

Board of Civil Authority Special Meeting Minutes

Town of Burke

Town Clerk's Office

212 School Street

West Burke VT 05871

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July 6, 2026

4.45 P.M.

Members Present: Kathleen Feeley (Chair) Linda Hackett-Corey, Jerry Booth, Mark Daigle, Joe Allard, John Kascenska, Dan Tanner & Joel Gilbert.

Visitors: No Visitors.

Meeting is being recorded.

Kathleen Feeley opened the meeting at 4:45 P.M.

There were no changes to the Agenda or Additions.

V-Tel Wireless Tax Appeal

V-Tel Wireless appealing the tax assessment set by the Town. Requesting to appeal at the State Level rather than the BCA.

The BCA met to discuss the appeal. Kathleen Feeley read the following Script prepared by Town Attorney Sarah Buxton.

VTel has appealed their property valuation. The legislature recently altered the tax treatment of communications property, resulting in a greater role for the State to provide valuations to municipal listers. This is the first year of the program. The tax department is recommending that Towns streamline the appeal process by waiving the local BCA hearing – presuming that the Town would stand behind the provided values anyway – and move the telecom property owners straight to PVR. In this stipulation, we agree that VTel waives its right to a hearing and has exhausted its administrative remedies at the local level. This will save the town unnecessary time and resources on the dispute at the local level and sends it up to the state

May I have a motion that the BCA agree to the stipulation as proposed and that Cathi Feeley be authorized to sign on behalf of the BCA? Joe Allard made the motion/ John Kascenska seconded. All in favor. Request to appeal to the State approved.

Address Open Meeting Law Complaint

The Town of Burke Board of Civil Authority has received written notice of alleged violations of Vermont's Open Meeting Law from Kevin Blais regarding a meeting it held on January 30, 2026. Ironically, this complaint involves a meeting about a meeting held by this Board a year ago, on January 29, 2025, which was also called for the sole purpose of addressing his complaints.

Because of the serial redundant, duplicative, and meritless complaints lodged by Mr. Blais, the Town asked its attorney to provide a written response within 10 days addressing his allegations. No violations were found. A copy of the letter and results of the investigation will be attached to these minutes and are provided here. The letter was also sent to the Caledonia Record.

In lieu of reading the whole investigation, I will summarize it. Mr. Blais alleges that the January 30, 2026, BCA special meeting violated the OML because it: (1) "precluded the public from attending remotely and was not accessible by telephone connection"; (2) failed to give required notice "by advertising in a local newspaper or radio station for each of the items discussed"; and (3) "precluded participation" and that the BCA "threatened to forcibly remove anyone who dared to participate by the use of law enforcement" after the chair stated the public's "only right is to observe."

The investigation revealed that telephonic and remote access were provided on the face of the agenda. Notice was provided in accordance with the statutory requirements for special meetings. The public was provided with an opportunity for comment subject to reasonable rules of decorum as permitted by 1 V.S.A. §312(h).

I will now take a motion that the BCA hereby deny that any violation occurred and that since no violation occurred, no cure is necessary

Jerry made the motion/ Mark Seconded- All in favor. No Violation occurred

No other Business.

No Public Comment.

Kathleen asked for a motion to close the meeting, Joe motioned / Jerry seconded Meeting Adjourned. Meeting adjourned at 4:55 P.M.

Respectfully submitted: Linda Hackett-Corey-BCA Minutes Clerk