

Grafton Administrator

From: Sarah Jarvis <sjarvis@vlct.org>
Sent: Monday, October 24, 2016 2:52 PM
To: Grafton Administrator
Subject: FW: Meeting Warning
Attachments: Agenda-October 22, 2016-Economics Committee Tax Impact Special Select Board Meeting.docx

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Hello Emily -

Your email was forwarded to me since I am on call in the Municipal Assistance Center today.

This gathering would only need to be warned as a special selectboard meeting if a quorum of the selectboard members were going to be present. And if it was a special selectboard meeting then yes, it would require the presence of a quorum of the board before there could be any official action or decision. If it was warned as a meeting of the selectboard, and less than a quorum of selectboard members attended, then there was no official "meeting." However, that does not mean that there was any illegality in the fact the other people gathered and had a discussion or provided information. Remember that the open meeting law can only be violated in situations where the open meeting law applies, and the law does not apply when there are less than a quorum of the members present.

Please note that apart from the attendance of the selectboard members, the meeting would need to be warned as a meeting of the Economics Committee if that committee was one that had been created by the selectboard. In that instance, we would look to whether there was a quorum of the members of the Energy Committee present. If not - then no official action or decision could take place, but there would be nothing wrong with having a gathering or discussion or providing information.

Let me know if you would like to discuss further.

Regards,

Sarah

Sarah Jarvis, Esq.

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From: Grafton Administrator [<mailto:townadmin@graftonvt.org>]
Sent: Monday, October 24, 2016 11:51 AM
To: Garrett Baxter
Subject: Meeting Warning

Hello Garrett,

We have had 19 information committee meetings (economics, health, and environmental) for the Wind Project here in Grafton. I've warned them all as Special Select Board Meetings. This weekend the Economics Committee was holding an informational meeting to help residents with the HS-122 tax calculator. I warned it as a Special Select Board Meeting as I would any other as it was set up by the Select Board and I didn't know how many SB members would be present. As it turned out 2 members were present. A member of the community said the meeting wasn't warned properly and the meeting was cancelled. The 2 SB members said since there wasn't a quorum they couldn't hold the meeting.

My understanding is that the meeting had to be warned as a Special Select Board Meeting because it was called by the SB and a quorum wasn't necessary since it was an informational meeting and no Motions or decisions were made.

Please let me know if proper procedure was followed.

Thanks,

Emily

Emily Huff

Town Administrator
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