

APPROVED Minutes of the Town of East Montpelier Charter Committee
Wednesday, June 26, 2013
7:00 pm at the Municipal Building

Committee members present

Karen Gramer
Richard Brock
Julie Potter
Jack Pauly
Edith Miller
Norman Hill
Ed Deegan
Michael Duane
Kim Watson (arrived 7:37 pm)
Carl Etnier (recording secretary)

A. Call to Order

Ms. Miller opened the meeting at 7:00 pm.

B. Public Comment

None

C. Additions to the Agenda

Collector of Delinquent Taxes and conflicts of interest
Press inquiries
Contact information for group members

Collector of Delinquent Taxes and conflicts of interest

Ms. Miller wondered about the position of Ms. Gramer on the committee during the discussion of how to handle the responsibilities of the collector of delinquent taxes, an office Ms. Gramer holds. This is a conflict of interest or at least an apparent conflict of interest. How will the committee handle this?

Motion: I move that Ms. Gramer be present for the discussion of the collector of delinquent taxes, with a period of time during which she has left the room, and that she recuse herself from the vote on the collector of delinquent taxes. Made: Mr. Brock. Second: Mr. Etnier. Passed, 8-1.

Press inquiries

Ms. Miller brought up the article on the committee's work in the Times Argus. Mr. Etnier confessed to raising the subject when talking with the Times Argus editor about other subjects. The editor immediately called out a reporter, and after the interview, Mr. Etnier realized that it would have been far better committee etiquette to discuss outreach in the press in the committee before conducting any. He vowed not to freelance in this area again.

The committee decided without a vote that if there are future unsolicited press inquiries, members will either defer to the chair or make it clear they are speaking as individuals.

Contact information for committee members

Mr. Etnier will send out the most up-to-date contact list.

D. Discussion on Charter Content

Cull/add to list of possibilities: examine list with respect to our criteria

Delinquent tax collector

Ms. Gramer reported on the current situation: there were 137 delinquent taxpayers on May 16. The total is down to 77 now. Usually the job is 20 hours per week this time of year; the discussion of the Peter Shumlin purchase of the Jeremy Dodge property has taken more of her time this year.

She described her role as that of counselor for those who cannot pay taxes. They may have medical or other issues, be going through divorce, face the choice of food or paying taxes, etc. She tries to make a plan with them so they can pay their taxes within a year. She says she needs to reach out to the taxpayers, so she spends much time in the evening and on weekends when they can be reached at home.

In addition to the work with the taxpayers, she keeps the books on the delinquent taxes, working with the treasurer and the auditor.

She is paid through the penalties paid by the taxpayers, a system she describes as an incentive for effective collection of taxes. The penalty is 8% of the principal. Interest on unpaid taxes goes to the town, and the town is paid before the delinquent tax collector.

Mr. Duane asked how she prioritizes among the delinquent taxpayers. She responded that this time of year, she prioritizes those who are delinquent for more than one year.

Mr. Etnier noted the large number of delinquent taxpayers this year, after the treasurer did not send out a reminder postcard about the May payment deadline. He said he expected that many of those merely forgot about the deadline and would pay quickly after getting a single reminder letter, characterizing the 8% penalty on all these quickly-collected tax bills as a windfall for the delinquent tax collector, under the current system.

Mr. Etnier further argued that the position should not be elected and reminded of the time less than 10 years ago when the only person to file papers for the position was a delinquent taxpayer who said he wanted the position to earn enough money to pay his taxes.

Ms. Gramer said she agrees it should not be an elected position, as she handles so much of the town's revenue. It would be better for it to be a hired position.

Mr. Hill asked whether the crunch time of year for delinquent tax collector coincide with those of the treasurer, and Ms. Gramer responded that it does. She also endorsed treasurer Don Welch's observation that the counseling skills of a delinquent tax collector do not necessarily overlap with the skills necessary for the treasurer position.

Mr. Brock asked about the differences between Ms. Gramer's approach to the job and her predecessors and colleagues in other municipalities. She answered that collection is more difficult in Plainfield, and they have tax sales. She noted that Bev Hill in Montpelier had a similar approach of counseling the taxpayers.

Mr. Duane asked whether we have fewer tax sales in East Montpelier than in surrounding towns. Ms. Gramer said that she has initiated tax sales 4-5 times over the last 4-5 years. Prior to that, Ms. Miller said they were rare in town.

Ms. Miller asked whether the committee wishes to leave the collector of delinquent taxes on the list of offices to be considered in the charter. There was general assent.

Town law agent and town grand juror

Ms. Miller said that the town law agent and town grand juror are inactive positions and that people generally don't run for them.

Mr. Brock believes that a charter could eliminate these offices, if we wished.

The committee will look at how to handle these positions in a charter, whether to eliminate them or to provide for appointment if necessary.

Planning Commission

There are three planning commission members on the committee. Without a vote, the committee decided that the same conflict of interest rules would apply to them as to the delinquent tax collector.

Ms. Miller asked whether the Selectboard had a rationale for including changing the Planning Commission to appointed positions. Mr. Etnier responded that he had heard no resistance to elected PC members by Selectboard members.

The committee decided to cull this issue from its future agendas.

Appointed listers

Ms. Watson noted that there is a specific skill set for the lister position, and that elected listers have required a lot of on-the-job training.

Ms. Miller said that anyone other than an appraiser would need some on-the-job training for the lister position--the question is ability to learn the process of appraising and the software.

Mr. Hill described a recent visit by elected listers, whose people skills he admired. He was happy to vote for them and appreciated the opportunity to do so.

Mr. Duane will further research Vermont statutes to understand what options the town has with listers without a charter.

The committee will continue to consider the listers' position on a charter.

Recall of local elected officials

Ms. Miller brought up the recall process for elected official, which was not included in the Selectboard's charge to the committee. The committee will look into this issue.

Zoning administrator hired or appointed to a one-year term

The committee will look into this issue.

Regulation of signs and billboards

This does not require a charter change; the committee will not examine it.

Non-voluntary conflict of interest policy

If an ordinance can achieve it, the committee will not recommend it for the charter. The committee will continue investigating whether such a thing can be achieved without a charter.

Selectboard members serve as trustees of public funds

Ms. Miller noted that Calais has investment professionals who have run for the position, and she would like to leave open the possibility of attracting similar people to the position here.

Mr. Duane will investigate whether a charter change is necessary to cease electing trustees of public funds.

A Town Meeting floor vote for the Funding Request Committee article, regardless of its amount

This can be done by a town meeting vote; the committee will not look into it.

Social/Environmental funding requests under \$3,000 (or whatever amount) must go through Funding Request Committee process; no petition option; no allowance for Selectboard placement on Warning
We'll invite in Funding Request Committee to discuss this issue with us.

A town manager or expanded town administrator form of government

Ms. Miller noted that a charter can hold elected officers to the town's personnel policies.

The committee requests to the Selectboard that they specify what they wish to do and what they can do without a charter change to move in this direction.

E. Office of the treasurer

Former treasurer Terri Conti has expressed interest in writing the committee about her thoughts on the position. She has not delivered anything. Mr. Hill will talk to her and prepare something based on the conversation.

F. Working with an attorney

The committee would like to start working with an attorney in crafting the charter.

Motion: I move to authorize Edie Miller to request the Selectboard to choose an attorney for the committee to consult with and to give budgetary guidelines. Made: Mr. Brock. Seconded: Mr. Hill. Passed 8-0.

G. Process for moving forward

The following assignments were made:

Michael Duane: Further research Vermont statutes to understand what options the town has with listers without a charter; investigate whether a charter change is necessary to cease electing trustees of public funds.

Kim Watson: Compare conflict of interest policies for Planning Commission, Development Review Board, and Selectboard

Ed Deegan: How to handle mandatory conflict of interest through charter or not?

Norman Hill: Gather input from Terri Conti.

Richard Brock: Draft something on treasurer.

H. Review & Approval of Minutes of June 12, 2013

Tabled due to lack of time.

I. Adjourn.

The meeting adjourned at 9:10.