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# Vermont League of Cities and Towns 2025 Legislative Priorities



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## Clarify Open Meeting Law

to enable compliance and ensure consistency of application and judicial interpretation.

- Technical changes related to the posting of recorded meetings
- Compliance for public bodies; exempt site visits, create working groups
- Public Safety and Security; executive sessions for cyber security, ability to edit obscene content

These recommendations have been vetted by VLCT's Municipal Assistance Center, a team of experienced attorneys who provide confidential legal guidance to municipal officials, and have arisen directly from questions, concerns, and confusion from municipal staff, boards, and commissions attempting to comply with the law.



# Managing Digital Records

1. Posting of recorded meetings, location: Require that recordings be posted to a website that the public body maintains, if one exists. We cannot compel private, third-party entities to comply with the timeframe for posting or public records requests and this would conform with other types of posting requirements.

2. Posting of recorded meetings and meeting minutes: Clarify when recordings must be posted by eliminating “approval” and “official”. Vermont state law does not explicitly require minutes be approved and does not define “official minutes”. Some municipal bodies either don’t approve their minutes or don’t hold a successive meeting for several months.



# Managing Digital Records

3. Timeline for posting recorded meetings: Require that recordings be posted no later than five calendar days from the date of the meeting and keep them posted for 30 days from that date, consistent with meeting minutes.

4. Locations for posting public notice: Amend public notice laws to allow municipalities to post in public places located in neighboring communities known to be frequented and/or allow for a municipal website to substitute for one of the required physical public places used for posting public notices, when necessary.



# Issues of Compliance

- Exempt site visits from the recorded meeting requirements: Aside from the practical difficulty of recording such inspections and capturing all that transpires, site inspections are often located on private property. Local governments cannot guarantee public access to private property and recording images of a private home or business for the purpose of public posting raises privacy concerns.
- Create provisions to exempt “working groups”: A “working group” is commonly used to describe occasions where some members of a public body gather to perform some delegated, time-limited work including research, outreach, or policy development to later be considered and acted on by the full body. This is a common practice for small communities who rely on volunteer work by elected officials due to a lack of appropriate municipal staff available to advise the selectboard on the wide range of issues it must consider.

# Illustrating Working Groups

A City Council and Selectboard want to consider ideas for how to support outdoor recreation activities around their legal trail network before the upcoming budget process.

City A: Has a Town Manager form of government and 8-person city council, has a citizen commission for Parks and Rec, and a Budget Committee of the Council.

Town B: Has a three-person selectboard and a full time Town Clerk is the only town employee, there is a two-person Budget Committee of the Selectboard and a volunteer Town Pride Club that organizes various volunteer actions and community events.



<p>City A is NOT a public meeting.</p> <p>4 city officials, 1 member of the public</p>	<p>City Council President</p>	<p>City Council Budget Committee Chair</p>	<p>City Director of Parks and Recreation</p>	<p>Chair of the Parks and Recreation Commission</p>	<p>President of a local bird watching club attends and pitches open Audubon Grant Application</p>
<p>Town B is a public meeting.</p> <p>2 town officials, 2 members of the public</p>	<p>Selectboard Chair</p>	<p>Selectboard Budget Committee Chair</p>	<p>No Staff</p>	<p>President of the Town Pride Club</p>	<p>President of a local mountain bike club attends and requests the town purchase hand tools</p>

# Public Safety and Security

- Allow executive sessions for the discussion of cyber security and public safety: Recent legislative changes pushing municipal government toward electronic accessibility has necessitated planning and responses related to cyber-attacks and digital security that should be exempt from public discussion.
- Address obscene content in recorded municipal materials: Empower municipalities to edit obscene content from recordings prior to posting, so long as the original record is maintained in its unaltered state. Municipal meetings have been “zoom-bombed” with images, videos, and sound which is captured in the meeting recording. Crimes and Criminal Procedure prohibits disseminating in the presence of a minor “any such representation or image which is stored electronically” depicting nudity or sexual conduct.



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# Questions???



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