
Bradley Holt

1931 Hillview Road
Richmond, VT 05477

14th April 2024

To: Senate Committee on Government Operations

Sen. Ruth Hardy, Chair
Sen. Tanya Vyhovsky, Vice Chair
Sen. Alison Clarkson
Sen. Becca White
Sen. Robert Norris, Clerk
Sen. Anne Watson

Cc:

Olivia Parker, Committee Assistant
Christina Sivret, Executive Director, Vermont State Ethics Commission

Re: Creation of a Municipal Code of Ethics through H.875

Dear Senate Committee on Government Operations:

I am writing to express my support for the creation of a uniform Municipal Code of Ethics through H.875. My husband and I live in Richmond, Vermont. For the past three years we have been engaged as members of the public and interested persons in the review process for a proposed land development project nearby to us. This proposed land development project is currently before the Environmental Division of the Vermont Superior Court. I have long valued civic engagement, so early on we sought to educate ourselves by watching past Development Review Board meetings with the intent of better understanding the process by which these types of projects were reviewed.

In watching these recordings we were shocked to witness Board members repeatedly violating our town's Code of Ethics including numerous and blatant conflicts of interest. We saw Board members represent clients in front of the Board, in many instances without following the proper recusal procedures. In one particular egregious example a Board member represented another Board member in a matter before the Board. We saw Board members fail to recuse themselves when they had clear conflicts of interest, and many times Board members failed to properly acknowledge the conflict.

We saw many examples of Board members claiming to recuse themselves, yet continuing to engage in the meeting. In one example the Board Chair moderated a meeting while supposedly recused. In another meeting a member of the public politely raised a conflict of interest concern to the Board. A Board member chastised the person who raised the concern. The Board Chair expressed having no knowledge of the town's Code of Ethics. Then, the Board went into an illegal executive session (not a deliberative session) to discuss the matter.

This behavior was quite concerning as interested persons in a matter before the Board as it demonstrated a complete disregard for maintaining the public trust. We chose not to file any complaints as we had no confidence in our Town's interest in dealing with these ethical concerns. I did raise these concerns to Selectboard members and Town officials, but as far as I am aware no one took any action based on these concerns. Filing complaints could have also complicated our position as interested persons in an ongoing quasi-judicial and judicial matter.

I hope my experience highlights the importance of a uniform Municipal Code of Ethics when it comes to land development decisions as these decisions have significant implications on residents and the environment. The pressures of the housing crisis, and the policy dialogue around moving more land use authority to local decision making, present a pressing need to ensure that the highest of ethical standards are set and maintained when it comes to land use decisions made at the local level.

Beyond conflicts of interest specifically, I also want to share that during the review process for this proposed land development project I was demeaned, yelled at, and slandered by members of our Towns' Development Review Board and our Town's Zoning Administrator. Although I was polite and orderly throughout, my persistence in continuing to raise meaningful concerns was not welcomed. The hostility I experienced was disheartening as someone who believes strongly in civic engagement. Bullying and discouragement of public involvement is completely unacceptable. Yet, there have been no consequences for those who engaged in this behavior.

Thank you to the Committee for your consideration of this much-needed legislation. I hope that you will move forward with creating a uniform Municipal Code of Ethics.

Sincerely,



Bradley Holt