

From: London, Sarah
Sent: Wednesday, December 11, 2013 2:18 PM
To: 'William Fraser'
Subject: RE: Informationr request
Attachments: Hallsmith to Shumlin 11-16-13.pdf

Bill, regarding your request below, attached please find the only responsive record of the Governor's Office. We have redacted personal information pursuant to 1 VSA 317(c)(7). Neither the Governor nor anyone on the Governor's staff responded to the attached.

Sincerely,
Sarah

Sarah London
Counsel to the Governor
802-828-3333
sarah.london@state.vt.us

From: William Fraser [<mailto:WFraser@montpelier-vt.org>]
Sent: Wednesday, December 04, 2013 5:47 PM
To: Spaulding, Jeb
Cc: Johnson, Harriet; London, Sarah; Obuchowski, Mike; Minoli, Wanda; Clasen, Michael
Subject: RE: Informationr request

Thanks Jeb. I do not mean to be overbroad. Your suggested response is fine with me. I may contact ACCD separately but this will work for now. Monday is plenty sufficient.

I really appreciate it.

Bill

William J. Fraser, ICMA-CM
City Manager
City of Montpelier
39 Main Street
Montpelier, Vermont 05602
Phone: (802) 223-9502
Fax: (802) 223-9519
www.montpelier-vt.org
http://icma.org/en/icma/about/anniversary/life_well_run

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From: Spaulding, Jeb [<mailto:Jeb.Spaulding@state.vt.us>]
Sent: Wednesday, December 04, 2013 5:46 PM
To: William Fraser
Cc: Johnson, Harriet; London, Sarah; Obuchowski, Mike; Minoli, Wanda; Clasen, Michael
Subject: RE: Informationr request

Bill,

Thanks for prompting me about this request through Michael. Sorry to be slow in responding.

You mention correspondence between Gwen and the Executive Branch. That is very broad. I will coordinate a response with relevant documents from my office, the Governor's Office, and Buildings and General Services. I suspect these are the only places any correspondence of the type you are looking for would have occurred, but if you would like to go further, I recommend contacting specific departments directly.

How much of a hurry are you in? Would the end of the day Monday suffice? If not, we could try for Friday afternoon.

With best regards, Jeb

Jeb Spaulding, Secretary of Administration
State of Vermont
Pavilion Office Building
109 State Street
Montpelier, VT 05609

People are our greatest asset

From: William Fraser [<mailto:WFraser@montpelier-vt.org>]

Sent: Monday, December 02, 2013 12:35 PM

To: Spaulding, Jeb

Subject: Informationr request

Hi Jeb

I apologize in advance for making a formal public information request under 1 VSA 315-320.

I would like to offer an explanation of this request. As you are likely aware, I recently terminated the employment of Gwen Hallsmith as Planning & Development Director for the city. In preparation for possible litigation, I'd like to get a handle on as much of her activity as possible – what was being communicated on the city's behalf, on the city's time or that would have an effect on the city.

Therefore I would like to request copies of any written or electronic correspondence between Gwendolyn Hallsmith and the executive branch between January 1, 2012 and the date of this request (December 2, 2013). This would include letters and e-mails. This request includes but is not limited to correspondence related to the District Heat project, Community Development grants or funds, Ms. Hallsmith's employment status with the city, public banking or other so-called "new economy" efforts and any communications by Ms. Hallsmith on behalf of or pertaining to Global Community Initiatives, Inc and/or the Donella Meadows Institute.

I am happy to accept this information in electronic form or whatever method is easiest for you. I do not wish to create any more work than necessary for your offices.

Thank you for your prompt response to this request. I hope you had a wonderful Thanksgiving.

Bill

William J. Fraser, ICMA-CM

City Manager

City of Montpelier

39 Main Street

Montpelier, Vermont 05602

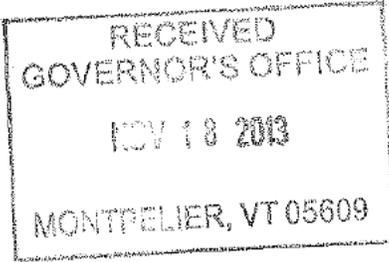
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Gwendolyn Hallsmith



November 16, 2013

Governor Peter Shumlin
109 State Street, Pavilion
Montpelier, VT 05609

- CONFIDENTIAL INFORMATION -

Dear Peter,

I have been trying to get in touch with you to talk about the problem I have with the City of Montpelier. It would seem that the ways in which I have done this in the past, through Larry Cassidy, have not worked, so I'm writing to you directly. I met with Sue Allen a month ago to alert her to the problems - I trust that she has communicated with you?

Tomorrow morning I'm flying to South Africa to give a talk to the City of Durban about how to build a resilient economy. I won't be back in Vermont until the morning of November 25th, when the City of Montpelier has scheduled a hearing for me with the City Manager at 2:00 in the afternoon to determine if I will be allowed to keep my job.

The last month could legitimately be called a comedy of errors if my livelihood were a laughing matter. With prompting from the Mayor, the City Manager violated my First Amendment rights, and now has taken retaliatory action with a false "performance complaint" when I made the situation public. The City Council has gone on record supporting the Manager without ever asking to hear my side of the story, and I'm left without an impartial arbiter to determine if there is just cause for termination. State law is silent on the matter; there are no laws I can find where independent factfinders are appointed in cases where non-union employees are involved.

Since municipalities are creatures of the State, I am turning to you for help. There must be a way to intervene in a case where it appears in advance there will likely be a miscarriage of justice. To put it in perspective, if my complaint were that the City Manager was sexually harassing me, and that made him angry, would he be the only person who could sit as the arbiter in a hearing concerning those allegations? As it stands now, he will be the hearing officer on the 25th, and his decision, in his words, "will be final." Under the City Charter, I have no recourse to City Council, and even if I did, the statement they sent to the media all over the state to express their support of his position on this issue disqualifies them as uninterested and unbiased parties.

In addition to the problems this situation demonstrates with one aspect of the "strong manager" form of local government, my recent experience would also suggest that state law needs to be adopted to prohibit material conflicts of interest. Vermont is way behind other states in our rules and enforcement of these matters. I served for a long time as a regional planning director in Western Massachusetts, and the rules there for public officials acting to further their private interests through their public roles are much clearer - it is a violation of state law, with appropriate fines and penalties for violations.

Here in Vermont, we have weak local policies on the subject of conflicts of interest, and no means of enforcement. If there had been clearer state law on these matters, I daresay the mayor (who is a lobbyist for Bank of America and Wells Fargo) would have thought twice before trying to constrain me

from speaking out in favor of public banking, and the Planning Commissioners would have been required to recuse themselves from discussions where their private property interests, or those of their clients, are involved. In other words, if we had state laws enforcing ethical behavior, none of this would have happened. Or if it did, the law would clearly be on my side and the corruption of our public process would be seen for what it is.

While it is true that I could take my case to court if they fire me on the 25th (I have hired an attorney for the hearing) the probability of retaining my job or getting it reinstated as a result of a court battle is slim to none. Meanwhile, the damage the City Manager and the City Council have done to my reputation makes it unlikely that I'll be able to get another job here in Montpelier anytime soon. My 85 year old father lives with me, my sisters live nearby and help with his care, so I have no possibility right now of moving somewhere else. I am not independently wealthy; I can't afford to pay a lawyer \$200 per hour if I have to live on unemployment that pays a maximum of \$425 per week, so my goal is to keep my job.

Larry said that he saw no reason that you would want to get involved in a local issue. I just don't understand that – where else do I have to turn? I have some faith that you can find a way, not even necessarily a public way, to stop this mockery of a hearing from happening.

I have reason to believe that a search warrant and a computer forensics specialist might be able to uncover evidence that there was collusion between the mayor and the leadership of the Planning Commission, possibly as early as last year, to stall the work on the zoning revision and fabricate a "performance complaint" about me as a cover for their efforts to stop me from talking about public banking and complementary currencies. Could the state police be asked to investigate? If they were talking among themselves about how to get rid of me as the Planning Director because I was a woman, or a Native American, or a Unitarian, the illegal conspiracy would be clear. The same holds true of my First Amendment rights.

The Times Argus issued a FOIA request to get all the correspondence between the mayor and the manager, the mayor and the Planning Commission, and between the Planning Commissioners themselves, but I have little confidence that the parties involved will voluntarily give up incriminating evidence. I have also submitted all of my correspondence with the Planning Commission to the paper. If anyone wants to see evidence that what they are claiming about my job performance is not true, it can be seen on line at:

<https://drive.google.com/folderview?id=0BzcTZcFuN64RNHlrQUNsdF9veHM&usp=sharing>

I'm sure that a private word to the Manager and the Mayor about the possibility of a state police investigation if they go forward with this current plan to hold an illegitimate termination hearing might be enough to get them to the negotiating table for establishing reasonable conditions that would allow me to continue to work there.

Thank you for anything you can do to help me with this situation. As I said earlier, I'll be gone all week, but I'll be available on email for any correspondence – [REDACTED]

All the best,

Gwen

Gwendolyn Hallsnik

P.S. Could you please confirm receipt of this letter by email? Thanks.