from meeting to meeting.
- 12. Subcommittees must follow the open meeting law.** All public bodies must follow the requirements of the open meeting law. 1 V.S.A. § 312. A “public body” means any board, council or commission of the state or one or more of its political subdivisions, any board, council or commission of any agency, authority or instrumentality of the state or one or more of its political subdivisions, or any committee of any of the foregoing boards, councils or commissions. . . .” 1 V.S.A. § 310(3).
- 13. Listers must keep minutes of their meetings.** Like all municipal boards, the listers meetings are subject to the requirements of the open meeting law. Among its other requirements, the open meeting law requires that minutes be taken at all meetings of public bodies. At a minimum, the minutes must include the following information: all members of the public body present; all other active participants in the meeting; all motions, proposals and resolutions made, offered and considered, and what disposition is made of same; and the results of any votes, with a record of the individual vote of each member if a roll call is taken. 1 V.S.A. § 312(b)(1).
- 14. Administrative work does not require public meeting.** The requirements of the open meeting law do not apply to site inspections for the purpose of making tax assessments or abatements, clerical work, or work assignments of staff or other personnel. In addition, the law permits routine day-to-day administrative matters that do not require action by the public body, to be conducted outside a duly warned meeting, provided that no money is appropriated, expended, or encumbered. 1 V.S.A. § 312(g).

**15. Most deliberations of a quasi-judicial board are not subject to the open meeting law.** The open meeting law exempts the deliberations of a quasi-judicial board when the decision is to be in writing. This means that the board may deliberate over the phone, by e-mail or at a meeting that has not been publicly noticed. The public's right to know is preserved by the fact that there must be a written decision that states what the board decided as well as the rationale for its decision. 1 V.S.A. § 312.

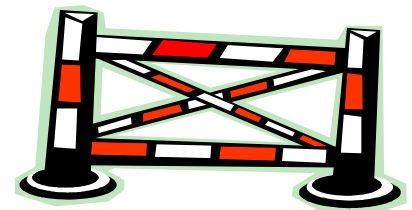
**16. A quasi-judicial board determines individual rights and obligations in specific cases.** According to Vermont law, a quasi-judicial proceeding means "a case in which the legal rights of one or more persons who are granted party status are adjudicated, which is conducted in such a way that all parties have opportunity to present evidence and to cross-examine witnesses presented by other parties, which results in a written decision, and the result of which is appealable by a party to a higher authority and contested case under VT Administrative Procedures Act." 1 V.S.A. § 310(5).

**17. Planning commissioner who moves may remain on the planning commission.** Vermont law does not require members of the planning commission to be residents of the town that they serve. 24 V.S.A. § 4322 (At least a majority of the planning commission must be residents of the town.) Consequently, the selectboard may choose to retain a planning commission member even though he or she has moved to a new community.

**18. Only board members may make motions at a board meeting.** A selectboard meeting is a meeting of the board members and not a meeting of the voters. This means that only board members may set the meeting agenda, make motions and vote on agenda items. Indeed, although the public is entitled to be present and may comment on the business before the board (except for executive session matters) the public's participation can be strictly controlled by the chair in order to permit the board to conduct its business effectively. 1 V.S.A. § 312(h). Note that this is different from Town Meeting which is a meeting of the voters of the town, and at which voters may make motions and vote from the floor.

**19. Selectboard can decide to pave road without town vote.** It is the responsibility of the selectboard to construct and maintain the roads of the town. Although there is a public process involved when a board wishes to change the classification of a town highway, no public process is required (beyond a decision made during a public meeting of the board) when the board decides that a particular road should be paved. 19 V.S.A. § 304.

**20. Landowner can gate a town road with selectboard's permission.** The selectboard can create pent roads in a town by granting permission to a landowner to erect stiles, or unlocked gates and bars on a town road. Landowners used to request the board to permit them to gate a road when they owned both sides of a highway and used the fields for grazing. Today, most requests for pent roads are made in an effort to slow down ATV traffic on class 4 roads and trails. The board can make regulations governing the use of pent roads and can establish penalties not to exceed \$50.00, for noncompliance. The permission to pent a road must be given in writing and it must be recorded in the town clerk's office. 19 V.S.A. § 304(5).



**21. Parking regulations must be made by ordinance.** The selectboard has the authority to regulate parking on town roads. Although the law specifies that the board can make "special regulations as to the operation, use and parking of motor vehicles on highways under their jurisdiction," courts have said that these regulations must be made by ordinance. 19 V.S.A. § 304(6).

**22. Property tax exemptions for volunteer fire department property must be voted at town meeting.** 32 V.S.A. § 3840. Property tax exemptions for the volunteer fire department must be voted at town meeting. The voters can

establish the exemption for up to ten years at the first vote and thereafter for five-year periods. The Vermont Listers Handbook provides a good discussion of property tax exemptions including a chart giving the source of funding for education property tax liability for locally voted exemptions. The handbook also includes a chapter on properties that are exempt under state or federal law, and another chapter on exemptions that must be voted by the town.

**23. Building rented by church for recreational program is not exempt from property tax.** The law permits property owned or “kept” by a church to be exempt from local property taxes if it is used for specific purposes listed in the law. Even if rental property can be considered property “kept” by the church, the recreational center would not be exempt because the law does not exempt property held by a church for recreational uses. 32 V.S.A. § 3832(2). It is an open question whether it may be possible to exempt the property from taxation through town vote. That is because although property used for recreational purposes may be exempt by vote of the town, the use of property is generally determined by looking at the owner – not the occupant. In this case the owner is using the property as rental property, which is not exempt. 32 V.S.A. § 3832(7).



**24. Church must pay taxes on property purchased from non-exempt landowner after April 1st.** When a church or other exempt organization purchases or is given property mid-year it will not be exempt from taxation until the following April 1<sup>st</sup>. Not only do the statutes not provide a mechanism for granting an exemption mid-year, but the change in status of the owners is not covered by any of the reasons for abatement given in 24 V.S.A. § 1535. This means that the board of abatement would not be able to abate those taxes. When the listers prepare the next year’s grand list, the property can be listed as exempt under 32 V.S.A. § 3802(4) and 3832.

**25. Adverse possession of town property possible in rare situation that town property is not committed to public use.** Last month we stated the general rule that public land cannot be acquired through adverse possession, This is because lands given to a public use are exempted from adverse possession claims by 12 V.S.A. § 462. However, it is possible (although rare) that a town could have property that is not “given to a public use” that can be acquired by another through adverse possession. *Jarvis v. Gillespie*, 155 Vt. 633 (1991).

*In our monthly Opinions, we provide what we believe the law requires based upon our legal judgment, years of observing Vermont's local government practices, and Vermont Court decisions. This information is intended as a reference guide only and should not replace the advice of legal counsel.*

## Tip of the Month

### Welcome New VMCTA Officers!



New officers for the Vermont Municipal Clerks and Treasurers Association have been announced. Please join us as we congratulate them and offer support as they undertake their new duties.

President – John P. Cushing  
1<sup>st</sup> Vice President – Alison Kaiser  
2<sup>nd</sup> Vice President – Sandy Pinsonault  
Secretary – Georgette Wolf-Ludwig  
Treasurer – Donna Kilty  
Auditor – Bonnie Reynolds

Executive Board Members –  
Ruth Miller  
Gary Snider  
Monica Yeamens  
Connie Quimby  
Priscilla Aldrich  
Susan Johnson  
Lucrecia Wonsor  
Cynthia Gibbs  
Clyde A. Jenne, Past President

*If you have a tip you would like to share, please contact John Cushing, VMCTA President, at [jcushing@town.milton.vt.us](mailto:jcushing@town.milton.vt.us)*

# Municipal Law Basics

by Deb Markowitz, Secretary of State

Vermont local governments are governed by many different laws, policies, court cases and charters. This is a preview of the first sections of short publication that seeks to clarify for local officials the basic principals that apply to our municipal governments. We hope to have the completed publication available to Vermont municipalities within the next few months.

## A. What is a municipality?

By definition a municipality is “a political unit, such as a city, town, or village, incorporated (by the state) for local self-government or a body of officials appointed to manage the affairs of a local political unit.” According to Vermont law “municipality” includes a city, town, town school district, incorporated school or fire district or incorporated village and all other governmental incorporated units.” 1 V.S.A. § 126. Most Vermont towns received their municipal incorporation (their land grant charter) from King George in the 1700s. Villages, counties, fire districts, solid waste districts, insect control district, incorporated school districts, and other non-chartered municipalities are entities that were created (incorporated) by legislative act or by a process established by statute.



Although most of Vermont municipal law refers to towns, Vermont statutes provide that “the laws applicable to the inhabitants and officers of towns shall be applicable to the inhabitants and similar officers of all municipal corporations.” 1 V.S.A. § 139. This means that a statute that grants a particular authority to the selectboard will grant similar powers to the governing board of another kind of municipality, unless a more specific law applies to the particular municipal corporation.

Not every entity in our towns is a municipal corporation. For example, volunteer fire departments and incorporated public libraries are nonprofit corporations. Even though they receive public funds to operate they are not municipalities and the general rules that apply to municipalities, such as the open meeting law and the public records act, will not apply to them.

## B. The Powers of Local Government.

### 1. Municipal Authority to Act is Controlled by the State.

Vermont courts have consistently adhered to the so-called Dillon’s rule. Dillon’s rule is a set of principles related to municipal power formulated in 1872 by an acclaimed local government legal scholar, Judge John Forest Dillon.

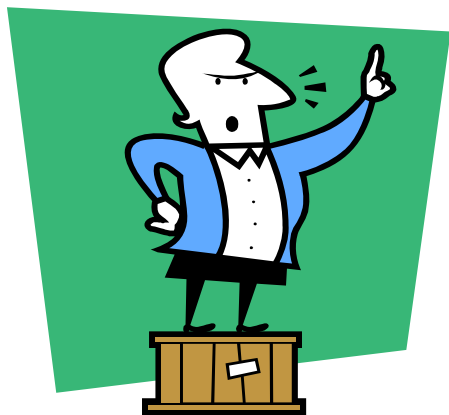
As early as 1931, the Vermont Supreme Court, in its opinion *Valcour v. Village of Morrisville*, quoted Judge Dillion’s publication Municipal Corporations (5th ed.); “It is a general and undisputed proposition of law that a *municipal corporation possesses and can exercise the following powers, and no others*: First, those granted in *express words*; second, those *necessarily or fairly implied* in or *incident* to the powers expressly granted; third, those *essential* to the accomplishment of the declared objects and purposes of the

corporation—not simply convenient, but indispensable.” The Vermont court held that Dillon’s rule calls for a strict construction of municipal function: “[I]f any fair, reasonable, substantial doubt exists concerning this question it must be resolved against the [grant of power].” *Valcour v. Village of Morrisville*, [104 Vt. 119](#), 131—32 (1932); see also *Hinesburg Sand & Gravel Co. v. Town of Hinesburg*, [135 Vt. 484](#), 486 (1977).

This means that the town, and its voters or selectboard have no authority beyond that which is given by statute, or that which is necessarily implied by a statute. Accordingly, municipal officials must check all relevant statutes before acting to ensure that they will comply with the specific requirements of the enabling legislation. See e.g., *Robes v. Town of Hartford*, 161 Vt. 187 (1993); *Flanders Lumber and Building Supply Co. v. Town of Milton*, 128 Vt. 38, 45 (1969). In addition, whenever Vermont statutes set out the specific process that a municipality must follow in order to act (as when it adopts, amends or repeals its zoning and subdivision bylaws) there must be “substantial compliance” with these procedures or the action may later be challenged for legal insufficiency. *Town of Charlotte v. Richter*, 128 Vt. 270, 271 (1970).

The Vermont Supreme Court has also made it clear that, unless a statute clearly gives a municipality authority over a particular matter, it must yield to state control. In *Morse v. Vermont Division of State Buildings*, 136 Vt. 253 (1978) the court said “[a]s between the state and local units of government, the municipal bodies’ power is derivative, based upon an allocation of authority from the state. Where conflict occurs, and no resolution is statutorily prescribed, the municipality must yield.” See also, *City of South Burlington v. Vermont Electric Power Co.* 133 Vt. 438 (1975) (“local municipalities should play a secondary role where a clash of authority appears to exist between state control and local control . . .”)

## 2. Municipal Authority is Governed by the Constitution, Statutes and Case Law.



The United State Constitution is the highest law of the land. The Vermont Constitution is the highest law of Vermont, second only to the United States Constitution. A Vermont law is invalid if it violates either constitution, and actions of government officials, including local government officials must follow the requirements of the constitution.

For example, the First Amendment to the United States Constitution includes a guarantee of free speech and association. The provision prevents a municipality from prohibiting certain individuals from speaking at public meetings or posting notices on a public bulletin board solely because of the ideas that person was espousing. (The municipality could prevent the speech or posting, however, because it was taking up too much time or space, or because it was threatening or libelous.)

## 3. Not All Municipalities Follow the Same Laws.

Some municipalities have special laws that apply only to them. This can be a special statute or a governance charter adopted by the legislature for the municipality. Generally speaking, a special law or charter will take precedence over the general law if the two conflict.

# Municipal Calendar

## October 2007

- 8 Columbus Day. 1:371
- 25 State Withholding Tax Return is due (*actual date by which return must be postmarked is shown on the printed form*) if reporting less than \$2,500 per quarter. More than \$2,500 requires monthly report; more than \$9,000 requires semi-weekly report. 32:5842
- 31 Last day to file Form 941 (*Quarterly Withholding Return*) with the IRS.

## November 2007

- 11 Veterans Day. 1:371
- 22 Thanksgiving Day. 1:371

***The Municipal Calendar is provided by the Vermont League of Cities and Towns/Chittenden Bank and the Secretary of State's Office.***



## Quote of the Month

"Happiness is nothing more than good health and a bad memory."

- Albert Schweitzer

# Upcoming Events

## Vermont's Energy Future - Regional Workshops

Vermont wants your help in shaping the future mix of electricity sources for the state. Five evening public workshops will be held in locations throughout the state this fall. These workshops were authorized by the Vermont Legislature, endorsed by the Governor, and spearheaded by the Department of Public Service. The goal of the workshops is to gather informed and thoughtful citizen and ratepayer input for the State and its electric utilities as they make decisions about how and where Vermont obtains its electric power for the coming decades. All workshops run from 5:30 p.m. to 10:00 p.m.

- Oct. 3, 2007** - St. Johnsbury Elementary School
- Oct. 17, 2007** - South Burlington High School
- Oct. 18, 2007** - Montpelier Elks Club, Montpelier, VT
- Oct. 29, 2007** - Dean Technical Center, Springfield, VT
- Oct. 30, 2007** - Rutland Intermediate School, Rutland, VT

Please register and attend the workshop closest to you. Attendance is free, but registration is required. To ensure broad and diverse participation from across the state, participants may only register for one workshop. You may register online at <http://www.publicservice.vermont.gov/> or call the Department of Public Service at 1-800-622-4496 (in-state) or 802-828-2332.

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## Northeast Conference on Flood Hazards, Liabilities & Opportunities

**October 15, 2007**

*Sponsored by VT DEC River Mgmt. Program, Land Use Institute, Two Rivers-Ottawaquechee Reg. Commission, VLCT*

- Location:** Vermont Law School, South Royalton
- Contact:** Jane A. D'Antonio ([jdantonio@vermontlaw.edu](mailto:jdantonio@vermontlaw.edu))
- Phone:** 802-831-1217
- Fax:** 802-763-2940
- Website:** <http://www.vermontlaw.edu/landuse>

This conference will provide municipal officials and attorneys with key information they need to understand flood hazards in Vermont and the liabilities associated with municipal and landowner actions. Flood hazard professionals and policymakers from the state, regional, and national levels will be invited to share their experience and participate in discussions on how to advance opportunities for municipalities to minimize local costs and the liabilities associated with floods.

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## Managing the Municipal Highway System

**November 1, 2007**

- Location:** Elks Club in Montpelier, VT
- Coordinating Organization(s):** Vermont League of Cities and Towns <http://www.vlct.org/>
- Cost and Time:** TBA
- Contact:** Jessica Hill at Vermont League of Cities and Towns
- Phone:** 802-229-9111
- Email:** [jhill@vlct.org](mailto:jhill@vlct.org)
- Website:** <http://www.vlct.org/eventscalendar/upcomingevents/?event=97>

This workshop will provide a primer on municipal highway law and explore perennial topics such as all terrain vehicles, connections with land use regulations, and development of alternative transportation systems.

# Mailing List Updates!

Help us keep our mailing list up to date!

*Let us know if:*

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