



VMCTA *News*

NEWSLETTER OF THE VERMONT MUNICIPAL CLERKS' AND TREASURERS' ASSOCIATION

**CELEBRATING
OVER 80 YEARS!
1936-2017**

In this Issue:

page 2

- President's Message

page 3-7

- Orange 1 Recount

page 5

- Welcome!

pages 8-13

- Retirements

pages 13-16

- Tip Top Tips
- More Fun Stuff

VMCTA Newsletter / PR Committee

Diane Judd, Holland
holland1805@hotmail.com

Linda Parent, Richmond
lmparent@gmavt.net

Heidi Racht, Huntington (Chair)
huntingtonclerk@gmavt.net

Tim Arsenault, Vernon
clerk@vernonvt.org

Heidi Racht
Newsletter Design / Edit

<http://www.vmcta.org>

Welcome to the sixth edition of the VMCTA newsletter.
Your submissions are welcome — or feel free to contact a member of the committee with an idea.

Welcome New Clerks & Treasurers

As the result of Town Meeting elections in March, many new clerks and treasurers have joined our ranks. We welcome all of them and offer any help they may need.

Please go to page 5 to see this impressive list.

Shelburne Assistant Town Clerk Sue Moraska and newly-elected Town Clerk Diana Vachon proudly show the town's latest official sign (see article on page 8). Assistant Town Clerk Lisa Mann was unavailable for the photo.



Spring Educational Opportunities

Hands-On Educational Opportunities and More!

On April 20 (West Rutland) and May 3 (Danville), VMCTA will offer its annual spring training. This one-day training is a great opportunity for new clerks and treasurers, as well as a refresher (you can always learn something) for those with experience. Each day will have panel presentations and discussion on a broad range of topics. You can benefit from the experiences and insights of your colleagues - great networking opportunities!

Early registration fee is \$25 per person and includes lunch: April 13 (West Rutland) and April 26 (Danville). After these dates, the fee is \$35.

Come for one session or the whole day. Pick the location that is best for you.

Thursday, April 20, 2017

West Rutland Town Hall, 35 Marble Street

SCHEDULE

- 8 am Registration
- 8:30-11:45 Clerk Workshop / Treasurer Roundtable
- 11:45-12:30 Lunch
- 12:30-3:30 Treasurer Workshop / Clerk Roundtable

Wednesday, May 3, 2017

Danville Town Hall, 36 Route 2 West, Danville

SCHEDULE

- 8 am Registration
- 8:30-11:45 Treasurer Workshop / Clerk Roundtable
- 11:45-12:30 Lunch
- 12:30-3:30 Clerk Workshop / Treasurer Roundtable

For more information or to register: www.vmcta.org. Registration form is available at the end of this newsletter.



Executive Board

PRESIDENT

Lucrecia Wonsor

Killington Town Clerk & Treasurer
(802) 422-3243; Fax (802) 422-3030

PAST PRESIDENT

Tammy Legacy, Roxbury Town Clerk
(802) 485-7840; Fax (802) 485-9160

FIRST VICE PRESIDENT

Donna Kinville
South Burlington City Clerk
(802) 846-4105

SECOND VICE PRESIDENT

Georgette Wolf-Ludwig, Fairlee Town Clerk
(802) 333-4363; Fax (802) 333-9214

SECRETARY

Dawn Custer
Hubbardton Town Clerk & Treasurer
(802) 273-2951; Fax (802) 273-3729

TREASURER

Audra Girouard, Concord Treasurer
(802) 695-2910; Fax (802) 695-2552

AUDITOR

Patti Lewis, Fayston Clerk & Treasurer
(802) 496-2454; (802) 496-9850

MEMBERS AT LARGE

Term until 2017

Two Years

Tracy Borst
Thetford Town Clerk
(802) 785-2922, Ext. 10; Fax (802) 785-2031

Karen Richard
Colchester Town Clerk & Treasurer
(802) 264-5500; Fax (802) 254-5503

One Year

Stacy Jewell
St. Johnsbury Town Clerk
(802) 728-4331

Diane Judd
Holland Town Clerk & Treasurer
(802) 885-4440; Fax (802) 895-4440

Notes from the President

Town Meeting is behind us and spring is here!....Well according to the calendar at least. Mother Nature is certainly having some fun with us but soon the snow will be gone, the sun will be shining, the days will be warm, the birds will be chirping and the flowers and trees will be blooming!

Congratulations to all the Clerks and Treasurers who were reelected. This Town Meeting there were several Clerks and Treasurers who retired, we wish you much happiness in this new phase in your journey....you will be missed, but we hope that you will stay connected with VMCTA.

I want to extend a very warm welcome to all the new Clerks and Treasurers. VMCTA and your fellow clerks and treasurers are here to help and support you and answer any questions you have. As you have already realized, there is a lot to learn - that never changes no matter how long one has been a Clerk or Treasurer. The good news is there are many tools and opportunities at your disposal. It is great to see so many new Clerks and Treasurers already reaching out through the VMCTA Listserve - one of our most valuable tools for communicating and getting help in resolving issues or answering questions. There is also information and links on the

VMCTA website - www.vmcta.org. Never hesitate to reach out to a neighboring Clerk/Treasurer or one of the VMCTA Mentors listed on the website. Then there are the educational opportunities - VMCTA's Spring Training for New Clerks and Treasurers, VLCT's and VTGFOA's Workshops, New England Municipal Clerk's Institute and Academy (NEMCI&A), New England Association of City & Town Clerks' Annual Meeting and Conference and VMCTA's Annual Meeting and Conference. All these offer opportunities for learning and networking to help us grow individually and professionally.

Speaking of VMCTA's Annual Conference - **MARK YOUR CALENDARS!**

The 81st Vermont Municipal Clerks & Treasurers Association Annual Meeting and Conference will be held on September 18 & 19 at the Killington Grand Resort Hotel & Conference Center in Killington. The Education Committee is hard at work putting together some amazing educational sessions that you will not want to miss. Further details and information will be coming via the Listserve and will be posted on the VMCTA website - stay tuned and look forward to seeing you there!

—Lucrecia Wonsor

Clerk of the Year



*Kim Moulton, Hyde Park Town Clerk, was named the 2016 Vermont Clerk of the Year. She received this award from VMCTA President Lucrecia Wonsor at the banquet at the VMCTA Annual Meeting in September 2016.
Photo: Heidi Racht*

Orange County Recount

November Elections Continue into February

To understand how the Orange County recount got to the Vermont Legislature in Montpelier, it is important to take a few minutes and read the statutes. Some of the pertinent areas of the statute are excerpted below:

Ch. 51 CONDUCT OF ELECTIONS T.17

Subchapter IX. Recounts and Contest of Elections

§ 2601. Recounts In an election for statewide office, county office, or state senator, if the difference between the number of votes cast for a winning candidate and the number of votes cast for a losing candidate is less than two percent of the total votes cast for all the candidates for an office, that losing candidate shall have the right to have the votes for that office recounted. In an election for all other offices, if the difference between the number of votes cast for a winning candidate and the number of votes cast for a losing candidate is less than five percent of the total votes cast for all the candidates for an office, divided by the number of persons to be elected, that losing candidate shall have the right to have the votes for that office recounted.

§ 2602. Procedure for recounts

(a) In the case of recounts for local elections and recounts for the office of justice of the peace, the procedures for conducting the recount shall be as provided in subchapter 3, chapter 55 of this title.

(b) In the case of recounts other than specified in subsection (a) of this section, the following procedure shall apply. A petition for a recount shall be filed within 10 days after the election. The petition shall be filed with the superior court, Washington County, in the case of candidates for state or congressional office, or for a presidential election; the petition shall be filed with the superior court in any county in which votes were cast for the office to be recounted, in the case of any other office. The petition shall be supported, if possible, by a certified copy of the certificate of election prepared by the canvassing committee, verifying the total number of votes cast and the number of votes cast for each candidate.

(c) The superior court shall set an early date for the recount, notifying all candidates at least five days in advance. The court shall order the town clerk or clerks having custody of the ballots to be recounted to appoint two election officials who are not members of the same political party who shall transport them to the county clerks of their respective counties before the day set for the recount. County clerks shall store all ballots, still in their sealed containers, in their vaults until

ballots, still in their sealed containers, in his or her vault until the day of the recount.

§ 2602k. After the recount

(a) If the recount results in a tie, the court shall order a recessed election to be held, within three weeks of the recount, on a date set by the court. The only candidates who shall appear on the ballot at the recessed election shall be those who tied in the previous election. The recessed election shall be considered a separate election for the purpose of voter registration under chapter 43 of this title. If the recount confirms a tie, as to any public question, no recessed election shall be held, and the question shall be certified not to have passed. Warnings for a recessed election shall be posted as required by subchapter 5 of this chapter, except that the warnings shall be posted not less than 10 days before the recessed election. The conduct of a recessed election shall be as provided in this chapter for general elections.

Ch. 51 CONDUCT OF ELECTIONS T.17 § 2602k

(b) After the recount, the county clerk shall seal the ballots and other materials back in the containers and store them in the county clerk's vault until returned to the towns. The county clerk shall return all ballots to the respective town clerks after issuance of the court's judgment, together with a copy of the judgment. The state police shall transport the ballots to the towns from which they came.

(c) The court shall send a certified copy of the judgment to the secretary of state.

(Added 1985, No. 148 (Adj. Sess.), § 5.)

§ 2602l. Recounts using voting machines In all recounts conducted under this chapter, ballots shall be counted by hand as described in sections 2602a through 2602k of this title, unless the candidate who petitions for a recount requests that the recount be conducted by optical scanner.

§ 2603. Contest of elections

(a) The result of an election for any office, other than for the general assembly, or public question

Legislative Committee Update

It has been an extremely busy year for legislative issues. We spent a lot of time at the State House regarding Orange 1 recount. As you know the recount did not happen due to a technicality. As a result, there is a bill to clarify/change the recount process. That bill is H. 512 and has passed the House and will soon be reviewed in Senate Gov Ops.

H. 514 is the miscellaneous election bill, which has also passed the House.

H. 111 is the vital records bill, which was first introduced more than five years ago. It has been a painstaking work in progress. This bill will add birth records to the current death records system that is in place. There will be an application form when requesting a copy of the birth certificate and I.D. required, which has not been clarified at this time. The bill has passed the House and we will be following it in the Senate.

There are many miscellaneous bills that we are following. See the VMCTA website to visit the weekly reports. If you have concerns regarding pending legislation feel free to contact me or one of the members of the Legislative Committee: Carol Dawes, Barre City; Dawn Custer, Hubbardton; Deb Beckett, Williston; and Stacy Jewell, St. Johnsbury.

—Karen Richard, Chair of Legislative Committee

the day of the recount. The court shall appoint a sufficient number of impartial voters as a committee to recount the votes. (Amended 2007, No. 54 (Adj. Sess.), § 13)

(d)-(h) [Repealed.]

(i) The secretary of state shall bear the costs of recounts covered under this chapter.

§ 2602b. Assignment of duties

(a) The county clerk shall supervise the recount and may appoint a sufficient number of impartial assistants to perform appropriate tasks which have not been assigned to recount committee members. The county clerk shall store all

Orange 1 Recount, continued from previous page

may be contested by any legal voter entitled to vote on the office or public question to be contested.

(b) A contest is initiated by filing a complaint with a superior court alleging:

(1) that errors were committed in the conduct of the election or in count or return of votes, sufficient to change the ultimate result; (2) that there was fraud in the electoral process, sufficient to change the ultimate result; or (3) that for any other reason, the result of the election is not valid.

(c) The complaint shall be filed within 15 days after the election in question, or if there is a recount, within 10 days after the court issues its judgment on the recount. In the case of candidates for state or congressional office, for a presidential election, or for a statewide public question, the complaint shall be filed with the superior court, Washington County. In the case of any other candidate or public question, the complaint shall be filed with the superior court in any county in which votes were cast for the office or question being challenged.

(d) The Vermont Rules of Civil Procedure shall apply to contests of elections, except that such cases shall be placed upon a special calendar, and hearings shall be scheduled on a priority basis, as public policy demands that such questions be resolved promptly.

(e) After hearing, the court shall issue findings of fact and a judgment, which shall supersede any certificate of election previously issued. If the court finds just cause, the court shall grant appropriate relief, which may include, without limitation, ordering a recount, or ordering a new election. If during the hearing the court receives credible evidence of criminal conduct, the court shall order a transcript of all or part of the testimony to be forwarded to the proper state's attorney. If a new election is ordered, the court shall set a date for it, after consulting with the secretary of state; in ordering a new election, the court shall have authority to issue appropriate orders, either to provide for special cases not covered by law, or to supersede provisions of law which may conflict with the needs of the particular situation.

Ch. 51 CONDUCT OF ELECTIONS T.17 § 2603

(f) The court shall send a certified copy of its findings of fact and judgment to the secretary of state.

<http://www.vmcta.org>

§ 2605. House of Representatives

(a) A candidate for the office of representative to the general assembly in the general election, or any elected town officer in the representative district, or any 25 voters in the representative district may request the house of representatives to exercise its constitutional authority to judge of the elections and qualifications of its own members, by filing a written request with the secretary of state specifying the candidate or candidates whose election is being challenged. The request must be filed no later than the latest of the following:

(1) 20 days after the date of the election;

(2) 10 days after a final court judgment, if there is a recount under section 2602 of this title; or

(3) 10 days after a final court judgment, if there is a contest under section 2603 of this title.

(b) The secretary of state shall notify the attorney general, who shall investigate the facts, take such depositions as may be necessary, prepare an opinion on the law and facts, and send his report and opinion to the secretary of state at least 10 days before the general assembly convenes. (Added 1977, No. 269 (Adj. Sess.), § 1; amended 1979, No. 200 (Adj. Sess.), § 96.)

Communication from Michael Duane Senior Assistant Attorney General REPORT AND OPINION TO SECRETARY OF STATE JAMES C. CONDOS

A request under 17 V.S.A. § 2605 in the form of a "Petition" was filed with the Secretary of State on December 22, 2016 by Susan Hatch Davis seeking to invoke the constitutional authority granted to the Vermont House of Representatives, pursuant to Chapter II, Section 14 of the Vermont Constitution, to judge of the election and qualifications of their own members.

Ms. Hatch Davis was a candidate for the two seats established for the Orange-1 House District. Hatch Davis seeks as a remedy in her request that the House order a new recount and order that all ballots deemed spoiled or defective be examined to determine whether they should be counted.

The matter originated at the Vermont Superior Court, Civil Division, Orange Unit at Chelsea where Hatch Davis requested a recount following the November 8, 2016 election. In that election four candidates sought election for the two seats established for the Orange-1 District. The recount was held on November 28, 2016.

Proceedings regarding the recount were commenced as In Re: Petition of Susan Hatch Davis, Docket No. 151-11-16 Oecv. On December 19,

2016, a Judgment was entered in the recount action (Teachout, J.) in accordance with 17 V.S.A. § 2602j declaring Rodney Graham and Robert Frenier as the winners in the election.

Ms. Hatch Davis' request to the Secretary of State presents a question that involves threading a constitutional eye of a needle. Under the Vermont Constitution the voters have the right to elect officers [Chapter 1, Article 7] and, more specifically with respect to the Vermont House of Representatives, the voters of each representative district shall elect the representatives from that district. [Chapter II § 13]. In conjunction therewith, however, Chapter II, § 14 provides that the House of Representatives shall have the power to judge of the elections and qualifications of their own members.

The General Assembly has enacted a series of laws governing the conduct of elections. See 17 V.S.A., Chapter 51. Within that framework of laws, the local boards of civil authority shall have charge of the conduct of elections, 17 V.S.A. § 2451, and along with a local presiding officer and other assistant election officers, shall be responsible for the counting of votes, certifying the result of the vote count and assuring that an election is conducted according to law. See 17 V.S.A. §§ 2452 – 2455.

In accordance with these governing statutes, a losing candidate has the right to have the votes "recounted" if the result of the votes cast in the election is within a numerical margin, 17 V.S.A. § 2601, and may do so by filing a petition for a recount with the civil division of the Vermont superior court. 17 V.S.A. § 2602(b). Vermont law also provides that the result of an election may be "contested" by any legal voter entitled to vote on the office by filing a complaint with a superior court. 17 V.S.A. § 2603. This provision allowing "any legal voter" to contest an election presumably would include the candidate themselves in an election for an office. However, in *Kennedy v. Chittenden*, 142 Vt. 397 (1983), the Vermont Supreme Court ruled that the then existing provisions of 17 V.S.A. § 2603 [and 17 V.S.A. § 2604] could not constitutionally apply to the contest of an election to the Vermont House of Representatives. The Court held that as Chapter II, § 14 of the Vermont Constitution, noted above, provides the House of Representatives shall have the power to judge of the elections of its members, a statute purporting to give the courts of the judicial branch such authority violated the separation of powers doctrine contained in Chapter II, § 5 of our Constitution. In 1986, following the Court's decision in *Kennedy*,

continued 

Welcome New Clerks & Treasurers

Jeanette Haight, Andover Town Clerk
Cathy Mander-Adams, Belvidere Town Clerk
Samantha Suzanne Meehan, Bloomfield Town Clerk
Hilary Francis, Brattleboro Town Clerk
Donna Fitch, Calais Town Treasurer
Judy Fitch Robert, Calais Town Clerk
Heidi Congdon, Clarendon Town Treasurer
Kerri Fillion, East Haven Town Clerk/Treasurer
CJ Flynn, East Montpelier Town Clerk
Susan McNamara-Hill, Essex Town Clerk*
Susan Kim Greaves, Greensboro Town Clerk
Lynnette Deaette, Jay Clerk/Treasurer
Beth Ellingwood, Lemington Town Clerk
Bonnie Lovell, Maidstone Town Clerk
Sara Allyn Haskins, Morristown Town Clerk/
Treasurer

Amber Holden, Newark Town Clerk/Treasurer
Carol Hesselbach, Newfane Town Clerk
Betsy J. Wescott, Poultney Town Clerk/Treasurer
Denise Germon, Putney Town Clerk
Kirsten Hathaway, Rutland Town Clerk and
Treasurer**
Marlene Barriere, Shaftsbury
Diana Vachon, Shelburne Town Clerk**
Laura Collins, Stowe Town Clerk/Treasurer
Danielle Fortin, Sutton Town Clerk/
Treasurer
Jessy Pelow, Waterford Town Clerk
Melissa Zebrowski, Westmore Town Clerk
Carol Rossi, Wheelock Town Clerk

*Appointed January 1, 2017

**Appointed in 2016 and elected in March 2017

Orange 1 Recount, continued from previous page

the legislature amended 17 V.S.A. § 2603(a) to add a provision to exclude elections to offices the general assembly with respect to the right to contest the results of elections for offices generally. 1985 Acts & Resolves, No. 148 (Adj.Sess.).

It thus appears that a candidate for a seat in the Vermont House of Representatives who seeks a “recount” following an election may do so by invoking the recount procedures set forth in 17 V.S.A. § 2601 through § 2602k, even though the superior court: presides over the recount petition process, 17 V.S.A. § 2602(b) and (c); may take evidence relating to the recount, 17 VT LEG #321106 v.1

V.S.A. § 2602j(c); and shall issue a judgment regarding the election. Id. It would follow that any appeal from a recount judgment with respect to the specific recount procedures set forth in the statutory scheme would be to the Vermont Supreme Court, as authorized by 4 V.S.A. § 2 and the Vermont Rules of Appellate Procedure.

It should be noted that in *Kennedy v. Chittenden*, 142 Vt. 397, the Supreme Court stated the case “first started” as a recount matter in which the recount appeared to confirm the election victory of the defendant candidate Chittenden, “... whereupon a contest was initiated before the Chittenden Superior Court, on the basis of asserted checklist irregularities ...”. It was the “contest” to the checklist irregularities, and the superior court’s order calling for a new election regarding those perceived irregularities, that

seemingly violated the separation of powers doctrine.

It must be presumed that the statutory role of the judicial branch in “recount” proceedings in 17 V.S.A. § 2601 through § 2602k (as adj. to “contest” proceedings in 17 V.S.A. § 2605) is a proper constitutional delegation by the Legislature, as statutes are presumed to be constitutional until the Supreme Court rules otherwise. *Badgley v. Walton*, 2010 VT 68, 20, 38, 188 Vt. 367.i

In this matter, any claim by Ms. Hatch Davis regarding the presentation of evidence to the superior court in the recount proceeding under 17 V.S.A. § 2602j, the application of the Vermont Rules of Evidence regarding offers of proof under V.R.E. 103 with respect to such evidence, and the superior courts’ interpretation of § 2602j concerning the standard of proof in a recount action may be matters for appellate review by the Vermont Supreme Court, but not by the Attorney General or the Secretary of State under 17 V.S.A. § 2605.

Here, Ms. Hatch Davis’ specific request for relief in contesting the election is that all ballots deemed spoiled or defective should be examined to determine whether they should be counted. She claims that such ballots were treated inconsistently within the district during the election and recount process.

With respect to early or absentee ballots,17

V.S.A. § 2547 provides the instances in which early or absentee ballots shall be marked “defective”, and that in those instances the defective ballots shall not be counted. The Secretary of State’s “2016 Elections Procedures” (July 2016) guide for local officials at Appendices H and I also instructs that “defective” and “spoiled” ballots”, respectively, should be placed into envelopes, and further instructs in case of a recount that these “ballots” should not be counted. The Secretary of State is the chief election official of the State, and has been authorized to adopt rules for the counting of ballots. 17 V.S.A. § 2582. As such, the Secretary of State’s published procedures regarding the treatment of defective and spoiled ballots under Vermont’s election laws is entitled to great weight, and should not be disregarded or overturned, except for cogent reasons, and unless it is clear that his statutory construction is erroneous. See *Town of Lunenburg, et al. v. Unorganized Towns and Gores of Essex County*, 2006 VT 71 ¶ 11, 180 Vt. 578 (mem.).

In light of the constitutional separation of powers line laid down by the Vermont Supreme Court in *Kennedy v. Chittenden*, when a “recount” proceeding turns into a “contest” of the election regarding alleged irregularities in the treatment of defective and spoiled ballots, the jurisdiction of the judicial branch ends. Therefore, any claims by Ms. Hatch Davis here that all ballots deemed spoiled or defective should be examined to determine whether they should be counted, is a “contest” of the election. Thus, her claims for relief fall under 17 V.S.A. § 2605, and are within the exclusive power of the House of Representatives to judge in accordance Chapter II, § 14 of the Vermont Constitution.

Respectfully submitted and dated at Montpelier, Vermont this 10th day of January, 2017.”

Read On... Plans Continue for Recount

So, all of this brings the November Orange County representative election before the Vermont House of Representatives

In an article in the *BARRE-MONTPELIER TIMES-ARGUS*, printed on February 1, 2017, staff writer David Delcore writes:

State’s clerks plan 3rd recount

“With a twice-settled election for an Orange County legislative seat potentially headed to another recount, the Vermont Municipal Clerks’ and Treasurers’ Association is weighing in.

The association is suggesting lawmakers leave
continue to page 6

Orange 1 Recount, continued from previous page

counting ballots to the folks who know what they're doing and reject a legislative committee's recommendation that ballots cast in the Orange-1 legislative district be counted for a third time.

The previous counts — one conducted on election night last November and the other at the Orange County courthouse in Chelsea later that month — have produced slightly different results, but the exact same outcome. In both instances newly seated Rep. Bob Frenier, R-Chelsea, narrowly defeated five-term incumbent Susan Hatch Davis, a Progressive from Washington.

Frenier led Hatch Davis by eight votes following the initial count and was certified the winner by Judge Mary Miles Teachout last month after the recount showed him with a seven-vote cushion, 1,852-1,845.

Teachout denied Hatch Davis' request for a second recount. Hatch Davis then contested Frenier's election to the House of Representatives.

The election results certified by Teachout should stand, according to the Municipal Clerks' and Treasurers' Association. The association said in a statement that the integrity of its members — and the election workers they are responsible for — would be undermined if the recount recommended by the House Government Operations Committee is approved.

'They (local election officials) are charged with being responsible for the integrity of elections and this (recount) will cast doubt on the integrity of elections in the future,' said a statement emailed by the organization's president [sic], Karen Richard, the Colchester town clerk.

The association views the committee's recommendation — which is scheduled to be taken up by House lawmakers today — as precedent setting, according to Richard's statement.

'This recount will set precedence for all close races and essentially make the General Assembly have the overarching authority of all close elections,' the statement said.

According to the association, none of the concerns raised by the committee would be resolved by a recount conducted in compliance with Vermont laws.

That, the organization contends, is true of a concern that absentee ballots may have been treated inconsistently by election officials in Chelsea, Corinth, Orange, Vershire, Washington and Williamstown. Even if true, the group said, the requested recount can't reconstruct that.

The association also said there is no evidence that ballots were forced into vote-tabulating machines, like the one used in Williamstown on Nov. 8 and for the first recount, or that the tabulators malfunctioned.

Though some ballots were stapled together prior to the recount, the association claims those staples were removed and fed into the machine without discrepancy. Similarly, the association dismissed a complaint that ballots were not manually inspected prior to being fed into the tabulator during the recount. Manual inspection is not a requirement, it noted.

The clerks in question were among those who testified before the committee last week, as was the state's director of elections, Will Senning. No gross discrepancies or procedural errors that would have affected the results of the election were reported.

However, after some wrangling the committee

voted, 7-4, to recommend a new recount. The dissenting votes were cast by the committee's four Republican members. Six Democrats and one Progressive favored the resolution that is scheduled to be debated today."

Also, reported in the February 10, 2017 TIMES-ARGUS, in a piece written by Rep. Bob Frenier, newly elected Representative to the Vermont House, entitled KEEPING THE VOTE SACRED: "In her report to the Legislature, Government Operations chair Maida Townsend (D-South Burlington) said the main reason for wanting a third count of the votes was that, before ballots were inserted into the tabulator, they had not been inspected for stray marks on the paper that might have altered the tabulators legendary reputation for accuracy. She ignored the fact that state law requires such inspections after the tabulator count and she presented no evidence to the full House that any stray marks even existed.

Thetford Town Clerk Tracy Borst disputed Rep. Townsend's allegations in a letter to House Speaker Mitzi Johnson and other state officials. 'The ballots were viewed first, as they went into the tabulator, then either viewed a second time for voter intent, or counted (viewed) a second and third time if they were in the hand count pile. Visual inspection is certainly part of our procedures.'

The impact of this fact-free legislative decision to interfere in Vermont's non-partisan election process will be considerable for some time to come unless House Democrats reconsider. What losing candidate in a future close election will accept the outcome of a court certified recount if they can address their grievances to their party colleagues in the Legislature, even if no meaningful procedural errors can be cited?

... Alexander Hamilton said, 'This great source of free government, popular election, should be perfectly pure, and the most unbounded liberty allowed.' Our own Vermont constitution has similar sentiments: 'That all elections ought to be free and without corruption...'

Ready, set, stop! Recount Nixed

In a piece written for Vermont Public Radio and printed in the Times-Argus on February 23, 2017, Peter Hirschfeld states:

"Republican Rep. Robert Frenier said the process used to conduct the recount in his Orange County House race was a 'three-

continued ➡

2016 Vermont Assistant Clerk of the Year



Laura Kimball, South Burlington Assistant City Clerk, is the second recipient of this award, introduced by the VMCTA in 2015. She is shown, at left, with South Burlington City Clerk Donna Kinville. Photo: Heidi Racht

Orange 1 Recount, continued from previous page

ring circus.’

There was some drama in Montpelier Wednesday morning as lawmakers prepared to launch a two-day recount process for the results of the November vote on the representatives for the Orange -1 district.

But a ballot bag had been previously unsealed, which meant the recount —which would have actually been the second recount for this particular race — was called off. This meant that Republican Bob Frenier prevailed.

It’s been a complicated and politically-charged process. Here’s what happened:

The election In November, voters in the towns of Orange, Williamstown, Washington, Corinth, Chelsea and Vershire had to choose two of four candidates to represent them in the Vermont House of Representatives. The candidates were:

Rodney Graham, a Republican who took first place in the election with over 2,000 votes and won the first of the two available legislative seats; Bob Frenier, a Republican who received 1,853 votes after the first tally; Susan Hatch Davis, an incumbent Progressive, who received 1,845 votes in the first count; and Adam DesLauriers, a Progressive who received just over 1,000 votes.

The first recount Graham clearly won one of the seats, and DesLauriers clearly didn’t win the other, but officials conducted a recount to double-check the vote counts for Frenier and Hatch Davis, because only eight votes separated the two.

That recount, which happened in December, found that the original tally was off by one vote, but still confirmed Frenier as the winner of the second House seat by a margin of seven votes.

The second recount After the first recount, Hatch Davis asked a judge in Washington County to force another recount. But the judge refused to grant one, saying there was not enough evidence that another recount would lead to a different result.

Then, Hatch Davis asked the Legislature to use an obscure provision in the Vermont Constitution that allows the House of Representatives to launch a recount for elections of state representatives.

Lawmakers were convinced by Hatch Davis’ argument that another recount is worthwhile in large part so that they could visually inspect the ballots before feeding them into voting machines. That way they could confirm that the

voting machines weren’t mistakenly awarding or withholding votes from a certain candidate because of errant markings on ballots.

Proponents of the recount pointed to other examples of recounts in which ballots that were clearly intended to give a vote to one candidate were misread by machines tabulating the results, causing some of those votes to be assigned to a different candidate.

In setting up the recount, the Legislature developed strict rules to protect the integrity of the process. The rules were designed for this specific recount, but they had a fatal flaw related to the way election results have been sealed and maintained since the election.

One of the bags containing ballots from the town of Chelsea was unsealed in December after a town official discovered the town’s voter list had been accidentally sealed into the bag. With permission and input from the Secretary of State’s office, which manages elections in Vermont, the town official unsealed the bag, removed the voter checklist and resealed it.

There’s no allegation that anything improper happened with the ballots in that bag, but the simple act of unsealing and resealing the bag is something the Legislature’s newly designed rules do not allow. When lawmakers found out that the bag had been unsealed, they called off the recount scheduled for Wednesday and declared Frenier the winner based on previous vote counts.

In effect, the rules in place for the recount were already broken before they’d been created. Lawmakers simply didn’t know about the ballot bag having been opened in December when they made the rules.

‘Comedy Of Errors’ Not even Frenier, whose victory was confirmed by the recount, was happy with the way things unfolded.

‘It was a comedy of errors from start to finish. The allegations that the judge threw out in court, they were all bullfeathers,’ Frenier said.

Frenier added that he wishes there had been a recount because it would answer any remaining doubts about the results of the election, but he said the overall process has exposed flaws in the Legislature’s procedure for recounts that might need to be addressed with legislation.

Lawmakers who supported the recount efforts blamed the Secretary of State’s office for not informing them about the unsealed ballot bag.

Maida Townsend, the Democratic chairwoman of the House Committee on Government Op-

erations, had this reaction:

‘That we don’t know this until the day before we’re supposed to start a recount, it raises all kinds of questions, not the least of which ... is what else might be out there that we don’t know about,’ she said.

Elections officials said that such things happen regularly and that it simply didn’t seem worth mentioning in testimony before lawmakers earlier this year, and it’s worth mentioning again that there are no allegations or evidence that anyone intentionally or knowingly jeopardized election results.

Lawmakers, who are by and large dissatisfied with how this process unfolded, are considering legislative changes to address problems they found in the process of planning Wednesday’s recount-that-wasn’t.”

H. 512 is a 25-page bill, introduced by Committee on Government Operations, addressing elections, recounts, procedure for recounts spells out, in great detail, the process for the conduct of a recount. Stay tuned for more updates on the VMCTA listserv from members of the VMCTA Legislative Committee.

Article compiled by Heidi Racht, from the BARRE-MONTPELIER TIMES ARGUS, the BURLINGTON FREE PRESS and Vermont Public Radio.

NEMCIA Registration Now Open

The New England Municipal Clerks Institute and Academy is an intensive program of continuing professional education and advancement where Clerks develop and maintain a high level of administrative expertise needed for the successful operation of increasingly complex municipal government.

Registration for the upcoming session (July 8 -14, 2017 at Plymouth State University in Plymouth, New Hampshire) is now open.

For more information, visit the website at www.nemcia.org or contact Curriculum Chair and Thetford Town Clerk Tracy Borst, (802) 785-2922 or town-clerk@thetfordvermont.us

Retirements in Early 2017

Last year, ten Vermont clerks were welcomed to the ranks in the April edition of this newsletter. But, 2017 shows a completely different cycle with many long-time and several newer clerks stepping down.



Colleen Haag with Vermont Secretary of State Jim Condos at her retirement party. Haag was Shelburne's Town Clerk/Treasurer since 1982. Photo by Boston Neary

The information about the retirements is reprinted and excerpted from newspapers throughout Vermont and one from eastern New York State.

Enjoy!

Colleen Haag

Shelburne Town Clerk & Treasurer

Over 500 friends, family, co-workers, a former Governor, Vermont's Secretary of State, Town Clerks from across the state and townspeople showed up to honor longtime Town Clerk/Treasurer Colleen Haag in a retirement celebration held at Shelburne Museum's Pizzagalli Center. Guests were asked to bring canned food donations in Haag's honor to the event to support the Shelburne Food Shelf. Nine boxes of food and over \$500 was collected.

A Shelburne native, Haag has served Shelburne as Town Clerk since September 21, 1982. She has made her mark locally, regionally and even internationally by dedicating her time to serving on multiple committees throughout her 34 years of service. A few of the organizations she has made an impact on include: the Charlotte-

Shelburne Rotary, where she has been actively involved in the Hands to Honduras program; the Shelburne Charlotte Hinesburg Interfaith Projects (SCHIPs); the Shelburne Business Professional Association (SBPA); Haag served as President of the Chittenden County/Grand Isle Town Clerk Association; as Chair of Shelburne 250th Committee; for the Shelburne Food Shelf; for the Veterans Monument Committee; and for over 12 years mentored Shelburne Community School students so they could receive a hands-on civics lesson.

On a professional level, she helped found the Vermont Certification program for Town Clerks/Treasurers; attended the New England Institute for Town Clerks for 22 consecutive years and served as President of the Vermont Clerks Association in 1990 and President of the New England Clerks Association in 2003. She received the Vermont Town Clerk and Town Treasurer of the Year award in 1994. She obtained a Master Municipal Clerk (MMC) designation, a distinction only a few Vermont Town Clerks have earned.

At her celebration last Thursday, there were several speakers including Governor Jim Douglas, a close friend and mentor of Haag, and Secretary of State Jim Condos, with whom she has worked closely over the years.

In addition, Haag was presented with several surprises (and it was a surprise that she did not know any of them before that evening!) including: a proclamation delivered from Governor Shumlin proclaiming September 15, 2016 Colleen Haag Day; a \$250 donation to the Shelburne Food Shelf was presented by Shelburne Boy Scout Troop 602; a bench dedicated to her at the Veterans Memorial presented by Sam Feitelberg, Chair of the Veterans Memorial Committee; a Public Service Award to be presented annually in her name honoring someone in Shelburne who has served the Town in an exceptional way; an Award of Appreciation from the National Association of Secretaries of State; and an area of Town Hall to be named Haag Hall, presented by the Selectboard. Shelburne Poet Laurette Rick Bessette also wrote a poem in her honor.

Our Town Clerk

Let us as a community,
Being grateful and sincere,
Remember your dedication
To our town thirty-four years.

Numerous committees you've chaired,
Countless hours and miles.
Keeping our town's best interest
Through challenges and trials.

Shelburne has always been your home,
It is where your heart belongs.
Your leadership and compassion
Always tireless and strong.

This is not a final goodbye,
For we know that you're not through.
Our town still needs your guiding hand.
There is still a lot to do!

— Rick Bessette

Haag's last day was October 10.

(From the *SHELburne NEWS*, September 21, 2016 issue)

Judy Stratton

Shaftsbury Town Clerk

Judy Stratton's retirement in March was featured in articles in both the *BENNINGTON BANNER* and the *RUTLAND HERALD*. Stratton's friendly face has been in the Town Clerk's Office in Shaftsbury for 35 years. In an article on March 2, 2017, the *BENNINGTON BANNER* described Shaftsbury Town Clerk Judy Stratton's retirement as "Big Shoes to Fill."

Judy Stratton retired from this position in March, leaving four hopeful contenders to fill what will be a major void in the Town Office. Marlene Barriere was elected.

Stratton was the clerk for the planning and zoning boards when the Town Clerk position became vacant in 1982. "I decided it would be a great next step," she said, "It was never my intention to stay for my entire career."

Things changed as she began to make new friends among the residents of Shaftsbury.

"This whole town, they're like my family and this building is my home," Stratton said in an interview with the *RUTLAND HERALD*. "I just enjoy people coming in. I enjoy helping them. I enjoy seeing them and that's what kept me for 35

continued 🐾



Judy Stratton, Shaftsbury Town Clerk, who retired in March after 35 years. Photo: Parick McArdle, RUTLAND HERALD

years. I tried to make a little bit of a difference.”

She said she enjoyed the opportunity to work so close to her children, who attended Shaftsbury Elementary School across the street. Now, her children have grown and have children of their own, and Stratton said she is stepping away to spend more time with them.

Stratton gets glowing comments from town officials including Ken Harrington, a member of the Selectboard, who said she had always been helpful to Board members in helping them understand state regulations.

“She’s kept the office in order. She’s done a good job,” said Harrington, who has lived in town almost all his life. “She’s really good with the public, she works really good with the board and I’m gonna be sorry to see her go.”

In the RUTLAND HERALD, Tyler Resch, a former Selectboard member, a former editor of a local newspaper and the historian at the Bennington Museum, pointed out that he had once presented her with an award from the Genealogical Society of Vermont. He said Stratton was able to get along with people from “all political stripes” and ran elections with a firm hand. “She’s incredibly friendly and so helpful. It was so beneficial to the town to have somebody you could go to as a central source of information.”

Over the years, Stratton said she found that being town clerk provided opportunities that were “as much or as little as you’re willing to put into it.” Stratton said being clerk had helped her “find some different passions inside of me and pursue them.”

“In a small town, you’re the face (of local government) so people come to you first and hopefully, you try and make it so they can walk out with what they need and so they’re happy. It’s kinda being a jack-of-all-trades,” she said.

Among her proudest accomplishments, Stratton listed working with volunteers to transfer all of the town’s vital records to an electronic format, and creating a database of the town’s cemeteries, which included identifying the town’s war veterans and their graves.

<http://www.vmcta.org>

“You know what I’m going to miss most are the people. They are wonderful. I love this town and I love these people, I really do,” she said. “Very few people can actually say that they love their job, but I love this job,” she said, “It has given me so much joy.”

Stratton, 61, pointed out that she hasn’t just decided not to run again, she’s actually stepping down one year ahead of the end of her current three-year term. However, Stratton said she believed this was the right time to step down.

She said the most important piece of advice she could pass on would be, “Always treat people like they’re coming into your home. I’ve always thought, this town is my family, and this office is our home.”

Joanne Jurentkuff Waterford Town Clerk

Waterford’s longtime Town Clerk Joanne Jurentkuff retired this year. She plans to stay on one more year as the town’s treasurer, wishing to ensure a smooth transition for the two positions.

Jurentkuff began serving as Town Clerk and Treasurer in 1990, and is finishing her 27th year, she said.

Before running for office, she had worked in several area banks, she said, and was comfortable working with figures.



Joanne Jurentkuff expresses her thanks to the people of Waterford at Town Meeting. CALEDONIAN RECORD photo by Rosie Smith

In an article in the CALEDONIAN RECORD, Jurentkuff explained that when she first became clerk, her predecessor, Jeannette Farmer, helped to train her and was always available by phone, Jurentkuff said.

Farmer continues to help out at elections all these years later, said Jurentkuff, adding, “She was a big help to me.”

Jurentkuff plans to likewise help newly-elected Town Clerk Jessy Pelow. Pelow had been serving as the assistant clerk and treasurer for five years, so Jurentkuff anticipates a smooth transition.

Jurentkuff said she’s enjoyed the people of Waterford, and everyone she’s worked with in town government, and she knows she’ll miss being town clerk, but at 70, it’s time.

“I’ve appreciated this job and the people,” said Jurentkuff. “The citizens have all been good and friendly. I’m not going to lose touch, through it all I’ve made a lot of friends.”

Joan Bicknell Newark Town Clerk & Treasurer

Newark is also seeing its longtime Town Clerk and Treasurer Joan Bicknell decide its time to retire. Bicknell has served as the Town Clerk and Treasurer in Newark for 30 years.

continue to page 10

Clerk Retirements

continued from page 9

Mary Ann Wilson

Morristown Town Clerk & Treasurer

Excerpts reprinted from the STOWE REPORTER.

Every three years, over the course of nearly three decades, her name has been the only one on the ballot under "town clerk." Job security. But for the first time since 1990, it won't appear at all.



Wilson has decided it's time to retire, leaving the position open at Town Meeting.

"I have things I would like to do," she said. "I have worked my whole life, and I want to spend more time with my grandkids. I want to take trips. I want to go to the beach."

Wanting to go to the beach doesn't mean Wilson wants to live there, however, and she won't be retiring to Florida. Wilson says she is comfortable in Morristown.

"It's my home," she said.

Wilson moved to Morristown from New York in the late 1960s and, along with her husband, purchased the Charlmont Restaurant. For 13 years, they ran the business together, and had their ups and downs, but the thing that convinced them to stay was the community.

The restaurant burned to the ground in 1976, and the Wilsons didn't know what they were going to do, but everyone rallied around them to help rebuild.

"That was the point when we decided we'd stay right here," Wilson said.

A few years after the rebuild, the Wilsons elect-

ed to sell the Charlmont, and after a brief stint working for Percy Maple Sugaring, Wilson purchased the Sears Store in the Northgate Plaza and ran it for five years.

So, how did she end up running for town clerk?

After working in retail and holding a seat on the school board, town government seemed like a natural progression — with a little prodding.

The previous Morristown town clerk, Sydney Mander, was a member of Wilson's church, and one day he approached her, saying, "You should want to be the town clerk. Come work with me to see what you think."

So, Wilson went to work for Mander, and after only four months, he announced that he was retiring. He had been looking for a successor, and thought Wilson would do well in the job.

She ran unopposed that year, and remained unopposed in every subsequent election.

Changing times When Wilson went to work at the Morristown Municipal Building in 1990, there was no internet, and the computer system was rudimentary at best.

Now, everything has changed, from the way people search town documents to

simple communication with state agencies.

"We still have to chase papers once in a while, but the way we communicate with agencies is totally different," Wilson said. "Now, it's almost all internet-based."

Even the accountant just down the hall communicates with Wilson via email instead of walking down to the other room for a face-to-face, because it's just easier to send documents electronically rather than print them out.

"We don't even really use the fax machine anymore," Wilson said.

But it's not just the administrative functions that have changed; it's society as well.

Way back when, Monday afternoons used to be devoted to church youth groups, but they have gone by the wayside with greater accessibility to school sports and drama clubs.

At Town Meeting this year, the Morristown School District will be dissolved, and the Elmore-Morristown Unified Union School District will take over.

After this year, the annual school meeting will

no longer take place on the same day as Town Meeting, and there won't be much for people to come to Town Meeting for, Wilson said.

"At the first Town Meeting I attended in Morristown, there were 300 people. Last year, there were only 165," Wilson said. "There have been so many changes."

Another notable shift was voter registration.

Wilson used to administer the voters' oath to everyone who wanted to register to vote. They'd raise their right hand, and repeat the promise. Now, the oath is self-administered, and people no longer have to go to the town clerk's office. They can register to vote online or at the Department of Motor Vehicles.

The shift, Wilson says, is part of the trend toward a lack of communication. With smart phones and Facebook, people don't communicate face-to-face as much as they used to.

"While there have been a lot of changes in Morristown, this is still a great community," Wilson said.

Pattie McCoy

Poultney Town Clerk & Treasurer

Excerpted from the LAKES REGION FREE PRESS

On March 7, Pattie McCoy said good-bye to the job she has loved - and excelled at - since 1991. McCoy was a paralegal before she ran for Town Clerk. As she was in the office doing land records research, the looking-to-retire clerk asked her if she would be interested in the position. She ran for Town Clerk against two other people that first time, but has had no opposition since.

McCoy is currently in the Vermont Legislature, elected in 2014, and has been managing a seven-day-a-week schedule. And juggling the two important positions informed her decision.

McCoy has initiated changes in the Poultney Town Clerk's Office, including digitizing the land records.

Her presence, though is most noticed in her professional meticulous work and her "willingness to step in to get things done," said resident Jean Davis with whom McCoy has served in the Women's Club in Poultney. Jonas Rosenthal, recently retired Poultney town and village manager, praised McCoy for her attention to details and her communication skills.

McCoy was named Vermont Clerk of the Year in 2000 and was named Vermont Treasurer of the Year in 2016. She also received 2012 NYCOM

continued ➡



Pattie McCoy, left, received the 2016 Vermont Treasurer of the Award from VMCTA President Lucrecia Wonsor. Photo: Heidi Racht

(New York Conference of Mayors) Distinguished Service Award and the 2008 IIMC (International Institute of Municipal Clerks) Quill Award (established to recognize distinguished Municipal Clerks who have a significant and exemplary contribution to their community, their state or province and in particular to IIMC and their peers). Last, but not least, McCoy achieved the rank of Certified Vermont Clerk Magna cum Laude and Certified Vermont Treasurer Magna cum Laude in 2016, finishing her career in style.

McCoy's advice to new clerks: "You need to really like helping people."

Franklin Higgins

East Haven Town Clerk & Treasurer

Reprinted from the CALEDONIAN RECORD

Franklin Higgins was appointed to the town clerk's job when a long-ago clerk stepped down mid-term, 40 years ago.

He ran the next year, and the year after that, and three years into the job, also became the town's treasurer.

After 40 years as town clerk here, and 37 years as treasurer, it's time to turn over the reins. At 83, Higgins recently announced he is not seeking re-election to either post. He will stay on as the delinquent tax collector, he said.

It was Kirwin Flanders who appointed Higgins to the town clerk position all those years ago.

"He was a school teacher, and I figured he should be good at math and so on, and do things in an

orderly manner," Flanders remembers thinking when he decided to appoint Higgins.

He didn't think the appointment would last 40 years.

Flanders has been a selectman for even longer - 42 years.

"It will be a loss for the town," said Flanders of Higgins's decision not to run at town meeting. "It's going to be hard to replace him."

Times have changed a lot in four decades, and the demands of the job have increased and become more complex, to meet state mandates and all the requirements for taxes, elections, and more, said Flanders.

During Higgins' time in office, he went from using an adding machine in his yard to figure out taxes

- running an extension cord from the house, and sitting under a tree to do the calculations - to using a computer to much more quickly do all that figuring for tax bills. He does run a handful of those computerized bills through his own careful calculations by hand, to be sure things are accurate, said Higgins, in an interview.

Said Flanders, "He was there probably almost every day at some point along in the day, and the fact that there is more paperwork and all that sort of stuff required by the state, it's something you have to keep abreast of."

Higgins was a teacher for more than 30 years, working first in the Newark Street School, Lyndon Corner and Lyndon Town School. He went from teaching in a one-room schoolhouse to the brand new Lyndon Town School. He taught in the modern new LTS just one year - its first year open was his last year of teaching.

His first year teaching he had 31 kids in the school teaching all eight grades. He served for a brief time as the principal at Lyndon Corner, too, but went back to teaching.

When Higgins first became town clerk, there was some concern about him offering evening and Saturday hours only, but the hours turned out to be perfect for many people, after their work schedules, and more convenient, he said. He also has been flexible and willing to run in and help out with anything from a bill to a registration to a hunting license or birth certificate needed on days other than his posted Tuesdays and Thursdays.

A native of West Fairlee, Higgins came to East Haven after marrying a local woman and never left, he said.

The town is small, about 300 people, and it used to be that everyone knew your name, but it's not like that anymore.

The town voted to close its school a few years ago and that changed things some, he said. There are new people moving in for the K-12 school choice, a situation which led to education taxes spiking this year, and Higgins fielded more complaints about tax bills than ever before in his 40 years on the job.

He answers the phone, and is telling a woman how to find East Haven, "We're a small town, sneeze and you'll miss us," he offers in his directions.

One year, Higgins faced a challenger, his former assistant, and he beat her by just one vote. He lost the treasurer job to one vote that same year, but ended up getting it back.

School Board Chair Donna Loynd said Higgins is always at the town offices, and knows the answers to everything. She doesn't know what the town will do without him there. He promised to stick around and train his successor.

Andy Deth, who was a selectman until recently, said of Higgins, "He's got big shoes to fill."

Deciding to step down this year came down to simple math, said Higgins, "I thought 40 was a good, round number."

Cheryl Moomey

Essex Town Clerk

After serving the Town of Essex as Clerk since 2001, Cheryl Moomey decided to retire at the end of December. The position is appointed and Susan McNamara Hill, the Essex Junction Village Clerk, is taking over. Moomey explained, "This is part of our consolidation with the village and town offices that we started several years ago."

Alison Kaiser

Stowe Town Clerk & Treasurer

Alison Kaiser's recent retirement as the Stowe Town Clerk and Treasurer has come after a long year of rehabilitation after she was in a head-on collision on her way to the office, suffering a traumatic brain injury.

Excerpts from two issues of the STOWE REPORTER

continue to page 12

Clerk Retirements

continued from page 11

“I need to let the town move on. I need to let myself figure out how to move on,” Alison Kaiser said.

“What Alison is going through now, through no fault of her own, is heart-breaking, and I pray that her recovery comes quickly,” wrote Heidi Scheuermann, Stowe’s state representative and Kaiser’s longtime friend.

On March 11, 2016, a car driven by Jessica Cantwell, now 21, of Morrisville slammed into Kaiser’s SUV on Route 100 in Stowe during the morning commute. Police charged Cantwell with felony gross negligent driving resulting in a serious injury, plus a misdemeanor charge of heroin possession.

According to police reports, Cantwell had a cocktail of drugs in her bloodstream and had one full bag of heroin in the car, plus at least eight other bags “littered across the passenger’s seat.”

Cantwell denied using drugs that day, but admitted she had a drug problem. She also expressed remorse for injuring Kaiser.

“I’m truly sorry and it sucks that she got into a car accident that morning, not knowing what was going on,” Cantwell said. “If I could take it all back, I would.”

The Vermont Department of Motor Vehicles pulled Kaiser driver’s license in November because she can’t see well enough to drive. In its place, she was handed an application for the Special Services Transportation Agency, which provides vans for the elderly and the disabled.

At 46 years old, Kaiser is by no means elderly. And she’s still coming to terms with being disabled.

Friends come to visit her in Shelburne, where she now lives, and take her out for lunch or something. But the stimuli from being out and about are too much to bear after a while. Sunny days are particularly rough, with light piercing into her skull, giving her headaches, nausea and dizziness.

Her right eye has a tendency to wander off on its own, an affliction she never had before. She wears special glasses with prisms in the lenses that force her eyes to work together, and see a

single object instead of double.

For Kaiser, living with a traumatic brain injury is being hypersensitive to everything — sights, smells, sounds, textures are all dialed up to uncomfortable, dizzying levels. Going to the gro-



Stowe Town Clerk Alison Kaiser was honored when town officials presented a painting of the town done by local artist Sandra Noble. Kaiser served the town government for 24 years and was town clerk for 17 of those years. Here, she is shown with Town Manager Charles Safford. Photo: Caleigh Cross

cery store is “overwhelming,” because of the bright fluorescents. She does her grocery shopping online now.

She can even feel changes in the weather, when the pressure in her head builds up and she knows there’s a front coming through.

Kaiser said, “In July, it would have been 24 years at Stowe. That’s more than half my life, and it’s been taken away from me. Not everybody is meant to be a town clerk, and I’m really proud of what I did, and it’s hard to walk away from it.”

And she did, for more than two decades. And she helped other people navigate the tangled webs of bureaucracy, both locally and statewide.

“Alison has dedicated much of her adult life to the Town of Stowe, and has done so with excellence, and always with a smile,” Scheuermann said. “Not only is she a longtime friend, but through my years on the Selectboard and as a legislator, she has always been there to help and guide me. She has been an incredible asset to our community and will be sorely missed.”

Stowe is one of the few Vermont towns where the Town Clerk and Treasurer are appointed officials, instead of elected. The town changed

its charter in 2013 to make that switch. It was Kaiser’s idea. She had previously been elected, and re-elected, to the position after taking over in 2000.

“She was proud of what she did in her job, and she felt it ought to be a department head. She looked at her position as a skill position,” Town Manager Charles Safford said, drawing a line between the elected officials who handle the lofty ideals and the professionals who keep the lights on.

Kaiser was recognized for her abilities both statewide and regionally. She was named Vermont Clerk of the Year by the VMCTA in 2006. And she had been serving as a vice president of the New England Association of City and Town Clerks and President of the New England Clerks Institute (NEMCI) - she has been forced to resign from both positions.

Kaiser said, “I’m heartbroken. I loved all of my colleagues and I LOVED BEING A TOWN CLERK!!!!”

She said she wants to “encourage clerks and treasurers, new and experienced, to never give up on learning, always improving upon what we do and being the very best we can be for the citizenry we serve.”

“Wishing you all my best,” Alison Kaiser.

Laurie Broe

Georgia Town Clerk

Laurie Broe was elected Georgia Town Clerk in 2002. She didn’t run for reelection in March and is moving to Florida. She said, “I hope to keep in touch with everyone as well, especially since I’ve been working at the Georgia Town office since January of 1989.”

Two Newer Clerks Stepping Down

Sutton’s Town Clerk and Treasurer George Colburn decided not to run for office, after serving the town the past three years, he said in the CALEDONIAN RECORD.

Colburn said he has had a hard time learning the computer system required for town business, so he decided not to run for re-election.

“I was able to learn something every day,” said Colburn, adding, “I enjoyed working for the town.”

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The decision was made by Doug Reid not to run for either Town Clerk or Town Treasurer in Wheelock just a week and a half before Town Meeting.

In an interview, Reid said, "I feel strongly that the town would be better served by someone with more capacity and competence than I have. There are some parts of the job I feel I am really good at, and there are other parts of the job I don't know if I'll ever be good at," said Reid.

Reid has been in for one three-year term, and he said he feels like his mistakes "are significant enough that the town deserves better," he said in an interview.

"What I'm planning to recommend is that the town put out a bid for outside accounting, so that a member of the town could be elected town clerk and treasurer...and they would authorize what the bookkeepers have done," said Reid. "If they hire an outside bookkeeper that would dramatically lessen the load and turn it into a three-day work week, which it's supposed to be."

Reid said the town would save health care costs and salary costs by not having a full-time town employee, and that savings could cover the hiring of an independent bookkeeper. He said he thinks that work could be done for about \$6,000 a year. "I hope that would allow some local folks to consider the job without as much stress," he said.

Other Retirements

Rochester's longtime First Constable, **Tom Simpson**, retired after 41 years of service to the Town of Rochester. He will continue as our Special Officer. We dedicated our Town Report to him this year.

—*Joanne McDonnell*, Rochester Town Clerk

My assistant, **Aina Lindquist**, who has over 46 years experience working in both Vernon (the last 11 years) and Weathersfield has announced plans to retire. Aina has been both a friend and mentor to me since my election last year, and there is a big hole to fill.

—*Tim Arsenault*, Vernon Town Clerk

Congratulations!

Tammy Legacy, appointed by the NEACTC Board to the position of 4th Vice-President of NEACTC, replacing Alison Kaiser.

Patti Lewis, Member-At-Large on NEACTC, replacing Tammy Legacy.

Annette Cappy Honored with House Resolution



On February 22, Representative Valerie Stuart introduced a resolution in the Vermont House of Representatives recognizing retiring Brattleboro Town Clerk Annette Cappy and spoke on her behalf. Above Cappy, seated fourth from left, is shown with her family. Photo, courtesy of her granddaughter.

Granby Town Meeting - Shortest Ever?

We have a traditional from the floor Town and School Meeting in the evening. Town was called to order at 7:15 – adjourned at 7:34. School called to order at 7:35 and adjourned at 7:45.

Shortest on record, I think, without looking back... Obviously no big issues to discuss this year...

—*Nellie Noble*, CVC/CVT
Town of Granby

Meanwhile... in Marlboro



On October 27, 2016, we had some unexpected visitors to our Town Office here in Marlboro... Francis and Kevin Bacon. Having escaped their fenced area, these friendly fellows snuffled around for edibles, lounged on the entrance stairs, and even left us a few treats! After a few quick phone calls, their owner showed up with squashes to entice them and leashes to lead them on a short walk to their home. Given that this was days before the Presidential Election, the pigs' visit made for some big laughs.

—*Forrest Holzapfel*,
Marlboro Town Clerk

New State Park in Hubbardton



There's a new state park and it's here in Hubbardton! A long time resident, Carson Davidson, left his property to the State of Vermont for the purpose of it becoming a state park.

From the October 6, 2016 BURLINGTON FREE PRESS: A 400-acre property in Hubbardton that includes meadows, trails and a Japanese garden, will become Vermont's newest state park in coming weeks, according to the Department of Forests, Parks and Recreation.

The Taconic Mountains Ramble is a gift from the estate of the author and documentary filmmaker, Carson "Kit" Davidson, who died September 29 at the age of 92, a release from the department states.

Davidson and his wife, Mickie Davidson, a children's book author, were living in Greenwich Village, New York City, when they bought the property in 1966. The farm property, then owned by Clayton

Calvin, sold for \$69 per acre. The couple began commuting to Hubbardton on weekends and vacations.

The Davidsons were generous in allowing public access. Placing the land in state ownership guarantees it will remain open for perpetuity. Maintenance and repairs on the property will be funded through the Davidson Estate.

Until the state creates a long-term management plan, the Davidson's existing guidelines for visitors remain in place: no overnight stays, no smoking and no fires.

"The Department and our stewardship team recognize how important the garden, trails, and open access to the land were to the Davidsons," wrote Commissioner Michael Snyder in a prepared statement. "We are honored to continue these traditions in this special place."

—Submitted by
Dawn Custer, Hubbardton Town Clerk/Treasurer

News from the Education Committee

The Education Committee has met five times this winter. One focus of the Committee has been to work out some of the details on the Clerk and Treasurer Certification and Advanced Certification applications and requirement. This work is now complete and was verified by the E-Board. The applications are now on the VMCTA website. The Committee also worked out the details of the spring training sessions and have made inroads working on the educational sessions for the VMCTA Conference and Annual Meeting on September 18-19, which will be held in Killington. This year's educational sessions will focus on Recording & Records Management and Municipal Law for Clerks and Cash Management and Tax

Collections for Treasurers. These are some of the classes required to become a Certified Vermont Clerk (CVC) and/or Certified Vermont Treasurer (CVT). The Committee also is looking at speakers, roundtable topics and other opportunities.

After the spring training, the Committee will finalize the September conference and, in the summer, will also review applications for Certifications and Advanced Certifications, which are awarded at the Annual Conference in September.

Please feel free to contact the Ed Committee with any questions, concerns or recommendations you might have.

— Submitted by *Georgette Wolf-Ludwig*

Certification & Continuing Education Committee

Georgette Wolf-Ludwig, Fairlee
(Chair)

Karmen Bascom, Royalton

Deb Beckett, Williston

Tracy Borst, Thetford

LaDonna Dunn, Westfield

Clyde Jenne, Hartland

Donna Kelty, Barre Town

Heidi Racht, Huntington

VMCTA Committees

The following is the VMCTA Committee List:

Awards	Legislative
Budget	Membership
Certification & Continuing Education	Municipal Records
Constitution	Nominating
Curriculum	Public Relations/Newsletter
Fundraising	Scholarship
	Website

If you are interested in being on one (or more) of these, please visit this link: http://www.vmcta.org/index.asp?Type=B_BASIC&SEC={D688563A-F6B9-485D-A4CC-8571380A3033}

Tip Top Tips

I've been signing certified copies of vitals as "Registrar" for a number of years now because some states will not accept it from the Town Clerk. I've had a number of people report back that the certified copy I made when signed as "Town Clerk" was rejected. Since signing the vitals as "Registrar" I've not heard back from anyone that the copy was rejected.

—*Joyce L. Mazzucco*

Randolph Town Clerk & Treasurer

Bristol Town Clerk, Jen Myers, provided this tip to her neighboring clerks in time for the November 8 election:

When using a vote tabulator, never over-ride an overvoted ballot into the machine. Always put those ballots into the side slot for hand counting later. There are not very many of them and it is so much easier to hand count them and add them to the tabulator totals, than to change something later on which was incorrectly read by the machine. (Example, if a voter filled in more ovals than the "Do not vote for more than...", but later marked the ballot clearly to show their correct choice.) This tip really helped me with reconciling my totals at the end of the night.

When marking voters in on the checklist at the polling place, use different colored pencils for each shift of election officials. It makes it so much easier for the entrance and exit checklist cross-check to happen during the daytime shift change. Each shift of workers only needs to count up their own markings, rather than the cumulative number of voters as the day goes on.

Use different markings on the checklist for voters who voted in person and those who voted absentee. For example, I used a slash "/" for voting in person and an "X" for the absentees. It was a lot easier to distinguish these at the end of the night, when trying to fill out my ORV with absentee voter details. It also helped to clarify when an absentee voter changed their mind and ended up voting at the polls instead.

—Submitted by

Sally Ober, Lincoln Town Clerk

Legislative Committee

Karen Richard, Colchester (Chair)

Deb Beckett, Williston

Dawn Custer, Castleton

Stacy Jewell, St. Johnsbury

Carol Dawes, Barre

First Jericho Women Voters

Jericho Town Clerk Jessica Alexander was going through boxes of old papers when she discovered a folded checklist for the 1920 Primary Election that had only women's names on it. The list was for the September 14 Primary Election. Looking at the election date, she realized that this was a list of the first women to vote in Jericho. The list appears to be a carbon copy of a typed list. The checklist for the men in town was printed and had additions hand written on it. Realizing the significance of this document, Jessica took it to document preservation specialists, Kofile Technologies, for restoration. After the list was preserved, she had it photographed and framed by Jons Darkroom and Frame Shop of Essex Junction. The photograph copy now hangs in the Town Offices and the preserved document is held with the historical Town Records in the Town Vault.

This checklist provides a look at how the women of Jericho stepped up after ratification of the 19th Amendment on August 18, 1920. The checklist of men had 295 names and the checklist of women had 136 names. Eighty percent of the women voted in the primary election and 76% of the men voted in that election. While I was at the Town Office, Alexander said let's look at the Town Records around that date. Two women took the Freeman's Oath at a meeting of the Board of Civil Authority on September 4, only seventeen days after ratification. On September



Jessica Alexander, Jericho Town Clerk, holding mounted copy of 1920 Women's Checklist. Original checklists are in the foreground – women on left, men on right. Courtesy photo.

11, the Board of Civil Authority recorded giving the oath to a long list of voters, most of whom were women. It's clear that the addition of women to the checklist had to be a last minute effort. The list is only typed and the school district designations which appear on the men's list are absent. Unfortunately, the ratification came too

late for these women to vote in the Presidential Primary in May 1920 when the Calvin Coolidge won the local vote for Presidential candidate. The list for the November election showed men and women separately on one list. This practice continued into the 1950s.

Does your Town have the 1920 Primary Election checklist? Wouldn't it be great if these lists of the first women voters could be located and collected for the 100th Anniversary of Women's Suffrage in 2020.

—Sonja Schuyler, Jericho

PR for You

Members of the PR Committee were able to get out information for to newspapers after the annual meeting about awards and recognitions. However, we still need help to get the word out!

Please take the time to fill in the spreadsheet that was sent to the VMCTA listserv or download it from the website (hopefully, a one-time effort that can be merely updated) and send it back soon. It is a spreadsheet, rather than a PDE, so the information can be typed in and edited

efficiently, copied and inserted into a release and doesn't have to be retyped. It will take some time to put in the information, but, please remember, it will help the Committee to do this easily, which means it will actually get done.

If you have a photo of yourself that we can keep on file, please send it in, too. Visuals in a newspaper ALWAYS create more interest.

Thanks very much.

—Heidi Racht

for the Newsletter/PR Committee

Fundraising Committee

Nellie Noble (Chair), Granby
Karmen Bascom, South Royalton
Priscilla Aldrich, West Burke
Diane Judd, Holland
Sara Haskins, Morristown

Website Committee

Lucrecia Wonsor, Killington
(Chair)
Bobbi Brimblecombe, Marshfield
Donna Kelty, Barre Town

Richmond & Huntington Rabies Clinic

March 18 was the annual Richmond-Huntington Rabies Clinic. This year it was hosted at the Richmond Rescue Garage. We really appreciate the Rescue Squad welcoming us. Every year, Dr. Kerry Lindemuth of Huntington donates her time to offer vaccinations to dogs and cats. This year, 78 dogs and cats were vaccinated. Big, little, quiet and barky animals arrived willing to take their medicine and greet each other with wagging tails (dogs) or feigned disinterest (cats). This event helps a lot of residents and their pets. The clerks are on site to register dogs from their town. Huntington registered 21 dogs and 13 Richmond dogs were registered.

—Heidi Racht and Linda Parent