

**CHARLOTTE SELECTBOARD  
MINUTES OF MEETING  
TOWN HALL  
OCTOBER 7, 2015**

**APPROVED**

**SELECTBOARD MEMBERS:** Lane Morrison, Chair; Carrie Spear, Matthew Krasnow, Jacob Spell, Fritz Tegatz.

**OTHERS:** Janet Morrison, Ellie Russell, Mary Mead, Moe Harvey, Charles Russell, Christina Booher, Patrice Machavern, Michael Yantachka, Lynn Jaunich, Margaret Sharp, Dale Carreiro, Peter Carreiro, Michelle Jordan, John Jordan, Valerie Graham, Rehkugler, and others.

**ITEMS TAKEN UP:**

**7:05 PM Discussion regarding the Town Charter. *Action under consideration: reconsider the date for the Australian ballot vote.***

**CALL TO ORDER**

Mr. Morrison, Chair, called the meeting to order at 7:00 p.m.

**ADJUSTMENTS TO AGENDA**

None.

**PUBLIC COMMENT**

None.

**DISCUSSION REGARDING THE TOWN CHARTER. *Action under consideration: reconsider the date for the Australian ballot vote.***

Mr. Morrison briefly reviewed that at the last Selectboard meeting there was discussion to reconsider the date for an Australian ballot vote on the Town charter currently warned for November 3<sup>rd</sup> at a Special Meeting. The Town Clerk has said that if the Special Meeting was held, or changed the ballots could still be printed as needed. The second hearing was warned for October 26<sup>th</sup>, and a Special Meeting on November 3<sup>rd</sup> for an Australian ballot vote, explained Mr. Morrison.

Mr. Morrison opened the floor for Selectboard comments.

Mr. Krasnow said that after the Selectboard vote to warn the October 26<sup>th</sup> hearing and November 3<sup>rd</sup> Special Meeting dates he started to ask Charlotte residents if they were aware of a charter. People didn't know about a charter despite news articles and many Selectboard discussions. The 2015 Town Meeting vote was an advisory motion to explore a charter. The best way to get community engagement was to use Town Meeting to get people civically engaged. Hearings and a vote could be held following Town Meeting. He had asked the Selectboard to revisit a date for a charter vote, said Mr. Krasnow.

Mr. Morrison said he had solicited feedback from Michael Yantachka that if the November vote was re-warned would Charlotte miss the legislative cycle. Mike reported back that due to cross over time to have a bill considered in the House, then sent to the Senate and then back to the House it might be some time in March that a bill could be acted on at time later in this legislative year for the 2018 Town Meeting. Or, if the Town warned a vote for the 2016 March Town Meeting the legislature could go through the process after Town Meeting to enact for FY2017, recited Mr. Morrison. Mr. Yantachka replied yes.

Mr. Tegatz said it was best to warn a vote when the odds were best for a large turnout, such as at Town Meeting.

Ms. Spear said that it would be fair to have a discussion at Town Meeting and have a vote during the November election year when there was the greatest turnout. Why rush it, said Ms. Spear.

Mr. Spell said he would like to give the community the opportunity to discuss the charter and educate them. The public doesn't know about the charter. If it takes longer what's the harm, asked Mr. Spell.

Mr. Tegatz asked if there was discussion at Town Meeting versus a vote could there be changes to the charter language. Mr. Krasnow said he didn't think any changes could be made to the charter language.

Ms. Spell suggested making sure that everyone in Town was familiar with and understood the charter. There could be a vote at Town Meeting, or at the presidential election for greater turnout, said Mr. Spell.

Mr. Tegatz pointed out that there has been discussion at two Town Meetings. Discussions wouldn't educate anyone who doesn't attend. Do a direct mailing regarding to every household, said Mr. Tegatz.

#### PUBLIC COMMENTS

Ms. Jaunich said that she would address the question of 'what was the harm in waiting', and read a written statement regarding the warned November 3<sup>rd</sup> Charter Australian ballot vote. There were 46 residents listed that supported and knew about the charter. Those 46 people strongly felt that waiting meant that would be another Town Meeting budget vote from the floor where those not attending would be stuck with that vote. That affected the taxes of those people who can't attend Town Meeting. It was important to vote on November 3<sup>rd</sup>, which would include everyone, said Ms. Jaunich.

Mr. Krasnow asked how a November 3<sup>rd</sup> vote versus a Town Meeting election year would expedite the process. Ms. Jaunich replied that at the 2015 Town Meeting a timeline presented via power point was discussed and voted on.

Mr. Krasnow said that the Selectboard set a November 3<sup>rd</sup> vote date that Mike Yantachka said may not be possible. Ms. Jaunich said that Mike Yantachka has found it was possible by March 2016.

Ms. Jaunich explained that the charter was not a change in government; it was a charter that changed how we vote the Town budget. It would be more inclusive than exclusive, stated Ms. Jaunich.

Mr. Spell stated that you are creating a governance charter that would allow changes in the Town. He was not against the idea one way or the other. Why are we so quick to change when not everyone knows about it, asked Mr. Spell.

Mr. Russell said that it appeared that there were three Selectboard members that are willing to put it off. Was Matt Krasnow bringing it for discussion only at Town Meeting, asked Mr. Russell. Mr. Krasnow said it was important to discuss at Town Meeting and to vote on it by Australian ballot during the day. Mr. Russell asked not as a floor article at Town Meeting. Mr. Morrison said yes. A discussion would clarify it for those in attendance. He verified it with the Town Attorney that we can have it as a warned item and talk about it on the floor, said Mr. Morrison. Mr. Krasnow said that the benefit was for more people attending Town Meeting on an issue that could be discussed, and if it doesn't change the timeline why no wait.

Mr. Russell said that Ms. Spear and Mr. Spell were talking about not having a vote at Town Meeting. Two years ago this committee asked the Selectboard if a petition should be presented, or should it be as an advisory motion. The Selectboard at the time said yes, do it as an Advisory Motion. The Selectboard agreed to do it without a petition. With a petition the Selectboard would have no choice. At this point this current Selectboard doesn't seem to understand what went on before, stated Mr. Russell. Mr. Spell clarified that he was advocating a no vote on November 3<sup>rd</sup>.

Ms. Spear asked for clarification for what that petition would look like. Mr. Russell replied that the charter language would look like this one, and most likely would not include the sunset clause. A petition would need two hearings and the Town would have to hold a vote at the next Town Meeting, general meeting, or election, explained Mr. Russell.

Mr. Krasnow asked how to achieve the best process for approving a charter. Mr. Yantachka explained that regarding a process - any charter bill not subject to a cross over dates - as per the Governmental Operations Committee Chair - if vote on in November, hearings could be held and the bill voted on by the committee and then to the floor, then sent to the Senate and then voted on in January. In general, the Senate could be pushed to act on the bill in a timely manner by January 2016 before Town Meeting, said Mr. Yantachka.

Mr. Morrison said that the Town built the budget October through December. If we put the warnings out by January 30<sup>th</sup> we would need to know if was approved within a day or

two by the end of January, said Mr. Morrison. Mr. Yantachka said there was no 100 percent guarantee; most likely it would be approved.

Mr. Yantachka outlined a Scenario 2: if the 2016 Town Meeting Australian ballot passed the charter, then it would go to the Governmental Operations Committee for approval. It was almost a guarantee that the bill would be approved by the Senate and signed by the Governor. It would allow for enactment for the 2017 Town Meeting. The presidential primary falls on the 2016 Town Meeting so there would be a much higher turnout in March. Don't put a vote off beyond Town Meeting. This change to Town Meeting is a benign change that was not changing Town Meeting. The voters would still discuss the town budget and have a floor vote, and allows more people a few weeks later to vote by Australian ballot on what passed at Town Meeting. It gives more people a say and maintains the same thing we were doing all along as a two-step process, explained Mr. Yantachka.

Ms. Sharp said she thought they would be voting on this. It has been discussed and voted on by the Selectboard. She was surprised that we were at this point. If education was a Selectboard concern then they should have sent a mailing to everyone's home, had more publications in the Charlotte News. A small percentage of people attend Town Meeting. People were very busy, said Ms. Sharp. Ms. Spear stated that, or they may want to keep the traditional Town Meeting. Ms. Sharp said that the tradition won't change. It would be the same Town Meeting process. You need to be respectful of everyone in Town, said Ms. Sharp.

Mr. Krasnow said that they have talked at other meetings about the substance of the charter. He supported the substance of the charter. This was trying to figure out the best time for a vote and the most engagement, clarified Mr. Krasnow. Ms. Sharp asked how do you equate more people at Town meeting then went the last year, or years before that.

Mr. Morrison said that there may be 400 voters at a Special Meeting on November 3<sup>rd</sup>. It was not a general or election date. If it was a primary election year then we would get 1200-1500 people at Town Meeting, said Mr. Morrison.

Ms. Mead said it was about getting the most peoples opinion if they want a charter. We would get that at Town Meeting during a presidential election year and by Australian ballot. In general we get a small turnout at a Special Meeting, said Ms. Mead.

Mr. Morrison said that a secondary purpose was to have a discussion to answer any questions. A primary purpose was to inform 1500-1800 people. We could hold a second, or third hearing, and talk at Town Meeting while holding an Australian ballot vote, said Mr. Morrison.

Ms. Graham said her impression of this discussion was that some of the Selectboard members were reluctant to bring it to a vote at all. To Ms. Spear, Ms. Graham asked what Ms. Spear understood that the charter was, and what Ms. Spear thought would happen if the charter passed. Ms. Spear replied that she wanted everyone to vote. She has no

objections to the charter. Her objection was that there was not enough information for voters to vote by November 3<sup>rd</sup>. She meets the new community members and talks to them. She didn't want them to lose out on a Town Meeting tradition that they don't know they have yet, said Ms. Spear.

Ms. Graham explained the model of a charter. Given that the charter passes - what is the upshot if it passes. What was Ms. Spear telling people about the charter, asked Ms. Graham. Ms. Spear replied that we would lose the Town Meeting tradition. She has been asking people if they knew about a charter; that it is an important decision and people need to educate themselves. There are 400-500 people that vote at Town Meeting on the Town budget, which was a small amount compared to our school. That is a small turnout. The charter was a model for a Town Manager like Charlie said in the minutes. She definitely understood what the charter does, stated Ms. Spear.

Mr. Krasnow said that the charter was a hybrid model for voting at Town Meeting. It was the same process on voting a Town budget. If changes were made to the budget on the floor then the changes would be binding and put on an Australian ballot 20 days after the Town Meeting and the whole town would vote on it, said Mr. Krasnow.

Ms. Graham asked Mr. Tegatz and Mr. Spell what would happen. Mr. Spell said you are creating a governance charter. This charter change on how we vote a budget vote was unprecedented in the state, and would allow for a governance charter, which was different. It would change Charlotte's autonomy, said Mr. Spell. Ms. Graham replied no. It was a single item charter. It is not a different autonomy. It was a different method of voting only. For example, 50 percent of New Hampshire towns use this model to adopt their town budgets, said Ms. Graham.

Mr. Spell said that from his research it establishes a different way of conducting business and that is where it gets into a grey area. There is additional language regarding appointments of a Town Clerk or the management structure, said Mr. Spell.

Mr. Yantachka explained that the charter will remain subject to all other aspects of town governance as per the constitution and state law. There was no change other than the way the Town budget is passed at Town Meeting. Without the charter we can't vote on a town budget this way. It makes no changes to the way we elect a Town Clerk or Town Manager. If we want a Town Manager we would need a charter to do that, said Mr. Yantachka.

Mr. Spell read from the Selectboard handbook regarding a governance charter and general principles. Mr. Yantachka said so if we made another change to appoint a Town Clerk we would need another bill to legislature to amend the charter, but only after a town vote, stated Mr. Yantachka. Mr. Morrison clarified that there was one provision with this charter. If someone made an amendment to the charter regarding other issues then they would have to go through the same legislative process, said Mr. Morrison.

Mr. Krasnow said that it was not important how the five Selectboard members feel about, or understand the charter. We need to set a time to vote on the charter, which is task set before the Board. It was time to vote, stated Mr. Krasnow.

**MOTION by Mr. Krasnow seconded by Mr. Tegatz, to vote on a Town Charter as amended on Town Meeting 2016 by Australian ballot.**

**DISCUSSION:**

**Mr. Tegatz asked would it change our current schedule. Mr. Morrison explained that we can select dates for hearings and informational meetings at a later date. The October 26<sup>th</sup> second hearing is already warned, said Mr. Morrison.**

**AMENDMENT by Mr. Krasnow, seconded by Mr. Tegatz, and to warn a second hearing on October 26, 2015.**

**DISCUSSION:**

**Mr. Russell said it was important for the five Selectboard members to understand that you can still change your minds and cancel the vote in January. We have to trust the Selectboard would do it by January. If there was a petition then the Selectboard would not have a choice. In terms of charter when you educate people, you need to understand that most towns do a charter as outlined in state statutes. For example, look at the Shelburne charter. The key thing we found out last fall, the Town Attorney said we could have a single issue charter to change that one state statute. A Town Manager could be voted in without a charter, said Mr. Russell.**

**Ms. Jordan pointed out that Town Meeting participation doesn't mean we are educated. You may get more at Town Meeting than at a Special Meeting. Regarding a mass mailing to educate people – some people would read it and some would throw it away. Dragging out the process doesn't mean more education, said Ms. Jordan.**

**Ms. Rehkugler said that 250-300 people vote on the Town budget at Town Meeting, but the Selectboard doesn't trust us to vote on how we want to vote. This bothers me. She didn't understand if someone can't make it to Town Meeting why they couldn't come in to vote by Australian ballot, said Ms. Rehkugler.**

**Ms. Jaunich said she has a problem trusting the Selectboard. There has been six months of discussion and no outreach to the public. It has been stonewall after stonewall. You talk about more meetings. In October there is good weather; no snow, no ice storms. What makes you think you'd get more people out in February. People have busy lives. The Ad hoc committee has a communication plan, writes articles and letters in the Charlotte News, and has a website. She would hope the Selectboard would promote the charter and would show that everyone has a chance to vote on a Town budget, said Ms. Jaunich.**

**Ms. Carreiro said she has lived in Vermont for 19 years and have attended two Town Meetings. She wants to vote and it was up to the Selectboard to make it happen, said Ms. Carreiro.**

**Mr. Carreiro said he had attended four Town Meetings. Most people can't make it to Town Meeting. Going another year was not fair, said Mr. Carreiro.**

**Ms. Carreiro asked what would the Selectboard do differently in two months versus the last two years. Let people vote on it, said Ms. Carreiro.**

**Ms. Spear asked time wise, how would the committee get people's letters in the Charlotte News. Ms. Jaunich pointed out most news was via Front Porch Forum.  
VOTE: 5 ayes; motion carried.**

**ADJOURNMENT**

**MOTION by Mr. Krasnow Ms. Spear, seconded by, to adjourn the meeting.  
VOTE: 5 ayes; motion carried.**

The meeting was adjourned at 7:55 p.m.

Minutes respectfully submitted, Kathlyn L. Furr, Recording Secretary.