

**Charlotte Town Meeting
Minutes**

**Tuesday, March 1, 2005, 9:00 AM
Charlotte Central School Gymnasium**

SELECT BOARD

MEMBERS PRESENT:

Chairman Charles Russell
Jennifer Steele Cole
Eleanor Russell
Ed Stone
Francis Thornton

OTHERS:

various townspeople (see clerk records)

The meeting was called to order at 9:10am.

The items to be discussed and voted on were as follows:

Article 1: To hear the reports of the Town officers and to act upon the same.

Peter Coleman moved Article 1; it was seconded.

Nancy Wood wanted to thank the board for dedicating the town report to Hazel Prindle. She wanted to know why the tax rate for next year was rounded up so high. She suggested that the number be rounded out to 4 decimal points, like the school budget currently does. Also, revenues do not include revenues from taxes – and that is the biggest item. It makes the town report difficult to read. Also, it is not clear how big the funds are (such as the Conservation Fund). It would be helpful to have that right up front. It would be nice to know how much the non-homestead properties are contributing to the budget. Chair Russell thought Nancy's comments were good. Moe Harvey stated that state law states you have to round up the tax rate.

Vote on Article 1: To hear the reports of the Town officers and to act upon the same.

Vote: Ayes have it.

Article 2: Will the Town vote to have property taxes payable on or before November 15, 2005 and to have payments made to the Town Treasurer under 32 VSA § 4773?

Sylvia Knight moved Article 2; it was seconded.

Vote on Article 2: Will the Town vote to have property taxes payable on or before November 15, 2005 and to have payments made to the Town Treasurer 32 VSA § 4773?

Vote: Ayes have it.

Article 3: Will the town adopt the Selectboard's budget of \$1,959,153 for the fiscal year July 1, 2005 to June 30, 2006 less anticipated revenues?

Lorna Jimason moved Article 3; it was seconded.

Chair Russell stated that on Page 13A there were explanations of additions to the budget. Walter Judge asked why the differences occurred in the legal expense category versus the audit. Chair Russell said it was because of a difference in accounting methods between the town clerk and the auditor.

Nancy Wood is concerned about the rights of property owners when it comes to trails throughout the town. She feels it would be helpful if the select board looked at this and figured out how to involve the property owners in the discussion concerning Class 4 roads converting to trails. Chair Russell said the board met with the Trails Committee a number of times and are well aware of the issues. The map was meant to show where the roads exist (via Frank Thornton's research). Frank said the old roads are in the land records. They are still existing Class 4 roads, and most are clearly identifiable. Under Vermont law, a road is not an encumbrance on title.

Patricia O'Donnell said she has a Class 4 road on her property; it is not visible and goes through a wildlife area. It's a path that is not appropriate for a trail. She feels reducing the trails issue to a Class 4 road issue is not appropriate. She feels it is oversimplified and the Trails Committee has more work to do.

Tina Flood wants to know why the town is spending \$45,000 less on gravel roads this year. Chair Russell said the number was lowered based on the history in the last few years; Junior has not spent the whole highway budget and he used the extra on gravel roads. After talking to Junior, the board felt it could lower the amount and still do the same thing.

Richard Weed asked where the money for legal expenses comes from and how is it authorized after a budget is passed. Chair Russell said there was a surplus in the general fund in 03-04. Selectmen have broad authority to administer the business of the town. In the case of VELCO, the majority of the board thought it was an important thing to address based on the town plan.

Eric White wanted to know what we got for that \$130,000. Chair Russell said Jennie Cole has a summary outlining the issues. Chair Russell said we will be getting shorter poles, less ugly power lines going through town. Jennie said the process has taken over 1½ years; a lot of the demands were out of the control of Charlotte, and things that could not be done ourselves. What appears in the budget is only part of the deal; there was work done by town employees; there were many hours of volunteer work involved. There was a list of things that were part of the Public Service Board order that were directly affecting Charlotte. We are in the middle of the approval process and it will be continued into the next year.

Francis Foster thanked Jennie for all the time put in working on the VELCO project. She wanted to know who decides for the town what is acceptable. Jennie said the town has a chance to comment on what VELCO comes up with. If there are differences in opinion with property owners, the Public Service Board will be making the final determination. Chair Russell said the PSB consultant evaluated 3 different proposals through town.

Walter Judge said over the last couple of years, the legal expenses have gone way over estimates. What is the estimate for this year, and what is it based on? Chair Russell said the case is on hold until VELCO comes up with a schedule. For the rest of this year, the legal spending will be pretty low. Hopefully the post certification part will not involve lawyers. The select board budgeted \$45,000 for 05-06. Ellie said normally we budget \$25,000 for legal expenses, but it has been increased for the coming year.

Dan Rosen spoke in support of the boards efforts in the VELCO issue. He feels VELCO will have a negative impact on the town. He expects the select board to act in the interest of the town, and this is clearly in the interest of the town. The changes in the town affect everyone; we need to think in terms of a community and how it affects everyone, not just the individual.

Doris Hammer wanted to discuss the Visiting Nurse expenditure. She wanted to make sure the townspeople know that the Visiting Nurse has been accused of having a monopoly and is under investigation by the Department of Justice. She would like to propose not funding this item this year; in future years, any request that is not a necessity should require a petition. Also, the request should state how many people in the town of Charlotte are affected by the agency.

Amendment: Doris Hammer would like to propose the following amendment: **“Will the town delete the line item by the VNA requesting \$4,661”.**

It has been seconded.

Elizabeth Bassett felt it is very helpful if these discussions happen before a meeting such as this. She had a situation a few years ago where she needed the VNA; it saved her life. Let this issue get sorted out in the courts.

Spin Richardson used to sit on the health policy council for the state. It is a political battle; there are a lot of private agencies that want to tap into those dollars. The VNA guarantees services everywhere. Making a snap decision does not allow the VNA to present its case.

Ed Amidon said the VNA provides caring services to local people at a reasonable price. If there is some problem with VNA people, there is another way to go at it rather than voting down this request.

Dr. Bernstein feels we should support the VNA, but he would like to congratulate Doris for speaking out against this issue – it is an important issue. He never felt comfortable making up the difference between Medicaid and what the VNA charges.

Peter Nobes is against this amendment. The issue in the courts is competition for health care dollars. Peter wanted to know if the item is cut, what impact will it have on services. No one could answer that.

Vote on Amendment:

“Will the town delete the line item by the VNA requesting \$4,661”.

Vote: Nays have it. The amendment fails.

Eric White wanted to know why the audit expenses went up by \$6500. Ellie Russell said the previous auditor declined to service the town anymore, so they had to employ a new auditor. It was the lowest bid.

Mike Yantachka wanted to know why the funding for the Women’s Rape Crisis Center was eliminated. Chair Russell said they did not request money this year.

Tina Flood asked what the increase will be in the actual taxes this year. Chair Russell said the town rate was going up 1.22 cents. If you look at page 26-27 in the town report, you can see the difference.

Jennie Cole wanted to clarify the VELCO issue. The proposal VELCO comes up with will be evaluated by the town; the town will determine if it is an acceptable solution. Jennie wanted to thank Linda Radimer and Sylvia Knight. They both put in a large amount of time.

Peter Nobes asked about the 15% increase in health costs. Chair Russell said the employees pick up 10% of the health insurance. The insurance comes through the Vermont League of Cities and Towns; it seems to be pretty competitive.

Vote on Article 3: Will the town adopt the select boards budget of \$1,959,153 for the fiscal year July 1, 2005 to June 30, 2006 less anticipated revenues.

Vote: Ayes have it.

Article 4: **Will the town vote to authorize the Selectboard to borrow money by issuance of bonds or notes not in excess of anticipated revenues for the next fiscal year?**

Craig Reynolds moved Article 4; it was seconded.

Vote on Article 4: Will the town vote to authorize the Select board to borrow money by issuance of bonds or notes not in excess of anticipated revenues for the next fiscal year?

Vote: Ayes have it.

Article 5: **Will the Town vote to authorize the Selectboard to increase the tax rate by two cents for deposit in the Conservation Fund?**

Sylvia Knight moved Article 5; it was seconded.

Chair Russell said this article came about from last years meeting when they tried to put the article in the budget. The tax rate was not known and the grand list was changing quite a bit. It was decided to separate this item out. It was trying to give visibility to the 2 cents that gets tacked on to your taxes every year.

The moderator felt that this article is out of order. It was voted on in 1996. Mike Yantachka asked if it would help if someone made a motion to table the article.

Marty Illick supports the tabling of this article. The moderator asked if anyone objects to the ruling that Article 5 is out of order. No one objected. The moderator suggested getting back with the town attorney – we don’t need to keep voting on something that has already been decided.

Hazel Prindle suggested changing the word “authorize” to “re-authorize”. The moderator does not feel that this was necessary.

Nancy Wood asked how we would get information on this fund if the article is tabled. Chair Russell said this would add \$130,000 to the fund. Francis Foster provided the town a list of projects the money has been spent on in the past. The current amount in the fund is \$272,000. Walter Judge asked if the 2 cents this year would add \$130,000 to the \$272,000 that is in there now. Chair Russell said yes.

Article 5 is ruled out of order.

Article 6: Will the Town vote to authorize the Selectboard to increase the tax rate by three cents for deposit in the Fire and Rescue Capital Reserve Fund?

Eric White moved Article 6; it was seconded.

Chair Russell said Page 49 in the town report shows the planned spending for the Capital Reserve Fund for Fire and Rescue. There is money for an ambulance (paid straight out of this fund instead of borrowing money), for the fire station, the new pumper truck. Ellie Russell said the purpose of the fund is to be able to purchase equipment without borrowing money, and spread the cost out over several years. Eric White said there is a 60% increase in revenue, and they're estimating only 1.6% increase in the grand list – that's extremely conservative. Are we putting too much money into this account? Ellie Russell said it is very difficult to project out – maybe we are, but we have the advantage of modifying it every year. If we approve the purchase of the ambulance, we will need to approve the 3 cents.

Dr. Bernstein would like to set aside the discussion until after we discuss Article 8.

Amendment: Dr. Bernstein would like to propose the following amendment: **“Set aside Article 6 for consideration after we consider Article 8”.**

It has been seconded.

Vote: Ayes have it.

Discussion and vote have been postponed until after Article 8.

Article 7: Will the Town vote to raise taxes to put \$10,000 in the Improvement and Repair Reserve Fund?

Tina Flood moved Article 7; it was seconded.

Ellie Russell said last year we approved the formation of the fund, but did not fund it. The board would like to put \$10,000 in the fund and see how it goes. This is for repairing town roofs and painting, etc. It is at the discretion of the select board to take money out of this fund.

Ruah Swennerfelt asked if the fund could exceed \$25,000 for unanticipated expenses. The idea is to have money available to pay for the unknown. Ellie Russell said it could be anticipated or unanticipated. Ruah felt that anticipated expenses could be put directly in the budget; this should be a reserve fund for unanticipated expenses. Ellie said anticipated expenses would spread the cost of several years; taxpayers would not bear the cost in a single year.

Tina Flood asked if the board has provided a list of town assets. Page 13B has a list of town assets. Tina asked if there's an indication of where town problems lie within the town assets. Ellie Russell said there is no list of specifics.

Alice Lawrence would like to speak in favor of the article. As part of the board of trustees of the library, it is awkward to add \$5,000 for painting – it makes the library budget go up quite a bit.

Dan Rosen is seeing a trend setting up separate funds. While there is a fiscal advantage to not have to pay for everything at once, he doesn't feel the trend is good. It is starting to get complex and unclear.

Dr. Bernstein said the school board setup a fund 20 years ago to cover unexpected maintenance. That fund is funded by excess revenues at the end of the year. Does the select board anticipate revenues at the end of the year? Chair Russell said not this year.

Beth Merritt supports the article because of the time lag in developing budgets.

Marty Illick spoke in favor of this article. While it sounds complex at the outset, it will be clearer when the select board pursues this avenue.

Walter Judge feels an anticipated expense should be in the budget and voted on at town meeting.

Sylvia Knight would like to put some kind of parameters on the repair fund. She would like to keep anticipated expenses in line items in the budget. She would support having a reserve fund with a smaller amount. Borrowing money to do emergency projects will have the town spending more.

Spin Richardson said this is simply a way of budgeting and spreading the cost out over several years. It's not an emergency fund.

Chair Russell said there is detailed spending out of this account, so this should resolve the concerns about visibility.

Request to call the question.

Request to cease debate on Article 7, Vote: Ayes have it.

Vote on Article 7: Will the Town vote to raise taxes to put \$10,000 in the Improvement and Repair Reserve Fund?

Vote: Ayes have it. Article 7 passes.

Article 8: Will the Town vote to expend a sum not to exceed \$140,000 from the Fire and Rescue Reserve Fund for the purchase of a new Ambulance, to be used by Charlotte Fire and Rescue, Inc., with the proceeds from the sale of the old ambulance to go to the Fire and Rescue Reserve Fund?

Tina Flood moved Article 8; it was seconded.

Josie Leavitt, Chief of Charlotte Rescue, presented a list of costs. The current ambulance is 7 years old; it will take at least 8 months for the committee to decide what it wants, order it and receive it. Typical service for ambulances is 5 to 7 years. Repairs on the current ambulance are becoming more frequent and costly. Technology has improved dramatically since 1998.

Patrice Machavern asked about the resale of an ambulance. Josie said they are not talking a lot of money – they sell it back to the people they purchased it from; they refurbish it and sell it, often to 3rd world countries. Patrice asked if the money from the resale will go toward the purchase of a new ambulance. The moderator said yes. Josie said they are not going to give up the old ambulance right away. The new ambulance in Shelburne is causing quite a bit of problems. Charlotte will make sure everything is ok with the new rig before they let the old one go.

Dan Rosen supports the article. However, you can always have something better. You always want “the best”. In our pursuit of excellence, it does put pressure on the budget and affects the tax rate. It’s a philosophical issue. Where does it stop? Where do we draw the line?

Ellie Russell said the fund is fairly small right now. We anticipate we will end up with \$130,000 at the end of this year.

Robert Bloch asked whether there is an incentive to any of these groups making purchases to go out and spend less than is authorized. Ellie said the board works very closely with the fire department and ambulance. She would like to compliment the fire department for keeping the costs down and getting the best value for the dollar. They work very hard and keep the best interest of the town in mind.

Francis Foster asked about the “other funds” owned by Fire and Rescue. Ray Curtis said there are 2 special funds – 1 for fire, comprised of donations. Last year they received \$1,050. They used \$850 to purchase the sign. Currently there’s a balance of around \$1700. Josie said their special fund has \$2600 in donations this year; they have about \$6,000 in that account right now.

Elizabeth Bassett asked about the status of the Barrows request. Ray Curtis said the Barrows Trust was left to CVFRS. They receive the interest on \$1,000,000. To date they have received \$10,300. They are currently trying to get information from both the trustee and the attorney.

Bob Mesaros wanted to know how the \$140,000 number was obtained. Also, what are we buying? What level of technology are we getting for that money? Josie said we’re getting a really nice ‘Subaru’. We’ll get a few bells and a whistle. It won’t get the town a top-of-the-line rig, but it will get us a really good rig.

David Hill said the point of the audit report was good; in the future it would be useful to put everything in the audit next year. Ellie said that was the intent, but the timing was a problem.

Dr. Bernstein said he’s been here since 1972, and every ambulance purchase seems to talk about the suspension. Bob Stone said the ambulance prior to the current one was used for approximately 4 to 5 years. There was a problem with that type of ambulance catching on fire. They try not to go with the extravagant rigs. The rig they would like to purchase is probably mid-range on the price scale.

Ray Curtis said it’s not years of use that ages an ambulance, but hours used.

Request to call the question.

Request to cease debate on Article 8, Vote: Ayes have it.

Vote on Article 8: Will the Town vote to expend a sum not to exceed \$140,000 from the Fire and Rescue Reserve Fund for the purchase of a new Ambulance, to be used by Charlotte Fire and Rescue, Inc., with the proceeds from the sale of the old ambulance to go to the Fire and Rescue Reserve Fund?

Vote: Ayes have it.

Craig Reynolds moved to bring back Article 6; it was seconded.

Alice Lawrence asked if we already voted on this money and approved it. Is it already included in the select board’s budget? Chair Russell said no. It shows in the calculation of the tax rate, but it has not been voted upon yet. We are talking about voting additional money this year into the Fire and Reserve Fund.

Ellie Russell said we need to approve the 3 cents in order to fund the ambulance that was just approved. Peter Coleman wondered why the new pumper note showed up twice. Ellie Russell said when we made a payment for the fire truck they had to borrow in advance of the note. When the note was received at the lower interest, the original payment was paid off.

Eric White thought we could get away with 2 cents instead of 3 cents and still break even.

Spin Richardson wanted to know why the town asks for a percentage of the grand list rather than ask for exactly the amount of money needed. Chair Russell said that was a discussion last year and it was decided to keep it the way it currently is.

Valerie Graham wanted to know if this 3 cents is above the expenditure already approved for the ambulance. Chair Russell said the article for the ambulance was only to take money out of the reserve fund. Valerie asked if this article is for this year only. Yes.

Mike Yantachka said by reducing the Capital Reserve Fund to 2.5%, the tax rate would go down 1 cent.

Amendment: Mike Yantachka would like to propose the following amendment to Article 6:

“To increase the tax rate by 2.5 cents for deposit to the Fire and Rescue Capital Reserve Fund.”

It has been seconded.

Maryann Gatos wondered if that would give you enough money to buy the ‘Subaru’ ambulance. Chair Russell said 2.5 cents would be enough money. Ellie Russell said that would cut it close; as we move ahead we may have to raise it higher in future years. Also, they only put in \$6,000 for equipment for next year which is lower than normally used – that might be a problem.

Dick St. George wanted to thank the community for allowing the purchase of the fire truck. This fund evens out purchases for the next 10 years. Equipment does have a life cycle. This fund helps plan for the items over the years. He would like to keep the article as it stands.

Dr. Bernstein said the grand list has gone up because of reappraisal. 3 cents now is lots more than 3 cents a year ago. If the money is there, you will find a reason to spend it. He would prefer to keep it lean.

Patricia O’Donnell would like to oppose the amendment. She feels we should consistently support the fund and plan for the long term.

Tina Flood felt that cutting it back .5 cent would not be cutting it tight – we would still be in a surplus. By reducing a half cent in the total calculated tax, we would round up to .21 – and there would still be extra money in there. She supports giving the money to Fire & Rescue to encourage them to plan, but let’s try to keep lean and try to keep our taxes down. Ellie Russell said as time goes on, the numbers become less solid. This needs to be looked at every year and make the adjustments as necessary. Cutting it by ½ cent will give us marginal money. The point is to build up the resources so you can draw on it when necessary.

Dan Rosen said the logic is always there to spend more. It takes a different mindset to look at it and to say no, not know. He's been here for 11 town meetings, and it is hard to remember when that mindset has prevailed. This is one of those times we have that opportunity.

Raymond Pizzagalli supports the amendment. Taxes are always on the increase; if it's lean we'll still get by.

Bob Stone said prices don't go down – they go up substantially. Maybe it makes sense this year to go down ½ cent, but next year we may have to hike it 4 cents to maintain the current level of the Capital Reserve Fund. Just because the money is in there doesn't mean we'll spend it.

Request to call the question.

Request to cease debate on Amendment to article 6, Vote: Ayes have it.

Vote on Amendment to Article 6:

“To increase the tax rate by 2.5 cents for deposit to the Fire and Rescue Capital Reserve Fund”.

It has been seconded.

Vote: In favor: 100; Opposed, 71. The amendment carries.

Vote on Article 6 (as amended):

“Will the Town vote to authorize the Selectboard to increase the tax rate by 2.5 cents for deposit in the Fire and Rescue Capital Reserve Fund?”

Vote: Ayes have it.

Article 9: Will the Town vote to spend all monies (approximately \$9,200) held in the Thorp Barn Matching Fund on the Thorp Barn restoration with no match?

Jeff Cluff moved Article 9; it was seconded.

Ed Stone said the roof needs to be fixed, and some of the trusses on the walls. They have some people in town who are handy and reasonable. We can take care of that barn and keep it there. It does speak to Charlotte when you drive into town. It's kind of special – it's your barn.

Dave Perron needs a sales pitch on the Thorp Barn. Why is the barn a valuable asset to the town of Charlotte? Ellie Russell said the original barn dates to around 1790. They are anticipating access from the Varney Farm.

Marty Illick said she is sure maintenance needs to be done, but why can't grants be received and the money used for matching grants. Chair Russell said there was a Thorp Barn committee that did get grants; \$60,000 was spent on the foundation. The committee doesn't exist anymore – maybe that's what it needs. The roof will rot out if we don't get some of it done. Ellie said this is a precious resource – she believes it is the oldest barn in Charlotte – it would be a tragedy to let it rot away. Jennie said it may be important for people to come together to help with this. It may all come together at some point, but we need to keep the barn in shape.

Norman Pellet said this barn was the property of the Charlotte Park and Recreation Committee. The committee was energetic, but there was some conflict between the Barn Committee and the Park and Recreation Committee. The thought was that the Barn Committee should fall under the Park and Recreation Committee. He felt the Barn Committee got discouraged and lost interest. Also, students from the Waldorf School came to cleanout the barn – there was a lot of junk in there. He would hate to see this project dropped.

Amy Wright wonders if it is a matching fund, do we have the authorization to spend it without the matching funds? Chair Russell said it is authorized to be spent by the town, but only if it is matched.

Jim Donovan asked about ways to get the matching funds. Has anybody looked into maximizing the funds? Have we made the most of the money we have? Has anyone looked into other ways to maximize the money? Ed Stone said there is a burnout factor here. If people see an attempt to fix the barn up, it will be useful for the town. He feels we should spend the \$9200 wisely.

Raymond Pizzagalli would like to clean up the barn. However, he would like to see a plan in place rather than just spend \$9200. Chair Russell said Pete Demick looked at the barn to determine what needs to be done. The barn is being pulled to the west (towards the modern milking area). That needs to be stabilized.

Jennifer Slater wondered if you could take half the money and secure the roof, then take the time to match the rest of the money. Chair Russell said that would be better than nothing.

Spin Richardson opposes it from the standpoint that it was not what was presented to the town 3 years ago.

Endora Fraiser wondered if the select board has solicited volunteers to look at this. Jennie Cole said the select board really needs help on this issue. They have had some small fundraising efforts that produced a small amount of money. Any help would be welcome.

Maryann Gatos asked about the vision for the barn. Ellie Russell said it is a difficult issue because we have always been handicapped by the access problem.

Betty Ann Lockhart has an old barn; they're important and they would like to see it preserved. It is important to replace the roof before it rots. But would you have someone fix it because they said they could do it for a certain amount. Ed Stone said they have done that – the board has done its homework and is shopping around.

Bob Stone said once it falls apart, it is gone. And a piece of the town's history is gone. We should be careful about maintaining those marvelous historical resources that we have. He is in favor of preserving the barn.

Ruah Swennerfelt said we already approved spending this money for the Thorp Barn. What we have done is put on a restriction of matching funds. It's not extra money in the budget, it's just being asked to release the restriction.

Request to call the question.

Request to cease debate on Amendment to article 9, Vote: Ayes have it.

Vote on Article 9: Will the Town vote to spend \$9,200 left in the Thorp Barn Matching Fund on the Thorp Barn restoration with no match?

Vote: Ayes have it.

Article 10: To transact any other business proper to come before said meeting.

Vince Crockenberg would like to present the following advisory motion. It was seconded.

Advisory Motion:

“Resolved by the town of Charlotte that
- The Vermont Legislature is asked to investigate whether the call of the National Guard to active service and deployment in Iraq has been in conformance with the U.S. Constitution and Federal laws, including the 2002 Congressional Resolution on Iraq (not a Congressional Declaration of War), and to study the impact of such deployment on the ability of the Guard to perform its mission in Vermont;
- The Congressional Delegation from Vermont is asked to urge Congress to restore the traditional balance between the federal government and the States over control of the National Guard, unless there is reasonable evidence that Federal control is necessary in order to protect against a threat to the territory of the United States, or where there is an insurrection, or where there is a declaration of war under the U.S. Constitution;
and, *Resolved* that the Town Clerk send a copy of this resolution to each member of the Vermont Congressional delegation, the Vermont Governor, the Speaker of the Vermont House, the President Pro-Tempore of the Vermont Senate and the Adjutant General of Vermont.”

Dan Rosen supports the motion. There is clearly a loss of control everywhere we look. The National Guard has clearly been stressed and misused. This war was not necessary and will have disastrous results.

Sylvia Knight said this is one of the important parts of democracy in Vermont. We can express our will concerning the fate of our neighbors, brother and sisters. Vital community services are being impacted by our troops being overseas. We will also be impacted when they come home with severe wounds, post traumatic stress syndrome, etc. This issue impacts our community. Our funds are being withdrawn from vital services within this community to fight this war.

Francis Thornton is opposed to this resolution. The use of the National Guard by the federal government was authorized under the War Powers Act some years ago. The president has full power under the War Powers Act for any civil emergency. A motion like this before a small body representing the town of Charlotte is improper.

Mike Yantachka said based on that, we've been wasting our time all morning. This is precisely why we should vote for this resolution. We need to voice our opinion to say this is an unreasonable, unjust war.

Bob Ulrich wants to support our troops. The only way to do that is to ask our legislature to examine the issue and see if our National Guard has been misused.

Martha Perkins supports this resolution. We represent the town of Charlotte today.

Bob Stone said he spent 16 years in the Air Force; it was his impression when he signed up that he was to provide national defense for the country. He feels the issues are emotionally based. We need to remember that the active duty forces are running at minimum now. When you join the Guard and the Reserve, your duty is to defend your country and respect your commander-in-chief.

Request to call the question.

Request to cease debate on the proposed advisory motion, Vote: Ayes have it.

Reconsider the motion to cease debate, Vote: Ayes have it.

Vince Crockenberg said he doesn't believe this is strictly an emotional issue. It is also a fact based motion we are proposing. Consider the following facts – the National Guard and Reserves make up 40% of the forces in Iraq; the National Guard soldiers are dying at a rate of 35% higher than other members of the military; at the end of February, 47% of Vermont Guard have been employed overseas – the 2nd highest mobilization rate in the U.S., following Hawaii; Vermont now leads the nation in per capita deaths in Iraq.

Ed Amidon is puzzled by Vince's resolution. Why isn't it a straight resolution on opposition to the war? All of the money for the National Guard comes from the federal government. They own the National Guard. This vote is almost meaningless because the number of people in the room don't represent the people of Charlotte.

Request to call the question.

Request to cease debate on the proposed advisory motion, Vote: Ayes have it.

Vote on Advisory Motion: Resolved by the town of Charlotte that

- The Vermont Legislature is asked to investigate whether the call of the National Guard to active service and deployment in Iraq has been in conformance with the U.S. Constitution and Federal laws, including the 2002 Congressional Resolution on Iraq (not a Congressional Declaration of War), and to study the impact of such deployment on the ability of the Guard to perform its mission in Vermont;
- The Congressional Delegation from Vermont is asked to urge Congress to restore the traditional balance between the federal government and the States over control of the National Guard, unless there is reasonable evidence that Federal control is necessary in order to protect against a threat to the territory of the United States, or where there is an insurrection, or where there is a declaration of war under the U.S. Constitution;
and, *Resolved* that the Town Clerk send a copy of this resolution to each member of the Vermont Congressional delegation, the Vermont Governor, the Speaker of the Vermont House, the President Pro-Tempore of the Vermont Senate and the Adjutant General of Vermont.

Vote: Ayes have it.

Hazel Prindle wanted to thank Charlotte for being so kind all these years.

Martha Perkins would like to move that the selectboard be charged with the task of finding people to work on Thorp Barn.

Martha Perkins would like to present the following advisory motion. It was seconded.

Advisory Motion:

“To have the selectboard figure out a way to finish the work on the Thorp Barn.”

There was a video made 3 or 4 years ago concerning the Thorp Barn.

Marty Illick said we have a committee to do this, we just need some thinking and negotiations and jobs to be assigned. We have what we need - we're just not utilizing it well.

Robin Reid said the Park Oversight Committee would deal with the Thorp Barn, not the Park and Rec Committee.

Jennie Cole said she's been working on the Park Oversight committee for several months. That committee hasn't wanted to take on the Thorp Barn – just because of the sheer amount of work that needs to be done.

Request to call the question.

Request to cease debate on the advisory motion, Vote: Ayes have it.

Vote on advisory motion: To have the selectboard figure out a way to finish the work on the Thorp Barn.

Vote: Ayes have it.

No further business came forward.

Motion to adjourn. Ayes have it.

Vote by Australian ballot:

Article 11: Shall the Town vote to approve amendments to the Charlotte Zoning Bylaws and Charlotte Subdivision Bylaws, which will be consolidated into unified development bylaws entitled Land Use Regulations for the Town of Charlotte, Vermont, all as approved by the Selectboard on January 26, 2005? (Copies of the amended bylaws are available for review at the Town Offices.)

Article 12: To elect Town Officers.