

**Essex Charter Review Committee Meeting Minutes
(Draft)**

Town of Essex Charter Review Committee
Draft Regular Meeting Minutes
Tuesday October 4, 2022

Charter Review Committee: Lauren Layman, Charles Tabone, Alexis Dubief, Bruce Post,
Margaret Smith, Dawn Hill-Fleury.

Administration and Staff: Cheryl Brown

Others Present: Lorraine Zaloom, Brad Kennison

1. Call to Order

- a. Ms. Layman called the Essex Charter Review Committee to order at 5:39 PM.

2. Agenda Additions/Changes

- a. Added presentation by Brad Kennison on proposed recall provision to charter.
- b. Moved approval of minutes before public comment.

3. Approve Minutes

- a. Mr. Post made a motion to approve minutes: September 27, 2022, and Ms. Dubief approved. Motion passed 5-0.

4. Public Comment

- a. Charles Cole had the following questions
 - i. § 117-602 Mr. Cole suggests adding that the Manager appoint the Fire Chief. It has Fire Warden listed which is a separate function.
 - ii. § 117-903 Mr. Cole would like clarification. This seems to suggest that no one can get paid for their service, yet most do.
- b. Karen Lemnah – Ms. Lemnah has the following suggestions
 - i. Subchapter 5 – change the title from Department of Real Estate Appraisal to the Department of Assessment
 - ii. § 117-501 replace the words Real Estate Appraisal with Assessment
 - iii. § 117-502 replace the words Real Estate Appraisal with Assessment
 - iv. § 117-502 delete “and business personal property”
 - v. § 117-502 delete the 2nd and 3rd sentences
 - vi. § 117-502 add, “The department shall review, or cause to be reviewed, the appraisals of all real property in the town, which is subject to taxation, in accordance with the standards for appraising established by the laws of the State of Vermont”.
 - vii. § 117-504 change Duties of Department to Powers and duties
 - viii. § 117-504 delete the first sentence
 - ix. § 117-504 add, “The department of assessment shall have the same powers, discharge the same duties, proceed in the discharge thereof in the same manner, and be subject to the same liabilities as are prescribed for listers or the board of listers under the law of this state, except as herein otherwise provided”.

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- x. § 117-505 change Real Estate Appraisal to Assessment
- xi. § 117-505 change assessor to appraiser
- c. Travis Sabasto has the following questions and suggestions
 - i. § 117-203 – What defines incapacity, beyond just not attending 50% of the meetings.
 - 1. Committee – This can be more of a court argument and not a charter item. We need to discuss further but for clarity’s sake we will try and rewrite the sentence about 50% meeting attendance to not use the word incapacity in it
 - ii. § 117-206 (a) (1) Do we plan to shift away from a ZBA/PC to DRB
 - 1. Committee – It is our plan to try and move to a DRB
 - iii. § 117-206 (b) Only commissions? What about committees
 - 1. Committee – Commissions can be dissolved but can act. Committees cannot be dissolved but cannot act, they need Selectboard approval.
 - iv. § 117-208 (a) Should we up the minimum since we now pay more than this? Also, I have had board members decline this stipend. Should we allow the language to allow that? As currently written, we statutorily must pay it to them.
 - 1. Committee – It is our plan to try and up the minimum to \$1500. They are allowed to decline this stipend.
 - v. § 117-208 (b) I thought manager set salaries, I guess technically the board approves the budget which is a means of approving salaries?
 - 1. Committee – correct.
 - vi. § 117-209 (4) Does this include personnel investigations? I would think those would be handled by the Manager and HR Director.
 - 1. Committee – They are.
 - vii. § 117-602 Do we really need/want to have Selectboard approval required for these many positions? Does the Selectboard appoint the cemetery commission?
 - 1. Committee – we are looking at this as well
 - viii. §117-701 Can this come out given that the district is merged
 - 1. Committee - agreed
 - ix. § 117-901 This should be expanded to reflect VT law around protected classes.
 - 1. Committee we are already looking into this
 - x. § 117-901 Not sure I understand the line, “administrative officer may secure efficient service”.
 - 1. Committee we are considering trying to revise this to make it more specific
 - xi. § 117-902 proposed a change of Rules and Regulations to Guidelines
 - 1. Committee – at present we prefer the current wording
- d. Brad Kennison
 - i. Recall provision – Mr. Kennison brought with him:
 - 1. A draft of a proposed recall provision

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- 2. A document showing 15 different enacted recall provisions
- 3. Bill S.181 which referenced state-wide recall provision
 - ii. 15 of 80 towns with charters have a recall provision in their charter.
 - iii. All our surrounding towns have a recall provision.
 - iv. Voters can elect Selectboard. They need the ability to remove as well.
- e. Lorraine Zaloom
 - i. We need to have more equity of government in the charter.
 - ii. We need more accessibility of government to the entire population.

5. Member Recommendations to Charter

- a. Committee read Just Cause Eviction memo and be prepared to discuss
- b. We have 5 meetings left to complete a draft of the charter.
- c. Ms. Dubief asked if we have time to go over the merger charter?
- d. Ms. Layman suggested that if we advertise our meeting in Front Page Forum it should read that all are welcome to attend but please submit suggestions in writing.
- e. How can we optimize our timeline?
- f. Draft due to town attorney by 12-15-2022.
- g. Ms. Layman will group the charter into sections we can adopt by content.
- h. Mr. Post suggested we break down what we must do in the time we have by the following categories and compare them to the merger charter
 - i. Nature of government
 - ii. Powers of the town
 - iii. Powers of the Selectboard
 - iv. Powers of the Town Manager
- i. Ms. Layman spoke about us needing to have our meetings announced in Front Porch Forum to generate more public interest.
- j. Ms. Hill-Fleury spoke about getting a MS Teams link and that we need to get the towns permission to use their Teams to broadcast meetings.
- k. Extract team comments from our working document to make them easier to review

6. Next Meeting

- a. The next scheduled meeting of the Essex Charter Review Committee is scheduled for Tuesday, October 11, 2022, at 5:30 PM at Essex Police Dept. Conference Room.

7. Adjourn

- a. Mr. Post made a motion seconded by Ms. Smith to close the meeting. Motion passed 5-0
- b. Meeting Adjourned 7:43 PM

Respectfully Submitted,
Charles Tabone
Minute taker