

# Opinions

Office of the Vermont Secretary of State



Vol.8, #5

## A Message from the Secretary



It is not often that I can convince my children to accompany me to work events, but last week my 16 year old daughter Aviva agreed to join me for the long drive from Montpelier to Mt. Snow for the Town Officer Educational

Trainings. As you might guess, it was the promise that she would get to drive that made the trip attractive to her, not the possibility of learning about the minutiae of municipal law. The trip to Mt. Snow was long and stressful (for me as a passenger), but Aviva is a careful driver and we made it safely.

I have always been a reluctant driver. I didn't get my license until I was in my 20s. The fact that my relationship with my husband survived him teaching me to drive his "standard" on the hilly streets of Burlington is still recounted in our family as a sure sign that our marriage will survive the vicissitudes of life. Maybe this is why I feel flustered by my oldest daughter's rush to the steering wheel. Or maybe it is just a mother's natural resistance to a child's growing up – a resistance to "letting go."

I know that the job of parents is to prepare children to go out into the world and meet its challenges, to be responsible for their own actions, and to serve the community. Part of that job is letting go so that children may assume that responsibility for themselves. But "letting go" is never easy; and there is nothing like seeing a child in the driver's seat to remind us of how little control we have over the things that are most important to us.

Children teach us many things. Perhaps one of the most important lessons is that when it comes down to it, we don't have control. Like so many things in life, we must do our best and then have to let go. As local officials you know this well. Town Meeting is a great example. We can set the warning, prepare the budget, work closely with the Moderator to plan the order of things, but when it comes

down to it, the meeting and the decisions are not in our control. What happens at Town Meeting is up to the voters. Of course, in local government, as in parenting, we are not working alone. We can rely on other local officials and members of our community for help, and the legislature offers help through laws and (on occasion) funding that empowers us to get things done. As for our young drivers we rely on the driver's education classes taught at schools, we rely on the other drivers to take care, and as parents we have the support of Vermont's graduated driver's license law to help our teens ease into driving.

Whether it is raising children to be independent adults, or running our towns, we have to recognize what we have control over and what we do not. And, we have to have faith. Faith that others will step up to the plate to continue the work when we are done, and faith that our children will take what we have taught them and treat their own lives as a precious gift.

Deborah L. Markowitz, Secretary of State

### In this Issue...

Voice From the Vault.....	pg. 2
Quote of the Month.....	pg. 3
Opinions.....	pg. 4
Civics: Behind the Scenes.....	pg. 8
Vermont Public Service Awards.....	pg. 8
Tip of the Month/Upcoming Events.	pg. 9
Clerk Advisory Board/ Welcome.....	pg. 10
Calendar.....	pg. 11

## On Obituaries, Pets and the Municipal Office of the Future

Like most of us I have my share of quirks. One is the attention I pay to newspaper obituaries. I started reading obituaries when I was working on the George Aiken Oral History Project at UVM. I would scan the obits in search of people who were important to Governor Aiken's early career and administrations (sadly this also meant crossing names off the list of potential project interviewees).

Long after that project I continue to read the obits, finding insights into our changing society in the individual life stories. The waves of obituaries for World War II veterans, for example, give witness to how we are losing personal memories of that conflict.

Where quirkiness enters into my reading is my fascination with the images of the deceased. Some photographs are contemporary; others are from earlier in life, usually middle age; and in rare cases an obituary is accompanied by two or more photographs from different periods in the person's life. What picture would I use, from what period in my life? What, by extension, does this say about my own self-image of who I am?

These thoughts were stirred in reading H. 885, the proposed amendments to the St. Johnsbury charter. Section 3 of the bill abolishes the town offices of fence viewer, inspector of lumber, shingles and wood, second constable, and weigher of coal. No pictures or life history accompanied the obituary of these positions.

I have written before about how these local offices reflected earlier economic realities. Where once towns applied quality control standards to local products to gain market share, the expansion of the economy into state, national and international markets moved standard setting away from the towns. This eroded the importance of these local officers; where they persisted they were often accorded as humorous honors.

The proposed charter changes for St. Johnsbury included creation of a department of assessors "headed by a person experienced in the appraisal of real estate, who shall be appointed by the town manager with the approval of the select board." The voter approved proposals also included a change in how the town clerk's budget was set. These provisions suggested that the performance and duties of the remaining town offices are still evolving.

This, in turn, led to thoughts about a recent extended discussion on the municipal government listserv about pets in town offices. A majority of the participants in this good humored discussion defended bringing their pets to work. In my role as Grumpy Gregory I suggested that pets could be a problem for citizens with allergies to, or phobias about, the various critters which now constitute "pets."

I used the discussion to elaborate on two distinct and understandable approaches to municipal offices. For the majority, the need to create a comfortable work environment by bringing a pet to work outweighed the rare instances when visitors were discomforted. I referred to this approach as "my-chives." Juxtaposed with this was the approach that as public officials, overseeing public records in a public space, we had to create a welcoming environment to all the public, even those with allergies and phobias. This approach I labeled "our-chives."

As a pet owner I totally understand the "my-chives" approach with its homely image of town offices with a cat sleeping on a heat register or a dog loyally curled by the clerk's feet. It is an image worthy of Norman Rockwell. In contrast the cold efficiency of the pet-less "our-chives" conjures up no such comforting image; Norman Rockwell has left the building.

And yet my guess is that the “our-chives” approach will be the future. If nothing else we live in a litigious society and sooner or later there will be suit because someone has a bad allergic reaction or some other negative experience. We will become more professional, while something will be lost.

Just as the expanding breadth of commerce changed or even eliminated town offices, outside legal, social and economic forces will continue to change those offices into “our-chives.” Recent experiences reveal the truth of this prediction. New educational funding mechanisms have brought standardization to the appraisal and reporting of property taxes. The demands of tax mapping are changing the skill sets needed by town officers as well as the shared recordkeeping requirements of state and municipal governments. National election laws stemming from the electoral chaos in other states are changing the policies and procedures surrounding local checklists. Increasing pressure from banking and insurance concerns, as well as evolving case law, are being brought to bear on how records affecting the marketability of title are managed. Concerns about identity theft and terrorism are bringing federal and state directives on the management of, and access to, vital and other records containing personal information.

These directives, regardless of origin, are bumping up against traditions of local control and the independence of town clerks and other officers. Even where directives allow for local input, municipalities can only adjust, not control, implementation.

While checklists and grandlists have been transformed, practices governing records affecting title remain largely under the policies and practices of individual municipalities. Municipal clerks have studied the future of land records through a series of commissions dating back to at least the 1990s (these reports can be found on our web site for the current municipal land records commission: <http://vermont-archives.org/records/vtmlrc/>).

To date these studies have not been translated into uniform practices and procedures. Lack of resources and training, the weight of long established practice, and increasingly outmoded laws (which still refer to volumes, pages, and index cards as new computer systems are contemplated and installed) serve as barriers to change. And our own fierce independence, heightened by the perceived erosion of local control, further shapes our response to pressures to standardize land record practices.

If clerks (if we, since the Archives confronts similar pressures to change), do not act soon then forces beyond our control will shape who we are, what we do, and how we do it. Without effective action the image accompanying our obituary may very well be of a clerk-less as well as pet-less office (as I am writing this a Muninet discussion is starting on whether technology can replace human minute taking by transcribing as well as recording meetings; will yet another clerk function be automated in the future?).

So I would love to hear from you. How do you envision your office and your workflow in ten years? What, from your perspective, are the tools needed for achieving that vision? What skills and training do you feel will be essential? What incentives do you see as appropriate for moving toward more uniform practice? I look forward to hearing your thoughts.

## Quote of the Month

What lies behind us and what lies before us  
are tiny matters compared to what lies within us.

— Oliver Wendell Holmes —



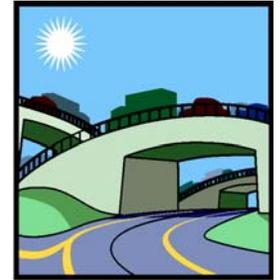


# Opinions of Opinions

- 1. A person in a correctional institution must register to vote in the last town in Vermont that the person resided in prior to incarceration.** Vermont law provides that “a person can neither gain nor lose residency...while in a correctional institution. 17 V.S.A. §2121 and 2122(a). There is also a more specific provision in 28 V.S.A. §807 that states that a person cannot register to vote in the town where the correctional facility is located. While some attorneys consider this provision to be unconstitutional, it has not been challenged in court.
- 2. Absentee ballots cannot be delivered to a voter by a local official – except by Justices of the Peace.** Absentee ballots can be mailed to voters upon request or can be delivered by a pair of Justices of the Peace to voters who are ill or physically disabled. 17 V.S.A. §2539 and 2538. Absentee ballots cannot be delivered by any other Town Official. There are no exceptions to this rule — not the town clerk, not selectboard members, ONLY pairs of Justices can deliver absentee ballots. In addition, although a voter can come to the town clerk’s office for a ballot to take home and mail back, he or she may only get a ballot for him or herself. The voter may not take a ballot from the town clerk if it is to be given to any one else – even a spouse or family member.
- 3. A town clerk must record properly submitted deed or survey.** A town clerk must record properly submitted deed and survey (conforms to statutory requirements in 27 V.S.A. §341) even if an abutter objects that it contains incorrect information. The recording function is a ministerial duty that allows the documents to provide notice to others. If a correction needs to be made, a new corrected deed or survey must be submitted for recording. Note that the clerk should reject a deed if it is not submitted with a required property transfer tax return.
- 4. Taxpayer is responsible for attorney’s fees for preparing for tax sale even if the taxes are paid before the sale.** When a town sends delinquent taxes to an attorney for collection and to begin the tax sale process, if the delinquent taxpayer decides to pay all of the back taxes, penalty, and interest, the town can also add the actual and reasonable attorney fees that it has incurred. 32 V.S.A. §5258.
- 5. Bond votes must follow special procedures to be valid.** Before it goes to the voters to authorize a bond, the Selectboard must pass a resolution of public necessity. This begins the process for a bond vote. 24 V.S.A. §1755. All bond votes require special and additional notice and warning to be provided as directed in 24 V.S.A. §1756. The ballots must be prepared as directed in 24 V.S.A. §1758. Selectboards and town clerks must provide copies documenting the various steps to bond counsel. It is wise to ask for a checklist of items and then confirm that you have covered all the steps with bond counsel before the warning period expires.
- 6. It is not a conflict of interest to serve on a nonprofit board and also support the efforts of the nonprofit as a selectboard member.** For example, a selectboard member may serve on “downtown improvement committees” or be involved with other non profit groups in supporting a grant request to the state, and still participate in the selectboard vote to decide whether the town will apply for the grant. It is only when the specific interest of the selectperson is different from the interests of the public at large that a selectboard member needs to consider withdrawing from the vote. For example, if the selectperson would personally profit financially from the grant, or his business would profit from the grant in a special way, then the board member should recuse himself from the decision making.

**7. Public records do not have to be faxed to caller.** The public records law in 1 V.S.A. §315-318 provides that custodians of public documents must make documents available to the public for inspection and copying during reasonable hours. The law does not require that the custodian fax copies of documents to anyone, or require that the custodian conduct research to find documents. While each custodian can establish additional office practices, we caution against policies that create a risk of liability for the town if you miss finding a document that has been requested or send the wrong document.

**8. Road reclassification procedures apply to both increasing and decreasing classification of towns.** Towns must go through all of the same statutory procedures to reclassify a highway from IV to III as must be done to go to a lower classification or to abandon a road. 19 V.S.A. §§707-717. If a road is reclassified to Class III, after the Selectboard has gone through the necessary notice, hearing and decision, the town can use funds from its town highway budget to improve the road, if funds are available. A vote of the electorate is only required if additional funds are needed.



**9. There is no recall of town officers.** Voters cannot petition to reconsider election of any town officers, whether the officers are elected by floor vote or by Australian ballot, unless the town or city has included recall provisions in a Charter. There is also no provision for any type of recall of local public officials in Vermont. 17 V.S.A. §2646 provides for election of town officers “who shall serve until the next annual meeting and until successors are chosen.” If you are unhappy with the actions of a public official or public board, you can attend meetings and speak up to try to influence the decisions, try to organize public pressure for the official to consider resignation and/or work to elect someone else at the end of his or her term.

**10. ZBA or DRB member who fails to attend meetings may be removed from office.** Zoning Board of Adjustment and Development Review Board members may be removed by the legislative body, for cause, upon written charges and after public hearing 24 V.S.A. § 4460(c). Although there have been few court cases defining what would be just cause to remove a board member, a regular failure to perform the duties of the office (by not showing up to meetings) could readily be considered justification for removal. We would suggest that a board member be warned that the selectboard will be considering removing him or her from the ZBA or DRB prior to doing so, in order to give the ZBA or DRB member chance to either resign from office, or rearrange his or her schedule so that he or she can make the meetings.

**11. When a DRB or ZBA member is unable to participate in a particular matter an alternate may be assigned to serve.** The municipal legislative body may appoint alternates to a board of adjustment or a development review board for a term to be determined by the legislative body. Alternates may be assigned by the legislative body to serve on the board of adjustment or the development review board in situations when one or more members of the board are disqualified or are otherwise unable to serve. 24 V.S.A. § 4460.

**12. All documents – including e-mails – obtained in the course of agency business are public record.** The Vermont Public Record Law broadly defines public record or public document as “...or any other written or recorded matters produced or acquired in the course of agency business...” unless the document fits one of the exceptions listed in the statute. 1 V.S.A. §317(b). Emails that are written, sent, or received in the course of the business of the public board or entity or between board members dealing with board business are public records and must be produced for inspection upon request. An email must be reviewed or considered in the same light as a letter would be considered on the same topic. If a letter on the same subject would become a public record, then the email is public record. Copies of emails sent and/or received in the course of board business should be provided to the custodian of public records for the board so that the public can inspect them upon request.

- 13. A public board cannot “recess” its meeting for a brief time in order for board members to leave the room to continue to discuss board business in private.** All board business must be discussed in public unless it meets one of the two exceptions to the open meeting law discussed below (executive session or deliberative session.). It is perfectly appropriate for a board to take a brief recess to allow members to use the facilities, take a stretch, or return an important telephone call. However, the recess should not be a ruse so that board members can discuss board business outside of the hearing of the attending public.
- 14. Board can discuss board business outside of a public forum in an Executive Session.** This 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 2/3 vote. No action can be taken in executive session and the board can only discuss the subject that it publicly announced.
- 15. Boards may deliberate in private when the decision is to be in writing.** Deliberative session is used when a board is acting in a quasi-judicial capacity, such as zoning board applications or tax appeals, and when the statutes require that the board must issue a written decision that will be subject to appeal. 1 V.S.A. § 312 (e). After the board has heard all of the evidence in a hearing affording due process to the applicant, the entire board that will be participating in the decision meets in private to weigh the evidence and make its decision. Deliberative sessions do not need to be warned and the board can reach its decision during the session. Frequently, after the decision is reached, one member is designated to draft the written decision and circulate it to other members. The intent of deliberative sessions is to allow a board to have candid discussions to weigh the evidence and to reach a decision. The deliberative session should be attended by all board members who will be participating in the decision.
- 16. Town can vote to exempt active duty military from delinquent tax penalty and interest.** The legislative body of a municipality or the voters at a town meeting may exempt from the payment of any penalty, fee or interest relative to the failure to make timely payment of taxes upon the principal residences of military personnel, individuals who have been called to full-time active duty by the President of the United States as the result of a military conflict in an area designated a combat zone by the President of the United States, for the time such member is on active duty and for 180 days thereafter. To secure such benefits, a person must provide a copy of their military orders or other appropriate documentation to the municipal clerk. 32 V.S.A. § 4609.
- 17. Ex officio notary may perform notarial services.** An ex officio notary is a notary as a result of an office he or she holds. 24 V.S.A. § 441. In spite of the ex-officio nature of the position, you must still apply, and take the oath of office, as any other notary, for each new term you are elected or appointed to that position. You need not pay the fee, but once you resign from one of these offices, or in any way are no longer qualified to serve, your ex-officio status as a notary public will cease. Finally, if you are a notary public ex-officio, the law requires that you perform notarial services without charge or fee. 32 V.S.A. §1403(b).
- 18. School board must appoint truant officers before July 3<sup>rd</sup>.** A school board shall annually appoint one or more truant officers and record their appointments with the clerk of the school district on or before July 3. State police, sheriffs, deputy sheriffs, constables and police officers shall be truant officers ex officio. 16 V.S.A. § 1125.
- 19. Voters can authorize school to spend surplus funds without a new vote.** In 2003 the law was amended to clarify that school districts must have voter authorization to carry forward surplus funds into a new year. 16 V.S.A. § 567 provides that if a school district financial audit reveals that a school district has surplus funds, the school board must carry the funds into the next year as revenue (to offset taxes) unless the voters authorize the board to deposit the funds into a reserve fund or to use the funds for a specific purpose.



- 20. Treasurer may prepare warrant for board if selectboard wishes.** In many communities the treasurer prepares the warrant for the selectboard to review and sign at each meeting. This is not required by law but makes sense in many communities. Ultimately, however, it is the selectboard’s obligation to determine what is to be paid and to draw orders for payment. 24 V.S.A. § 1623.
- 21. Selectboard may designate member to sign orders for payment of town expenses.** Vermont law makes it easy for the selectboard to pay the expenses of the town by providing options for authorizing payments outside of board meetings. The selectboard may authorize “one or more members of the board to examine and allow claims against the town for town expenses and draw orders for such claims to the party entitled to payment.” In such cases, the orders must state definitely the purpose for which they are drawn and serve as full authority to the treasurer to make the payments. The full selectboard must be provided with a record of orders drawn whenever orders are signed by less than a majority of the board. In the alternative, the board may submit to the treasurer a certified copy of those portions of the selectboard minutes, properly signed by the clerk and chair or by a majority of the board, showing to whom, and for what purpose each payment is to be made by the treasurer.” The certified copy of the minutes serve as full authority to the treasurer to make the approved payments.
- 22. Treasurer’s records are open for public inspection.** In addition to the requirements of the public records law, treasurers are subject to a specific requirement that the accounts of the municipality “accounts shall at all times be open to the inspection of persons interested.” 24 V.S.A. § 1571. It is the treasurer’s responsibility to keep “an account of moneys, bonds, notes and evidences of debt paid or delivered to him, and of moneys paid out by him . . .” All records of these transactions are public and must be made available for public inspection upon request.
- 23. Treasurer must confer with selectboard before changing banks.** Although the treasurer is responsible for the accounts of the town, the law requires any investments of town funds to have both the treasurer and the selectboard’s approval. Because the town (presumably) receives interest on its deposits, the treasurer must seek the selectboard’s approval before changing banks or changing investments for the town. 24 V.S.A. § 1571(b).
- 24. There is no leave of absence for elected officials.** There is no provision in the law that would permit an elected official to take a temporary leave of absence from office. Although the law does not require a board member or town officer to resign if they are unable to fulfill the duties of their office, the oath officials take implies an obligation to serve only if one is capable of meeting the obligations of the office. That being said, there is generally no problem when an elected official takes a few months off because of an illness or family tragedy, so long as an arrangement is made to ensure the functions of the office are fulfilled, and so long as it does not create a quorum problem for the board.
- 25. Unused ballots can be donated to local daycare.** There is no reason for towns to retain unused ballots. After an election the town can recycle them or give them to the local school or day care to use as scrap paper.



### Opinions Errata:

**Errata:** In last month’s opinions we discussed the legal requirements for minutes of meetings. While Opinion 2 made it clear that “Minutes of public meetings must be made available to members of the public within 5 days of the meeting, even if they are only in draft form.” We muddied the waters in Opinion 5 when we said that “The law does not require minutes of meetings to be posted in the municipality. Rather, minutes must be available to the public on request within five working days of the meeting. 1 V.S.A. § 312.” We are not sure how “five working days” snuck into that opinion since the law requires minutes to be made available within five days of the meeting – not five working days!

*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.*

## High School Registration Week, May 22-26

Please mark your calendars during the week of **May 22-26 as High School Voter Registration Week.**

During this week, we have asked student council members and high school teachers to run voter registration drives in their schools. Each school received a sheet of instructions which described what was required and encouraged them to ask for your assistance. Please make yourself available to administer the voter's oath if at all possible. High School principals were also notified and encouraged to support and promote the week.



The Secretary of State's Office has available a seven-minute video illustrating to first time voters what to expect at the polls. We still have a good supply of *Your Vote Is Your Voice* bumper stickers and buttons which can be ordered through our office.

Please contact me at (802) 828-1296 or [jjohnson@sec.state.vt.us](mailto:jjohnson@sec.state.vt.us) and let me know if you need buttons, bumper stickers, or a video. Let me know also if I can be of assistance as you plan High School Voter Registration Week. Thanks!

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## VERMONT PUBLIC SERVICE AWARDS

This spring, the Secretary of State will continue to honor Public Service workers (voluntary, elected or appointed) who have dedicated 20 years or more to their communities. Award ceremonies will be held in the following locations to recognize individuals from those towns and surrounding communities:

May 11 - 4PM to 6PM - American Legion #1 in St. Albans honoring individuals serving Franklin County

May 31 - 4PM to 6PM - Old Red Mill in Wilmington honoring individuals in Bennington and Windham Counties

June 8 - 12PM to 2PM - Outdoor Pavilion in St. Johnsbury honoring individuals serving Caledonia County



These events are open to the public. Also, if you have any additional nominations or questions concerning the Public Service Awards, please contact Marianne Lynch at 1-800-439-8683.



## Tip of the Month

*Our tip this month comes from Alison Kaiser, Stowe Town Clerk:*

Attend your Party Caucuses prior to nominating time to explain the role of the Justice of the Peace and the REQUIRED duties. It gives the members something to think about before deciding to run or not. It's also a great place to recruit election workers.

If you have a good tip that you would like to share with our readers please email it to Clyde Jenne at [hartlandvtclerk@vermontel.net](mailto:hartlandvtclerk@vermontel.net) or mail it to:

Clyde Jenne - VMCTA President  
P.O. Box 349  
Hartland, VT 05048

## Some Upcoming Events sponsored by the Vermont Secretary of State



### **BCA Tax Appeal Workshops -**

A joint effort with the Secretary of State's Office and the Vermont Department of Taxes:

- May 10 - 6:30 to 8:00PM, Danville Town Office
- May 11- 6:30 to 8:00PM, St. Albans Council Chambers
- May 17 - 6:30 to 8:00PM, Montpelier City Office, Police Department Conference Room
- May 31 - 6:30 to 8:00PM, Wilmington Town Offices

If you would like to attend any of these workshops, please contact Marianne Lynch at 828-2148 or [mlynch@sec.state.vt.us](mailto:mlynch@sec.state.vt.us) or Charlie Merriman at [cmerriman@tax.state.vt.us](mailto:cmerriman@tax.state.vt.us).

### **Elections Workshops -**

A series of workshops given by the Secretary of State's Elections Division to help Town Clerks facilitate this year's upcoming elections:

- June 7 - 6:00PM, Newport City Gateway Building
- June 14 - 6:00PM, Bennington, Municipal Room at the Fire House
- June 20 - 6:00PM, St. Albans Town Hall
- August 8 - 6:00PM, West Rutland, American Legion
- August 10 - 6:00PM, Williston Town Office
- August 15 - 6:00PM, Middlebury, Kirk Alumni Center at Middlebury College
- August 17 - 3:30PM, Brattleboro Municipal Center
- August 17 - 6:00PM, Rockingham, Women's Club in the Town Office Basement
- August 22 - 6:00PM, Norwich Town Office
- August 24 - 6:00PM, Danville Town Office

# Clerks Advisory Board Meeting



Last month the Secretary of State's Municipal Clerk/Treasurer Advisory Committee met with the Secretary and staff. The committee generally meets two times a year.

The Clerk's Advisory Committee was first formed in 1999 to ensure that there is good communication between the Secretary's office and the town clerks, and to help guide the policies of the office with respect to services to local government. As a result of clerk's input the Secretary of State's Office published various handbooks and provided a variety of educational programs. Also, with input from the committee the office did a thorough clean up of the election laws and helped with the implementation of HAVA.

At the recent meeting of the advisory board, the clerks discussed the statewide checklist, the new telephone-voting system, the accessibility grant program, pending legislation, training and education programs for municipal officials and ideas for more effectively communicating with clerks around the state. The next meeting will be in May and will focus on voter outreach and civics education efforts for the upcoming primary and general elections.

Clerks who presently serve on the Clerk's Advisory Committee include Linda Spence of Manchester, Ken Scott of Duxbury, John Cushing of Milton, Nicole Daigle of Derby, Donna Kelty of Barre Town, Ann Haley of Shrewsbury, Allison Kaiser of Stowe, Deb Becket of Williston, and Ann Webster of Middlebury, Bonnie Reynolds of Springfield, Patty McCoy of Poultney, Annette Cappy of Brattleboro, and Sandy Harris of Vernon.

If you are interesting in joining this committee call or e-mail Marianne at 828-2148, [mlynch@sec.state.vt.us](mailto:mlynch@sec.state.vt.us).

**WELCOME NEW CLERKS!**

Last month, Opinions welcomed newly elected clerks from across the state. Some new clerks were not listed, but we would like to welcome them to their new positions.

They include:

Linda Michalek - Braintree

Bruce Lafferty - Peacham

Ann Dittami - Salisbury

If there is anything the Secretary of State's Office can do to help you in your new endeavor, please let us know!

## May 2006 Calendar

**May 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 an animal and rabies control program. 20:3581(f)

**May 29:** Memorial Day. 1:371

## June 2006 Calendar

- June 1:** Deadline for Listers to lodge personal property inventories with Town Clerk. 32:4007  
4 Last day for Listers to lodge the grand list with Town Clerk for public inspection for town of fewer than 5000 inhabitants. 32:4111(d), 4341
- June 5:** (*Within 60 days of petition*) Last day on which a municipal vote may be held at a duly warned meeting if a petition for reconsideration or rescission of a question considered or voted at Town Meeting has been filed. 17:2661(b)
- June 6:** (*91st day after Town Meeting election*) In towns using Australian Ballot, Town Clerk may open and destroy used Town Meeting ballots and tally sheets, except as otherwise provided by law. 17:2590(d)
- June 24:** Last day for Listers to lodge the grand list with Town Clerk for public inspection for town of greater than 5000 inhabitants. 32:4111(d), 4341
- June 30:** End of fiscal year for all school districts, charter provisions notwithstanding, and for municipalities that have adopted July 1 through June 30 fiscal year calendar. 32:1, 24:1683(b), (c)
- June 30:** Reminder for Town Clerk in municipality with fiscal year ending June 30 to (*within the next 30 days*) publicly disclose fees kept as compensation for that fiscal year. 24:1179



# Mailing List Updates!

**Help us keep our mailing list up to date!**

*Let us know if:*

- your address needs to be updated,
- your name is misspelled, or
- you'd rather receive *Opinions* a week early via email.



Send us a note via fax: 802-828-2496,

email: [mlynch@sec.state.vt.us](mailto:mlynch@sec.state.vt.us),

or post: 26 Terrace St. Drawer 09, Montpelier, VT 05609-1101.

Be sure to include what your current *Opinions* mailing label says as well as any changes that you would like to have made.

*Thank you for helping us keep Opinions running efficiently!*

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May 2006

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# Opinions

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