



Town of Bristol
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MEMORANDUM

Conflict of Interest Policy V2.2, Summary of Changes

To: Bristol Selectboard
From: Ian Albinson, Selectboard Chair
Re: Conflict of Interest Policy (SB-2026-01), V2.2 summary of changes for first-pass review
Companion document: Bristol_COI_Policy_V2.2_2026-05-11.docx

Bottom line

Our Conflict of Interest Policy dates to April 23, 2012. It served the Town for fourteen years, but it predates the Vermont Municipal Code of Ethics (24 V.S.A. Chapter 60, Act 171), which now sets mandatory minimum standards every municipality must meet or exceed. Measured against Chapter 60, the 2012 policy is silent on most of what the statute requires: ethics training, an ethics liaison, formal complaint procedures, public posting, whistleblower protection, and several categories of prohibited conduct. V2.2 is a ground-up rewrite that brings the Town to or above the statutory floor and adds Bristol-specific procedures for the two situations we are most likely to face in practice: recurring departmental affiliations (such as Selectboard members who also serve in the Bristol Fire Department) and conduct matters involving sitting board members. This memo accompanies the draft for first-pass review. Two items need town counsel confirmation before adoption.

Compliance-critical additions (Chapter 60 minimums)

Chapter 60 requirement	2012 policy	V2.2
Ethics training, §1995(a)–(b)	Silent	§9.00: initial training within 120 days; continuing every 3 years; Town Clerk keeps the log
Ethics liaison, §1995(e)	Silent	§10.00: designated by vote; Commission notified within 30 days
Complaint procedures, §§1996–1997	Partial (five-option enforcement list only)	§11.00: Town Clerk receives complaints; written form required; records kept 5 years past service
Public posting, §1996(1)	Silent	§12.00: Code of Ethics, this policy, and complaint procedures posted on Town website
Whistleblower protection, §1998	Silent	§14.00: no retaliation for good-faith reports
Expanded prohibited conduct, §1993(b)–(h)	Partial	§§6.04–6.10: preferential treatment, misuse of position, confidential information, government resources, gifts, unauthorized commitments, benefit from contracts
Nonrecusal framework, §1992(b)	Disclose-and-proceed, no written record	§§7.03–7.05: good-cause test, signed written statement, filing requirements, mid-meeting discovery procedure

Source: 24 V.S.A. Chapter 60 (Municipal Code of Ethics, Act 171, 2023 Adj. Sess.); Vermont State Ethics Commission model guidance.

Bristol-specific additions

- **Recurring departmental affiliations (new §6.12).** Bristol's size means board members often hold concurrent roles, most commonly Selectboard and Bristol Fire Department. §6.12 requires annual written disclosure of such affiliations and lists the specific matters that trigger recusal: compensation, personnel, budget, equipment, standards, and adjudication for the affiliated department. Routine Town-wide matters do not trigger recusal, and quorum preservation rules apply if recusals prevent action.
- **Two-path conduct framework (§11.00).** Distinguishes complaint-triggered review (third party files with the Town Clerk) from board-initiated review (the board places a conduct matter on a noticed agenda on its own motion). Where investigation is needed under either path, an independent reviewer or Ethics Commission referral comes first.
- **Elected-officer admonishment (§11.07(B)).** The 2012 policy and the prior draft addressed discipline only for appointed officers. §11.07(B) gives the board an explicit, bounded tool for elected officers: private or public admonishment by affirmative vote of four of five members at a noticed meeting, with the subject member's right to respond on the record before any vote. It expressly confers no removal authority; removal of an elected officer remains governed solely by Vermont law.
- **Open-session voting (§11.08).** Executive session may be used to discuss officer conduct, but no formal action (including an admonishment vote) may be taken there. All formal action occurs in open session and is recorded in the minutes, consistent with the Open Meeting Law.
- **Complaints involving sitting Selectboard members (new §11.09).** The subject member recuses from all aspects of review. If recusals prevent a quorum or create an appearance of partiality, the board may appoint an independent reviewer with no prior involvement or conflicting relationships, or refer the matter to the Vermont State Ethics Commission.
- **Severability (new §17.00).** Standard provision preserving the remainder of the policy if any single provision is held invalid.

Two questions, resolved to recommended defaults

Review of the disciplinary framework raised two procedural questions. I set each to a recommended default in the draft so the board has concrete language to react to. Either can be changed before adoption.

- **Q1, admonishment vote threshold: set to four of five members.** A simple majority of a five-member board is three votes, too low a bar for formally admonishing an elected colleague, and vulnerable to the appearance of a voting bloc. A four-of-five supermajority means any admonishment carries near-unanimous weight, which protects both the subject member and the credibility of the action.
- **Q2, independent reviewer selection: criteria written into §11.09(B)(1).** The reviewer is selected by affirmative vote of the remaining members at a noticed meeting, and must have no prior involvement in the matter and no relationship with any party that would create an appearance of partiality. Counsel may wish to add a reference to a VLCT or other neutral roster.

Open items requiring counsel before adoption

- **V2-Q1, form of the complaint procedures (§11.00).** 24 V.S.A. §1997 requires complaint investigation and enforcement procedures to be adopted by "ordinance, rule, or personnel policy." A Selectboard policy is not on that list. Counsel should confirm whether this policy qualifies as a "rule," or whether a companion document in one of the listed forms must be adopted concurrently. The draft flags this in an OPEN callout at §11.00.
- **V2-Q2, whistleblower coverage (§14.00).** Counsel and the Town Administrator should confirm whether the existing Personnel Policy adequately implements the 24 V.S.A. §1998 anti-retaliation requirement, or whether §14.00 needs additional procedural detail (reporting pathway, investigation, remedies). The draft flags this in an OPEN callout at §14.00.

Why this protects the Town

Chapter 60 is a floor, not a ceiling: every Vermont municipality must meet or exceed its standards, and the Vermont State Ethics Commission may refer complaints back to the Town for handling under local procedures. A town without compliant local procedures has no defensible process when a complaint arrives. It improvises, in public, about a colleague. V2.2 replaces improvisation with procedure: every Chapter 60 obligation has a named owner and a paper trail, and the situations most likely to arise in a town our size (overlapping volunteer roles and conduct questions about sitting members) have defined, even-handed processes that protect the subject officer as much as the Town.

Next Actions

- **1.** First-pass review: confirm or adjust the two drafted defaults (four-of-five admonishment threshold; independent reviewer selection criteria).
- **2.** Direct town counsel to resolve V2-Q1 (§1997 form requirement) and V2-Q2 (whistleblower coverage).
- **3.** Schedule adoption once counsel responds; this policy can be adopted alongside the Procurement Policy (SB-2026-02), which cross-references it.