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To the Senate and House Committees on Government Operations:

It appears that the committees are scheduled to take up the Vermont League of Cities and Towns proposal on changes in the open meeting law on Wednesday, Feb. 18. Unfortunately, Wednesday is production day for our two newspapers, and I cannot attend the meeting.

I hope that the committees will accept my written comments on the League's proposal. I make these comments on behalf of the Vermont Press Association.

1. Website posting is easy.

Interestingly, local governments find themselves in the same position as newspapers were 15 years ago: People are consuming information in different ways, and we have to adapt to what the public wants and needs. Posting minutes and agendas and other documents on municipal websites simply speaks directly to the way people consume information these days. For local governments to communicate effectively with residents, website posting has to become a normal part of doing business.

This need not be the overwhelming obstacle the League portrays. Posting is pretty easy. All you need is a willingness to learn. If the League thinks more training is needed, perhaps the League could offer it, since municipal governments are using public money to pay dues to the organization for its services.

People can post to websites from any computer, and once the minutes are completed within the five days required by law, the document can easily be uploaded to the town website. The way the League presents it, Vermont's municipal officials seem to be bumbling, computer-ignorant Luddites, and in most communities that is simply not the case.

I hope the committee will not entertain a delay in making meeting minutes available. However, if it does, I hope it will give the public a break, too, by requiring that the materials used to compile the minutes be available immediately during business hours. Other states have this requirement.

2. Vermont should have just one law on public meetings, and one for public records.

The laws on meetings and records are for the benefit of the public, not for the benefit of the government. Under the League's proposal, there could be separate rules for meetings and records, depending on what kind of board or committee is involved. A

citizen shouldn't have to be a Philadelphia lawyer to figure out the rules for obtaining information about public meetings and public records.

3. Seven business days is plenty of time to respond to an allegation that the law has been violated.

Boards should take seriously allegations that the state law has been violated. If boards have a leisurely meeting schedule, then a special meeting can be called to deal with the allegation. Justice delayed is justice denied, and laws should not be based on how convenient they are for a public body.

4. Local control means local responsibility.

Local governments have an obligation to communicate with the public. The League's proposal to pass off the obligation of municipal governments to the state government — to establish a state website for municipal government use, and have state employees do all the posting of meeting agendas and minutes — is absurd and unworkable. Will state employees have to chase down the clerk of every town board in the state to ensure the law is followed? Every town is responsible for its own behavior.

Further, Secretary of State Jim Condos has run a Transparency Tour since he took office, explaining the laws on public meetings and public records. What more does the League want?

The Legislature has been making real progress in clarifying and simplifying Vermont's laws on public meetings and public records. The League's proposal would be a giant step backward.

Sincerely,

Tom Kearney