

Just Cause Hearing for Consideration of Removal of Eleanor MacMakin from Board of Appeals
3/11/2024
DRAFT

This session was recorded

In attendance: Meredith Coffin, Eleanor MacMakin, Atty. Kelly, Willa Smith, Mike Smith, Tyler Hadyniak, Steve Bennett, Dillon Turner, Nathan McCann, Elaine Higgins, Laura Greeley, Heather Donahue, Ryan Willette

1. Atty Kelly initiated the meeting, by reviewing the agenda and taking roll call. He provided an overview of the law. Conduct affecting the ability and fitness of the individual to fulfill their duties. He identified the exhibits.
2. The selectboard reviewed what led to the hearing. Laura Greeley began for the select board regarding the select boards concerns that lead to this hearing. She read the letter Exhibit A, that was sent to Eleanor regarding their concerns. She acknowledged that Eleanor did respond with an email but did not respond to the concerns in that letter. Atty Kelly reviewed that the comments in exhibit A are what are being referenced.
 - i. Steve Bennett spoke about the town charter and how it creates a process in which conflict of interest can be resolved. The select board met with the appeals board to discuss their concerns with the charter. He stated that there was a lack of intent to follow the charter. He was concerned when Eleanor stated that to follow the state charter would be to promote slavery and that the town charter was illegal.
 - ii. Atty Kelly asked for clarification regarding the 2024 email. Atty Kelly reviewed the exact wording and asked Steve Bennett if the statement was true. He said it was not true.
3. Eleanore MacMakin read her letter response on 3/8/2024 exhibit 6. She spoke about the email that was written. She further responded to the recuse comment. Eleanor then reviewed exhibit 5. She asked that they separate the charter committee failings from ... Separate her as a person from her as an appeals board member.
 - a. Atty Kelly asked why would she recuse herself based on the charter when there is an appeals board issue.
4. Laura Greeley: stated that this is not regarding her as a person. She asked about the comment about the appeals board being illegal and that it was leading us into slavery. She also read that there were months of intimidation for her to resign. Laura Greeley stated she does not feel that this is untrue. Laura Greeley also stated that she had commented about her tone with Steve Bennett during the meeting.
 - a. Eleanor elaborated on her wrong doing comment. She felt they were taking away a right in the charter in terms of the time period that is specified. Eleanor asked how someone would define mandatory unpaid labor. She is concerned with the power that is given to the appeals board.
 - b. Heather Donahue as if she would characterize her responses to the selectboard and the appeals board as judicious. The town constitution is part of the responsibility of the members of the appeals board.
 - c. Heather Donahue stated that the town charter is how things should be addressed in the appeals board.

5. Eleanor MacMakin made a closing statement. She read a prepared statement.
6. Atty. Kelly stated that the gathering of the information was over and the select board now reviews the case.
7. There was a consensus on the part of all three Select Board Members to remove Ms. MacMakin from the appeals board.
8. Deliberations will be continued until 3-25-2024 at 6pm at which time they will present their final decision.
 - a. Ryan Willette made a motion that they table deliberations until March 25 at 6pm, Heather Donahue seconded and all approved.
 - b. Atty Kelly stated that this should not be discussed until the next public session.

Zoom

recording: https://us06web.zoom.us/rec/share/ZmwYQSg0Be4TNpIBvpFluU9boFMTM-ch_4dXGw23NpEwBwTkpVEkTQNCEGjrSQs3.52vV60A11bA9I7Y

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