

1 S.255

2 An act relating to establishing a pilot Law Enforcement Governance
3 Council in Windham County

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

5 Sec. 1. DEFINITIONS

6 As used in this chapter:

7 (1) “Council” means the Windham County Law Enforcement
8 Governance Council established pursuant to this chapter.

9 (2) “Member municipality” means a municipality within Windham
10 County that has voted to participate in the Council and receive public safety
11 services pursuant to this chapter.

12 (3) “Nonmember municipality” means a municipality within Windham
13 County that has not voted or voted not to participate in the Council.

14 (4) “Public safety services” means law enforcement, dispatch services,
15 animal control, and other related services as determined by the Council.

16 (5) “Sheriff” means the Sheriff of Windham County or designee.

17 Sec. 2. AUTHORIZATION AND ESTABLISHMENT

18 (a) Municipalities within Windham County are authorized to establish a
19 law enforcement governance council for the purpose of providing regional law
20 enforcement and related services during the pilot period.

21 (b) The Council shall be established when five or more eligible
22 municipalities vote to become member municipalities.

1 (c) The Council shall be established and associated operations and taxation
2 shall commence on either July 1, 2026, or the date on which five or more
3 member municipalities have voted to become member municipalities,
4 whichever occurs later.

5 Sec. 3. MEMBERSHIP

6 (a) A municipality within Windham County may join the Council by
7 majority vote of the legislative body of the municipality.

8 (b) Each member municipality shall:

9 (1) Have one representative, with one vote, on the Council. A member
10 municipality's representative shall be a serving selectboard member of that
11 municipality, to be selected by the municipality's selectboard.

12 (2) Receive law enforcement and related services as determined by the
13 Council.

14 (3) Pay its proportionate share of costs through the county tax
15 mechanism.

16 (c) A member municipality may withdraw from the Council by majority
17 vote of the legislative body of the municipality, with such withdrawal
18 becoming effective at the end of the next fiscal year following the vote.

19 Sec. 4. GOVERNANCE

20 (a) The Council shall consist of one representative from each member
21 municipality.

1 (b) The Council shall annually elect from its membership a chair, vice
2 chair, and secretary-treasurer.

3 (c) The Council shall meet at least quarterly and at such other times as
4 necessary. A majority of member municipalities shall constitute a quorum.
5 All meetings shall be warned and conducted in accordance with the Vermont
6 Open Meeting Law.

7 (d) The Council shall have the powers and duties to:

8 (1) adopt bylaws for the operation of the Council;

9 (2) determine the annual budget for law enforcement and related
10 services to be provided to member municipalities;

11 (3) establish the level and scope of services to be delivered to member
12 municipalities;

13 (4) develop standards and performance metrics for delivered law
14 enforcement and related services;

15 (5) monitor service delivery and evaluate program effectiveness;

16 (6) submit the approved budget to the Windham County Assistant
17 Judges for inclusion in the county budget; and

18 (7) enter into agreements necessary for the provision of services.

19 Sec. 5. BUDGET AND FINANCING

20 (a) Annually, the Council shall prepare and approve a budget for law
21 enforcement and related services for the following fiscal year. The budget

1 shall specify the total amount needed and the services to be provided. The
2 approved budget shall be submitted to the Windham County Assistant Judges
3 on or before December 1 of each year.

4 (b) The Assistant Judges shall include the Council's approved budget as a
5 separate item in the county budget. The county treasurer shall levy and collect
6 a special assessment in proportion to each municipality's population.

7 Nonmember municipalities shall not be assessed or charged for Council
8 services. Funds collected shall be segregated and used solely for the purposes
9 approved by the Council.

10 (c) The cost to each member municipality shall be determined by applying
11 the county tax rate necessary to raise the Council's budget to each member's
12 population.

13 (d) The county treasurer shall maintain separate accounts for Council
14 funds. The Council shall cause an annual audit to be performed by an
15 independent certified public accountant. Financial reports shall be provided
16 quarterly to member municipalities and the Assistant Judges.

17 Sec. 6. SERVICE DELIVERY

18 (a) The Windham County Sheriff's Department shall provide law
19 enforcement and related services to member municipalities as specified by the
20 Council.

1 (b) Pursuant to 24 V.S.A. § 291a, the Council and Sheriff shall enter into
2 an annual service agreement specifying:

3 (1) the types and levels of service to be provided;

4 (2) standards and performance metrics for delivered law enforcement
5 services;

6 (3) reporting requirements; and

7 (4) allocation of resources among member municipalities.

8 (c) Law enforcement services provided shall be coordinated with State law
9 enforcement agencies, existing member and nonmember municipal law
10 enforcement agencies, and emergency services to ensure efficient resource
11 utilization.

12 Sec. 7. REPORTING AND EVALUATION

13 (a) Beginning in 2027, on or before January 31 of each year, the Council
14 shall submit a report to the House Committee on Government Operations and
15 Military Affairs, the Senate Committee on Government Operations, the
16 Windham County legislative delegation, and member municipalities
17 containing:

18 (1) financial statements for the preceding fiscal year;

19 (2) service delivery statistics and performance metrics;

20 (3) member municipality participation and satisfaction levels;

21 (4) challenges encountered and lessons learned; and

1 (5) recommendations for improvement.

2 (b) On or before September 30, 2030, and again on or before December 31,
3 2033, the Council, in consultation with the Windham County Sheriff and
4 Windham County Assistant Judges, shall submit a comprehensive evaluation
5 of the pilot program to the House Committee on Government Operations and
6 Military Affairs and the Senate Committee on Government Operations,
7 including:

8 (1) an assessment of cost-effectiveness compared to alternative service
9 delivery models;

10 (2) an analysis of service quality improvements;

11 (3) an evaluation of the governance model's effectiveness;

12 (4) recommendations regarding continuation, modification, or expansion
13 of the program; and

14 (5) a proposed framework for statewide replication, if warranted.

15 Sec. 8. LIMITATIONS AND PROTECTIONS

16 (a) Nonmember municipalities shall:

17 (1) not be assessed any costs related to Council operations;

18 (2) continue to receive State Police services as currently provided; and

19 (3) retain all rights to establish their own local law enforcement agencies

20 or contract for law enforcement services independently.

1 (b) Nothing herein shall:

2 (1) affect the constitutional or statutory duties of the Windham County

3 Sheriff;

4 (2) alter State Police responsibilities or coverage;

5 (3) impact existing municipal law enforcement agencies; or

6 (4) modify existing mutual aid agreements.

7 Sec. 9. SUNSET; TERMINATION

8 (a) The Windham County Law Enforcement Governance Council shall

9 cease to exist on June 30, 2034.

10 (b) In the event of the number of member municipalities being reduced to
11 one, the Council shall be deemed terminated.

12 (c) On June 30, 2034, or at the time of the Council's termination,
13 whichever occurs first:

14 (1) the Council shall cease operations;

15 (2) any remaining funds shall be returned proportionally by population
16 to current and prior member municipalities that were member municipalities
17 during the current fiscal year; and

18 (3) service agreements shall be terminated according to their terms.

19 Sec. 10. CONFORMING AMENDMENTS

20 Notwithstanding any provision of 24 V.S.A. chapter 5 to the contrary, the
21 Windham County Assistant Judges are authorized to include in the county

1 budget amounts approved by the Council pursuant to this act and to levy
2 differential tax rates on member and nonmember municipalities as necessary to
3 implement this act.

4 Sec. 11. EFFECTIVE DATE

5 This act shall take effect on passage.