



**Town of Whitingham**  
**OFFICE OF THE SELECTBOARD**

2948 Vermont Route 100  
PO Box 529  
Jacksonville, VT 05342

☎ 802.368.7500  
@ gig@whitinghamvt.org  
🌐 www.whitinghamvt.org

February 1, 2018

Representative John Gannon  
[jgannon@leg.state.vt.us](mailto:jgannon@leg.state.vt.us)

Representative Laura Sibilila  
[lsibilila@leg.state.vt.us](mailto:lsibilila@leg.state.vt.us)

Dear John and Laura:

We'd like to express our concerns regarding proposed changes to the Public Records Act and the Open Meeting Law.

We have serious fears about our ability to carry out our routine functions if the definition of "meeting" would include *any* communications between at least two members of a board, regardless of whether a quorum is reached. We often must send out information between meetings so that board members are well informed about day-to-day functions, but no decisions are made.

These changes would also prevent two members from talking to each other outside a meeting, ever! We live in small town Vermont. We chose to live here and to represent our Town because of the friendly feel and mutual concern for the wellness of all. If we can't talk to each other on a friendly basis this law will erode the heart of small town Vermont! We have been friends and neighbors most of our lives.

Our Selectboard functions efficiently with five members in control and an Office Administrator to distribute pertinent information. If communications between board members that is transferred through an "intermediary" becomes a violation we could not function. We can't stress enough that **information between meetings is vital**, but no decisions are made outside of a warned meeting.

We also have concerns regarding cost-shifting changes proposed to the Public Records Act. If a request came in that required hours and hours to sort through hundreds of documents, we would have to charge for that work. Our limited budget could not handle such an expense.

We are unclear if the state would create a position of ombudsman or if that would be another unfunded mandate for the town to absorb but we have serious apprehensions with the power that position would hold. The United States Constitution was written so that no one position would have such authority as this proposed ombudsman position. No one should be able to act as investigator, prosecutor, judge and jury!

Thank you for taking our concerns into consideration. Please ask your fellow representatives to use their common sense.

Sincerely,



Gig Zboray,  
On behalf of the Whitingham Selectboard