Town of Panton Chartered 1761

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Selectboard Meeting Minutes

Monday, January 27, 2025

In attendance: Selectboard Chair Howard Hall, Selectboard Member Teresa Boucher, Town Clerk/Treasurer Kyle Rowe, Jeanne Jackson, Richard Jackson, Terry Pelletier, Nick Jackson, Sharon Ashcraft, Kathy Kennett, Mary Rudd, Paula Moore, Kevin Cooke, Cindy Cooke, Jaime Dayton, Michael Catillaz, Maggie Catillaz

Via Zoom:, M'lissa Dayton, Lorraine Kayser, Steve Weber, Kathy Rossier, Diane Merril, Martha DeGraaf

1. Howard called the meeting to order at 5:32 p.m.
2. Additions/deletions to the agenda
    a. Kathy Kennet noted that Public Comment was omitted from the agenda. The Selectboard added it to the agenda, as Item 11
3. The Selectboard moved on to approval of the minutes from 1/13/25. Teresa motioned to approve the minutes, Howard seconded-**VOTE-2 in Favor, 0 Opposed.**
4. The Selectboard moved on to Payroll and AP warrants. Teresa motioned to approve the Payroll and AP warrants, Howard seconded-**VOTE-2 in Favor, 0 Opposed.**
5. The Selectboard moved into discussion of the Change of Town Charter Petitions and the Selectboard response.
    a. The Clerk read the following statement from the Selectboard:
    b. "The Selectboard recognizes the strong feelings held by citizens of the Town of Panton on the proposed Town Charter changes, specifically the proposal to allow for the recall of elected officers. It was unfortunate that the submission of these proposals did not correspond with the legal requirements set out in the admittedly confusing state law. However, the Selectboard proposes the following remedy;
    c. The Selectboard will call for a Special Town Meeting, to be held at a time in the immediate future that will allow the Town Clerk to properly warn, and notice the meeting, as well as conduct the hearings that are legally required to accompany

changes to the Town Charter. The Selectboard will also propose a Town Charter change to allow for the recall of elected officers, based on the language used by numerous Towns and Cities in Vermont, and language conforming to a legal review from the Town's Attorney. This proposal would allow for the recall of elected officers, but provide certain requirements on the total number of votes and voters participating, to protect a democratically elected official from facing a recall from a much smaller number of voters than originally elected them. The Selectboard must prioritize the long-term well-being of our town, ensuring that any amendments to our Charter are clear, forward-thinking, and beneficial for future generations. It is the Board's responsibility to act in the best interests of both current residents and those who will inherit the community we shape today. The full text of the proposal is provided below.

d. Additionally, as the Selectboard has already agreed to include an article on the Town Meeting ballot asking voters to increase the size of the selectboard from 3 to 5, the Selectboard feels that it is adequate to leave this issue as a statutory issue, and not amend the Town Charter to necessarily reflect this change. This would allow for future Town legislative bodies and citizens to be more responsive to changes, and adjust the size of the Selectboard to suit the times and conditions relevant to them. Making this change in the town charter, and then, years later, reverting it, would provide a significant hurdle to overcome, but would not add much in the way of "protection" from such a change, e.g. whether voters decided to decrease the size of the Selectboard in the future would still be a simple 50%+1 vote, with a few additional steps in the case of a charter change."
e. Subchapter 5. Recall of elected Town Officers

Any elected town officer may be removed from office subject to the following conditions and procedures;

(a) A written petition, signed by not less than 15 percent of the registered voters of the town, seeking the removal of such town officers, and requesting a vote of the town at a regular or special town meeting called for the purpose, shall be filed with the Selectboard and the Town Clerk.

(b) If the petition is filed no more than 60 days, and at least 47 days before the next regular Town Meeting, the Selectboard shall place the question of whether the elected officer shall be removed on the warning for the next regular Town Meeting. Otherwise, the Selectboard shall call a Special Town Meeting, to be held within 45 days of receiving the petition, to vote on whether the elected officer shall be removed. In either case, the recall vote shall be held by Australian ballot.

(c) When such a petition is approved by a majority of the ballots cast at said Regular or Special Town Meeting, the town officer named in the petition shall thereupon cease to hold their office.

(d) The officer shall be removed only if at least as many registered voters of the Town vote to approve the petition to recall as voted in the election wherein the officer was elected, or at least one-third of the registered voters of the Town vote, whichever is greater.

(e) A vacancy resulting from the recall of an officer shall be filled in the manner prescribed by law.

(f) A recall petition shall not be brought against an individual more than once within 12 months.

f. Teresa asked if there should be minimum length of time that the Selectboard would remain at 5 members.
    i. The C/T responded he will investigate what that would look like and make sure to update the article accordingly.
g. Sharon Ashcraft stated that the article could appear on the ballot, and doesn't need to be a charter change, and that there was confusion on this issue.
h. Teresa confirmed that the issue of increasing the Selectboard would appear on the ballot at regular Town Meeting, and not be a charter change.
i. Kathy Kennett asked about the change is language in the Selectboard's proposed charter change.
    i. The C/T confirmed that the Clerk's office will include any charter change petitions made at an upcoming Special Town Meeting.
j. Sharon Ashcraft asked why the Selectboard was proposing their own charter change.
    i. The C/T responded that a variety of other towns have recall petitions that include language like that proposed by the Selectboard, and confirmed again that all legally received petitions will be considered at an upcoming Special Town Meeting.
    ii. Teresa expanded on the idea that the number of people able to vote in recall petitions was important to maintain an equitable vote.
k. There was a general discussion, and reaffirmation that every step on the process will be conducted in the legally required fashion.
l. The C/T further noted that Panton's experience may help change the state law so that future confusion on this issue can be avoided.
m. Kevin Cooke noted that the amounts listed may need to be changed to reflect more accurate amounts, noting that low turnout to elect an official may result in an elected official gaining some protection from the 1/3rd requirement.
    i. The C/T agreed and will look into it.
n. Terry Pelletier asked about the term lengths of office.
    i. The C/T noted that it is what State law allows, making sure there are always staggered elections for Selectboard members. The C/T further confirmed that there would be 3, 3 year terms, and 2, 2 year terms.
    ii. Howard added that it has been difficult to find people to fill positions and run for office, including on the SB and the DRB, and that may be something to think about.
    iii. Mary Rudd added that the DRB is fully staffed, and had reduced from 7 to 5 to accommodate the lesser need.

6. Bob Groff, the Emergency Management Coordinator gave his report

a. The Town is continuing work with FEMA to get flood reimbursement. Many meetings have been held and the information requirements have been filled.
b. The Emergency Management Plan is in process.
c. The EMC will also be attending the Spring Flood Seminars, which includes forecasting for weather events, however inaccurate, but early predictions indicate a low chance of flooding events.

7. The C/T then provided the C/T updates.
    a. The Town Report is nearing completion and will be finished shortly.
    b. The Public Record Request Policy is still tabled, and the C/T is hoping for additional feedback.
    c. The C/T mentioned that the Arnold Bay Boat Ramp Fund might be considered for an article at Town Meeting, to remove this fund and place the funds back into the General Fund.
        i. Several people noted that this fund may be protected by certain state regulations, as well as having been made up of donations, making it difficult to collapse into the General Fund. It was noted that perhaps the remaining money could be spent on improvements for the Boat Ramp, then when the fund was empty, consideration could be made to eliminate the fund.
    d. The C/T made the Board aware of an issue regarding E911 addresses on Turkey Lane. The result of this discussion was that the Selectboard will have to re-name Turkey Lane, from Lake Rd to the highwater mark of Lake Champlain, and the people living along that road will have to change their addresses. It was generally noted that the people living on that road should have a significant say in what the road name is changed to.
    e. The C/T discussed a proposal by a company offering a service to the Town. This service would allow for automatic, text based communications between the residents and the C/T, and other Town officials.
        i. It was noted that the cost was too high, and the need to low to justify this at the moment.
    f. The C/T discussed a meeting with MIT Renewable Energy Clinic, and how it could possibly help in participating in discussions on the Viridis project.
        i. It was noted that while this offer was reasonable, and free, the Town's people and the SB had already made their statement on it, and did not necessarily need further voices in the discussion.
    g. The C/T began to discuss treasurer updates, starting with the continued good work on the preaudit, and with Becky Condon to review the 2024 Town Financials. The C/T mentioned as well that the Town Office was developing a cash flow projection document, to help the office get a better handle on month to month finances.
    h. The C/T began discussion of establishing a Fund Policy, and also an undesignated fund, aka Budget Stabilization Fund.
        i. It was noted that the Treasurer's Office needs a better handle of the funds we have without the creation of an additional fund, and that funding such a fund through a tax was most likely not sustainable this year.

i. The C/T began discussion on the Highway Departments request for consideration of a new loader. It was noted that the current loader has high hours, salt damage, it will need to be replaced in the near future. Loan options were discussed, however further investigation into possible used vehicles, and other options will most likely take place. The purchase of a new loader was not added to the budget for FY 26.

j. The C/T began discussion of the budget generally. It was noted that the current budget reflects a decrease from FY25, and will have a equivalent municipal tax rate decrease of .01. This was noted to be an estimate based on the Grand List, which will not be set until April.
    i. A general discussion of the budget began, specifically the replacement of culverts. It was noted by the C/T that many are in need of replacement, and a variety of funding mechanisms need to be used to replace them, including a budget allocation in the event the grants and FEMA funds are not received.
    ii. After significant discussion, the C/T was asked to remove the funding raised by taxes for that line item, and where possible, use reserve funds to cover those types of expenses.

k. The C/T presented a Community Service Allocation for the amount of $50 for Green Up Vermont. After some general discussion, Howard motioned to approve, Teresa seconded-**VOTE-2 in Favor, 0 Opposed**

l. The C/T presented the DRAFT Town Meeting Articles. These were generally discussed, with the focus being the amount to be raised by taxes. Additionally, there was discussion regarding why the community service appropriations were all in 1 article to be voted upon, instead of split up. It was noted that part of the reason was cost, and part of the reason was that it had been agreed to do it that way at a previous town meeting. Teresa made a motion to accept the draft, with the stated changes. Howard seconded-**VOTE-3 In Favor, 0 Opposed**

8. Teresa began a discussion on changing the day of the Selectboard meetings, to make sure she could attend. After some discussion, it was decided that this change would occur after regular Town Meeting, and would be the 2nd and 4th Wednesday of each month. The first Wednesday Selectboard meeting will be held on March 12th at 5:30pm.
9. Howard asked about the class that needs to taken, the C/T responded that it was a municipal ethics training, would take about 45 minutes, and would be followed by some questions. Howard asked if the SB could do it in session, The C/T said yes, and will make arrangements for that to happen.
10. The floor was opened to public comment;
    a. Kathy Kennett stated she was opposed the solar committee coming to work with the town, and she was also opposed to the text proposal the C/T discussed.
    b. Sharon Ashcraft stated that she would like to see the property tax examples changed from Disney characters.
        i. She also mentioned that the town hall rental policy should perhaps include rental fees and more.
        ii. Howard responded that it was due to low attendance, and that classes were free to encourage attendees.

c. Jaime Dayton mentioned that it would helpful to see more planning documents in the Town Report.
    i. The C/T and SB both noted that information will be included in the Town Report, and will be presented on.
d. It was generally noted that the addition of the PA system was nice.

11. Teresea made a motion to adjourn at 7:23 p.m., Howard seconded-**VOTE-2 In Favor, 0 Opposed**