

**Agenda Summary**  
**January 8, 2024**

**Agenda Item No. B-2**  
**Stowe Electric Bond Vote**

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**Summary:** At the March 2024 Annual Meeting the voters approved the following article by Australian ballot: **“Shall the voters authorize the issuance of general obligation notes or bonds of the Town from time to time during the period from June 2024 through December 2028, in an aggregate amount not to exceed Three Million and 00/100 Dollars (\$3,000,000.00), payable primarily from the net revenues of the Stowe Electric Department to fund the acquisition by Stowe Electric Department of equity shares of Vt. Transco LLC (the “Project”)?”**

Unfortunately, due to my failure as Town Manager to adequately impart to staff the unique warning requirements for bond votes, *notice of the meeting was not published in a newspaper of known circulation in such municipality once a week for three consecutive weeks on the same day of the week, the last publication to be not less than five nor more than ten days before such meeting*. Because the actual ballot language itself did not appear in the newspaper for the required length of time, the Town Attorney/bond counsel is not able to certify that the Town met the requirements of 24 VSA 1756 to make the bond issue “valid” and he is of the opinion that the lack of proper publication cannot be cured by Selectboard resolution. It is his legal opinion that the voters need to vote on the question anew.

24 VSA 1756: <https://legislature.vermont.gov/statutes/section/24/053/01756>

The next Australian ballot vote is scheduled for Town Meeting Day (March 4th). The Selectboard could warn and hold a special meeting before then, but all votes of the electorate must be warned 30 to 40 days in advance (February 7<sup>th</sup> to February 17<sup>th</sup>). Due to the proximity to Town Meeting and the next property tax due date (February 18<sup>th</sup>), it would not be practical for staff to administer a separate Special Town Meeting.

I will make an effort to inform the public of the reason to vote on this article again and to ensure they understand that it is not the Stowe Electric Department’s fault that they need to do so in order to advance the acquisition of Stowe Electric Department equity shares.

**Town Plan Impact:** N/A

**Fiscal Impact:** A special meeting by Australian ballot costs \$3,000 +/- to conduct.

**Recommendation:** Move to instruct staff to include the aforementioned ballot article on the March 2025 Town Meeting Australian Ballot Warning.