



Town of Shelburne, Vermont

CHARTERED 1763

P.O. BOX 88 5376 SHELBURNE ROAD SHELBURNE, VT 05482

Clerk/Treasurer
(802) 985-5116

Town Manager
(802) 985-5111

Zoning & Planning
(802) 985-5118

Assessor
(802) 985-5115

Recreation
(802) 985-5110

FAX Number
(802) 985-9550

Shelburne Ethics Committee
Final Meeting Minutes
January 13, 2017
8:00 a.m.

Attendance: Committee Members Lee Suskin, Tom Little, Michael Ashooh, Bill Deming, Gwen Webster; Alternate Pete Gadue

Also present: Diana Vachon, Clerk of the Committee

- 1) Call to Order. Lee Suskin, Chair, called the meeting to order at 8:04 am. He introduced Diana Vachon, the new Town Clerk, whom the Selectboard has appointed as Clerk of the Committee. Tom Little agreed to take the Minutes of the meeting while Diana gets up to speed.
- 2) Review of Agenda. The Committee reviewed the proposed Agenda and made no changes to it. A copy of the Agenda is attached to these Minutes.
- 3) Public Comment. There was no one from the public at large present and thus no public comment.
- 4) Review of Minutes of November 16 and December 14, 2016 Meeting. The Committee reviewed the draft Minutes of last two most recent meetings, and approved them.
- 5) Discussion of Annual Report to the Town. There was discussion of this item and members made suggestions for improving the report over the one filed last year. Lee agreed to prepare this year's report with those suggestions in mind.
- 6) Discussion of the Request to Certain Town Committees, Boards and Commissions for Input on the Performance Evaluation of the Town Manager. The Chair informed the Committee that certain CBCs were sent a request to complete a Town Manager Performance Evaluation. The Committee and the other quasi-judicial CBCs were not included in that request. A motion was made and seconded to ask the Town Manager for an explanation why quasi-judicial CBCs were not included.

- 7) Discussion of the Chair's January 6, 2017 Memo. The Chair introduced his Memo which was circulated a week ago, and invited comment and questions. A copy of the Memo is attached to these Minutes. One concern was whether it would be appropriate to "drum up" business for the Committee. Lee noted that the current ordinance does not give the Committee authority to proactively look for ordinance violations; the question is whether the Committee should have that authority. Another member expressed concern about giving the Committee an "oversight" function. If we explore changes to the ordinance, we would have open hearings on the possible changes and to hear from the public how they think the ordinance is working. Tom Little made a motion to agree that we will explore potential changes with the understanding that there is no current consensus that the Committee should have an oversight or pro-active role. Gwen seconded the motion and it was adopted unanimously.

Discussion of when under the ordinance a filed complaint is a public record even before the Committee determines there is probable cause to believe that the complaint is credible. This is handled under Article 16(c), which states that until probable cause is found, the complaint is not a public record.

Discussion of whether the Town has the right resources and procedures for identifying possible ordinance violations. Should the Committee ask the other CBCs how they feel the ordinance is working, and how well it is understood?

There then was discussion of possible open meeting and ethics commission developments in the General Assembly, and discussion of some of the items raised in the Chair's Memo as possible changes to the ordinance.

There was consensus that we not try to prepare any ordinance amendment recommendations prior to Town Meeting.

- 8) Next Meeting. The next meeting was scheduled for Thursday, February 16, at 8:00 a.m. We will experiment with a regular meeting on the third Thursday of each month.

The meeting was adjourned at 9:10 a.m.

Respectfully submitted,

Thomas A. Little
Clerk *Pro Tempore*