



Opinions



Office of the Vermont Secretary of State - www.sec.state.vt.us
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Message from the Secretary

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On a cold snowy night a few weeks ago I found myself sitting with dozens of other parents and community members in our local high school cafeteria, watching a talent show. I was amazed by the amount of talent the kids displayed; there was a rock band with a guitarist and singer who were clearly on their way to stardom, an award winning step-dancer and a classical saxophone player, and of course, my son and his friends doing a hip-hop dance routine. But what was most impressive about the night was that the event was part of an effort by two senior students to raise awareness and money to help an under-privileged school in Kenya. One of the teens had spent time traveling in east Africa and was so appalled by the conditions of one of the rural schools she visited that she started a project called *Education Without Borders* to raise money to pay for additional teachers and equipment.

The students at my kids' school are not the only ones making a difference. All across Vermont teenagers are volunteering in nursing homes and in animal shelters. They are organizing fundraisers to help the food bank and they are looking at ways their schools and communities can reduce their carbon footprints. And they think big. With the internet and social networking young people today feel connected to people and places all over the world. They understand global problems and see ways in which they can make a difference here in Vermont.

A recent report indicated that Vermonters volunteer at a greater rate than the rest of the country. Perhaps it is the small size of our state that makes each one of us feel responsible to get involved and make a difference. Or perhaps it is because we feel so lucky to live in Vermont that we want to share our blessing with others. No matter what the reason, I know that every time I hear a story about the ways in which our young people are getting involved in our communities – or in helping a school far away across the world - I feel optimistic about Vermont's future and the future of the world.

At the start of this New Year it is a good time to count our blessings. In my life there is a great deal to give thanks for. I have a loving husband, three beautiful children who are happy and healthy, good friends, bright, energetic and committed staff, and, all of you who make serving as your Secretary of State an honor and a pleasure. Thank you!

Deborah L. Markowitz
Secretary of State

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Voice From the Vault

by Gregory Sanford

The Whole of the Moon

I recently encountered studies on how culture influences the way we perceive things. Western cultures, for example, tend to focus on objects, analyzing the object's attributes and categorizing it in order to discover rules governing its behavior. East Asian cultures focus on context "noticing relationships and changes and grouping objects based on family resemblance rather than category membership." Westerners have less complex social networks and value individualism and autonomy; thus they tend to see social and physical objects as distinct and separate. East Asian cultures have complex interdependent social networks; thus they tend to look for relationships among objects.

The perspectives are different, one more analytic, the other more holistic; neither is "right" or "wrong." Galileo focused his analytical skills, bolstered by his telescope, on the moon, adding to our understanding of the moon as an object. The ancient Chinese took a more holistic approach, looking at the moon's relationships to other forces and thus discovered its influence on tides (a connection Galileo never made). Both approaches furthered our knowledge.

This cultural influence on perception perhaps explains why Vermont state government traditionally attempted to manage its records as distinct objects, narrowly categorizing records into series without examining the record's complex relationships with the functions they support and with other records, especially those

created through similar functions conducted by other agencies. For decades records management focused on the physical object, a record, created by an individual agency or department, without taking a more holistic view of the government functions the records support.

Consequently it is often difficult, if not impossible, to locate similar or related records—and the information and knowledge they contain—across bureaucratic boundaries. The relationships among records have not been documented and the dependency on accessing records through government structures (which we routinely restructure) rather than the functions they support compounds the problem.

The problems associated with viewing record series as distinct objects have long been recognized. This has been particularly true in recent decades as we turn to information technologies to create, store, manipulate and transmit records. Information technologies lend themselves to more global—more holistic—views of information. They do not, however, automatically create those holistic views; indeed, they cannot if information is idiosyncratically categorized at the agency or department level.

As early as 1957 the Little Hoover Commission noted that fragmented recordkeeping was a barrier to developing "centralized data processing." See <http://vermont-archives.org/publications/voice/pdf/CentralizedDataProcessing.pdf> (my December 2007 column).

The Vermont Information Strategy Plan, launched by Governor Richard Snelling in 1991, identified agency-based "silos of information" as a barrier to improving government services and effectiveness. In 2003 Governor Jim Douglas commissioned the Vermont Institute on Government Effectiveness to look at the use of technology to improve government services and their 2005 report echoed the image of information silos as a barrier.

With the creation of the Vermont State Archives and Records Administration in 2008, a new effort was launched to take a holistic view of government records and information. That work is being done by a record analyst unit under the direction of Tanya Marshall. Tanya and her staff are using functional analysis and a faceted classification approach to break down the information silos so that records and information can become a business asset to government and citizen alike.

In brief, functional analysis is the study of how things are related and dependent on each other for their existence, value, or significance and faceted classification is a way to break down these relationships and dependencies into basic concepts (facets). VSARA uses a system, called the Vermont Functional Classification System (VCLAS), which consists of five core facets: agencies/departments; legal requirements; government functions; activities/services; and record types. VCLAS provides a mechanism for uniformly and systematically defining, describing and managing public records. The system also enables VSARA to look across the universe of Vermont's public records and identify relationships and dependencies not only among records, but also among agencies and departments, legal requirements, government functions, and the activities or services performed.

VSARA's record analysts are doing more than changing how the state categorizes and defines its records; they are attempting to transform our institutional culture so the existence, value, and significance of government information will be better understood and utilized. Their work combines Galileo's analytic focus on the moon and the ancient Chinese view of the moon within a network of forces. Or, to paraphrase the Waterboys, they will allow us to see not just the crescent, but the whole of the moon.

Richard E. Nisbett and Takahiko Masuda, "Culture and point of view," published in the September 2003 Proceedings of the National Academy of Sciences of the United States of America and available online, as of December 14, 2009 at <http://www.pnas.org/content/100/19/11163.abstract>.

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Opinions of Opinions

- 1. Campaign finance laws apply to candidates for local office.** Local candidates who raise and/or spend over \$500 in local campaigns must file campaign finance reports with the town clerk ten days before the election and ten days after the election. 17 V.S.A. §2822. Last year several candidates exceeded the threshold. Please remind local candidates of the campaign finance law and the necessity to file. We have sent copies of the disclosure forms and campaign finance guides to all town clerks. Copies of the guide and all necessary forms are also on our website: <http://www.sec.state.vt.us>.
- 2. Contact information for local officials is public record.** All contact information for local officials and employees of a town are a public record. This means that if a member of the public or a member of the press requests these records the town must provide them. 1 V.S.A. § 317.
- 3. Email lists are public record.** A growing number of municipalities have developed lists of email contacts for citizens who wish to be notified of town meetings or for other purposes. Since these are records that have been created in the course of agency business, they are a public record and must be made available upon request. 1 V.S.A. § 317.
- 4. Budget committees are appointed by the selectboard.** If the selectboard wishes, it may appoint a committee to assist with building the town budget. Unless the town has a charter that provides otherwise, there is no state law that would permit a town's voters to elect a budget committee at town meeting. Under state statutes it is the responsibility of the legislative body (selectboard or school board) to prepare and present a budget to the town. A legislative body can appoint a budget committee and set the committee's responsibilities if the board wants to broaden participation in the budget process, but it is a committee that is appointed and serves at the pleasure of the board.
- 5. Open meeting law applies to budget committee meetings.** A budget committee appointed by the selectboard to prepare or review a proposed budget is a public body subject to the open meeting law. This means that the committee must publicly announce its meetings, keep minutes of each meeting and give the public who attend reasonable opportunity to be heard. 1 V.S.A. §§ 310, 312.
- 6. Budget committee may act without a quorum.** A budget committee appointed by a board may meet without a quorum unless the board or municipal charter provides otherwise. Vermont's quorum rule requires 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. Because the budget committee provides recommendations to the selectboard, and does not have independent authority to act, the quorum requirement does not apply.
- 7. Towns may vote a specific budget or vote a tax rate.** Vermont law gives the selectboard a choice when it formulates its budget for action at town meeting. 17 V.S.A. § 2664 provides that a town must "vote such sums of money as it deems necessary for the interest of its inhabitants and for the prosecution and defense of the common rights." The law then goes on to permit the board either to "express in its vote the specific amounts, or the rate on a dollar of the grand list, to be appropriated for laying out and repairing highways and for other necessary town expenses." We recommend that towns vote the specific amount at town meeting rather than the rate on the dollar of the grand list, since the grand list will likely change between the date of the vote and the date the selectboard must set the tax rate.
- 8. Municipal department may petition for additional funds.** If a department of the town is unhappy with the appropriation set by the selectboard, the employees may, in their free time, (not during work hours) circulate a petition for an additional appropriation. (If the budget was voted on the floor they could have simply moved to amend the budget.) With five percent of the voters signing the petition, the voters will be given a chance to determine whether they want to provide the additional funding. Note that there is an argument that the selectboard would still have authority to withhold funds allocated to the department in the selectboard's budget as the budget is authority to spend – not a requirement to spend. However we believe if the voters have specifically authorized additional funding it is probably best for the board to permit its expenditure. Note that if it is for the town library, because the trustees have independent authority to draw orders on the treasurer, the selectboard cannot withhold the voter-allocated funds. See 22 V.S.A. § 143.
- 9. Social service agencies that serve the community may request special appropriations from the town.** The general rule is that a town may only spend taxpayer dollars for social service agencies that serve the community. According to 24 V.S.A. § 2691 a town or village may "appropriate such sums of money as it deems necessary for the support of social service programs and

facilities within that town for its residents." Note that, despite the statutory language, the Vermont Supreme Court has held that social service agencies physically located outside the municipality may be considered to be social programs within the village or town if the agency serves the residents of the municipality. *Addison County Community Action Group v. City of Vergennes*, 152 Vt. 161 (1989)(this case also extended §2691 to cities.)

10. Social service agency does not have to petition if selectboard agrees. An organization's request for a town appropriation can be placed on the ballot in one of two ways. An agency can bring a petition, signed by five percent of the voters, to the selectboard not later than the 40th day before the date of the meeting (we strongly suggest that petitions are presented earlier than this deadline in case there are signature errors). 17 V.S.A. § 2642(b). In the alternative, the selectboard may, on its own motion, include in the warning appropriations for non-profits that serve the town. Some selectboards have an established policy about when they will include appropriation requests on the warning without petition. A typical policy is to automatically place on the warning the previous year's appropriations. In these towns, any non-profit that had not previously been given funds by the town, or an organization that wishes an increase in funding must still petition the town to get on the ballot. A selectboard can revise its policy from year to year.

11. More than one social services agency can join together in one petition. Social service agencies can join together in circulating a petition signed by five percent of the legal voters to ask to have an article or several articles placed on the warning for town meeting. 17 V.S.A. § 2642. However, if using a joint petition, we strongly suggest that each agency present its request in a separate article in the petition so that the votes for each agency will be taken separately at town meeting.

12. Petitions don't need special language. There is no special language that is required for citizens to petition a selectboard or school board to place articles on the warning for town meeting. 17 V.S.A. § 2642 states that if five percent of the voters of the municipality file a petition with the town clerk then the warning must include the article. Vermont Supreme Court cases tell us that an inclusion of a petitioned article is not mandatory if the article is frivolous, illegal, or pertaining to a matter which is not within the authority of the electorate of the town to decide. For wording, we generally suggest:

We the undersigned legal voters of the town of ANYWHERE, Vermont, hereby petition the selectboard to include the following article on the warning for the annual town meeting on March 2, 2010: Article 1. Shall the voters of the Town of ANYWHERE vote to...(include here the subject matter of the petition, i.e., increase the membership on the selectboard from three to five members with the two new members each to serve a two year term)?

13. A town may vote to hire accountant in lieu of elected auditors. 17 V.S.A. § 2651b. Municipalities may vote by paper ballot (or Australian ballot in towns that have voted to do all public questions by Australian ballot) to eliminate the office of auditor. In such a case the selectboard must contract with a public accountant (CPA). If a town passes such an article at the annual town meeting, then the term of office for any auditor in office on the date a town so votes shall expire on the 45th day after the vote or on the date when the selectboards enters into a contract with the CPA, whichever occurs first.

14. The town auditors must prepare the town report and have it mailed or other distributed at least 10 days prior to town meeting. 24 V.S.A. § 1682(a). In response to the concerns of towns that printing and mailing town reports to every household was too costly, and that most town reports ended up in the trash or recycling, the legislature changed the law to permit the voters of the town to vote to permit the town to provide "notice of the availability of the auditors' report" to the voters or residents of the town instead of mailing or distributing the report itself. The law provides that "if the voters of the town vote to provide notice of availability, they must specify how notice of availability shall be given, and such notice of availability shall be provided to the voters or residents of the town at least 30 days before the annual meeting." In addition, "upon request, the auditors shall mail or distribute a copy of the full report to a voter or resident of the town." Note that if a town has voted to eliminate the office of auditor, the findings of the public accountant must be mailed or otherwise distributed by the selectboard.

15. Town must publish the town meeting warning if it is not included in a town report that is distributed to the voters at least ten days prior to the meeting. If the warning for town meeting is not included in the town report and mailed or otherwise distributed to the voters at least 10 days before Town Meeting, then the warning must be published in a newspaper of general circulation in the municipality at least five days before the meeting. 17 V.S.A. § 2641(b).

16. Selectboard may choose to plow some class four roads. While the law requires a town to "keep its class 1, 2 and 3 highways and bridges in good and sufficient repair during all seasons of the year," class four highways may be "maintained to the extent required by the necessity of the town, the public good and the convenience of the inhabitants of the town." 19 V.S.A. § 310. This gives the selectboard flexibility to plow some class four roads but not others. We recommend that selectboards adopt a policy that describes the situations in which it will plow a class four road. A clearly enunciated policy will enable the residents who live on these roads to know what to expect and to know they are being treated equally. (An example of a policy to plow would be if it is necessary to provide school bus service to children living on the road or to provide emergency services to year round residents.)

17. Selectboard not bound by policy of previous board. The selectboard may reconsider its road policy whenever it feels it is necessary. A board is not bound by a previous policy and may change it to reflect what the board believes is the best interest of the community. A person who lives on a class four road has no right to continued plowing even if the road has been plowed in the past.

18. Resident may not put up fence in right of way. In one town a resident was unhappy that the school bus used the road as a turn around so the resident constructed a fence in the highway right of way that would prevent the bus from turning around. 19 V.S.A. § 1111 makes it unlawful to construct a fence in the highway right of way. However, the fence may be placed on the landowner's property – outside of the right of way – even if it prevents the tail end of the bus from making the turn around.

19. The selectboard may construct snow fence to prevent obstruction of highway. When the selectboard determines that a town road is liable to be obstructed by snowdrifts unless a snow fence is erected on land adjoining the highway, it may give the landowner notice and hold a hearing for the owner to discuss the matter, and then they can go on the private property to build and maintain the fence for the winter months. 19 V.S.A. § 927. Note that the selectboard may also require a landowner to remove a fence for the winter if it can be done easily, in order to prevent the town highway from being obstructed by snowdrifts as a result of the placement of the fence. 19 V.S.A. § 925. In both cases the board must follow statutory procedures found in 19 V.S.A. § 923 of this title for giving the landowner and others notice, inspecting property, determining need, awarding damages and satisfying appeals.

20. Snowmobiles may use unplowed public highways. 23 V.S.A. § 3206 provides that a snowmobile may run on unplowed highways if the town road has been opened to snowmobile travel by the selectboard, and if the road is so posted by the town. Snowmobiles may also use the unplowed portion of the highway right of way so long as the operator is not closer than five feet from the plowed portion. The selectboard should adopt a clear winter use policy so that all landowners and snowmobile users know what roads may be used in the winter.

21. Town may permit landowner to pent a road. One landowner was unhappy because snowmobilers used the class four road in front of his house at all hours of the day and night, despite the fact that it was a privately maintained class four road that the board had not opened to snowmobiles. 23 V.S.A. § 3206. The board may grant the landowner written permission to put up an unlocked gate across the road to deter recreational use of the road. 19 V.S.A. § 301. (Pent roads were originally created to keep in farm animals where a landowner owned both sides of the road and let the animals graze freely.)

22. Vote to enlarge school board from three to five members may be rescinded by voters. The voters may rescind a previous vote to increase the school board from three members to five members. 16 V.S.A. § 423(a). The warning would include an article, "Shall the Town School District of XXXX rescind its previous action to increase the school board to five members and return to a three member board?" If this article passes, the two school board members who are serving either one or two year terms will finish the term to which they were elected. At the end of their terms, the two additional school board offices would be discontinued. This article would be considered a public question, so the vote would be by voice vote unless the district had previously voted to handle all public questions or this particular question by Australian ballot.

23. Town or school may vote to eliminate the use of Australian ballot for particular types of votes. If a town or school district has voted to elect officers by Australian ballot and voters now want to return to paper ballots and voice votes for election of officers, an article must be placed on the warning, "Shall the Town of XXX discontinue the use of Australian ballot for the election of officers?" 17 V.S.A. § 2680(b). The article is a public question, so that the vote would be by voice vote unless the town had previously voted to handle all public questions by Australian ballot. This article must either be voted at a special meeting before Town Meeting, in order to change the method of voting for this year, or voted at Town Meeting this year with the change in voting to take place at next year's Town Meeting.

Errata: December 2009 issue, #21. Board can discuss business outside of a public forum in an executive session. Executive session is used when the board is acting in a legislative capacity and the subject that needs to be discussed fits into one of the eight reasons listed in 1 V.S.A. § 313 to go into executive session. To enter executive session, there must be a motion stating the statutory reason with specificity, the motion must be seconded and passed by a majority vote (two-thirds vote for a state agency). No action can be taken in executive session (except for decisions to enter into purchase agreements) and the board can only discuss the subject that it publicly announced.

Civics Behind the Scenes

by Missy Shea, Civics Education & Vote Outreach Coordinator

It's impossible for me to think about writing an article for the start of a new year without my mind immediately jumping to "resolutions." A quick check through my files informed me that I've covered the topic before. However, this year, I'm thinking about a different, yet related, kind of resolution.

In addition to my job as civic education coordinator at the Secretary of State's office, I teach an 8th grade American History class. In this age where information is available instantaneously through technology, my students are having a hard time with homework. They don't necessarily mind doing it, but bringing completed assignments with them to class early in the morning seems to be a challenge they've yet to collectively master. Every day, someone's printer didn't work, or someone else's laptop wouldn't let them log on to review what the assignment was, etc.

When I complained about this over lunch one day, a colleague retorted in an exasperated, flip tone, "Where have you been? The printer excuse is the new 'my dog ate my homework'." She's right, of course. But I couldn't accept this. And I could tell that my increasingly frustrated reminders about my homework policy weren't sinking in.

My remedy? A resolution! (Well...ok, a bill.) I opened up "The Adventures of Bill: The Real-Life Account of How a Vermont Bill Becomes a Law!" a publication from our office designed to teach middle-school students the legislative process. I drafted a quick copy of a mock bill based on the existing homework policy, and began my next class with a guided discussion on the topic. I then passed out the draft bill, which we read together as a first reading. After I assigned it to committee (the whole class), their homework was to email me ideas about our class homework policy, including potential changes to the draft bill. The next day in committee/class, the students debated the merits of various aspects of the bill including proposed amendments, and, acting as legislative counsel, I took it home that night for redrafting. After successful passage on the second and third readings, our class now has a new homework policy.

Guess what? Not only do students still need to bring completed homework assignments with them to class, the kids are now more invested in that work, and the process by which it will be assessed.

My resolution for 2010 is to pay closer attention to teachable moments for civic education, and I'm asking municipal authorities to join me. Citizens don't have to be students in a classroom to benefit from receiving information about and practice with the way our democratic system works.

For more information about the Secretary of State's kids programs, visit www.sec.state.vt.us/kids.

For more information about the Secretary of State's Office's Civics Programs or to order materials visit www.sec.state.vt.us or contact Missy Shea at 802-828-1296 or email mshea@sec.state.vt.us

Get Ready for the Vermont Public Service Awards!

The next few issues of Opinions will contain monthly updates on the 2010 Vermont Public Service Awards. In past editions we provided background information on the program and outlined the nomination process. By now, each municipal clerk should have received via email the list of local officials who were honored in previous ceremonies, as well as the nomination form for 2010. We have also posted a list on our website at <http://www.sec.state.vt.us/municipal/fame.htm>. Nomination forms are also posted online.

- Step One - On the nomination form, list everyone who reached their 20-year milestone since the last ceremony. These folks will receive a certificate.
- Step Two - Add all the officials who already received an award and are still serving. They will receive a State of Vermont pin at the ceremony.

If your town has never participated, or if you have not received a list from our office, please feel free to contact us. Many towns have already responded and we are looking forward to working with all of you! For more information or if your town is interested in hosting a regional event please contact Ginny Colbert at gcolbert@sec.state.vt.us or 802-828-2148.

Nomination forms are due by **February 5, 2010!**

We will schedule the regional events to begin in Spring 2010.

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Centennial Business Awards

Is Your Business A Century Old? If yes, then the Secretary of State is looking for you!

The Vermont Centennial Business Awards is a joint project of the Office of the Secretary of State, the Vermont Chamber of Commerce, and Vermont Business Magazine. Any business that has operated in Vermont continuously for 100 years or more is eligible to participate.

The Vermont Centennial Business Award acknowledges Vermont's oldest businesses for enriching our economic heritage. We also hope that this program will deepen our understanding of how Vermont's businesses have enhanced our community life during the last hundred years.

In March we will be presenting awards to the Vermont businesses that will reach their centennial in 2010, as well as honoring up to 20 of Vermont's older businesses. Every centennial business that applies to participate will be recognized.

If you know of a business that qualifies for the Centennial Business Award, contact Ginny Colbert at 802-828-2148 for an application, or visit our website at www.sec.state.vt.us. The application deadline is **January 15, 2010**.

Tip of the Month

This month's tip is from Sandra Ferver, Town Clerk and Treasurer in Worcester:

When a town clerk receives a request for an electronic copy of the voter checklist for your town or a district within your town, you must provide it electronically because it is available through the Statewide Checklist database. For smaller towns, where the town clerk may only need to update the checklist monthly, here is an easy way to have an electronic copy of your checklist ready to send. After you do your monthly additions and updates on the Statewide Checklist (or whenever you do additions or updates), before you log off, go to: View/Print Reports, choose Entrance Checklist, and choose "Export Data to Excel file and send as Email attachment." The entrance checklist will be sent to your email inbox, where you can leave it until next month's updates. Anytime you receive a request, you can just forward the email with the checklist attachment to the requestor! The original email with the Entrance Checklist attached will remain in your email inbox ready for the next request.

If you have a tip to share, contact Alison Kaiser at akaiser@townofstowe.vermont.org

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Quote of the Month

***All labor that uplifts humanity has dignity and importance
and should be undertaken with painstaking excellence.***

Martin Luther King, Jr.

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Upcoming Events

Town Meeting Tune-Up

February 17, 2010

Sponsored by VLCT Municipal Assistance Center

Location: Capitol Plaza Hotel, 100 State Street, Montpelier, VT

Time: 8:30 am

Contact: Jessica Hill (info@vlct.org)

Phone: 802-229-9111

Fax: 802-229-2211

Price: PACIF members \$55, VLCT members \$80, Non Members \$125

A parliamentarian's paradise, this annual workshop is designed for moderators and selectboard members, both seasoned and new. It will focus on the statutory requirements for town meeting, Robert's Rules of Order, and best practices for making it through Town Meeting unscathed.

Town Officer Education Conferences

Mark your calendars now for the 2010 TOEC, coordinated by the University of Vermont Extension:

April 5 - St. Michael's College - Colchester

April 8 - Lyndon State College - Lyndonville

April 13 - Lake Morey Resort - Fairlee

April 20 - Mount Snow, Dover

April 28 - Rutland Holiday Inn, Rutland Town

Contact for More Information: Sally Cleveland at University of Vermont Extension

Phone: 802-773-3349

Email: sally.cleveland@uvm.edu

Website for information and/or registration: <http://www.uvm.edu/extension/>

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Municipal Calendar

January 2010

1 - New Year's Day. 1 V.S.A. § 371(a)

1 - Last day to warn the first public hearing if charter adoption, amendment or repeal is to be voted at town meeting (60 days before town meeting). 17 V.S.A. §§ 2641(a), 2645(a)(3) and (6)

15 - Last day for Tax Collector to deliver unpaid real and personal property tax lists to Town Treasurer. 32 V.S.A. § 5162

15 - Last day for Town Clerk to remit to State Treasurer an accounting of dog and wolf-hybrid licenses sold and remit the license fee surcharge for a rabies control program. 20 V.S.A. § 3581(f)

18 - Martin Luther King, Jr.'s Birthday. 1 V.S.A. § 371(a)

21 - First day town clerks may post warnings for town meeting (40 days before the meeting). 17 V.S.A. § 2641(a)

21 - Last day for receipt of petitioned articles to be added to the town meeting warning. (Petition must have been signed by five percent of the legal voters of the municipality.) 17 V.S.A. § 2642(a)

21 - Last day for Board of Civil Authority to designate polling places and, if necessary, divide the checklist according to geographic boundaries. 17 V.S.A. § 2501(a)

22 - Official copy of proposed charter amendments must be filed in town clerk's office if vote is to be taken on town meeting day (10 days before first public hearing). 17 V.S.A. § 2645(a)(2)

25 - In Australian ballot towns, nominating petitions for town offices must be filed with the clerk of the municipality no later than 5:00 p.m. (sixth Monday before the election). A nominating petition must be signed by 30 voters or one percent of the legal voters, whichever is less. 17 V.S.A. § 2681(a) and (b)

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 V.S.A. § 5842

26 - In Australian ballot towns, town clerk receiving petitions for candidates running for municipal office must return any defective petitions to the candidate (within 24 hours of receipt). 17 V.S.A. § 2681(e)

26 - Last day for auditors to post 10 days' notice of their meeting to examine town accounts. 24 V.S.A. § 1681

27 - In Australian ballot towns, a candidate may withdraw by notifying the municipal clerk in writing no later than 5:00 p.m. (Wednesday after the filing deadline). 17 V.S.A. § 2681(d)

27 - In Australian ballot towns, supplementary petitions for municipal candidates whose original petitions were defective must be filed no later than 5:00 p.m. (Wednesday after the filing deadline). 17 V.S.A. § 2681(e)

27 - In Australian ballot towns, candidates for municipal office must file a consent of candidate form with the municipal clerk by 5:00 p.m. (Wednesday after the filing deadline). 17 V.S.A. § 2681(a)

30 - Last day for town clerk in municipality with fiscal year ending December 31 to publicly disclose fees kept as compensation for that fiscal year. 24 V.S.A. § 1179

30 - Last day for U.S. Congressional candidates to file FEC non-election year year-end report. (July 1-Dec. 31). 2 U.S.C. § 434(a)(2)

31 - This is the last day that the warning and notice for town meeting may be posted (30 days before the election). 17 V.S.A. §§ 2521(a) and 2641(a)

31 - Checklist must be posted in two or more public places in the town in addition to being posted at the town clerk's office in towns with population over 5,000. In towns with less than 5,000 population, the checklist must only be posted in one place in addition to the clerk's office. 17 V.S.A. §§ 2141, 2521(a)

31 - (No sooner than 30 days before polls open) First day for town clerk in towns with at least 5,000 registered voters to direct two election officials to open outer envelopes, sort, and check in absentee ballots. 17 V.S.A. § 2546(a)

31 - Last day to mail W-2 Withholding Forms to employees.

31 - Last day to file Form 941 (Quarterly Withholding Return) with the IRS.

February 2010

1 - Last day to hold first public hearing on charter amendments if article is to be voted at town meeting. First public hearing shall be at least 30 days before the meeting. 17 V.S.A. §§ 2103(13), 2645(a)(3)

1 - Deadline for tax collector to turn over monies collected and settle account with treasurer. 24 V.S.A. § 1532

1 - Last day for listers to file corrected grand list for preceding year in order to render it valid. 32 V.S.A. § 4112

5 - (25 days before Town Meeting) Auditors must meet by this date to examine and adjust town finances. 24 V.S.A. § 1681

5 - (25 days before Town Meeting) Town officers must settle accounts with auditors to be eligible for re-election. 24 V.S.A. § 992

- 10 - First day for legislative body to post warning for public informational hearing (to be held on or after 2/20/10) on any public question to be voted by Australian ballot at town meeting. 17 V.S.A. § 2680(g)
- 10 - Last day for any municipality that has enacted special weight limits, which are other than state legal limits for highways and bridges, to file complete copy of the limitations with the Department of Motor Vehicles. 23 V.S.A. § 1400b(a)
- 10 - Last day for the legislative body to file with town clerk annual statement of description and measurement of all Class 1, 2, 3 and 4 town highways and trails then in existence, including special designations. 19 V.S.A. § 305(b)
- 10 - (Not later than 20 days before election in towns using Australian ballot) In Australian ballot towns, ballots for local offices and public questions shall be prepared by the town clerk and available. 17 V.S.A. § 2681a(a)
- 16 - (At least two weeks before Town Meeting) Town clerk must have liquor ballots printed if liquor issue is on Town Meeting agenda and if town does not use Australian ballot. 7 V.S.A. §§ 161, 163
- 20 - First day for legislative body to hold public informational hearing on any public question to be voted by Australian ballot at town meeting. 17 V.S.A. § 2680(g)
- 20 - Last day for legislative body to post warning for public informational hearing on any public question to be voted by Australian ballot at Town Meeting. 17 V.S.A. § 2680(g).
- 20 - (At least 10 days before Town Meeting) Legislative body must mail or otherwise distribute Town Meeting warning in annual town report by this date to avoid publishing warning in newspaper. 17 V.S.A. § 2641(b)
- 20 - (At least 10 days before Town Meeting) Auditors' report, or the findings of the public accountant employed in accordance with 17 V.S.A. § 2651b, must be distributed. 24 V.S.A. § 1682
- 20 - (Not later than 10 days prior to the election) Last day for town clerk to post sample ballots for municipal election in at least two public places within the town and in or near the clerk's office. 17 V.S.A. § 2522(a)
- 20 - Voting machines must be tested using official ballots that are clearly marked "test ballots" (at least 10 days before the election). 17 V.S.A. § 2493(b)
- 22 - (During the eight days immediately preceding election day and on election day) In towns using Australian ballot, town clerk must give each pair of justices one part of the list of ill or physically disabled applicants to be visited together with early or absentee voter ballots and envelopes for each. 17 V.S.A. § 2538(b),(c)
- 22 - A local candidate who has made expenditures or accepted contributions of \$500 or more shall file a campaign finance report ten days prior to the election. 17 V.S.A. §§ 2822, 2103(13)
- 24 - Last day, until 5:00 p.m., to apply for addition to the checklist to vote at town meeting. Town clerks' offices must be open from 3:00 p.m. to 5:00 p.m. to accept applications. 17 V.S.A. § 2144(a)
- 24 - Last day, until 5:00 p.m., for people who are not eligible to register by this date but who will be eligible by election day to file a written notice of intent to apply with the town clerk and to request an early or absentee ballot. 17 V.S.A. § 2144(b) and (c)
- 24 - Last day to receive a request for an application for addition to the checklist accompanying an early or absentee ballot request (by 5:00 p.m.). 17 V.S.A. § 2532(b) and (c)
- 25 - (10 days before the election) Candidates for Town Meeting local election who are spending more than \$500 must file a campaign finance report with officer with whom nominating papers were filed. 17 V.S.A. §§ 2822, 2103(13)
- 25 - (Five days before Town Meeting) Treasurer must settle accounts with auditors. 24 V.S.A. § 1578
- 25 - Last day for town clerk to forward to the board of civil authority a list of voters added to the checklist (at least five days before town meeting). 17 V.S.A. § 2144b(d)
- 25 - Town meeting warning must be published in newspaper by this date if town report has not been distributed otherwise (five days before the meeting). 17 V.S.A. § 2641(b)
- 27 - Last day for the board of civil authority to designate pairs of justices of the peace, assuring a political balance in each pair, to deliver early or absentee ballots to ill and physically disabled voters (not later than three days prior to the election). 17 V.S.A. § 2538(a)
- 28 - (No sooner than 48 hours before polls open) First day for town clerk in towns with less than 5,000 registered voters to direct two election officials to open outer envelopes, sort, and check absentee ballots. 17 V.S.A. § 2546(a)

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

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