



GEORGIA VERMONT

Selectboard Regular Meeting Monday, June 10, 2024 at 6:00 PM Chris Letourneau Meeting Room and via Zoom Agenda

Zoom Details:

<https://us02web.zoom.us/j/6165843896?pwd=STduU2JzTmpiVmE1MXZSaWZWVadz09>

Meeting ID: 616 584 3896 | Passcode: 5243524

Dial by your Location: 1 929 205 6099 (New York)

1. **CALL TO ORDER**
2. **CHAIR UPDATE**
3. **PLEDGE OF ALLEGIANCE**
4. **ADDITIONS, DELETIONS, OR CHANGES TO THE AGENDA**
5. **SELECTBOARD MINUTES AND WARRANTS**
 - A. Approval of Selectboard Regular Meeting Minutes for 5/29/2024
 - B. Approval of Warrant #17
6. **PUBLIC COMMENT (For items not on agenda)**

All participants must clearly state their names. Appropriate actions will be considered once the Selectboard has reviewed the information provided and necessary subsequent research.
7. **CORRESPONDENCE**
8. **UNFINISHED BUSINESS**
 - A. Bovat Rd
 - B. Sherwood Forest & Nottingham Dr for 3-acre Rule
 - C. Job Descriptions
 - D. Personnel Policy
 - E. Ethics Policy
 - F. Enforcement Policy for Ordinances
9. **BOARD BUSINESS (Public comment on agenda items limited to 5 minutes)**
 - A. Purchasing Policy Action to accept.
 - B. Tyler Billingsley - Bridge 10 - Action to approve and sign

- C. Paving Contract -FWW Paving will be providing paving services this year. Action to amend contract with "do not exceed" in the verbiage.
- D. Benches at the beach - discussion
- E. Beach repair time frame - discussion
- F.** DRB Rules of Procedure and Conflict of Interest Policy - Action to approve
- G. Junk Ordinance Violation Warning - Approve

10. TOWN ADMINISTRATOR, TREASURER AND SELECTBOARD SUB COMMITTEES REPORTS

- A. Town Administrator
 - Library meeting with SB and Planning
 - Library Furnace
- B. Treasurer
- C. Buildings
- D. Budget and Finance
- E. Personnel
- F. Public Works/Grounds/Recreation
- G. Committees at the direction of the chair

11. OTHER

12. PLAN NEXT MEETING AGENDA

- A. 06/24/2024

13. EXECUTIVE SESSION (if needed, pursuant to 1 V.S.A sec 313)

14. ADJOURN

TABLED ITEMS:

Posted to the Town website, four designated places within the Town of Georgia (Town Clerk's Office, Georgia Public Library, Maplefields & Georgia Market), and e-mailed to the local media.

Signed: Cheryl Letourneau, Town Administrator

Phone: 802-524-3524 | Fax: 802-524-3543 | Website: townofgeorgia.com



GEORGIA VERMONT

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Selectboard Regular Meeting Wednesday, May 29, 2024 at 6:00 PM Chris Letourneau Meeting Room and via Zoom Minutes

Zoom Details:

<https://us02web.zoom.us/j/6165843896?pwd=STduU2JzTmpiVmE1MXZSaWZWLzVadz09>

Meeting ID: 616 584 3896 | Passcode: 5243524

Dial by your Location: 1 929 205 6099 (New York)

1. CALL TO ORDER

- **Selectboard Present** – Carl Rosenquist Chair, Paul Jansen (arrived at 6:35 p.m. during the Executive Session), Kristina Senna
- **Selectboard Zoom** – Devon Thomas Vice-Chair
- **Selectboard Absent** – Brian Dunsmore
- **Staff Present** – Cheryl Letourneau, Lori Hobart, Todd Cadieux, Dawn Penney, Doug Bergstrom
- **Public Present** – Suzanna Brown, Joe Montagne
- **Public Zoom** – Tyler Whitcomb, Jim Hungerford
- **At 6:01 p.m.** – C. Rosenquist called the meeting to order.

2. PLEDGE OF ALLEGIANCE

3. CHAIR UPDATE

4. ADDITIONS, DELETIONS, OR CHANGES TO THE AGENDA

- C. Rosenquist recommended opening the paving bids immediately because everyone was present for that.
- Whitcomb Bid – 4,875 tons, \$88.00/ton, \$429,000, liquid adjustment \$623/ton
 - Alternate 1,520 tons, \$88.00/ton, \$133,760, liquid adjustment \$623/ton
- Pike Industries Bid – 4,520 tons, \$89.35/ton, \$403,862, liquid adjustment \$623
 - Alternate 1,400 tons, \$89.35/ton, \$125,090, liquid adjustment \$623
- Hungerford Paving Bid – 4,520 tons, \$88.75/ton, \$401,150, liquid adjustment \$623
 - Alternate 1,400, \$88.75/tons, \$124,250, liquid adjustment \$623
- K. Senna made a motion to have T. Cadieux select from the three bids, C. Rosenquist seconded. All in favor, motion carried.

- 35 A. Executive Session with Road Foreman - Before Board Business
- 36 • At **6:15 p.m.** – K. Senna made a motion to go into Executive Session, C. Rosenquist
- 37 seconded. All in favor, motion carried.
- 38 • K. Senna made a motion to have the Public Works Supervisor join them for the Executive
- 39 Session, C. Rosenquist seconded. All in favor, motion carried.
- 40 B. Alarm Phone Calls
- 41 • At **6:35 p.m.** – P. Jansen joined the board during the Executive Session.
- 42 • At **7:04 p.m.** – D. Thomas began as chair of the meeting and called for a motion out of
- 43 Executive session while C. Rosenquist was excused for a moment.
- 44 • K. Senna made a motion to pay T. Cadieux for 4 hours for a phone call on the weekend, and
- 45 in future the payment will be 15 minutes for a phone call until the review of the Personnel
- 46 Policy, P. Jansen seconded. K. Senna, P. Jansen, D. Thomas voted yes, C. Rosenquist was
- 47 out of the room, motion carried.
- 48 • C. Rosenquist returned to the room and took back as chair of the meeting.

49 **5. SELECTBOARD MINUTES AND WARRANTS**

- 50 A. Approval of Special Meeting Minutes, 04.30.2024, 05.01.2024, 05.02.2024, 05.03.2024,
- 51 05.16.2024 and Approval of Regular Meeting Minutes 05.13.2024
- 52 • K. Senna made a motion to approve the minutes of 04.30.2024, P. Jansen seconded. All in
- 53 favor, motion carried.
- 54 • K. Senna made a motion to approve the minutes of 05.01.2024, P. Jansen seconded. All in
- 55 favor, motion carried.
- 56 • K. Senna made a motion to approve the minutes of 05.02.2024, P. Jansen seconded. All in
- 57 favor, motion carried.
- 58 • K. Senna made a motion to approve the minutes of 05.03.2024, D. Thomas seconded. All in
- 59 favor, motion carried.
- 60 • D. Thomas made a motion to approve the minutes of 05.16.2024 with corrections, K. Senna
- 61 seconded. All in favor, motion carried.
- 62 • K. Senna made a motion to approve the minutes of 05.13.2024 with corrections, D. Thomas
- 63 seconded. All in favor, motion carried.
- 64 C. Approval of Warrant #16
- 65 • K. Senna made a motion to approve the revised Warrant #16, P. Jansen seconded.
- 66 • There was a discussion on items from the warrant.
- 67 • It was decided to have a closer look at Comcast Business and how they are doing the billing
- 68 on their end and report back.
- 69 • All in favor, motion carried.

70 **6. PUBLIC COMMENT (For items not on agenda)**

71 All participants must clearly state their names. Appropriate actions will be considered once the
72 Selectboard has reviewed the information provided and necessary subsequent research.

73 **7. CORRESPONDENCE**

74 **8. UNFINISHED BUSINESS**

- 75 A. Job Descriptions
- 76 B. Personnel Policy

- 77 C. Ethics Policy
- 78 D. Purchasing Policy
- 79 E. 3-Acre Rule - Sherwood Forest & Nottingham Dr.
- 80 F. Bovat Rd

81 **9. BOARD BUSINESS (Public comment on agenda items limited to 5 minutes)**

- 82 A. Meet the New Treasurer - Lori Hobart
 - 83 • C. Rosenquist thanked L. Hobart for attending the meeting.
- 84 B. Open Paving Bids
 - 85 • It is noted this was done earlier in the meeting.
 - 86 • There was discussion at this time on \$90,000 left from paving and \$106,000 from a grant for
 - 87 July and where this money was and how it was to be allocated.
- 88 C. Zoning - Open space and Road Agreement for Leo's Lane - Action to approve Subdivision
 - 89 • P. Jansen questioned “Open Space” and asked where this was coming from for Simone
 - 90 Martin project.
 - 91 • D. Bergstrom said this was a recommendation from legal counsel. C. Rosenquist asked if D.
 - 92 Bergstrom advised signing this. D. Bergstrom said yes.
 - 93 • K. Senna made a motion to enter into this agreement, P. Jansen seconded. All in favor,
 - 94 motion carried.
 - 95 • K. Senna made a motion to enter a Roadway Agreement for Simmond Martin project, P.
 - 96 Jansen seconded. All in favor, motion carried.
- 97 D. Call in Definition - Action to clarify what a call in.
 - 98 • It is recommended that the board add “call-in” as part of the Personnel Policy and will be
 - 99 turned over to the personnel committee.
- 100 E. Child Care Tax
 - 101 • It is noted the previous board wanted to pay the employees portion of the Child Care tax. D.
 - 102 Thomas said he is in favor of paying that. P. Jansen said he is not in favor. P. Jansen said it
 - 103 should be the responsibility of the employees and if they do not like it, then it is up to them
 - 104 to speak on their behalf to their representatives in Montpelier.
 - 105 • K. Senna made a motion to have the employees pay 0.0011% of their Child Care tax, P.
 - 106 Jansen seconded. K. Senna, P. Jansen, C. Rosenquist voted yes, D. Thomas voted no,
 - 107 motion carried.
- 108 F. Plowing GEMS Parking lot. - submitting a bid
 - 109 • C. Letourneau reported GEMS is going out to bid for plowing their parking lot. She asked
 - 110 the board if they want to submit a bid. P. Jansen and K. Senna said no. C. Letourneau said
 - 111 that is what paid for the fifth person’s position with Public Works. K. Senna asked if they
 - 112 put that in the budget. D. Bergstrom says yes, the \$45,000 was covering the additional
 - 113 person.
 - 114 • K. Senna made a motion to submit a bid, D. Thomas seconded. All in favor, motion carried.
- 115 G. Highway Grant - Action to approve and sign.
 - 116 • K. Senna motion to approve, P. Jansen seconded.
 - 117 • There was discussion on; Georgia Shore Rd and \$133,000, with a grant of \$106,000 with the
 - 118 difference to come out of the paving budget.

- 119 • All in favor, motion carried.
- 120 H. Hazard Mitigation Grant - Action to move forward.
- 121 • K. Senna motion to approve the grant application, P. Jansen seconded.
- 122 • C. Letourneau requested guidance from the board as to which choice the board would like
- 123 her to pursue; Mill River Bridge, Georgia Mountain Rd, or generators.
- 124 • K. Senna amended the motion to try and receive a \$1,000,000 and \$200,000 grants for
- 125 repairs on two bridges, P. Jansen seconded. All in favor, motion carried.
- 126 I. Pacif Grant - Action to move forward
- 127 • K. Senna made a motion to approve the application for the grant, P. Jansen seconded. All in
- 128 favor, motion carried.
- 129 J. American Tower
- 130 • C. Letourneau reported finding more information both with and without L. Hobart today
- 131 that may influence how the board will decide to move forward. It has been decided to move
- 132 this to the next meeting.
- 133 K. East Engineering for Bridge 10
- 134 • It was requested to move this to the next meeting.

135 **10. TOWN ADMINISTRATOR, TREASURER AND SELECTBOARD SUB COMMITTEES**
 136 **REPORTS**

- 137 A. Town Administrator -
- 138 Ordinances
- 139 • C. Letourneau reported receiving information from our legal department that we do not get
- 140 rid of any ordinances. In the letter there is an example of how they should be moving
- 141 forward with violations.
- 142 • S. Brown said she has reached out to people who potentially are in violation, and she has
- 143 told them what they may need to do to become compliant.
- 144 • It is noted this will fall to our DRB.
- 145 • P. Jansen asked if we have an enforcement policy. It is said there is not one. D. Bergstrom
- 146 says he has a draft letter from legal that can be used for consistency.
- 147 • It is requested that C. Letourneau add this to the next agenda.
- 148 Surveyor for beach
- 149 • C. Letourneau reported she sent P. Jansen the quote for surveying the beach, she also
- 150 reported she is waiting for two others to get back to her. P. Jansen said he wants to know
- 151 where the line is and for it to have pins placed.
- 152 Parade
- 153 • K. Senna extends a thank you to the parade committee.
- 154 • C. Letourneau will plan another meeting regarding the parade.
- 155 • It is reported that Concerts on the Green will be starting up again soon.
- 156 B. Treasurer
- 157 C. Buildings
- 158 • P. Jansen met with a contractor regarding the beach, and he is waiting to hear back from him
- 159 regarding his results.

- 160 • It was suggested P. Jansen reach out to BFA school and Buildings Trade to see if there is
161 anything they are willing to do.

162 D. Budget and Finance

- 163 • P. Jansen reported that they will need to start getting ready to plan a Capital Budget.
- 164 • P. Jansen said that they are currently trying to prepare information for the auditors.

165 E. Personnel

- 166 • D. Thomas said that he is planning on getting more job descriptions done to bring back to
167 the board.

168 F. Public Works/Grounds/Recreation

- 169 • It is noted that most of the Recreation has been falling under buildings now.
- 170 • It is noted that there has not been continued contact regarding tennis.

171 G. Committees at the direction of the chair

172 **11. OTHER**

173 **12. PLAN NEXT MEETING AGENDA**

- 174 A. 06.10.2024

175 **13. EXECUTIVE SESSION (if needed, pursuant to 1 V.S.A sec 313)**

176 **14. ADJOURN**

- 177 • At **8:12 p.m.** – K. Senna made a motion to adjourn the meeting, D. Thomas seconded. All in
178 favor, motion carried.

180 **TABLED ITEMS:**

182 **Posted to the Town website, four designated places within the Town of Georgia (Town Clerk’s**
183 **Office, Georgia Public Library, Maplefields & Georgia Market), and e-mailed to the local media.**

184 **Signed: Cheryl Letourneau, Town Administrator**

185 **Phone: 802-524-3524 | Fax: 802-524-3543 | Website: townofgeorgia.com**

06/06/24
03:23 pm

Town of Georgia, Vermont Accounts Payable
Invoice Edit List-Current-Last-Next FY
Invoices Up To 06/07/24

Section 5. Item #B.

GeorgiaTreasurer

Vendor	Invoice Number	Purchase Order	Invoice Date	Due Date	Ck Acct	Invoice Amount	Discenc Amount	Discount Amount
AVENU	AVENU INSIGHTS & ANALYTIC INVB-053711		05/23/24	06/07/24	01 5.26.24-6.25.24			
	1-7-05-20-44.07	Computer Software & Licen				890.00	0.00	0.00
BOUCHOME	BOUCHARD HOME & OFFICE SE 14376		03/06/24	03/26/24	01			
	1-7-05-20-44.05	Admin Computer Support				140.00	0.00	0.00
CAMPFR	CAMP PRECAST CONCRETE PRO 59549		04/05/24	05/05/24	01 Tank Repair			
	1-7-05-28-45.25	Fire & Rescue Bldg Maint.				3,750.00	0.00	0.00
COMCASTB	COMCAST BUSINESS		05/24/24	06/07/24	01			
	-3288 052424	Town Hall Utilities				276.27	0.00	0.00
	-3304 051624	Library Utilities	05/16/24	06/07/24	01 8773 50 001 0023304	51.98	0.00	0.00
	-4377 052424	Fire & Rescue Utilities	05/24/24	06/07/24	01	234.63	0.00	0.00
	-7269 0524	New Hwy Garage Utilities	05/24/24	06/07/24	01 Town Garage	202.24	0.00	0.00
	-7699 05/24	New Hwy Garage Utilities	05/02/24	05/27/24	01 802-528-5540	64.31	0.00	0.00
Total For COMCAST BUSINESS						829.43	0.00	0.00
DESORCIE	DESORCIE EMERGENCY PRODUC 19373		05/15/24	06/07/24	01 pump test			
	1-7-05-36-64.00	Fire Dept. Annual Testing				1,500.00	0.00	0.00
ESO	ESO SOLUTIONS, INC		05/02/24	06/01/24	01			
	ESO-139261	Fire & Rescue Communicati				1,633.00	0.00	0.00
EXIT18	EXIT 18 EQUIPMENT		05/24/24	06/03/24	01 cable brake			
	90624	Hwy Parts & Supplies				28.72	0.00	0.00
GRNMTNELE	GREEN MOUNTAIN ELECTRIC S 54777815		03/22/24	04/22/24	01 Return of Elec. Supplies			
	1-7-10-30-62.00	Hwy Parts & Supplies				-511.83	0.00	0.00
	S4836391	Town Hall Building Maint.	05/10/24	05/29/24	01	87.80	0.00	0.00
Total For GREEN MOUNTAIN ELECTRIC SUPPLY						-424.03	0.00	0.00
GMP	GREEN MOUNTAIN POWER CORP -0000 052924		05/29/24	06/07/24	01 65 Plains Road			
	1-7-05-28-30.35	Old Hwy Garage Utilities				77.43	0.00	0.00
	-0001 052924	Library well	05/29/24	06/07/24	01			
	1-7-05-28-30.30	Library Utilities				31.38	0.00	0.00

06/06/24
03:23 pm

Town of Georgia, Vermont Accounts Payable
Invoice Edit List-Current-Last-Next FY
Invoices Up To 06/07/24

Section 5. Item #B.

GeorgiaTreasurer

Vendor	Invoice Number	Purchase Order	Invoice Date	Due Date	Ck Acct	Invoice Amount	Discenc: Amount	Discount Amount
	-0002 052924		05/29/24	06/07/24	01 library			
	1-7-05-28-30.30		Library Utilities			361.20	0.00	0.00
	-0005 052924		05/29/24	06/07/24	01 Town office			
	1-7-05-28-30.50		Town Hall Utilities			366.17	0.00	0.00
	-0006 052924		05/29/24	06/07/24	01 Fire Station			
	1-7-05-28-30.25		Fire & Rescue Utilities			440.86	0.00	0.00
	-0009 052924		05/29/24	06/07/24	01 street lights			
	1-7-05-28-30.75		Streetlight Electricity			249.29	0.00	0.00
	-2626 052924		05/29/24	06/07/24	01 New Town Garage			
	1-7-05-28-30.70		New Hwy Garage Utilities			356.33	0.00	0.00
	-4295 052924		05/29/24	06/07/24	01 salt shed			
	1-7-05-28-30.35		Old Hwy Garage Utilities			26.73	0.00	0.00
Total For GREEN MOUNTAIN POWER CORPORATION						1,909.39	0.00	0.00
J&L	J & L HARDWARE, INC.	509040	04/09/24	04/30/24	01			
		1-7-10-30-52.20	Small Tools and Equipment			139.99	0.00	0.00
		1-7-05-28-45.50	Town Hall Building Maint.			38.97	0.00	0.00
Invoice 509040 Total						178.96	0.00	0.00
		512311	05/30/24	06/07/24	01			
		1-7-05-28-45.20	Town Beach Bldg. Maint			173.40	0.00	0.00
		512387	05/31/24	06/07/24	01			
		1-7-10-30-52.20	Small Tools and Equipment			93.98	0.00	0.00
Total For J & L HARDWARE, INC.						446.34	0.00	0.00
MADDIX	MICHAEL A MADDIX	06.19.24	06/06/24	06/07/24	01 Music on the Green	6.19		
		1-7-05-65-64.00	Parks/Rec Community Event			400.00	0.00	0.00
NEMRC	NEW ENGLAND MUN RESOURCE	55151	05/31/24	06/07/24	01 audit assist			
		1-7-05-05-44.00	Admin Consultant Services			495.00	0.00	0.00
OMG	O'ROURKE MEDIA GROUP	383237	05/31/24	06/07/24	01 DRB Notice			
		1-7-05-20-25.00	Printing/Publishing			63.60	0.00	0.00
PAYCHEX	PAYCHEX	2024043001	04/30/24	05/02/24	01			
		1-7-05-05-45.00	Admin Contracted Services			169.66	0.00	0.00
		2024050701	05/07/24	05/09/24	01			
		1-7-05-05-45.00	Admin Contracted Services			0.00	0.00	0.00

06/06/24
03:23 pm

Town of Georgia, Vermont Accounts Payable
Invoice Edit List-Current-Last-Next FY
Invoices Up To 06/07/24

Section 5. Item #B.

Vendor	Invoice Number	Purchase Order	Invoice Date	Due Date	Ck Acct	Invoice Amount	Discenc. Amount	Discount Amount
	1-7-05-05-45.00		Admin Contracted Services			153.37	0.00	0.00
Invoice 2024050701 Total						153.37	0.00	0.00
	2024051501		05/15/24 05/16/24 01					
	1-7-05-05-45.00		Admin Contracted Services			220.89	0.00	0.00
	2024052101		05/21/24 05/23/24 01					
	1-7-05-05-45.00		Admin Contracted Services			110.46	0.00	0.00
	2024052801		05/28/24 05/30/24 01					
	1-7-05-05-45.00		Admin Contracted Services			155.94	0.00	0.00
Total For PAYCHEX						810.32	0.00	0.00
REYNOL	REYNOLDS AND SON INC	3439335	04/29/24 06/07/24 01		cylinder			
	1-7-05-36-63.00		GFD Equip Prshe/Repair			429.00	0.00	0.00
	3439914		05/13/24 06/07/24 01		pull strap			
	1-7-05-36-52.20		Fire & Rescue Turn Out Ge			67.50	0.00	0.00
Total For REYNOLDS AND SON INC						496.50	0.00	0.00
27797	ROWLEY FUELS PROPANE, LLC	511800	05/08/24 05/29/24 01					
	1-7-05-28-30.30		Library Utilities			1,068.64	0.00	0.00
	STMT 050124		05/14/24 05/29/24 01		statement 050124 credit o			
	1-7-05-28-30.30		Library Utilities			-1,671.58	0.00	0.00
Total For ROWLEY FUELS PROPANE, LLC						-602.94	0.00	0.00
S MACY	SARAH MACY	2024_01	05/22/24 06/07/24 01		municipal finance assiist			
	1-7-05-05-44.00		Admin Consultant Services			750.00	0.00	0.00
ACE	ST ALBANS ACE HARDWARE LL	107216/2	04/17/24 04/30/24 01					
	1-7-05-80-52.00		GCC Prchse - Current Yr			52.88	0.00	0.00
	107223/2		04/18/24 04/30/24 01					
	1-7-05-80-52.00		GCC Prchse - Current Yr			12.92	0.00	0.00
Total For ST ALBANS ACE HARDWARE LLC						65.80	0.00	0.00
UNION MID UNION BANK	-0009 PAYOFF		05/24/24 06/07/24 01		loan payoff			
	1-7-10-30-80.10		2018 Loader Payment			29,851.96	0.00	0.00
VGS	VERMONT GAS SYSTEMS INC	17054410524	05/28/24 06/07/24 01		GFD 0524			
	1-7-05-28-30.25		Fire & Rescue Utilities			115.82	0.00	0.00

06/06/24
03:23 pm

Town of Georgia, Vermont Accounts Payable
Invoice Edit List-Current-Last-Next FY
Invoices Up To 06/07/24

Section 5. Item #B.

Page 4 of 4
GeorgiaTreasurer

Vendor	Invoice Number	Purchase Order	Invoice Date	Due Date	Ck Acct	Invoice Description	Invoice Amount	Discenc. Amount	Discount Amount
	27059940524		05/28/24	06/07/24	01	83 Plains Rd 052824			
	1-7-05-28-30.70					New Hwy Garage Utilities	421.87	0.00	0.00
	467845052824		05/28/24	06/07/24	01				
	1-7-05-28-30.50					Town Hall Utilities	68.75	0.00	0.00
	468090052824		05/28/24	06/07/24	01				
	1-7-05-28-30.35					Old Hwy Garage Utilities	41.62	0.00	0.00
Total For VERMONT GAS SYSTEMS INC							648.06	0.00	0.00
VLCTPA	VLCT PACIF		INT202439858	02/27/24	02/27/24	01	WC Interim Adjustment		
			1-7-05-75-20.00			Worker Comp. Insurance	4,459.00	0.00	0.00
WBMASON	W.B. MASON CO., INC.		246341008	05/03/24	05/29/24	01			
			1-7-05-28-45.70			New Hwy Bldg. Maint.	3.00	0.00	0.00
			C3141346	04/03/24	05/13/24	01			
			1-7-05-70-22.00			Library Supplies	-14.93	0.00	0.00
Total For W.B. MASON CO., INC.							-11.93	0.00	0.00
Report Grand Total							48,128.22	0.00	0.00

Fund Totals	Expenditures	Dis-Encumbrance
1	48,128.22	0.00
	48,128.22	0.00

06/06/2024
03:36 pm

Town of Georgia, Vermont Accounts Payable
Check Warrant Report # 17 Current Prior Next FY Invoices
Unpaid Invoices For Check Acct 01(General Fund) From / / To 06/07/2024

Section 5. Item #B.

Page 1 of 2
GeorgiaTreasurer

Vendor	Invoice	Invoice Description	Purchase Amount	Discount Amount	Amount Paid	Check Number	Check Date
AVENU	AVENU INSIGHTS & ANALYTICS INVB-053711	5.26.24-6.25.24	890.00	0.00			--/--/--
BOUCHOME	BOUCHARD HOME & OFFICE SERVICE 14376		140.00	0.00			--/--/--
CAMPFR	CAMP PRECAST CONCRETE PRODUCTS 59549	Tank Repair	3750.00	0.00			--/--/--
COMCASTB	COMCAST BUSINESS -7699 05/24	802-528-5540	64.31	0.00			--/--/--
COMCASTB	COMCAST BUSINESS -3304 051624	8773 50 001 0023304	51.98	0.00			--/--/--
COMCASTB	COMCAST BUSINESS -4377 052424		234.63	0.00			--/--/--
COMCASTB	COMCAST BUSINESS -7269 0524	Town Garage	202.24	0.00			--/--/--
COMCASTB	COMCAST BUSINESS -3288 052424		276.27	0.00			--/--/--
DESORCIE	DESORCIE EMERGENCY PRODUCTS, L 19373	pump test	1500.00	0.00			--/--/--
ESO	ESO SOLUTIONS, INC ESO-139261		1633.00	0.00			--/--/--
EXIT18	EXIT 18 EQUIPMENT 90624	cable brake	28.72	0.00			--/--/--
GRNMTNELE	GREEN MOUNTAIN ELECTRIC SUPPLY S4777815	Return of Elec. Supplies	-511.83	0.00			--/--/--
GRNMTNELE	GREEN MOUNTAIN ELECTRIC SUPPLY S4836391		87.80	0.00			--/--/--
GMP	GREEN MOUNTAIN POWER CORPORATI -0000 052924	65 Plains Road	77.43	0.00			--/--/--
GMP	GREEN MOUNTAIN POWER CORPORATI -2626 052924	New Town Garage	356.33	0.00			--/--/--
GMP	GREEN MOUNTAIN POWER CORPORATI -0006 052924	Fire Station	440.86	0.00			--/--/--
GMP	GREEN MOUNTAIN POWER CORPORATI -0009 052924	street lights	249.29	0.00			--/--/--
GMP	GREEN MOUNTAIN POWER CORPORATI -4295 052924	salt shed	26.73	0.00			--/--/--
GMP	GREEN MOUNTAIN POWER CORPORATI -0001 052924	Library well	31.38	0.00			--/--/--
GMP	GREEN MOUNTAIN POWER CORPORATI -0002 052924	library	361.20	0.00			--/--/--
GMP	GREEN MOUNTAIN POWER CORPORATI -0005 052924	Town office	366.17	0.00			--/--/--
J&L	J & L HARDWARE, INC. 509040		178.96	0.00			--/--/--
J&L	J & L HARDWARE, INC. 512387		93.98	0.00			--/--/--
J&L	J & L HARDWARE, INC. 512311		173.40	0.00			--/--/--
MADDIX	MICHAEL A MADDIX 06.19.24	Music on the Green 6.19	400.00	0.00			--/--/--
NEMRC	NEW ENGLAND MUN RESOURCE CTR L 55151	audit assist	495.00	0.00			--/--/--
OMG	O'ROURKE MEDIA GROUP 383237	DRB Notice	63.60	0.00			--/--/--
PAYCHEX	PAYCHEX 2024043001		169.66	0.00			--/--/--
PAYCHEX	PAYCHEX 2024050701		153.37	0.00			--/--/--
PAYCHEX	PAYCHEX 2024051501		220.89	0.00			--/--/--
PAYCHEX	PAYCHEX 2024052101		110.46	0.00			--/--/--
PAYCHEX	PAYCHEX 2024052801		155.94	0.00			--/--/--
REYNOL	REYNOLDS AND SON INC 3439914	pull strap	67.50	0.00			--/--/--
REYNOL	REYNOLDS AND SON INC 3439335	cylinder	429.00	0.00			--/--/--
27797	ROWLEY FUELS PROPANE, LLC STMT 050124	statement 050124 credit	-1671.58	0.00			--/--/--
27797	ROWLEY FUELS PROPANE, LLC 511800		1068.64	0.00			--/--/--
S MACY	SARAH MACY 2024_01	municipal finance assiis	750.00	0.00			--/--/--
ACE	ST ALBANS ACE HARDWARE LLC 107223/2		12.92	0.00			--/--/--
ACE	ST ALBANS ACE HARDWARE LLC 107216/2		52.88	0.00			--/--/--
UNION MID	UNION BANK -0009 PAYOFF	loan payoff	29851.96	0.00			--/--/--
VGS	VERMONT GAS SYSTEMS INC 468090052824		41.62	0.00			--/--/--
VGS	VERMONT GAS SYSTEMS INC 27059940524	83 Plains Rd 052824	421.87	0.00			--/--/--
VGS	VERMONT GAS SYSTEMS INC 17054410524	GFD 0524	115.82	0.00			--/--/--
VGS	VERMONT GAS SYSTEMS INC 467845052824		68.75	0.00			--/--/--
VLCTPA	VLCT PACIF INT202439858	WC Interim Adjustment	4459.00	0.00			--/--/--
WBMASON	W.B. MASON CO., INC. C3141346		-14.93	0.00			--/--/--
WBMASON	W.B. MASON CO., INC. 246341008		3.00	0.00			--/--/--

06/06/2024
03:36 pm

Town of Georgia, Vermont Accounts Payable
Check Warrant Report # 17 Current Prior Next FY Invoices
Unpaid Invoices For Check Acct 01(General Fund) From / / To 06/07/2024

Section 5. Item #B.
Page 2 of 2
GeorgiaTreasurer

Vendor	Invoice	Invoice Description	Purchase Amount	Discount Amount	Amount Paid	Check Number	Check Date
Report Total			48,128.22	0.00	0.00		

To the Treasurer of Town of Georgia, We Hereby certify that there is due to the several persons whose names are listed hereon the sum against each name and that there are good and sufficient vouchers supporting the payments aggregating \$ ****48,128.22 Let this be your order for the payments of these amounts.

Carl Rosenquist (Chair)

Devon Thomas (Vice Chair)

Brian Dunsmore

Paul Jansen

Kristina Senna



Vermont League Of Cities And Towns
**MODEL PURCHASING POLICY WITH
GUIDANCE**



VLCT MODEL PURCHASING POLICY GUIDANCE

The VLCT Municipal Assistance Center developed this model purchasing policy to assist municipalities in their efforts to procure goods and services in a manner that is efficient, timely, cost-effective, and encourages the most open, competitive purchasing process practicable, while treating all vendors equitably. Adopting and following a purchasing policy will increase the public’s confidence in the municipal procurement process and will help municipalities adhere to standards and requirements associated with receipt of funds from state and federal government. **Please note that the requirements of a municipal purchasing policy do not take the place of any specific procurement or record-keeping requirements that may be imposed on the municipality by a state or federal governmental contract, grant, or loan.**

This model policy is intended to reflect best practices in municipal procurement, including competitive bidding for certain purchases and compliance with requirements for purchasing with federal funds. We have included some guidance and references to resource materials to help inform choices municipal officials need to make while adapting this model to fit their unique needs. It is also important to harmonize this policy within the context of related existing or proposed financial policies or procedures.

REQUIREMENTS FOR USING STATE OR FEDERAL FUNDS

The original source of most state grant, contract and loan funds is actually the federal government, and therefore any federal requirements associated with the funds are passed along to the recipient municipality. This model policy attempts to incorporate as many of the federal requirements as possible - including the sections on code of conduct and competitive bidding - but the municipality should always carefully read any terms, conditions or other directives prior to accepting the funds in the first place. It is imperative to adhere to purchasing and other requirements. As of 2015, all federal agencies must adhere to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards <http://www.gpo.gov/fdsys/pkg/FR-2013-12-26/pdf/2013-30465.pdf>. This is a consolidation of several OMB (Office of Management and Budget) circulars that previously provided guidance for recipients of federal funds. It includes federal requirements for procurement processes, allowable direct and indirect costs, contract provisions and audit standards.

PROCEDURE TO ADOPT A PURCHASING POLICY

All municipal policies must be adopted by majority vote of the selectboard at a meeting held in accordance with Vermont’s Open Meeting Law. Consideration and adoption of such a policy should be done well in advance of a major purchase so that there is sufficient time to discuss the relevant issues and prepare a thoughtful and thorough document. Before adoption the selectboard may choose to engage other municipal officials and employees to insure that the policy is reasonable and realistic in terms of the staff resources needed for compliance. After initial adoption, local officials should annually review the town’s financial policies to insure that each policy remains current.

Please note that this model policy has been developed for illustrative purposes only. VLCT makes no express or implied endorsement or recommendation of any financial policy, nor does it make

any express or implied guarantee of legal enforceability or legal compliance, nor does VLCT represent that any particular policy is appropriate for any particular municipality. Your legal counsel should review any proposed financial policy before adopting it.

As always, please contact the Municipal Assistance Center if you have questions at info@vlct.org or 800-649-7915.

Please carefully review further explanation of certain sections of the Model Purchasing Policy below:

Affirmative Action And Local Preference - Federal regulations require that towns include minority and women-owned businesses in their bidding processes. Municipalities must maintain written evidence including copies of correspondence that provide evidence of efforts made to reach out to minority and women-owned businesses as well as evidence that the process was fair and equitable with no unfair competitive practices engaged in by the town or vendors.

Federal regulations also require that when federal funds are used for a purchase, the municipality may not exercise a preference for businesses or suppliers based solely on location. On the other hand, when a purchase or contract is funded by local funds a municipality is free to prefer businesses or suppliers that are based in or near the municipality. Some communities have set a percentage rate above the low bid when preference will be given to the local contractor.

Code Of Conduct - Federal regulations require that real or apparent conflicts of interest that may arise in the context of municipal purchases and contracting are addressed. If the municipality does not already have a separate conflict of interest policy, it is important to address this topic in the body of a purchasing policy. At a minimum, the policy should define a procedure for public disclosure of the potential conflict and the level of participation permitted when discussion or voting takes place related to the purchase of an item where the conflict exists. It is not uncommon for a board member or the family member of a board member to own a local business that supplies materials and/or services to a municipality. In such instances, however, the board member should not be involved in the selection, award, or administration of the purchase or contract.

Documentation - Federal regulations require that for construction projects over \$2,000 and for all other purchase over \$10,000, the municipality must maintain written documentation of the entire bidding and selection process. This includes documentation of efforts to comply with federal affirmative action requirements including solicitation lists and copies of advertisements; copies of the Request for Bids, Bids and related documentation, copies of meeting minutes where decisions were made, and any other applicable documents.

Purchasing Authority - State law gives the selectboard the ultimate authority over all municipal purchases and allows for the delegation of this authority to municipal officials or employees. A municipal purchasing policy allows the selectboard to officially delegate purchasing authority and also sets parameters and requirements for the exercise of this authority.

Municipalities need to customize this model policy to compliment the size and structure of the particular municipal government. In communities where there is a town or city manager, that individual is the authorized purchasing agent by state law. 24 V.S.A. § 1231(3). In communities without a manager, the selectboard is the authorized purchasing agent, but it may designate specific town officers or employees to make and/or authorize certain purchases.

Depending on the level of municipal staff expertise, the selectboard may want to grant some ability to certain town officers or employees to make purchases of a reasonable dollar amount without requiring prior selectboard authorization. By setting thresholds as to the dollar amount that can be spent without prior approval, and specifying procedures to follow when a purchase is made, municipal affairs can continue to function between selectboard meetings.

PURCHASING LEVELS

This model policy differentiates between three levels of purchases: "Major," "Minor," and "Incidental." The selectboard should assign dollar amounts to each of these categories of purchases when customizing this model, using amounts that make sense according to the size of the community and the expertise of municipal staff. "Major" purchases should set at a level of significant cost for which the selectboard requires a formal bid process. "Minor" purchases should be set at a dollar value so that they may only be made by an authorized purchasing agent with prior approval. The selectboard may also require that several quotes are obtained before the purchase is made. "Incidental" purchases should be set at a low enough level so that they may be made by designated a purchasing agent without prior approval.

There are also three categories of purchases that are created by federal regulation, and these are titled "micro," "small," and "large." The regulations impose different procedural requirements on each category that must be followed in order for the municipality to receive or retain federal grant funding. And while a municipality may impose purchasing and bidding requirements that are more strict than those imposed by the federal government, it may not impose requirements that are less strict.

Under the federal government's categories, so-called "large" purchases are those that exceed the so-called "Simplified Acquisition Threshold," which is set at \$250,000 in 2018 and is an inflation-adjusted number. Construction projects of any size also fit within the federal definition of "large" purchases. If these purchases are made with federal funds, the federal government requires the use of a sealed bid process. Purchases are "small" if they are between \$10,000 (\$2,000 in the case of construction projects subject to Davis Bacon requirements) and \$250,000. Purchases of this size require price or rate quotes from "an adequate number of qualified sources," which means that two or more vendors should be asked to provide quotes. "Micro" purchases are categorized by the federal government as those under \$10,000 (\$2,000 in the case of construction projects subject to Davis Bacon requirements) and may be awarded without any kind of competitive quotes if the price is deemed to be reasonable. Despite the lack of formal requirements for "micro" purchases, a reasonable effort should be made to distribute purchases equitably among qualified vendors.

COMPETITIVE BIDDING / BID SELECTION

The use of federal funds usually requires a formal bid procedure, including a sealed bid process for purchases over \$250,000. Municipalities are free to set much lower thresholds and require a formal bid process and/or sealed bids for any size purchase.

While competitive bidding is not required under Vermont law, it can have significant advantages for local governments. A choice of purchasing options allows a municipality to locate the most cost-effective suppliers of goods and services and make effective cost/quality comparisons. The process may include verbal and/or written quotations for purchases below a certain dollar threshold and a formal bidding process for higher dollar purchases. The use of such a process does not necessitate a low-bidder approach. The "Criteria for Bid Selection" section should clearly articulate the municipality's expectations.

In purchasing the services of a professional consultant, or when a service is of a specialized nature, the selection process is somewhat different. Cost, while important, should not be the most important factor. More important factors to consider are the expertise, knowledge, financial resources and experience of the individual or company providing the service. The selection processes can include the following:

Request for Qualification (RFQ). The RFQ process evaluates the professional qualifications of an individual or firm to provide consulting services. It usually is not project specific, but may be related to specific skills being sought. If you are planning a bridge renovation, you will be interested in structural engineering services. VTrans uses the RFQ process to develop a list of qualified consultants that will be considered for any future work the agency may be planning. These lists are available to communities upon request.

Request for Bid (also called "Request for Proposal" or "RFP"). A request for bids invites qualified firms to submit bids / proposals for a specific project. The project should be sufficiently well defined to give the consultant some good understanding of the task to be accomplished and any timelines, meetings with the public and/or board members or other tasks to be performed.

With either a Request for Qualifications or a Request for Bids/Proposals, the procedure to follow for soliciting proposals is similar. Prepare an invitation to submit a proposal that briefly defines the professional service being sought. Include a reasonable deadline (including date, time and location) for submitting the proposals. A statement should also be included that “reserves the community’s right to reject any or all bids if such action is deemed in the best interest of the community.”

Advertise this invitation in a newspaper with a sufficiently broad circulation to reach all who may be qualified. In addition to the newspaper ad, send the notice to a selected group that has previously worked for the community or that may be qualified. Document the outreach performed, and remember that federal funding requires bids to be solicited from minority and women-owned businesses. The submitted proposals should be opened publicly at the designated time. Either the

board or an appointed selection committee should review the proposals and arrange for interviews of those determined to be most qualified.

It is important to remember that no bid may be awarded to a vendor who has been debarred, suspended, or otherwise excluded from or ineligible for federal funding. Excluded parties (vendors) may be found on the website Sam.gov, the on-line grant award management system used for federal grants management. The model policy is below, copy text below this line.

Purchasing Policy

Municipal Name

Adopted _____, 20____

PURPOSE. The purpose of this Purchasing Policy is to obtain the highest quality goods and services for the Town of _____ at the lowest possible price, to exercise financial control over the purchasing process, to clearly define authority for the purchasing function, to allow fair and equal opportunity among qualified suppliers, and to provide for increased public confidence in the procedures followed in public purchasing.

AFFIRMATIVE ACTION AND LOCAL PREFERENCE. Whenever possible, qualified small, minority and women-owned businesses shall be included in the solicitation lists for bids or non-bid purchases. If the purchase is federally funded in whole or in part, minority and women owned businesses must be included in the solicitation lists and all other affirmative action requirements outlined in the grant provisions must be followed. The Town may exercise a preference for local businesses for purchases funded exclusively by the Town but only if such a preference does not result in unreasonable prices or rates due to a lack of competition. For purchases funded in whole or in part with federal funding the Town may not exercise a preference for local businesses.

CODE OF CONDUCT. Employees, officers and agents of the Town who are involved in the procurement and selection of bids and purchases shall make reasonable efforts to avoid real, apparent, or potential conflicts of interest. No employee, officer or agent of the Town shall participate in selection, award, or administration of a contract if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:
the employee, officer or agent,
any member of his or her immediate family,
his or her partner, or
an organization which employs, or is about to employ, any of the above, has a financial or personal interest in the firm/vendor selected for award.

An employee, officer or agent of the Town who is involved in the procurement and selection of a bid or purchase and who has a real or apparent conflict of interest must disclose that conflict of interest within the context of a duly warned Selectboard meeting that occurs before the bid selection or purchase takes place. Such disclosure must be documented in the minutes for that meeting which shall be retained as part of the official record surrounding the bid or purchase.

Officers, employees and agents of the Town will not solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to sub-agreements.

Officers, employees and agents who fail to follow the above Code of Conduct shall be sanctioned or

disciplined, to the extent permitted by law, for violations of the above standards.

DOCUMENTATION. Records documenting the procurement process for any Minor or Major purchases, as those terms are defined below, including the reason for the specific procurement method chosen, the basis for the award and contract pricing (showing evidence that the process was fair and equitable), as well as any other significant decisions that were part of the procurement process shall be maintained for a period of at least three years from the date of the submission to the Federal government of the final expenditure report if the purchase or project was funded with federal grants, or until the completion of any litigation, claim, negotiation, audit, or other action involving the records, whichever is longer. Otherwise, records shall be maintained by the Town in accordance with the retention and disposition schedules as set by the Vermont State Archivist.

PURCHASING AUTHORITY.

Purchasing Agents. The following employees are designated to act as Purchasing Agents for the Town:

[insert list of specific positions that have authorization to make purchases]

Purchasing Agents are responsible for ensuring that the best possible price and quality are obtained with each purchase and Purchasing Agents shall review all proposed procurements to avoid unnecessary or duplicative purchases of equipment, supplies and services. Purchasing Agents shall also ensure that competition is not restricted with limits on the geographic location of vendors, with unreasonable requirements or qualifications placed on vendors, or by allowing vendors to be selected who have engaged in noncompetitive pricing practices.

Incidental Purchases. Employees who have been designated to act as Purchasing Agents may make purchases of up to \$*[insert dollar amount]* without prior approval, provided those purchases are limited to the amount of the budget authorized by the Town.

Minor Purchases. Employees who have been designated to act as Purchasing Agents may make purchases with a value between \$*[insert dollar amount]* and \$*[insert dollar amount]* only with prior approval of the *[insert either "Selectboard" or "Town Manager"]* and are limited to the amount of the budget authorized by the Town. Although not required, competitive quotes from at least two vendors should be obtained whenever possible.

Major Purchases. All purchases over \$*[insert dollar amount]* require prior approval of the Selectboard. The Selectboard shall review all proposed procurements to avoid unnecessary or duplicative purchases of equipment, supplies and services. The Selectboard shall also ensure that competition is not restricted with limits on the geographic location of vendors, with unreasonable requirements or qualifications placed on vendors or bidders, or by allowing vendors to be selected who have engaged in noncompetitive pricing practices.

If federal funding is used for purchases between \$10,000 (\$2,000 in the case of construction projects subject to Davis Bacon requirements) and \$250,000, price or rate quotes must be obtained

from two or more qualified sources following the affirmative action provision of this policy and all provisions regarding fair and unrestricted competition.

For all major purchases with a value between \$[insert dollar amount] and \$[insert dollar amount], price and rate quotations shall be obtained from at least two qualified vendors to ensure that the Town has received a fair and reasonable price. Vendors will be selected based on cost, the quality of the goods and services offered, and the ability, capacity, and skill of the vendor demonstrated under prior contracts with the Town.

Large purchases with a value of \$[insert dollar amount up to \$250,000, which is the large purchase or simplified acquisition threshold under federal regulations] or more must follow a sealed bid process as outlined below.

Purchases at or exceeding \$250,000 or construction projects of any value that are funded with federal dollars must follow a sealed bid process as outlined below and also follow any procurement guidance as outlined in the grant agreement. In addition, a pricing analysis must be completed by the purchasing agent or a qualified consultant prior to issuing the request for proposal to ensure that there is a reasonable estimate against which to compare bid proposal pricing.

SEALED BID PROCESS. The sealed bid process shall be initiated by the issuance of a Request for Bids prepared by the Selectboard or its designee. Notice of the Request for Bids shall be made by letters to known providers soliciting bid responses, advertisements posted in three public locations within the Town, and advertisements placed in a newspaper of general circulation in the region.

BID SPECIFICATIONS. A list of bid specifications shall be prepared for each purchase over \$[insert dollar amount] and shall be available for inspection at the Town office. Bid specifications shall include:

- Bid name.
- Bid submission deadline.
- Date, location, and time of bid opening.
- Specifications for the project or services including quantity, design, and performance features.
- Bond and/or insurance requirements.
- A copy of the proposed contract.
- Any special requirements unique to the project or purchase.
- Delivery or completion date.

For construction projects, language that sets a requirement for a bid guarantee in the amount of 5% of the bid price from all bidders, as well as performance and payment bonds in the amount of 100% of the contract price from the contractor awarded the bid. If federally grant funded, the bidders must also include costs for Davis Bacon compliance if that is a requirement of the federal agency providing the funding.

For construction projects over \$2,000, a statement that contractors will be provided with a copy of

the most current wage determination (from the DOL website at <http://www.wdol.gov/dba.aspx>) and must comply with the Davis Bacon Act.

Language that reserves for the Selectboard the right at its sole discretion to reject any and all bids, wholly or in part, to waive any informalities or any irregularities therein, to accept any bid even though it may not be the lowest bid, to call for rebids, to negotiate with any bidder, and to make an award which in its sole and absolute judgment will best serve the Town’s interest. The Selectboard reserves the right to investigate the financial condition of any bidder to determine his or her ability to assure service throughout the term of the contract.

Once a Request for Bids has been issued, the bid specifications will be available for inspection at the Town office.

BID SUBMISSION. All bids must be submitted in sealed envelopes, addressed to the Town in care of the Selectboard, and plainly marked with the name of the bid and the time of the bid opening. Bid proposals will be date stamped on the outside of the envelope immediately upon receipt. Any bid may be withdrawn in writing prior to the scheduled time for the opening of bids. Any bids received after the time and date specified shall not be considered and shall be returned to the bidder unopened.

Bidders shall bid to specifications and any exceptions must be noted by the bidder. A bidder submitting a bid thereby certifies that the bid is made in good faith without fraud, collusion, or connection of any kind with any other bidder for the same work, and that the bidder is competing solely on his/her behalf without connection with or obligation to any undisclosed person or firm.

BID OPENING. Every bid received prior to the bid submission deadline will be publicly opened and read aloud by the Selectboard. The bid opening will include the name and address of bidder; for lump sum contracts, the lump sum base bid and the bid for each alternate; for unit price contracts, the unit price for each item and the total, if stated; and the nature and the amount of security furnished with the bid if required.

CRITERIA FOR BID SELECTION. In evaluating bids, the Selectboard will consider the following criteria:

- Price.
- Bidder’s ability to perform within the specified time limits.
- Bidder’s experience and reputation, including past performance for the Town.
- Quality of the materials and services specified in the bid.
- Bidder’s ability to meet other terms and conditions, including insurance and bond requirements.
- Bidder’s financial responsibility.
- Bidder’s availability to provide future service, maintenance, and support.
- Nature and size of bidder.
- Contract provisions that are acceptable to the Town.

- For construction projects over \$2,000, contractor's indication of acceptance of wages in the current wage determination provided as part of the Request for Bids.
- Any other factors that the Selectboard determines are relevant and appropriate in connection with a given project or service.

In addition to the above, in the case of a contract supported by federal funds, the additional criteria shall apply:

There shall be no preference exercised for local contractors or suppliers.

Minority and women-owned businesses must be included in the solicitation list for the request for proposal.

13. The Selectboard will not select a bidder who is listed on the Excluded Parties List System website (<https://www.sam.gov>).

CHANGE ORDERS. If specification changes are made prior to the close of the bid process, the Request for Bids will be amended and notice shall be sent to any bidder who already submitted a bid and a new bid process will be initiated. Once a bid has been accepted, if changes to the specifications become necessary, the Selectboard will prepare a change order specifying the scope of the change. Once approved, the contractor and an authorized agent of the Town must sign the change order.

EXCEPTIONS. The following exceptions may apply, however there must be written documentation created and maintained that outlines the process and rationale for such exceptions:

Competitive Proposals. If time does not permit the use of sealed bids, or the award will be made on the basis of non-price related factors, a competitive proposal process shall be initiated by the issuance of a Request for Bids (RFB) or Request for Qualifications (RFQ) prepared by the Selectboard or its designee that includes the factors that will be used to evaluate and compare the proposals. Bids or qualifications shall be obtained from an adequate number of qualified sources (at least two vendors) to ensure that the Town has received a fair and reasonable price and all notification and record keeping requirements of the sealed bid process shall be followed. If architectural or engineering services are being solicited, this process should be used with the most qualified firm or individual awarded the bid and price or fees negotiated after the award. If competitive proposals are used, all of the above steps in the sealed bid process should be followed except that: 1) the bid submission need not be sealed; and 2) price will not be the primary factor in the proposal selection.

Sole Source Purchases. If the Selectboard determines that there is only one possible source for a proposed purchase, it may waive the bid process and authorize the purchase from the sole source.

Recurring Purchases. If the total value of a recurring purchase of a good or service is anticipated to exceed \$[insert dollar amount] during any fiscal year, the bid process shall be utilized and shall

specify the recurring nature of the purchase. Once a bid has been accepted, all future purchases shall be made from that bidder without necessity of additional bids, until such time as the Selectboard votes to initiate a new bid process.

Emergency Purchases. The Selectboard may award contracts and make purchases for the purpose of meeting the public emergency without complying with the bid process. Emergency expenditures may include immediate repair or maintenance of town property, vehicles, or equipment if the delay in such repair or maintenance would endanger persons or property or result in substantial impairment of the delivery of important Town services.

Professional Services. The bid process shall not apply to the selection of providers for services that are characterized by a high degree of professional judgment and discretion including legal, financial, auditing, risk management, and insurance services with a value of up to \$[insert dollar amount].

Federally funded non-competitive purchases for \$250,000 or more require a cost analysis to determine the reasonableness of the proposed pricing and should be completed in accordance with the requirements of the federal or state agency issuing the grant funding.

The foregoing Policy is hereby adopted by the Selectboard of the Town of _____, Vermont, this ___ day of _____ and is effective as of this date until amended or repealed.

SIGNATURES.

Selectboard Chair

Selectboard members:

PURCHASING POLICY

Town of Georgia

Adopted [Date]

PURPOSE. The purpose of this Purchasing Policy is to obtain the highest quality goods and services for the **Town of Georgia** at the lowest possible price, to exercise financial control over the purchasing process, to clearly define authority for the purchasing function, to allow fair and equal opportunity among qualified suppliers, and to provide for increased public confidence in the procedures followed in public purchasing.

AFFIRMATIVE ACTION AND LOCAL PREFERENCE. Whenever possible, qualified small, minority and women-owned businesses shall be included in the solicitation lists for bids or non-bid purchases. If the purchase is federally funded in whole or in part, minority and women owned businesses must be included in the solicitation lists and all other affirmative action requirements outlined in the grant provisions must be followed. The municipality may exercise a preference for local businesses for purchases funded exclusively by the municipality but only if such a preference does not result in unreasonable prices or rates due to a lack of competition. For purchases funded in whole or in part with federal funding the municipality may not exercise a preference for local businesses.

CODE OF CONDUCT. Employees, officers, and agents of the municipality involved in the procurement and selection of bids and purchases shall make reasonable efforts to avoid real, apparent, or potential conflicts of interest. No employee, officer or agent of the municipality shall participate in selection, award, or administration of a contract if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

- the employee, officer, or agent,
- any member of their immediate family,
- their partner, or
- an organization which employs, or is about to employ, any of the above, has a financial or personal interest in the firm/vendor selected for award.

An employee, officer or agent of the municipality who is involved in the procurement and selection of a bid or purchase and who has a real or apparent conflict of interest must disclose that conflict of interest within the context of a duly warned **Selectboard** meeting that occurs before the bid selection or purchase takes place. Such disclosure must be documented in the minutes for that meeting which shall be retained as part of the official record surrounding the bid or purchase.

Officers, employees and agents of the municipality will not solicit nor accept gratuities, favors or

anything of monetary value from contractors, potential contractors, or parties to sub -agreements.

Officers, employees and agents who fail to follow the above Code of Conduct shall be sanctioned or disciplined, to the extent permitted by law, for violations of the above standards.

DOCUMENTATION. Records documenting the procurement process for any Minor or Major purchases, as those terms are defined below, including the reason for the specific procurement method chosen, the basis for the award and contract pricing (showing evidence that the process was fair and equitable), as well as any other significant decisions that were part of the procurement process shall be maintained for a period of at least three years from the date of the submission to the Federal government of the final expenditure report if the purchase or project was funded with federal grants, or until the completion of any litigation, claim, negotiation, audit, or other action involving the records, whichever is longer. Otherwise, records shall be maintained by the municipality in accordance with the retention and disposition schedules as set by the Vermont State Archivist.

PURCHASING AUTHORITY

Purchasing Agents. The following employees are designated to act as Purchasing Agents for the municipality:

Town Administrator and Department Heads

Purchasing Agents are responsible for ensuring that the best possible price and quality are obtained with each purchase and Purchasing Agents shall review all proposed procurements to avoid unnecessary or duplicative purchases of equipment, supplies and services. Purchasing Agents shall also ensure that competition is not restricted with limits on the geographic location of vendors, with unreasonable requirements or qualifications placed on vendors, or by allowing vendors to be selected who have engaged in noncompetitive pricing practices.

Incidental Purchases. Employees who have been designated to act as Purchasing Agents may make purchases of up to **\$5,000** without prior approval, provided those purchases are limited to the amount of the budget authorized by the municipality.

Minor Purchases. Employees who have been designated to act as Purchasing Agents may make purchases with a value between \$5,001 and \$50,000 only with prior approval of the **Selectboard or Town Administrator** and are limited to the amount of the budget authorized by the municipality. Although not required, competitive quotes from at least two vendors should be obtained whenever possible.

Major Purchases. All purchases over **\$50,000** require prior approval of the **Selectboard**. The **Selectboard** shall review all proposed procurements to avoid unnecessary or duplicative purchases of equipment, supplies and services. The **Selectboard** shall also ensure that competition is not restricted with limits on the geographic location of vendors, with unreasonable requirements or qualifications placed on vendors or bidders, or by allowing vendors to be selected who have engaged in

noncompetitive pricing practices.

If federal funding is used for purchases between \$10,000 (\$2,000 in the case of construction projects subject to Davis Bacon requirements) and \$250,000, price or rate quotes must be obtained from two or more qualified sources following the affirmative action provision of this policy and all provisions regarding fair and unrestricted competition.

For all major purchases with a value between **\$50,000** and **\$199,999**, price and rate quotations shall be obtained from at least two qualified vendors to ensure that the municipality has received a fair and reasonable price. Vendors will be selected based on cost, the quality of the goods and services offered, and the ability, capacity, and skill of the vendor demonstrated under prior contracts with the municipality.

Large purchases with a value of **\$200,000***[insert dollar amount up to \$250,000, which is the large purchase or simplified acquisition threshold under federal regulations]* or more must follow a sealed bid process as outlined below.

Purchases at or exceeding \$250,000 or construction projects of any value that are funded with federal dollars must follow a sealed bid process as outlined below and follow any procurement guidance as outlined in the grant agreement. In addition, a pricing analysis must be completed by the purchasing agent or a qualified consultant prior to issuing the request for proposal to ensure that there is a reasonable estimate against which to compare bid proposal pricing.

SEALED BID PROCESS. The sealed bid process shall be initiated by the issuance of a Request for Bids prepared by the **Selectboard** or its designee. Notice of the Request for Bids shall be made by letters to known providers soliciting bid responses, advertisements posted in three public locations within the municipality, and advertisements placed in a newspaper of general circulation in the region.

BID SPECIFICATIONS. A list of bid specifications shall be prepared for each purchase over **\$200,000** and shall be available for inspection at the municipality office. Bid specifications shall include:

- Bid name.
- Bid submission deadline.
- Date, location, and time of bid opening.
- Specifications for the project or services including quantity, design, and performance features.
- Bond and/or insurance requirements.
- A copy of the proposed contract.
- Any special requirements unique to the project or purchase.
- Delivery or completion date.
- For construction projects, language that sets a requirement for a bid guarantee in the amount of 5% of the bid price from all bidders, as well as performance and payment bonds in the amount of 100% of the contract price from the contractor awarded the bid. If federally grant funded, the bidders must also include costs for Davis Bacon compliance if that is a requirement of the federal agency providing the funding.

- For construction projects over \$2,000, a statement that contractors will be provided with a copy of the most current wage determination (from the DOL website at <http://www.wdol.gov/dba.aspx>) and must comply with the Davis Bacon Act.
- Language that reserves for the [Governance Board - Council, Selectboard, etc.]the right at its sole discretion to reject any and all bids, wholly or in part, to waive any informalities or any irregularities therein, to accept any bid even though it may not be the lowest bid, to call for rebids, to negotiate with any bidder, and to make an award which in its sole and absolute judgment will best serve the municipality’s interest. The **Selectboard** reserves the right to investigate the financial condition of any bidder to determine his or her ability to assure service throughout the term of the contract.

Once a Request for Bids has been issued, the bid specifications will be available for inspection at the municipality office.

BID SUBMISSION. All bids must be submitted in sealed envelopes, addressed to the municipality in care of the **Selectboard**, and plainly marked with the name of the bid and the time of the bid opening. Bid proposals will be date-stamped on the outside of the envelope immediately upon receipt. Any bid may be withdrawn in writing prior to the scheduled time for the opening of bids. Any bids received after the time and date specified shall not be considered and shall be returned to the bidder unopened.

Bidders shall bid to specifications and any exceptions must be noted by the bidder. A bidder submitting a bid thereby certifies that the bid is made in good faith without fraud, collusion, or connection of any kind with any other bidder for the same work, and that the bidder is competing solely on their behalf without connection with or obligation to any undisclosed person or firm.

BID OPENING. Every bid received prior to the bid submission deadline will be publicly opened and read aloud by the **Selectboard**. The bid opening will include the name and address of bidder; for lump sum contracts, the lump sum base bid and the bid for each alternate; for unit price contracts, the unit price for each item and the total, if stated; and the nature and the amount of security furnished with the bid if required.

CRITERIA FOR BID SELECTION. In evaluating bids, the **Selectboard** will consider the following criteria:

- Price.
- Bidder’s ability to perform within the specified time limits.
- Bidder’s experience and reputation, including past performance for the municipality.
- Quality of the materials and services specified in the bid.
- Bidder’s ability to meet other terms and conditions, including insurance and bond requirements.
- Bidder’s financial responsibility.
- Bidder’s availability to provide future service, maintenance, and support.
- Nature and size of bidder.
- Contract provisions that are acceptable to the municipality.

- For construction projects over \$2,000, contractor's indication of acceptance of wages in the current wage determination provided as part of the Request for Bids.
- Any other factors that the **Selectboard** determines are relevant and appropriate in connection with a given project or service.

In addition to the above, in the case of a contract supported by federal funds, the additional criteria shall apply:

- There shall be no preference exercised for local contractors or suppliers.
- Minority and women-owned businesses must be included in the solicitation list for the request for proposal.

The **Selectboard** will not select a bidder who is listed on the Excluded Parties List System website (<https://www.sam.gov>).

CHANGE ORDERS. If specification changes are made prior to the close of the bid process, the Request for Bids will be amended, and notice shall be sent to any bidder who already submitted a bid, and a new bid process will be initiated. Once a bid has been accepted, if changes to the specifications become necessary, the **Selectboard** will prepare a change order specifying the scope of the change. Once approved, the contractor and an authorized agent of the municipality must sign the change order.

EXCEPTIONS. The following exceptions may apply, however there must be written documentation created and maintained that outlines the process and rationale for such exceptions:

Competitive Proposals. If time does not permit the use of sealed bids, or the award will be made on the basis of non-price related factors, a competitive proposal process shall be initiated by the issuance of a Request for Bids (RFB) or Request for Qualifications (RFQ) prepared by the **Selectboard** or its designee that includes the factors that will be used to evaluate and compare the proposals. Bids or qualifications shall be obtained from an adequate number of qualified sources (at least two vendors) to ensure that the municipality has received a fair and reasonable price and all notification and record keeping requirements of the sealed bid process shall be followed. If architectural or engineering services are being solicited, this process should be used with the most qualified firm or individual awarded the bid and price or fees negotiated after the award. If competitive proposals are used, all of the above steps in the sealed bid process should be followed except that: 1) the bid submission need not be sealed; and 2) price will not be the primary factor in the proposal selection.

Sole Source Purchases. If the **Selectboard** determines that there is only one source for a proposed purchase, it may waive the bid process and authorize the purchase from the sole source.

Recurring Purchases. If the total value of a recurring purchase of a good or service is anticipated to exceed ***[\$insert dollar amount]*** during any fiscal year, the bid process shall be utilized and shall specify the recurring nature of the purchase. Once a bid has been accepted, all future purchases shall be made from that bidder without necessity of additional bids, until such time as the **Selectboard** votes to

initiate a new bid process.

Emergency Purchases. The *Selectboard* may award contracts and make purchases for the purpose of meeting the public emergency without complying with the bid process. Emergency expenditures may include immediate repair or maintenance of municipality property, vehicles, or equipment if the delay in such repair or maintenance would endanger persons or property or result in substantial impairment of the delivery of important municipality services.

Professional Services. The bid process shall not apply to the selection of providers for services that are characterized by a high degree of professional judgment and discretion including legal, financial, auditing, risk management, engineer services and insurance services with a value of up to **\$250,000**.

Federally funded non-competitive purchases for \$250,000 or more require a cost analysis to determine the reasonableness of the proposed pricing and should be completed in accordance with the requirements of the federal or state agency issuing the grant funding.

The foregoing Policy is hereby adopted by the Selectboard of the Town of Georgia, Vermont, this [] day of [] and is effective as of this date until amended or repealed.

SIGNATURES.

Chair:

Selectboard Members:



Town of Georgia

47 Town Common Road North. • St. Albans, VT 05478
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TOWN OF GEORGIA, VERMONT DEVELOPMENT REVIEW BOARD

RULES OF PROCEDURE AND CONFLICT OF INTEREST POLICY

Section I: Authority

The Development Review Board (DRB) of the Town of Georgia, Vermont, hereby adopts the following rules of procedure (hereinafter referred to as these Rules) in accordance with 24 V.S.A. § 4461(a) and 1 V.S.A. §§ 312(e), (f), and (h).

Section II: Policy

These Rules are adopted to ensure consistent and fair treatment of applicants and interested persons and participants, orderly and efficient public proceedings, and compliance with state and federal law. These Rules shall also ensure that no board member will gain a personal or financial advantage from his or her work for the board, so that the public trust in municipal government will be preserved.

Section III: Definitions

- A. "Board" means the Town of Georgia Development Review Board (DRB).
- B. "Board Member" means a regular or alternate member of the Town of Georgia DRB.
- C. "Conflict of interest" means any one of the following:
 1. A direct or indirect personal interest of a board member, his or her spouse, household member, child, stepchild, parent, grandparent, grandchild, sibling, aunt or uncle, brother or sister-in-law, business associate, employer or employee, in the outcome of a cause, proceeding, application or any other matter pending before the Board.
 2. A direct or indirect financial interest of a board member, his or her spouse, household member, child, stepchild, parent, grandparent, grandchild, sibling, aunt or uncle, brother

or sister-in-law, business associate, employer or employee, in the outcome of a cause, proceeding, application or any other matter pending before the Board.

3. A situation where a board member has publicly displayed a prejudgment of the merits of a particular proceeding before the board. This shall not apply to a member's particular political views or general opinion on a given issue.
 4. A situation where a board member has not disclosed ex parte communications with a party in a proceeding before the Board, pursuant to Section XII of these Rules.
- D. "Deliberative session" means a private session of the Board to weigh, examine, and discuss the reasons for and against an act or decision, from which the public is excluded. There shall be no taking of evidence or submission of testimony, nor need a deliberative session be publicly noticed. By motion and majority vote, the Board may enter deliberative session during a hearing to consider a matter before it.
- E. "Executive session" means a session of a public body from which the public is excluded, pursuant to 1 V.S.A. § 313. Such private session may only be held for one of the reasons permitted by the statute, and no binding action may be taken in executive session.
- F. "Ex parte communication" means direct or indirect communication between a member of the Board and any party, party's representative, party's counsel or any person interested in the outcome of any proceeding before the Board, that occurs outside of a public proceeding, and concerns the substance or merits of the proceeding.
- G. "Official act or action" means any legislative, administrative, or quasi-judicial act performed by any board member.
- H. "Public deliberations" means the weighing, examining, and discussing, in a public proceeding, the reasons for and against an act or decision, but expressly excludes the taking of evidence and the arguments of parties.
- I. "Recuse" means to remove oneself from a particular Board proceeding because of a real or perceived conflict of interest.

Section IV: Regular Officers

The Town of Georgia DRB shall consist of seven regular members and two alternate members. After Town Meeting Day but prior to May 1, or at other times throughout the year as needed, the Board shall hold an organizational meeting and elect by majority vote, a Chair, Vice Chair and Clerk.

- A. The Chair shall preside at all meetings, hearings, and deliberations, decide all points of order or procedure, and appoint members to any committee of the Board. The Chair may

administer oaths and may request the attendance of witnesses and the production of material germane to any issue under consideration.

- B. The Vice Chair shall assume the duties of the Chair whenever the Chair is absent, or at the Chair's request.
- C. It shall be the duty of all regular members to review the minutes and other official records of Board meetings and actions, and correct and ratify these when appropriate and necessary.
- D. The Clerk shall take minutes of all meetings, unless otherwise delegated.

Section V: Term Expiration and Vacancies

The Chair of the Board shall notify the Selectboard of the expiration of the term of any member of the Board. Board members may seek reappointment to the Board upon expiration of their terms. The Chair shall promptly notify the Selectboard of any expected vacancy on the Board and request appointment of a replacement to serve the balance of the departing member's term. The Selectboard shall annually, or as needed, appoint up to three alternates who may temporarily serve as DRB members in the event of a recusal or absence of one or more members.

Section VI: Regular and Special Meetings

Regular meetings to conduct business of the Board shall be held at the Georgia Municipal Office at 7 p.m. on the first and third Tuesday of each month, or as warranted. The Chair may cancel meetings at any time.

- A. Special meetings may be called by the Chair, provided at least 48-hour notice is given to each member and the time and place of each special meeting is publicly announced at least 48 hours before the meeting.
- B. A quorum shall consist of a majority of the entire Board.
- C. Members may participate by telephone or by Zoom as long as the member can hear everything that is occurring at the meeting, and everyone present at the meeting can hear the board member.
- D. All meetings shall be open to the public unless the Board, by majority vote, has entered a deliberative or executive session. The Board may only hold an executive session pursuant to the reasons permitted by 1 V.S.A. § 313, and only after a majority vote to enter executive session.
- E. There shall be an agenda for each meeting, with time allotted for each item or group of items to be considered. Those who wish to be added to the agenda shall contact the Zoning

Administrator to arrange for a convenient time. The Chair shall then determine the content of the agenda.

- F. All business shall be conducted in the same order as it appears on the agenda, except that by majority consent, the Chair may alter the order of items to be considered and/or the time allotted.
- G. The Chair shall rule on all questions of order or procedure and shall enforce these rules.
- H. At each meeting there shall be a period of time reserved for public comment. The Chair may set the amount of time reserved for such public comment and may extend, reduce, or eliminate this period of time as necessary. Speakers may participate at other times throughout the meeting but only when recognized by the Chair. The Board shall apply consistent time limits to all recognized to speak.
- I. Notice for hearings on the adoption, amendment, or repeal of the bylaw and other regulatory tools shall be pursuant to 24 V.S.A. § 4444, as amended.

Section VII: Public Hearings and Order of Business

Public hearings shall be conducted as quasi-judicial proceedings pursuant to 1 V.S.A. § 310(6)(B). Hearings shall be publicly noticed in accordance with 24 V.S.A. §4464. Hearings shall not exceed three hours in length unless approved by a majority of members present.

Public comment may be offered during the hearing with the permission of the Chair. Such comment, if recognized, shall be limited to the amount of time reserved for such public comment by the Chair, unless by majority consent the Board sets a different time limit. The Board shall apply consistent time limits to all persons recognized to speak.

The Chair shall conduct the hearing in the following manner:

- A. Open the hearing by reading the warning of the hearing.
- B. Review the order of events, remind all present that the proceeding will be conducted in an orderly manner, and make copies of these Rules available.
- C. Request disclosure of conflicts of interest and ex parte communications.
- D. Review the definition of “interested persons” in 24 V.S.A. §4465(b).
- E. Explain that pursuant to 24 V.S.A. §4471(a), only an interested person who has participated in this proceeding may take an appeal of any decision issued in this proceeding.

- F. Ask all who believe they meet the definition of interested person to identify themselves and to provide contact information. The Board shall not make any determination as to party status in all proceedings except for appeals of Zoning Administrator decisions. As these Rules do not differentiate between persons with interested person status and those without, anyone seeking to participate in a proceeding may do so, subject to these Rules and those established by the Chair.
- G. Direct the Applicant or Appellant or his/her representative and all interested persons to step forward and take the following oath: *I hereby swear that the evidence I give in the cause under consideration shall be the whole truth and nothing but the truth under the pains and penalties of perjury.*
- H. Accept written information presented to the Board.
- I. Invite the Applicant or Appellant or his/her representative to present such application, proposal, or appeal.
- J. Invite the Zoning Administrator to present information regarding the application, proposal, or appeal.
- K. Invite Board members to ask questions of the Applicant or Appellant and/or his/her representative.
- L. Invite interested persons and members of the public to present their information regarding the application, proposal, or appeal.
- M. Invite the Applicant or Applicant's representative to respond to information presented.
- N. Invite more questions or comments from members of the Board.
- O. Invite more questions from interested persons and members of the public.
- P. Allow final comments or questions from the Applicant or his/her representative, the Zoning Administrator, or members of the Board.
- Q. Upon motion and majority approval, the Chair shall either adjourn the hearing to a time certain or close the proceedings by stating that this is the final public hearing on the matter.
- R. The Board shall then conduct public deliberations or may vote to enter deliberative session.

Section VIII: Site Visits

Site visits shall be open to the public; however, no testimony shall be taken, and no ex parte communication shall occur. Site visits shall be held pursuant to the following conditions:

- A. If, prior to a hearing, the Chair determines that a site visit will be necessary, the site visit shall be scheduled immediately prior to a public hearing. Such site visits shall be publicly noticed in accordance with 24 V.S.A. §§ 4464(a)(1), (2).
- B. If necessary, the Board may recess a hearing to conduct a site visit at a property which is the subject of an application or appeal before the Board.
- C. If necessary, the Board may adjourn a hearing to a time certain to conduct a site visit at a property which is the subject of an application or appeal before the Board.
- D. The minutes of the proceeding shall reflect that a site visit was held, who was present, and the nature and duration of the site visit.

Section IX: Service List

The Clerk shall create a list of all individuals who participated in the hearing. The list shall include those who participated orally and those who participated in writing. All decisions of the Board shall be mailed to those on the list. The list shall include:

- A. The names of those who participated in the proceedings.
- B. The nature and content of participation by those who participated.
- C. The mailing address of each of these persons.

Section X: Decisions

The Board shall make its decisions by public deliberation, unless by majority vote it has determined to make a decision in deliberative session. Deliberative sessions are not open to the public and need not be warned. 1 V.S.A. §§ 312(e), (f). Members of the Board who have not heard all testimony and reviewed all evidence submitted for a particular application, proposal, or appeal shall not participate in that proceeding. Absent Board members may participate if they have reviewed the video recording of the proceedings, and any evidence submitted. The following rules shall apply to voting on decisions:

- A. Motions shall be made in the affirmative.
- B. The Chair has the same voting rights as all members and can make motions.

- C. No second shall be required for a motion to have the floor.
- D. All regular Board members present are expected to vote unless they have recused themselves.
- E. Abstentions are strongly discouraged and shall not count towards either the majority or the minority.
- F. For a motion to pass, it must receive the concurrence of a majority of the entire Board, regardless of how many are present. 1 V.S.A. § 172; 24 V.S.A. § 4461(a). In the event of a tie vote or a vote with less than a majority of the members of the Board concurring, the request for approval or appeal before the Board shall be deemed denied and the written decision shall such denial.
- G. The Board shall issue a decision within 45 days of the final public hearing.

Section XI: Conflicts of Interest

Participation, disclosure of conflicts, and recusal shall be governed by the following procedures:

- A. **Participation.** A Board member shall not participate in any official action where he or she has a conflict of interest in the matter under consideration. A Board member shall not, personally or through any member of his or her household, business associate, employer or employee, represent, appear for, or negotiate in a private capacity on behalf of any person or organization in any proceeding pending before the Board.
- B. **Disclosure.** At all hearings, the Chair shall request that Board members disclose all potential conflicts of interest. When recognized by the Chair, any person may request disclosure of potential conflicts of interest.

Nonetheless, after disclosing a conflict or perceived conflict, a member who believes that they are able to act fairly, objectively, and in the public interest, shall disclose the nature of the potential conflict of interest, and the reason(s) why they are able to act in the matter fairly, objectively, and in the public interest. This shall be noted in the minutes of the proceeding.

- C. **Recusal.** A Board member shall recuse themselves from any matter in which they have a conflict of interest, pursuant to the following:
 - 1. The Applicant or any person may request that a Board member recuse themselves due to a conflict of interest. Such request shall not constitute a requirement that the member recuse themselves.
 - 2. A Board member who has recused themselves from a proceeding shall not sit with the Board, deliberate with the Board, or participate in that proceeding as a Board member in any capacity.

- 3. If a previously unknown conflict is discovered, the Board may take evidence pertaining to the conflict, and if appropriate, adjourn to a short deliberative session to address the conflict.
- 4. The Board may adjourn the proceedings to a time certain if, after a recusal, it may not be possible to take action through the concurrence of a majority of the Board. The Board may then resume the proceeding with sufficient members present.

Section XII: Ex Parte Communications

Ex parte communication is prohibited. Any Board member who inadvertently conducts ex parte communication must disclose such communication as required below.

- A. **Disclosure.** At each hearing, the Chair shall request that members disclose any ex parte communications. Board members who have received written ex parte communications shall place in the record copies of all written communications received as well as all written responses to those communications. Members shall prepare a memorandum stating the substance of all oral communications received, all responses made and the identity of each person making the ex parte communication, which shall become a part of the record of the proceedings.

Section XIII: Removal

Upon majority vote, the Board may request that the Selectboard remove a Board member. Board members may be removed for cause by the legislative body upon written charges and after public hearing. 24 V.S.A. § 4460(c).

Section XIV: Amendments

These rules may be amended at any regular or special meeting by a majority vote, provided that each Board member has been presented a written copy of the proposed amendment at least 48 hours before the meeting at which the vote is taken.

These Rules of Procedure adopted by majority vote of the Town of Georgia Development Review Board this ____ day of _____, 2024.

Chairperson