



**Stowe Selectboard Special Meeting
Wednesday, March 29, 2024**

Present:

Selectboard Members: Billy Adams, Paco Aumand, Nick Donza, Jo Sabel Courtney

Ethan Carlson attending via Zoom

Attendees:

Town Manager Charles Safford, Assistant Town Manager Will Fricke, Town Attorney Joe McLean (via Zoom), Town Moderator Leighton Detora, Mila Lonetto, Susan Romans, Heather Snyder, Elizabeth Sherman, Lyn Goldsmith, Willie Noyes, Alison Karosas, Elizabeth Smith, Josi Kytly, Marina Meerburg, Teresa Merelman, George Gay, Jill Boardman

26 attended via Zoom

Call to Order

Selectboard Chair Adams called the meeting to order at 1:00pm.

Approval of the Agenda

Mr. Aumand moved to approve the agenda, seconded by Mr. Donza.

Mr. Carlson asked why the meeting is being held today, considering that he was not able to attend in person. Mr. Adams said that he called the meeting for today because it looked like it would be difficult to have a quorum in both meetings in April, and the first meeting in April is on the 10th. Because of the sensitivity of the timeline, he said he felt it was very important to get this out of the way so that we didn't bump up against the timeline on our responsibilities. Mr. Adams noted a chart Mr. Fricke created showing dates to warn a meeting 30 to 40 days in advance. Mr. Carlson asked if Monday would have satisfied the warning requirement. Mr. Adams said it may have, but that is why he called the meeting for today. Mr. Donza asked Town Attorney if there was any reason the decision could not be made at the regularly scheduled meeting on April 10 to fulfill the warning requirement, specifically under either

interpretation of whether the 60-day requirement is referring to warning the meeting or holding the vote. Mr. McClean replied that he doesn't know why you couldn't. Mr. Donza said that he failed to see why the Selectboard is here today, noting that the Chair sent a lengthy email over the weekend about the importance of sticking to the regularly scheduled meetings for the community to be aware of them and to participate. Chair Adams said that at the time he wrote that email he was not aware at the time that they would be handed a petition, and that it is a time sensitive matter to hold the vote within 60 days and warning the meeting between 30 and 40 days. He added that all of the information that we need as a board to make the decision is here in front of us. Mr. Carlson noted that he only just received the information while on vacation and doesn't feel he is adequately prepared to have the discussion, and that the meeting could have been next week. He said he will be back in Stowe tomorrow. Ms. Sabel Courtney said the meeting could be held on Monday. Mr. Donza said it is not about whether staff couldn't pull together the information for us, but about the haste at the previous meeting of immediately being presented with a petition that had not yet been checked by the Town Clerk, before it was official, and to immediately go into a discussion of scheduling this special meeting. He said that he would appreciate it if in the future we could take that extra time to make sure we're making good decisions and not hastily rush into things, noting that the topic was not warned for that meeting. Chair Adams noted that the Selectboard does not need to decide on the date today. Mr. Aumand said that the Selectboard meeting policy gives the Chair the authority to call meetings, and it may be something the Selectboard can revisit given the discussion today. Mr. Donza said that in the future he hopes these things are not rushed but he is in favor of approving today's agenda. Mr. Carlson concurred.

The Selectboard approved the agenda with all voting in favor.

Warn Special Meeting of the Voters to Consider Rescinding the Stowe Short Term Rental Registry Ordinance

Chair Adams read a confirmation from the Town Clerk saying they had received the petition the morning of March 28 and verified that it has at least 5% of the registered voters. Statute requires the special meeting warning to be posted 30 and 40 days prior to the meeting. Mr. Safford said that the High School can accommodate the evenings of Wednesday May 1 and Friday May 3, as well as Saturdays, which would satisfy both the need to hold it within 30 to 40 days of posting the warning and the concern from some to hold it within 60 days. He added that Saturday May 4 is Greenup Day, and the Town Clerk is not available on Saturday May 11 due to a private matter. Town Attorney Joe McClean confirmed his availability for any of those days.

The Selectboard agreed on the Wednesday May 1 option. Mr. Safford confirmed the time available at the High School would be 5:30pm onward. Town Moderator Leighton Detora confirmed his availability. The Selectboard then agreed to start the Special Meeting at 5:30pm.

Mr. Donza asked what happens if the space reaches capacity, and whether space would just be limited to voters if not everyone is able to fit. Mr. Safford said they can look into the logistics of overflow or setting up in the gym. He said they will explore the issue of non-voters. Ms. Sabel Courtney noted that during Town Meeting the auditorium was not secure and that people could walk in without going by the voter check-in.

Mr. Aumand moved to adopt the enclosed warning for a special meeting on May 1, 2024 at 5:30pm, to be held at the Stowe High School Auditorium to vote on the question of whether to rescind the Town's Short-Term Rental Registry Ordinance, adopted February 29, 2024. Ms. Sabel Courtney seconded the motion.

Ms. Sabel Courtney asked what it would take to go to a paper ballot at the Special Town Meeting. Mr. Detora said seven voters need to request it.

Beth Gabois said that the importance of the Special Town Meeting may necessitate a later start time such as 6:00 or 6:30 to ensure more people can get there on time after the workday, noting that many Stowe residents work in Burlington and Montpelier.

Jill Boardman agreed with starting the meeting later and asked whether the motion to rescind can be amended at the special meeting. The Town Attorney said it is an up or down vote and it cannot be amended at the special meeting. Ms. Boardman asked if there would be a time limit for speakers. Mr. Safford said that it is at the Moderator's discretion, but someone could procedurally move to call the question, which would end debate if adopted. Mr. Detora added that Robert's Rules permits 10 minutes per speaker, but may reduce it to 5 minutes. He also said that if someone called the question early enough in the meeting where the purpose was clearly to snuff discussion before there had been a reasonable length of time for discussion, he may rule it out of order.

Heather Snyder said there should be an effort to provide childcare. Mr. Safford said they will see if the Parks and Recreation Department can provide it, as they provide background checks on staff and volunteers.

Town Clerk Penny Davis said the Stowe High School auditorium holds 300 people. She also said that if it does go to a paper ballot, they will have a voter checklist at the ballot box and non-voters cannot submit a ballot.

Josie Kytle said that many people are confused about what the ordinance says and are getting wrong information, and asked if there will be a time during the meeting or before to talk through questions or if the Selectboard has a recommendation for handling that so the meeting is productive. Mr. Adams said that the ordinance is available online for anyone to read and mentioned the possibility of an informational meeting. Ms. Kytle said that few people attended the informational meeting for Annual Town Meeting, and people do not understand Roberts Rules and were confused by how the voting worked. The Selectboard tabled discussion of an informational meeting until the current motion was completed.

Mr. Donza made a motion to amend the time of the Special Town Meeting from 5:30pm to 6:00pm. Mr. Carlson seconded the motion. All were in favor of the motion to approve the Special Town Meeting warning.

The Selectboard discussed the merits of producing a fact sheet or written explanation of the ordinance and revisited the idea of an informational meeting. Mr. Adams asked Mr. Safford if staff could produce one for consideration.

Mr. Detora noted that it takes a two-thirds majority to call the question and end debate. He said he may call people to speak alternatively based on their opinion during the meeting, whether or not they are for or against the ordinance.

Mr. Aumand addressed the rest of the Selectboard, saying he urges them to find a way to work together collaboratively moving forward, and he felt the divisions experienced relative to the short-term rental discussion still plagues them, and he wants to move forward and put those divisions aside. He added that he felt it was important to make this statement because he feels they are strained and the conflict takes a lot of energy out of them all. Ms. Sabel Courtney concurred, requesting to have a Board retreat sooner rather than later. Mr. Aumand added that he stands by his view of the timeframe, because the community wants this issue resolved, and wants to know how the Town will move forward. He said the Selectboard needs to do a better job of working together.

Executive Session

Chair Adams moved to find that premature public knowledge would clearly place the public body, or a person involved, at a substantial disadvantage. Ms. Sabel Courtney seconded the motion. All were in favor.

Chair Adams moved to enter executive session to discuss personnel advice. Ms. Sabel Courtney seconded the motion. All were in favor. The Selectboard entered executive session at 2:53pm.

On a motion by Ms. Sabel Courtney, seconded by Mr. Donza, the Selectboard left executive session at 3:15pm.

Further Discussion Non-Binding

The Selectboard agreed that they are not in favor of an informational meeting, but perhaps a posted fact sheet that appears on the website and the newspaper.

Adjournment

There being no further business, Chair Adams adjourned the meeting at 3:20pm.