

MINUTES OF PROCEEDINGS ANNUAL TOWN MEETING MARCH 7, 2017

The Annual Town Meeting was held on Tuesday, March 7, 2017 at 10:00 a.m. e.s.t. at the Twin Valley Middle/High School in the Town of Whitingham, Vermont agreeable to the warning.

At 10:00 a.m. Cub Scout Troop 461 led the Pledge of Alligiance. Town Clerk Almira Aekus declared the polls open. The moderator, Leon Corse thanked Katlynn Boyd for setting up for town meeting.

Announcements:

Cub Scout Troop 461 was having a bake sale in the hall.

There was a letter that was drafted by the Selectboard to state representatives regarding the education funding that the electorate was encouraged to read and sign if they wanted to.

The moderator asked if there were any objections with dispensing with the reading of the warning. There were none. The moderator appointed the Board of Civil Authority as ballot clerks for the duration of the meeting.

Karl Twitchell spoke in regards to the education funding and wanted to give information to the voters. He pointed out the student count for the Town of Whitingham was down by 20 students. The student count for the Town of Wilmington was up by 12 students. Subsequently the Twin Valley schools student population was down 8 students. He said he supports the Twin Valley school system and was only speaking in regards to the Town of Whitingham. There are 427 taxpayers that paid the residential education tax rate out of 1100 taxpayers and of those 328 received some form of prebate from the state. He said 427 carried the burden and if 20 taxpayers leave only 407 would carry the burden. As part of the education overhaul Governor Scott suggested schools level fund their budgets. Our school budget was reduced. The governor suggested not voting on budget until May but lawmakers voted against it. He stated the budget could not be cut from the floor as it was a yes or no vote. The selectboard wanted to send a message to the state and wanted the voters to be behind them. In 2016 the resident paid \$.29 more than the non-resident, 2015 they paid \$.30 more, 2014 \$.17 more and in 2013 \$.18 more. He said the state was catering to the non-residents.

The moderator asked for and received permission for State Representatives John Gannon and Laura Sibilia along with Senator Becca Balint to speak later in the meeting.

Article 1

A motion was made by Allan Twitchell, seconded by Gregory Brown to accept reports of the Town Officers and act thereon. Discussion: Johanna Robohm asked that the individuals on the stage introduce themselves. Allan Twitchell, Robin Kingsley, Gregory Brown, and Karl Twitchell introduced themselves as Selectboard; Betsey McKinley, Susan Johnson, Terry Morse, Sherrie Fox, David Allen, Leon Peters, and Vanda Warner introduced themselves as Justices of the Peace and Almira Aekus, stated she was Town Clerk, Treasurer and Delinquent Tax Collector the Moderator introduced himself. The motion was called and carried by voice vote.

Article 2

A motion was made by Gregory Brown, seconded by Robin Kingsley to authorize general fund expenditures for operating expenses for fiscal year July 1, 2017 – June 30, 2018 of **\$569,681.00**, of which **\$242,031.00** to be raised in taxes, the balance to be offset by **\$191,079.00** in anticipated

revenues, and **\$136,571.00** appropriated from prior year's fund balance. Discussion: None. The motion was called and carried by voice vote.

Article 3

A motion was made by Robin Kingsley, seconded by Gregory Brown to authorize payment of **\$110,000.00** for the Town Use of School Property for the fiscal year July 1, 2017 - June 30, 2018. Discussion: Gregory Brown urged the electorate to defeat the article pointing out that since the inception of Act 60 in 1997 the town has had to find ways to finance the school by means other than school taxes. The town has funded 1.6 million dollars for the school to avoid the penalty box. He pointed out the estimated school tax for the current budget had started out as an increase of \$.52 then went to \$.41 and then to \$.36 and that over a 20 year period of time the town had been unable to control the funding mechanism or the per pupil cost. He stated by funding the \$110,000 the town was acknowledging to the state that we are ok with spending money we can't account for. Sherry Adams spoke in favor of defeating the article. John Doty questioned what it would mean on the school budget. Mr. Brown stated it was one half of one percent on the budget and he did not think it would help with the tax. Mr. Doty stated the money was already in the school budget and that it had always been cheaper to raise money on the town budget. He stated the board would have to remove the \$110,000 in programs. Mr. Brown stated \$110,000 in the municipal budget would reduce the municipal tax rate by \$.05. Mr. Doty stated it didn't matter which pocket the money came from but if less comes out by passing the article he was all for it. Vanda Warner asked if the school would be penalized if the money was not raised. Mr. Brown stated the town would be penalized regardless as the school was already in the penalty box. Almira Aekus reported she had asked Karen Attwood, WSSU business manager what the tax would be to raise the money on the school side and she was told \$.12 per \$100. Sherry Adams felt the town was spending good money after bad and that the town needed to make a statement. She urged the voters to contact their representatives in the state. Rosemary Tefft questioned why Whitingham was paying more than Wilmington. Mr. Brown said the costs were based on the per pupil costs, the numbers in towns and that he was not sure of the funding mechanism. The Moderator suggested she ask her question during the school meeting. Susan Johnson stated defeating the article was a backdoor way of destroying the school budget and that she did not like the way it seemed to undercut what the school board had done. Mr. Brown stated defeating the article was not against the school board; it was against the funding mechanism that we are mandated by the state to follow. He spoke about the common level of appraisal and the fact that if the tax rate keeps going up the common level of appraisal will keep going up because property owners will not be able to give their property away. He said the town needed to show the state that the funding mechanism was not working. The new Act 46 law for combining small schools was not working and it was time make a statement to the state. Dwight Williams stated the intent of the selectboard to send a message to Montpelier was sound and that he was in favor of pursuing litigation. He said it would be \$.07 per \$100 less expensive to raise the money on the town side. Gregory Brown stated it would be \$110,000 for the school and an additional \$100,000 or litigation that would equal \$.10 per \$100. Wayne Corse asked for clarification as he thought \$.04 tax rate on the town would raise \$100,000 and thought it would be about \$.425 for \$110,000. Almira Aekus agreed it would be \$.04. Mr. Corse stated he supports the selectboard totally about the funding but cautioned that there are families that may consider leaving. There are 36 tuition students at Twin Valley and if the school system were gutted they would not come. He said the town needed to keep the school going and needed to find a way to fight the state. He urged caution about reducing the funding. Elizabeth McKinley spoke regarding the state, Act 60 and its successors and felt litigation would be the way to go. Defeating the budget would be a negative statement to the staff, students and administration. The motion was called and carried. A paper ballot was called for. There were 103 votes cast; 65 Yes, 38 No. The article passed.

Article 4

A motion was made by Robin Kingsley, seconded by Gregory Brown to authorize **\$7,754.00** for the upkeep and improvement of the Town Hill Common for fiscal year July 1, 2017 – June 30, 2018. Discussion: None. Motion was called and carried by voice vote.

At 10:55 State Representative John Gannon addressed the electorate and answered questions. He stated he brought the Doyle Poll and a questionnaire regarding cell phone coverage. The questions were mostly focused on the education funding. Topics were inequality of education, Whitingham being worse off than the Town of Whiting, the school that sued the state over education funding (Act 60). He was asked about other schools in Vermont in similar situations as the Town of Whitingham. He was asked for a list of the towns that were in similar situations as Whitingham. He was asked to become an expert on education funding.

Article 5

A motion was made by Stanley Janovsky, Jr., seconded by Gregory Brown to authorize **\$72,126.00** for the operation of the Town Fire Department for fiscal year July 1, 2017 – June 30, 2018. Discussion: Dwight Williams thanked the fire department for how they handled a chimney fire at his house and urged the voters to get their chimneys cleaned regularly. Mr. Janovsky thanked him. The motion was called and carried by voice vote.

Article 6

A motion was made by Stanley Janovsky, Jr., seconded by Robin Kingsley to authorize payment of **\$20,000.00** to the Fire Department Equipment Fund for fiscal year July 1, 2017 – June 30, 2018. Discussion: None. Motion was called and carried by voice vote.

Article 7

A motion was made by Stanley Janovsky, Jr., seconded by Gregory Brown to authorize **\$1,262,952.00** for the maintenance and repair of Town Highways for fiscal year July 1, 2017 – June 30, 2018 of which **\$1,045,430.00** to be raised in taxes, offset by **\$119,146.00** in anticipated revenues and previous year balance of **\$98,376.00**. Discussion: None. Motion called and carried by voice vote.

Article 8

A motion was made by Stanley Janovsky, Jr. seconded by Gregory Brown to authorize payment of **\$85,000.00** to the Highway Equipment Fund for fiscal year July 1, 2017 - June 30, 2018. Discussion: None. Motion was called and carried by voice vote.

Article 9

A motion was made by Tyler Colford, seconded by Vanda Warner to authorize **\$77,750.00** for the operation of the Whitingham Free Public Library for fiscal year July 1, 2017 – June 30, 2018 with **\$64,975.00** to be raised in taxes, and the balance to be offset by **\$12,775.00** in anticipated donations. Discussion: None. Motion was called and carried by voice vote.

Article 10

A motion was made by Robin Kingsley, seconded by Gregory Brown to authorize payment of **\$10,000.00** to the Municipal Facilities Fund for fiscal year July 1, 2017 – June 30, 2018 for continued maintenance. Discussion: None. Motion was called and carried by voice vote.

Article 11

A motion was made by Stanley Janovsky, Jr., seconded by Vanda Warner to appropriate **\$10,000.00** for the continuing support of Deerfield Valley Rescue for fiscal year July 1, 2017 – June 30, 2018. Discussion: None. Motion called and carried by voice vote.

Article 12

A motion was made by Almira Aekus, seconded by Karl Twitchell to make taxes due and payable on or before November 1, 2017 with ninety-days' notice. Discussion: None. Motion was called and carried by voice vote.

Article 13

A motion was made by Almira Aekus, seconded from the floor to make overdue taxes bear interest at a rate of one percent (1%) per month or fraction thereof for the first three (3) months and thereafter one and one-half percent (1 ½%) per month or fraction thereof from the due date of such tax pursuant to 32 V.S.A. § 5136. Discussion: None. Motion was called and carried by voice vote.

State Representative Laura Sibilia and State Senator Becca Balint addressed the voters and answered questions.

Ms. Sibilia said the town was being heard in Montpelier due to the letter from selectboard and the work the school board has been doing. She has spoken with the Speaker of the House, governor and tax commissioner about the challenges as well as all the work that has been done by Whitingham and Wilmington. She said both she and Senator Balint are working for the town and trying to tell the story. She encouraged selectboard, school board and residents to tell their story. She said there was a real problem in the state with rural Vermont education and there were more inequities in the smaller schools. Senator Balint spoke in regards to education as well and noted that her telephone conference with Seth Boyd from the School board and Keith Bronson from the Selectboard brought Whitingham's issue front and center for her. She said she would do whatever she could in the senate to help. She said she felt Twin Valley was vital to the area. She was asked what the town could do and she said to present correct facts and communication to Montpelier from selectboard, school board, civic organizations and individuals. She urged telling the town's story with different voices with good solid information. Phil Edelstein questioned a possible class action suit in that the town was being discriminated against. Aimee Reed spoke about the need for economic growth in the area to create new jobs. She questioned if the state was doing anything to promote economic growth in rural areas. The voters applauded Senator Balint and Representative Sibilia.

Meeting recessed for lunch at 12:25 p.m. and resumed at 1:20 p.m.

Article 14

A motion was made by Gregory Brown, seconded from the floor to appropriate **\$16,900.00** for the operation of Town Cemeteries for fiscal year July 1, 2017 – June 30, 2018. Discussion: None. Motion was called and carried by voice vote.

A motion was made by Karl Twitchell, seconded by Gregory Brown to combine Articles 15 through 22 to raise and appropriate \$10,708. Moderator explained that if there was a particular article a voter wanted removed it could be removed. Discussion: None. Motion was called and carried by voice vote. The articles read as follows:

Article 15

Shall the voters appropriate the sum of **\$250.00** for Brattleboro Area Hospice for general budget support?

Article 16

Shall the voters appropriate the sum of **\$1,000.00** for Deerfield Valley Community Cares, an organization that provides fuel assistance for those not on state aid?

Article 17

Shall the voters appropriate the sum of **\$2,500.00** for Deerfield Valley Community Partnership, an organization that provides programming and activities for youth and families that promote healthy behaviors and prevent youth drug and alcohol use?

Article 18

Shall the voters appropriate the sum of **\$500.00** for Deerfield Valley Food Pantry, an organization that provides supplemental food assistance to area families?

Article 19

Shall the voters appropriate the sum of **\$1,203.00** for Health Care and Rehabilitation Services, Inc. (HCRS) an organization that supports outpatient, mental health, and substance abuse services?

Article 20

Shall the voters appropriate the sum of **\$3,000.00** for the support of Pool Learning Center an organization that provides services to residents of the Town?

Article 21

Shall the voters appropriate **\$750.00** for Senior Solutions-The Council on Aging for Southeastern VT, Inc. to serve elders and assist with funding the Community Meal and **\$305.00** for Green Mountain RSVP to train and support senior volunteers in meals delivery and leading Bonebuilders classes?

Article 22

Shall the voters appropriate **\$1,200.00** for Southeastern Vermont Community Action (SEVCA) to assist Whitingham in responding to the emergency needs of the community and providing all available and applicable services to families and individuals in need?

Article 23

A motion was made by Robin Kingsley, seconded from the floor to appropriate **\$4,700.00** to Twin Valley Youth Sports Program, an organization that provides all students in Whitingham, grades pre-k through 6th, the opportunity to play the organized sports of soccer, basketball, baseball, and softball? All players will benefit from competitive play, skill development, as well as social interaction and sportsmanship while in the program. Discussion: None. The motion was called and carried by voice vote.

Article 24

A motion was made by Gregory Brown, seconded by Robin Kingsley to appropriate the sum of **\$4,000.00** for Visiting Nurse and Hospice of VT and NH to help support the home health, maternal and child health, and hospice care provided in patients' homes and in community settings. Discussion: None. Motion was called and carried by voice vote.

Article 25

A motion was made by Susan Johnson, seconded by Terry Morse to appropriate the sum of **\$1,795.00** for Wings Community Program's 2017 Celebrate Summer program that provides 4 weeks of summer programming, arts and physical activities for youth, entering Kindergarten through those entering 5th grade. Discussion: None. Motion was called and carried by voice vote.

Article 26

A motion was made by Susan Johnson, seconded by Vanda Warner to appropriate **\$850.00** for the Women's Freedom Center for general budget support to provide services to women and their children who are experiencing emotional, physical and/or sexual abuse and are residents of the Town. Discussion: None. Motion was called and carried by voice vote.

Article 27

A motion was made by Sherry Adams, seconded from the floor to appropriate the sum of **\$250.00** for the Windham County Disaster Animal Recover Team ("WinDART") in order to assist in the care and sheltering of pets in the event of a local emergency. Discussion: None. The motion was called and carried by voice vote.

Article 28

A motion was made by Gretchen Havreduk, seconded from the floor to appropriate **\$2,100.00** to support Economic Development in Whitingham for the fiscal year July 1, 2017 – June 30, 2018. Discussion: None. Motion was called and carried by voice vote.

Article 29

A motion was made by Allan Twitchell, seconded by Gregory Brown to appropriate the sum of **\$2,000.00** for support of Old Home Week activities for 2026. Discussion: None. The motion was called and carried by voice vote.

Article 30

A motion was made by Terrie Dumaine, seconded by Vanda Warner to waive the rent of the Municipal Center, the sum of \$300 per month, to Dave and Terrie Dumaine who provide Senior Meals. A motion was made by Ms. Dumaine and seconded from the floor to amend the article "to raise and appropriate \$1,500.00 to Dave and Terrie Dumaine for Senior Meals." Moderator stated the amendment was not germane to the original article. Ms. Dumaine withdrew her motion to amend. Gregory Brown stated that waiving the rent would set a bad precedent and that it would be much more appropriate to request a dollar amount. He said the rent was already at a reduced rate. The moderator explained the voters could overrule the moderator by voting to suspend the rules. He stated it would require a two-thirds majority vote. A motion was made by Terrie Dumaine and seconded from the floor to suspend the rules. The motion was called and carried by voice vote. A motion was made by Ms. Dumaine and seconded from the floor to amend the article to "raise and appropriate **\$1,500.00** to the Dumaine's for Senior Meals." Discussion: None. Amendment called and carried by voice vote. Discussion on the amended article: David Allen thanked the Dave & Terrie Dumaine for all they have done to keep the senior meals going. Amended article called and carried by voice vote.

Article 31

A motion was made by Tyler Colford, seconded by Vanda Warner to allow the Whitingham Free Public Library to spend grant monies and donations at the discretion of the Board of Trustees and Library Director. Discussion: None. Motion was called and carried by voice vote.

Article 32

A motion was made by Karl Twitchell, seconded by Gregory Brown to raise and appropriate **\$100,000.00** to be added to the litigation fund in the event we need to litigate with the State because of the inequality of the school tax. Discussion: Robin Kingsley stated he had been asked if the money could be used for a lobbyist. Dwight Williams said it would be an easier path to litigate than to get 80 legislators to vote the town's way. He urged taking action right away. Donald McKinley questioned raising more money when there was already money in the litigation fund. He stated he was troubled about adding more to taxes in a year when the taxes are going up 20 percent already.

| | | | |
|---------------------------------------|-----|------------------|-----|
| Peter Bernard | 1 | Dana Dix | 2 |
| Lyman W. (Skip) Tefft | 2 | Blank | 19 |
| Spoiled | 1 | | |
| Selectboard, 2 years | | | |
| Lyman Tefft (Skip) | 59 | Karl Twitchell | 164 |
| Gretchen Havreluk | 3 | Wayne Corse | 2 |
| Blank | 16 | Spoiled | 3 |
| Lister, 3 years | | | |
| Wanda Dix | 70 | Sherrie Fox | 158 |
| Jeff Trowt | 1 | Blank | 13 |
| Spoiled | 5 | | |
| Grand Juror, 1 year | | | |
| Susan Cooke Johnson | 224 | Steve Morse | 1 |
| Sherry Adams | 1 | Blank | 19 |
| Spoiled | 2 | | |
| Town Agent, 1 year | | | |
| Tanya Bernard | 231 | Blank | 14 |
| Spoiled | 2 | | |
| Collector of Delinquent Taxes, 1 year | | | |
| Almira L. Aekus | 234 | Tanya Bernard | 1 |
| Blank | 12 | Spoiled | 0 |
| Library Trustee, 3 years (2 trustees) | | | |
| Lucas Earle | 197 | Maryanne Johnson | 226 |
| Aysha Peltz Wahlstrom | 2 | Blank | 233 |
| Spoiled | 0 | | |
| Road Commissioner, 3 years | | | |
| Stanley A. Janovsky, Jr. | 231 | Rosemary Tefft | 1 |
| Donnie Boyd | 1 | Peter Bernard | 1 |
| Mike Boyd | 1 | Blank | 12 |
| Library Trustee, 3 years | | | |
| Maryann Cheveralls | 214 | Lesa Barus | 1 |
| Blank | 31 | Spoiled | 1 |
| Cemetery Commissioner, 3 years | | | |
| Bradford Lackey | 230 | Blank | 16 |
| Spoiled | 1 | | |
| Cemetery Commissioner, 2 years | | | |
| Robin Kingsley | 1 | Susan Johnson | 4 |
| Wayne Corse | 3 | Seth Boyd | 2 |
| Lyman Tefft | 2 | Dana Dix | 4 |
| Jason Morse | 1 | Peter Bernard | 1 |
| Linda Brown | 2 | Donald McKinley | 1 |

Gregory Brown said the litigation money in the fund was for all litigation that may come up and the \$100,000 would be to make sure there were resources available to act fast. Wayne Corse spoke in favor of raising the funds. He questioned what this would do to the tax rate. Almira Aekus said with raising the \$100,000 the town would probably be level funded and without it the rate would go down \$.04. Steven Morse questioned if Wilmington was interested in joining the fight. Karl Twitchell said it depended on who was asked and that Whitingham was the starting point. Steve Morse thanked the board for getting on the issue and stated if it were possible to get any results he was all for it. He read a letter he put together called "Whitingham the Land of Missed Opportunities." Sherry Adams said she thought the town should fight but didn't want more money on the tax bill. Karl Twitchell said he was not willing to let the money get wasted and that the wording might need to be amended. Donald McKinley said it would cost very little to borrow the money. A motion was made by Donald McKinley and seconded by Henry Millett to amend the motion "to borrow up to \$100,000 to be added to the litigation fund." Karl Twitchell suggested the article be changed to litigate or lobby. Phil Edelstein stated there are law firms that litigate and lobby and that they are more effective. Theresa Dumaine expressed her concern about borrowing money and having to pay interest. Sherry Adams spoke against borrowing money. The amendment was called and defeated by voice vote. A motion was made by Karl Twitchell, seconded by Phil Edelstein to amend the article "to raise and appropriate \$100,000.00 to be added to the litigation fund for litigation and/or lobbying to address the education inequality funding." Steven Morse questioned if the article needed to be raise and appropriate or just appropriate. Almira Aekus said it needed to be raised and appropriated. The amendment was called and carried by voice vote. There being no discussion, the amended article was called and carried by voice vote.

Article 33

To transact any other business that may legally come before this meeting.

A motion was made by Dwight Williams, seconded from the floor to suggest the selectboard to take action to litigate and or lobby to address the inequality of the education funding. Discussion: Requested the board report quarterly on the town website. The motion was called and carried by voice vote.

Donald McKinley reported the Whitingham, Halifax and Marlboro Housing Rehabilitation committee has money to loan at low interest rates for low income property owners that need rehabilitation on their homes.

Article 34

To elect all officer and fill all vacancies. Australian ballot polls were open from 10:00 a.m. until 7:00 p.m.

Moderator, 1 year

| | | | |
|---------------|-----|-----------|---|
| Leon L. Corse | 237 | Seth Boyd | 1 |
| Blank | 9 | Spoiled | 0 |

Treasurer, 1 year

| | | | |
|-----------------|-----|---------------|---|
| Almira L. Aekus | 235 | Tanya Bernard | 1 |
| Blank | 11 | Spoiled | 0 |


Selectboard, 3 years

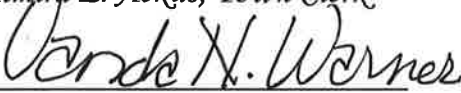
| | | | |
|------------------|-----|------------------|---|
| Keith A. Bronson | 219 | Dwight Williams | 1 |
| Jason Morse | 1 | David Farrington | 1 |

| | | | |
|-----------------|---|-----------------|-----|
| Tanya Bernard | 1 | Richard Tefft | 1 |
| Larry Kingman | 1 | Kenneth Bernard | 1 |
| Dwight Williams | 1 | Donald Boyd | 1 |
| Joan Briggs | 1 | Blank | 218 |
| Spoiled | 1 | | |

Meeting adjourned 2:19 p.m.

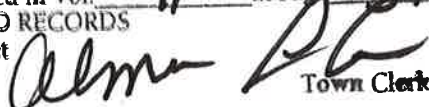
Dated at Whitingham, Vermont this 8th day of March 2017.

Attest: 
 Almira L. Aekus, Town Clerk


 Vanda N. Warner, B.C.A. Chair


 Leon L. Corse, Moderator

NUMBER OF VOTERS ON THE CHECKLIST -882
 NUMBER WHO VOTED AUSTRALIAN BALLOT - 247
 HIGHEST NUMBER VOTED FROM THE FLOOR -103

WHITINGHAM, VERMONT
 TOWN CLERK'S OFFICE
 RECEIVED FOR RECORD
 this 13 day of APR A.D. 2017 at
02 o'clock 00 minutes P M. and
 Recorded in Vol. 11 at Page 597
 of LAND RECORDS
 Attest 
 Town Clerk

