

**Vermont Municipal Clerks & Treasurers Association (VMCTA)
Legislative Committee**

Carol Dawes, committee chair

Barre City treasurer
(802) 477-1459
treasurer@barrecity.org

Bobbi Brimblecomb

Marshfield clerk/treasurer
(802) 426-3305
clerk@town.marshfield.us

Bob Champagne-Willis

Maidstone treasurer
((802) 676-3210
maidstonetreasurer2@gmail.com

Teegan Dykeman-Brown

Calais clerk
(802) 456-8720
townclerk@calaisvermont.gov

Hilary Francis

Brattleboro clerk
(802) 251-8157
hfrancis@brattleboro.org

Susan Gage

Brandon clerk/treasurer
(802) 247-3635
clerktreas@brandonvermont.gov

Marlene Hall

Shaftsbury clerk
(802) 442-4038
townclerk@shaftsburyvt.gov

Stacy Jewell

St. Johnsbury clerk/treasurer
(802) 748-4331
townclerk@stjvt.com

John Odum

Montpelier clerk
(802) 262-6263
jodum@montpelier-vt.org

Diana Vachon, VMCTA president

Shelburne clerk
(802) 985-5116
dvachon@shelburnevt.org

Thank you for inviting the VT Municipal Clerks' and Treasurers' Association to testify with regards to H.723, which makes clarifications and changes around posting of land.

Town clerks are on the forefront of land posting permits, as current law requires the attached form to be recorded in the clerk's office, with a copy being given to the property owner, and a copy being sent to the Vermont Department of Fish and Wildlife. As per statute, the \$5 recording fee is paid to the clerk.

Clerks are keenly interested in the proposed language included in Sec. 1, page 2, lines 20-21, which states that "...postings shall be valid and enforceable for one year after the date the posting is recorded". This language helps clarify concerns around an undated memo received by clerks last year from Colonel Justin Stedman, Chief Warden, Vermont Warden Service

(attached). In his memo, Col. Stedman stated that the interpretation of statutory language, “ ‘...maintained at all times and shall be dated each year’ would require that all signs must be dated for the current year. Therefore, signs dated 2025/2026 would not be legal in 2026.”

Col. Stedman goes on to say statute requires “...the...person posting the lands shall record this posting annually in the town clerk’s office...”, which he interprets to mean a permit recording is good until the end of the calendar year in which it is made, and all registrations expire on December 31st.

Common practice was to interpret “annual” and “each year” to mean a one year period of time, based on the date the permit was recorded in the clerk’s office. The new interpretation creates issues around the need to register postings exactly on January 1st, a federal holiday, and actually post signs in the middle of winter to be in compliance.

VMCTA supports the clarifying language included in H.723, that would allow for the terms “year” and “annual” to be interpreted as a rolling period of time, more suitable to actually recording and posting land.

I listened to the committee’s discussion on Thursday, February 12th, and want to address a few comments that were made with regards to how the permit records are maintained by municipal clerks, and accessibility to the public. Most clerks keep their copy of recorded permits in a file, which is readily available for review upon request by the public. I reached out to a few clerks who told me they have virtually no calls for reviewing the documents, but would make them available should there be a request. Your committee spoke of including a QR code on the posting signs that could be tied to a database maintained by the clerks, so people could access the information remotely. However, many clerks don’t have the technology to create and maintain such a system. There are towns that still don’t have websites due to a lack of connectivity or trained staff to create and maintain a website. Such a requirement would be costly – if possible at all – and the \$5 fee retained by the clerks certainly wouldn’t cover any costs associated with such a requirement.

Thank you for your time. Please feel free to reach out with any questions or for further discussion.

VERMONT FISH & WILDLIFE DEPARTMENT
1 National Life Drive, Davis 2, Montpelier, VT 05620-3702

Copy of posting application

PURSUANT TO THE PROVISION OF 10 V.S.A. SECTION 5201, I _____

OF _____ STATE OF _____ (PLEASE PRINT)
AS (OWNER) (PERSON HAVING
EXCLUSIVE RIGHT TO TAKE FISH OR WILD ANIMALS ON LAND OR WATERS DESCRIBED HEREIN) HEREBY
GIVE NOTICE THAT:

SPECIFY () HUNTING, SHOOTING are
() TRAPPING is
() FISHING is

() BY PERMISSION ONLY () PROHIBITED ON THE BELOW DESCRIBED PREMISES:

TOWN: _____ COUNTY _____

APPROXIMATE NUMBER OF ACRES (OR LENGTH OF STREAM): _____

LOCATION IN TOWN: _____

PLEASE STATE YOUR REASON FOR POSTING: _____

THESE LANDS OR WATERS ARE POSTED AS REQUIRED BY 10 V.S.A. SECTION 5201.

SIGNED: _____ DATED: _____

RECORDING FEE \$5.00 PAYABLE TO TOWN CLERK

WHITE COPY: LANDOWNER PINK COPY: TOWN CLERK YELLOW: FISH & WILDLIFE



Department of Fish and Wildlife
Division of Warden Service
1 National Life Dr- Davis 2
Montpelier, VT 05620
www.vtfishandwildlife.com

Agency of Natural Resources
802.828.1483
802.828.1529

To: Town Clerks Office
From: Colonel Justin Stedman
Re: Land posting

Dear Town Clerk,

Recently it has come to my attention that there has been some contradictory information shared by Warden Service employees with different town clerks around the requirements of **Title 10 Vermont Statutes Annotated Section 5201. Notices; posting.**

10 VSA § 5201(b) states in part that legible signs must be "...maintained at all times and shall be dated each year." This language means that the signs must be dated for the current year. A sign dated 2025/2026 would not be legal in 2026. The signs would need to be dated in 2025 and 2026 respectively.

Additionally, 10 VSA § 5201(c) states in part "The owner or person posting the lands shall record this posting annually in the town clear's office...". This is the language that has caused most of the recent discussion. Warden Service employees have been directed to inform landowners, who inquire about this requirement, that this language means a recording is good until then end of the calendar year in which it was made. For example, if a landowner registers their land on July 1, 2026, that land will be considered registered by the Warden Service until 12/31/2026.

Thank you for your attention to this matter and for your assistance in getting this messaging to landowners who wish to post their land legally. If you have questions, please contact your local warden. If you do not know who your local warden is, you can locate that warden on this website:

<https://www.vtfishandwildlife.com/contact/contact-a-warden>

A handwritten signature in black ink, appearing to read "Justin Stedman".

Colonel Justin Stedman
Chief Warden
VT Warden Service

