

**MAD RIVER VALLEY PLANNING DISTRICT**

**ARTICLES OF AGREEMENT**

**March, 1985**

**Agreement to Create  
the  
Mad River Valley Planning District**

An Agreement by and between: Town of Fayston, Town of Waitsfield, and Town of Warren, Vermont.

**WHEREAS**, the Towns of Fayston, Waitsfield and Warren, Vermont share a common interest in planning for the future of the Mad River Valley; and

**WHEREAS**, the Mad River Valley is served by an areawide watershed, roadway network, commercial center and recreation industry; and

**WHEREAS**, the Towns have allotted funds to participate in an areawide planning program since 1979; and

**WHEREAS**, the Towns joined together in a Memorandum of Understanding with other parties in 1983 to monitor major development in the Mad River Valley through 1992; and

**WHEREAS**, 24 VSA Chapter 121 provides that municipalities may form a union municipal district for cooperation in providing services and facilities in a manner and under a form of organization that accords best with the needs of those municipalities;

**NOW, THEREFORE**, it is agreed to create a union municipal district to be known as the **MAD RIVER VALLEY PLANNING DISTRICT**, to be a municipal corporation under the laws of the State of Vermont, and subject to the following Articles of Agreement.

**ARTICLE I. PURPOSE**

The purpose of the Mad River Valley Planning District (hereinafter "District") is to carry out a program of planning for the future of the Mad River Valley. The planning program shall be directed toward the physical, social, economic, fiscal, environmental, cultural and aesthetic well being of the Towns of Fayston, Waitsfield and Warren (hereinafter "member Towns") and their inhabitants.

**ARTICLE II. DURATION**

The District shall be ongoing, unless terminated in accordance with Article IX within.

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**ARTICLE III. ORGANIZATION**

The organization of the District shall be as follows:

A. **Steering Committee.** Each member Town shall be represented on the Steering Committee by one Selectman and one Planning Commissioner. In addition, the Valley business community shall also have a representative. The Central Vermont Regional Planning Commission shall have a non-voting, ex officio seat on the Steering Committee.

1. **Appointment.** The Board of Selectmen of each member Town shall appoint representatives to the Steering Committee. The business community representative shall be nominated by the Valley Area Association, its assigns or successors, and shall be approved by majority vote of the member Town representatives. Member Town representatives shall serve at the pleasure of their Board of Selectmen. The business community representative shall serve at the pleasure of the Valley Area Association, its assigns or successors, or may be removed, for cause, by a majority vote of the member Town representatives. The Central Vermont Regional Planning Commission shall appoint its representative.

2. **Terms of Office.** The term of office for all representatives shall be one year. Initial terms of office shall commence immediately upon appointment. Subsequent terms shall begin on April 1.

3. **Powers and Duties.** In order to accomplish the Purposes of this District, as set forth in Article I of these Articles, the powers and duties of the Steering Committee shall include the following:

a. to manage the business and affairs of the Mad River Valley Planning District.

b. to adopt bylaws governing the conduct of its business, and amend same.

c. to adopt an annual workplan and budget.

d. to enter into contracts.

e. to conduct research and put forward recommendations.

f. to sponsor public forums and discussions.

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- g. to assist member Towns, when called upon, in:
  - 1. their preparation and administration of local plans, bylaws and ordinances;
  - 2. their negotiation of memoranda, agreements or contracts with and between third parties;
- h. to participate in State or Federal review processes of major development proposals, unless specifically requested not to participate by the representatives of a member town.
- i. to coordinate with regional, State and Federal agencies, departments and commissions.
- j. to retain staff, prescribe their duties, fix their compensation, if any, and delegate to them such responsibilities as deemed appropriate.
- k. to undertake any other activities necessary or desirable to carry out its purpose.

**B. Officers.** The Steering Committee annually shall elect, by majority vote, a Chairman, a Secretary-Treasurer, and any other officers it considers necessary for the conduct of its business. The Chairman shall call and preside over meetings of the Steering Committee. The Secretary-Treasurer shall record the minutes of the meetings, shall be responsible for correspondence and shall keep the financial records and accounts of the District.

**C. Meetings of the Steering Committee.** The frequency and method of calling regular and special meetings of the Steering Committee, procedures for the transaction of business, and other necessary matters shall be in accordance with bylaws adopted by the Steering Committee.

**D. Quorum and Voting.** A quorum shall be necessary for the transaction of any business and shall consist of a majority of the Steering Committee, including representation of all member Towns. Action shall be by a simple majority of the total membership of the Steering Committee.

**E. Annual Report.** The Steering Committee shall prepare an Annual Report for publication in the Town Report of each member town. The Annual Report shall account for District funds from the preceding year.

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**ARTICLE IV. POWERS AND DUTIES OF THE DISTRICT**

The District, acting through the Steering Committee, shall possess powers and duties consistent with the provisions of 24 VSA Chapter 121, Section 4866, except paragraph 8.

**ARTICLE V. FINANCING**

The Steering Committee shall prepare an annual work plan and shall establish a budget to carry out that work plan. The District shall not have the authority to require an assessment from its member Towns; rather, the budget shall be financed through a combination of the following:

A. Annual appropriations of equal sums from each of the member Towns, as approved by the voters of each Town at March meeting.

B. Impact mitigation funds from the development community, derived through negotiation or permit conditions.

C. Grants or other funds from the State and Federal government.

D. Grants or contributions from individuals, corporations, foundations and other private sector sources.

**ARTICLE VI. AMENDMENTS**

These Articles may be amended, in whole or in part, in the following manner:

A. An amendment to these Articles may be proposed only by a majority vote of the Steering Committee.

B. A proposed amendment shall be adopted or rejected by the voters of each member Town by Australian ballot at a regular or special Town meeting duly warned for the purpose of considering the proposed amendment. At least one public hearing shall be held in the District not less than five nor more than fifteen days prior to said Town meetings.

C. If approved by a majority of voters in each Town, the amendment shall become effective immediately.

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**ARTICLE VII. ADDITION OF MEMBER MUNICIPALITIES**

The Steering Committee may authorize the inclusion of additional municipalities outside of the District by amending these Articles as provided in the procedures of Article VI. Any authorized municipality may take action to enter the District according to the approval procedures of 24 VSA Chapter 121 Section 4863.

**ARTICLE VIII. WITHDRAWAL**

Procedure and conditions for withdrawal from the District shall be as provided in 24 VSA Chapter 121 Section 4863. A decision to withdraw shall be effective on April 15, and notice of that decision shall be given to the Steering Committee at least 30 days prior to that date.

**ARTICLE IX. DISSOLUTION**

The District may be dissolved in accordance with the provisions of 24 VSA Chapter 121 Section 4863(H), or, upon the failure of any one or more member Towns to approve an annual appropriation as set forth in Article V, paragraph A, the Steering Committee, by two thirds vote, may dissolve the District. In the event of voluntary or involuntary dissolution, assets of the District shall be distributed on an equal basis to the member Towns.

**ARTICLE X. RATIFICATION**

These Articles shall take effect April 1, 1985 if voters in each of the member Towns have ratified these Articles by popular vote.

JEFFREY L. AMESTOY  
ATTORNEY GENERAL  
BRIAN L. BURGESS  
DEPUTY ATTORNEY GENERAL  
WILLIAM E. GRIFFIN  
CHIEF ASST. ATTORNEY GENERAL



JAN 23 1985

STATE OF VERMONT  
OFFICE OF THE ATTORNEY GENERAL

109 STATE STREET  
MONTPELIER  
05602  
TEL.: 802-828-3171

January 22, 1985

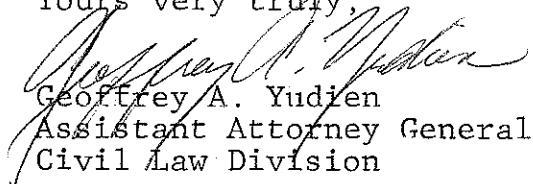
Jeffrey F. Squires  
Program Director  
Central Vermont Regional Planning Commission  
26 State Street  
Montpelier, Vermont 05602

Dear Jeff:

This is to inform you that pursuant to 24 V.S.A. §4802 I have reviewed the Agreement to Create the Mad River Valley Planning District and find it to be in proper form and compatible with the laws of this State.

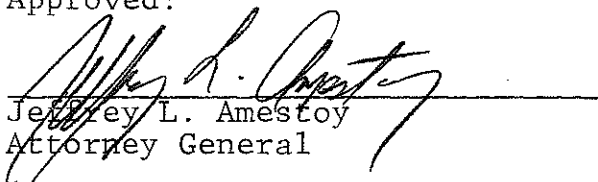
If you have any questions please feel free to contact me.

Yours very truly,

  
Geoffrey A. Yudien  
Assistant Attorney General  
Civil Law Division

lp

Approved:

  
Jeffrey L. Amestoy  
Attorney General