

No. M-12. An act relating to approval of amendments to the charter of the Town of Middlebury.

(H.508)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. CHARTER AMENDMENT APPROVAL

The General Assembly approves the amendment to the charter of the Town of Middlebury as set forth in this act. The voters approved the proposals of amendments on April 28, 2015.

Sec. 2. 24 App. V.S.A. chapter 127 is amended to read:

CHAPTER 127. TOWN OF MIDDLEBURY

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Subchapter 3. Officers

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§ 302. ELECTIVE OFFICERS

(a) The officers elected by the Town at its annual meeting shall be:

* * *

(5) Three auditors, unless the Town has voted to eliminate the office of auditor pursuant to 17 V.S.A. § 2651b.

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§ 304. OTHER ELECTIVE OFFICERS

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(b) The three auditors shall be elected in the same manner as described for the Board of Listers, in subdivision (a)(1) of this section, unless the Town has voted to eliminate the Office of Auditor pursuant to 17 V.S.A. § 2651b.

(1) The elected auditors shall be responsible for establishing and approving an independent municipal audit by a registered or certified public accountant. Such independent audit shall be required at least once a year.

(2) The auditors' duties shall otherwise be as established in 24 V.S.A. §§ 1681-1691.

(3) Notwithstanding anything to the contrary in 17 V.S.A. § 2651b(c), the Town may vote by ballot at an annual meeting, pursuant to 17 V.S.A. § 2651b(a), to eliminate the Office of Town Auditor. If the Town votes to eliminate the Office of Auditor, the duties formerly carried out by the auditors shall be carried out in accordance with 17 V.S.A. § 2651b(a) and any other applicable statutes.

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Subchapter 5. ~~Selectmen~~ Selectboard

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§ 506. COMPENSATION

(a) The auditors shall fix the compensation of the ~~selectmen~~ members of the Selectboard, unless the Town has voted to eliminate the Office of Auditor pursuant to 17 V.S.A. § 2651b, in which case the Town may fix the compensation of the members of the Selectboard at an annual meeting. If the

Town has voted to eliminate the Office of Auditor and the voters fail to fix the Selectboard's compensation, the members of the Selectboard shall be compensated at the rate at which they were compensated during the immediately preceding year.

(b) Except as provided in sections 506(a) and 704(1) of this ~~charter~~ chapter, the ~~selectmen~~ Selectboard shall fix the compensation of all elected officers and all officers appointed by them. An elected official may notify the ~~selectmen~~ Selectboard in writing, at least 50 days before the annual meeting, that ~~he/she~~ he or she wishes ~~his/her~~ his or her compensation fixed by the Town, and the ~~selectmen~~ Selectboard shall insert an article in the warning to that effect. If so warned, the Town may fix the compensation of that elected official for the balance of ~~his/her~~ his or her term of office or for such shorter period as the Town may vote.

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Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

Date Governor signed bill: May 26, 2015