

On Friday, March 5, 2021, 1:57 PM, sylvia jensen <[sylvia.jensen@yahoo.com](mailto:sylvia.jensen@yahoo.com)> wrote:

Chair Turner:

The Selectboard meeting on 3/3/2021 had the following agenda item:

11. Approve warning

Rusty Spaulding read the Warning that included the following language:

*Article 3. Will the legal voters of the Town of Isle LaMotte authorize the Selectboard to move Town offices to the School for a trial period until if/when it is offered to the town for \$1.00?*

The previous article that was in the Warning approved on January 26, 2021 had the following language:

*Article 2. Will the legal voters of the Town of Isle LaMotte authorize the Selectboard to move Town offices to the School at no additional cost?*

I have reviewed the detailed minutes and my video of the meetings held on February 3, 2021 and February 24, 2021 and do not hear/see any discussion about changing the language for this article.

At the March 3, 2021 Rusty read the proposed article from the draft Warning to those in attendance. This was the first time I heard the revised language. No discussion or questions were proposed by other Board members. **It was clear the proposed language had been discussed and decided upon outside of a Selectboard meeting.**

Therefore, this email is my official complaint the Isle LaMotte Selectboard has violated Vermont's Open Meeting Law (V.S.A. 1 s.314) by discussing and deciding the language of an article and incorporating it into a draft Town Meeting Warning outside of a duly warned meeting. Your public response of my complaint is required within ten calendar days. I have attached the referenced law for your convenience.

I look forward to your timely response.

Regards,

Sylvia Jensen

THOMAS J. DONOVAN, JR.  
ATTORNEY GENERAL

JOSHUA R. DIAMOND  
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March 13, 2021

Mr. Selby Turner  
Chairman, Isle LaMotte Select Board  
Isle LaMotte, Vermont 05463

*Sent email to Selbyt@aol.com*

RE: Open Meeting Law Complaint

Dear Mr. Turner,

I am writing to confirm the Attorney General's Office "AGO" position that upon completion of the required training for the Isle LaMotte Select Board "Board," the Board will have satisfied the AGO requirements to remedy the complaints raised regarding "working sessions" which were held to assemble to town budget that did not comply with Vermont's Open Meeting Law, 1 V.S.A. § 310, *et seq.*

Specifically, you agreed to cure any violations by reviewing the budget in open meeting, giving the public an opportunity for questions and comments, and postponed voting deadlines until after such a meeting had been held. You held a meeting with this purpose on February 27<sup>th</sup>, permitting both in-person and video participation. Unfortunately, technical issues with the video participants made it impossible for them to fully participate. You held another open meeting on this topic on March 3<sup>rd</sup>, however, which did permit full participation both in-person and by video and ratified the earlier actions.

Thanks again for all your efforts to successfully resolve this matter.

Kind Regards.

*Michelle Anderson*

Michelle Anderson  
Assistant Attorney General

TOWN OF ISLE LA MOTTE  
P.O. BOX 250  
ISLE LA MOTTE, VERMONT 05463  
*Vermont's Oldest Settlement*

Dear Sylvia:


I am writing in response to your email of March 5, 2021, alleging a violation of the Open Meeting Law by the Isle La Motte Select board in connection with a change made to that article in the annual meeting warning that addressed relocation of the Town offices to the school. The Select board has determined that no violation occurred and, therefore, no cure is necessary.

For further background, and as you note, the Select board approved the language of the annual meeting warning on January 26, 2021. Thereafter, in an effort to clarify the article relating to the Town office relocation, select board member Rusty Spaulding, acting on his own, drafted a revised article which was presented to the other two members of the Select board at the meeting on February 3, 2021. Those other two members had no input into the drafting of the revised article language and, contrary to your statement, the proposed language was not discussed and decided upon outside of a Select board meeting. On the contrary, the revised warning language was reviewed and approved by the Select board at the February 3 Select board meeting. Of course, as you know, the revised warning was subsequently rescinded by the Select board on March 10, 2021, and a further revised warning was approved by vote of the Select board at an opening meeting.

Sincerely,

Isle La Motte Select board

3/15/2021

 chair  
