

Special Select Board Meeting – February 20, 2026, at 5:00 PM.

Location: 212 School Street, West Burke, Vermont 05871  
Recorded on Zoom.

Attendees: Joe Allard, Mark Daigle, Jerry Booth, Jim Sullivan, Cathi Feely, Gail Weed, and Linda Hackett-Corey

Guests: No Guests

Agenda Items: Open Special Select Board Meeting  
Announce Any Additions to the Agenda  
Announcements  
Ratify Authorizations RE: Edward Jones Accounts  
Address Open Meeting Law Complaints  
Other Business  
Recycling Attendant Position – Possible Executive Session 1 VSA 313(a)(3)  
Public Comments on above Agenda items only  
Adjourn

The meeting was called to order at 5:00 PM by Mark Daigle.

Mark announced that there are no additions to the agenda. No Action Taken.

Mark then made an announcement that the meeting was being recorded and the rules of the meeting.

Mark then ratified the authorizations by stating the following: "At our January 28, 2026, meeting, we added "Signing of the Corporate Resolution to the Agenda as the first order of business. Later the Board signed a resolution describing how it will authorize and request that funds be withdrawn by Edward Jones. I will take a motion to ratify that action." Jerry Booth made a motion, Joe Allard seconded the motion. All were in favor.

Mark then addressed the open meeting law complaint by stating the following: "The Town of Burke Select Board has received written notice of alleged violations of Vermont's Open Meeting Law from Kevin Blais on February 13, 2026. These complaints involve the Special Select Board Meeting held on January 28, 2026.

Pursuant to the requirements of 1 V.S.A. § 314(b)(2), the Board is hereby responding publicly to the alleged violations. I'll now read a summary of the complaint and present my findings and recommendations.

Mr. Blais alleges that on January 28, 2026, the Select Board violated the State's Open Meeting Law when it: (1) failed to properly notice this special meeting by advertising in a newspaper or radio station that would give the required notice to the public; unlawfully modified the agenda resulting in an action and vote on signing the corporate resolution without giving notice to the public; unlawfully discussed and approved the spending of \$500.00 to Doug Clarner without giving any notice to the public; unlawfully entered into executive session for personnel matters; has unlawfully adopted a policy that prohibits public participation in public meetings, and other claims. The cure he seeks is for us to re-hold the meeting, after it has been properly notice and allow the public to participate without threat or removal.

I have caused an investigation into the matter and, after conferring with our Attorney, find the following:

1. 1 VSA § 310 (c)(2) required that the time, place, and purpose of a special meeting be publicly announced at least 24 hours before the meeting. "Publicly announced" is defined in statute as giving notice to an editor, publisher, or news director of a newspaper or radio station serving the area. On Monday, January 26, 2026, the Town emailed Paul Hayes and Dana Gray, with the Caledonian Record, the agenda to the special meeting, providing more than 48 hours' notice.

2. 1 VSA § 312 (d)(4) requires that “any addition to or deletion from the agenda shall be made as the first act of business at the meeting” and that “any other adjustment to the agenda may be made at any time during the meeting.” The minutes of the January 28<sup>th</sup> meeting reflect that I added the signing of the resolution to the agenda, which was agreed to by consent. Therefore, the addition was permitted and added in accordance with the law. Further, the action was ratified today, as is standard for items which are acted upon in this way, which has made it binding.
3. The agenda for the January 28<sup>th</sup> meeting included “Burke Mountain Club Funding Request.” The minutes of the meeting include discussion with Christine Emmons, Burke Mountain Club President, and a review of funding requests from Christine and Burke Mountain Club Director, Doug Clarner. Therefore, the action was properly noticed.
4. The agenda for the January 28<sup>th</sup> meeting included “Executive Session – Personnel Matters.” 1 VSA § 313(a) permits a body to conduct business in executive session for specific reasons, one of which is to discuss “the appointment or employment or evaluation of an employee” – which would include personnel matters. Since the nature of the business was included in the motion and the topic was permitted by law, discussing that business in executive session was lawful.
5. Finally, Mr. Blais alleges that the Town has unlawfully adopted a policy that prohibits public participation in public meetings along with other claims related to unlawful restrictions. The Town has no such policy. Furthermore, 1 VSA § 312(h) expressly states that that members of the public may express their opinion on matters considered during the meeting, “as long as order is maintained” and that “public comment SHALL be subject to reasonable rules established by the chairperson.” The rules that I set or enforced are consistent with the law.

Based on these findings, and after consultation with counsel, I conclude and recommend to this Board that it find that:

1. No violations occurred with respect to any of the allegations; and
2. No cure is necessary.

Having now read a summary of the complaints submitted by Mr. Blais and presented my findings and recommendations regarding each one, I will take a motion that the Board adopt these findings and conclusions regarding all complaints that no violations occurred and no cure is necessary.” Jerry Booth made a motion. Joe Allard seconded the motion. All were in favor.

Mark then asked for a separate motion to direct that this summary of the alleged violations, along with the Select Board’s findings and conclusions, be included with the minutes of this special meeting. Joe Allard made the motion. Jerry Booth seconded the motion. All were in favor.

Mark then asked if there was any old or new business. Mark then said that he had a statement he would like to read. He then read the following: “1. Select Board Statement on Resource Strain - I would like to read a statement on the impact that Kevin Blais’ frivolous, vexatious, and abusive complaints, requests, and lawsuits have had on the resources of the Town of Burke.

The Town and its taxpayers have incurred substantial and unwarranted expense over the past three years as a direct result of Kevin Blais’ pattern of frivolous, vexatious, and harassing complaints, requests, and lawsuits. During this period, he has filed six cases in Caledonia Superior Court and four appeals to the Supreme Court, repeatedly advancing grievances that the courts have routinely dismissed. Since the start of 2026 alone, he has filed seven Open Meeting Law complaints against Town public bodies, including the Board of Civil Authority, Planning Commission, and Select Board. His weaponization of the Open Meeting Law and Public Records Act has forced Town staff and volunteer officials to divert significant time and resources to address unfounded and repetitive allegations. This is frustrating for all involved.

Last year, the Town spent more than \$40,000.00 in legal fees related to matters initiated by Mr. Blais. The cost and burden of responding to his frivolous and repetitive allegations extend beyond financial cost to the considerable administrative burden placed upon the Town’s employees and elected officials, whose time and productivity have been repeatedly siphoned away from legitimate public business to address his claims. The effective functioning of small Vermont municipalities depends on a small cadre of dedicated public servants. Our officials remain duty-bound to treat all citizens—including their most persistent critics—with fairness, transparency, and adherence to the law. Burke has done so and will continue to do so.

That commitment, however, does not make us immune to strain. The Town's limited administrative infrastructure is vulnerable to the unpredictable but legally permissible burdens created by Mr. Blais' actions. When the Open Meeting Law and Public Records Act are exploited, our capacity to deliver essential services to all residents is diminished. The cumulative impact of these serial complaints and meritless filings weakens local government in ways that affect the entire community.

The Select Board is committed to transparency so that citizens and taxpayers understand what is occurring. We will continue working closely with legal counsel and operating fully within the law. We also hope legislative leaders recognize the burdens Burke—and many other towns—face under well-intended but flawed statutes, and we appreciate the public's support and patience as we work toward a more balanced and sustainable framework.

I will now take a motion to direct that this Resource Strain Statement be included with the minutes of this special meeting." Joe Allard made a motion. Jerry Booth seconded the motion. All were in favor.

Jerry Booth then made a motion to go into Executive Session to discuss the hiring of a Recycling Attendant. Joe Allard seconded the motion. All were in favor.

Joe Allard made a motion to come out of Executive Session. Jerry Booth seconded the motion. All were in favor.

Jerry Booth made a motion to come back into regular session. Joe Allard seconded the motion. All were in favor.

Mark asked for a motion to hire Colton Chenard as the new Recycling Attendant Assistant. Joe Allard made the motion. Jerry Booth seconded the motion. All were in favor.

There were no Visitors or Public Comments.

Jerry Booth made a motion to adjourn. Joe Allard seconded the motion. All were in favor.

Respectfully submitted,  
James A. Sullivan, Jr.  
Town Administrator