
From: London, Sarah
Sent: Wednesday, March 22, 2017 3:31 PM
To: raudette@reformer.com
Subject: RE: Records Request
Attachments: Town of Vernon complaint w attachments.pdf

Bob, attached please find records in response to your request below. The identity of the author of the complaint has been redacted pursuant to 1 VSA 317(c)(5)(A) and (D). In addition, personal contact information and certain financial information (bank account and/or routing numbers) has been redacted pursuant to 1 VSA 317(c)(7). If you feel information has been withheld in error, you may appeal to the Deputy Attorney General, Josh Diamond. Thank you, Sarah

Sarah London
Chief of General Counseling and Administrative Law Division
Vermont Attorney General's Office

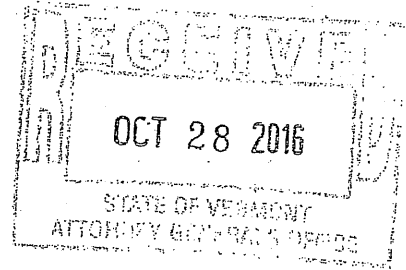
Vernon Voters Alliance (V V A)

October 20, 2016

[REDACTED] V V A Representative

[REDACTED]
Vernon, Vermont 05354
[REDACTED]

Vermont Attorney General
William H. Sorrell
109 State Street
Montpelier, Vermont 05609



Re: Complaint of Misconduct/Corruption

Dear Attorney General Sorrell,

The Vernon Voters Alliance is a citizen/taxpayer group organized in the Town of Vernon, Vermont. We are writing to file a formal complaint of misconduct/corruption. Our complaint concerns the misuse of taxpayer monies by present and former elected town officials. We have enclosed a timeline document outlining the specific circumstances and facts. We have included copies of relevant documents as well.

Article 6 of the Vermont Constitution directs that all public officers are legally accountable to the people they serve. As Vernon residents and taxpayers, we are seeking that accountability. In reading the timeline we have provided, you will see there were several elected officers involved in allowing the misuse of Vernon's taxpayer monies.

We have provided specific information for one member of our group for the purpose of communicating. Otherwise, we would like to remain anonymous due to concerns of retribution. We have copied this letter and the enclosed documents to Windham County State's Attorney, Tracy Shriver and Windham County Sheriff, Keith Clark. They were involved previously with some of the circumstances of this situation.

In reading some of the policies and documents provided on your website, we appreciate the value you place on public trust and accountability. Your time and attention with this matter will be greatly appreciated. We look forward to your assistance with the just resolution of this matter. We will look for your response.

Respectfully,

[REDACTED]
Representative for the Vernon Voters Alliance

Copies to: Windham County Sheriff's Office
Keith D. Clark, 11 Jail Street
Newfane, Vermont 05345

Windham County State's Attorney
Tracy Shriver, P.O. Box 785
Brattleboro, Vermont 05302

VERNON TAXPAYERS NEED TO KNOW

WHY WERE VERNON TAX MONIES USED TO PAY A FORMER SELECTBOARD MEMBER'S PERSONAL LEGAL EXPENSES ??

September 2014 -

Vernon Selectboard Chair., Patricia O'Donnell made several telephone calls to the Law Enforcement Officials of the Windham County Sheriff's Department. Her neighbor was arrested for DUI and O'Donnell's calls were made during the processing of that arrest.

(See the enclosed Windham County Sheriff's Department Report describing the details of O'Donnell's actions on 9/20 and 9/21/2014 which led to her need for legal services)

November 2014 -

As a result of O'Donnell's actions in September, an obstruction of justice investigation followed. Many Vernon residents protested O'Donnell's actions of interference with the work of the Windham County Sheriff's Department in Vernon. Officers reported O'Donnell made threats and slandered officers.

February 26, 2015 -

O'Donnell submitted two invoices to Vernon Town Treasurer, Cindy Turnley seeking the reimbursement of her legal costs totaling: \$5,028.25. The expenses were incurred by O'Donnell as a result of her actions in September when her neighbor was arrested for DUI. Turnley issued a fast check in the amount of \$5,028.25, dated February 26, 2015. The check was written out to O'Donnell personally. Treasurer Turnley issued the fast check without board signatures or proper authorization.

(See the enclosed copies of the two legal invoices submitted for payment and the O'Donnell fast check #032950 dated February 26, 2015)

Early March 2015 -

Vernon Town Meeting took place on March 2nd and 3rd of 2015. Two new selectboard members were elected. O'Donnell remained as a member of the selectboard after town meeting. O'Donnell's fast check was cashed during the first week of March 2015.

March 16, 2015 -

Treasurer Turnley listed the O'Donnell legal invoices for board approval on a warrant given to the Vernon Selectboard for their March 16, 2015 Meeting without noting the amount had already been paid out through a fast check late in February. A new selectboard member questioned the amount listed on the warrant and pulled the invoices to obtain further information before approving payment. Selectboard member O'Donnell was not present at the March 16, 2015 Selectboard Meeting.

March 2015 continued-

Once questioned, Treasurer Turnley explained the circumstances of the February 26, 2015 fast check given to O'Donnell. The town attorney was contacted. O'Donnell paid the legal expense reimbursement amount of \$5,028.25 back to the Town of Vernon.

(See the enclosed copy of O'Donnell's check #117 made out to the Town of Vernon for the return of her legal cost reimbursement totaling: \$5,028.25)

April 6, 2015 -

The Town of Vernon fast check payment to O'Donnell for her legal expenses was revealed publically at the Selectboard Meeting held on April 6, 2015. Residents spoke out in protest of the use of town tax monies to pay for O'Donnell's personal legal expenses. The legal expenses were incurred as a result of circumstances where O'Donnell had acted personally and independently apart from a concurrence or directive of the Vernon Selectboard. Therefore, the costs are not the town's responsibility. O'Donnell resigned from the Vernon Selectboard during the April 6th Selectboard Meeting.

December 2015 -

December 9, 2015, approximately eight months after O'Donnell paid the Town of Vernon back for the reimbursement of her personal legal expenses; a check was issued by Vernon Town Treasurer Turnley to O'Donnell for the amount of \$5,028.25. The same two invoices were resubmitted and Vernon town tax monies reimbursed O'Donnell for her personal legal expenses. The new selectboard member who had previously questioned O'Donnell's legal invoices on March 16, 2015, had recently resigned from the selectboard.

(See the enclosed copy of the December 9, 2015 check #134656 made out to O'Donnell for the reimbursement of her personal legal expenses totaling: \$5,028.25)

Documents Enclosed

1. Windham County Sheriff's Department Report – 9 Pages
2. Two invoices for O'Donnell legal expenses – 2 Pages
3. Copy of Town of Vernon fast check #032950, paying O'Donnell's legal expenses, dated February 26, 2015
4. Copy of O'Donnell check #117 to pay back legal expenses, dated March 27, 2015
5. Copy of Town of Vernon check #134656, paying O'Donnell's legal expenses, dated December 9, 2015

Applicable Statutes

1.) Title 13: Crimes and Criminal Procedure

Chapter 067: Public Justice and Public Officers

§ 3016. False claim

- (a) A person shall not, in any matter within the jurisdiction of a supervisory union school district or of any commission, board, department or agency of the state or a county or municipality, with intent to defraud, falsify, conceal or cover up by any trick, scheme or device a material fact, or with intent to defraud make any false, fictitious or fraudulent claim or representation as to a material fact, or with intent to defraud make or use any writing or document knowing the same to contain any false, fictitious or fraudulent claim or entry as to a material fact.
- (b) A person who violates this section shall, if the prohibited act results in no loss to a governmental entity or benefit to the person or results in a loss to a governmental entity or benefit to the person of less than \$500.00 in value, be imprisoned not more than two years or fined not more than \$5,000.00, or both. A person who violates this section shall, if the prohibited act results in a loss to any governmental entity or a benefit to the person of \$500.00 or more in value, whether by a single act or by a common scheme or course of conduct involving one or more transactions, be imprisoned not more than five years, or fined not more than \$10,000.00, or both.
- (c) A person who commits an act punishable under subsection (a) or (b) of section 2581 of Title 33 may not be prosecuted under this section. (Added 1987, No. 48, § 6.)

2.) The Vermont Constitution directs that all town officers are legally accountable to the people they serve. (Taxpayers/residents)

Vermont Constitution: Article 6. [Officers as servants of the people]

That all power being originally inherent in and co[n]sequently derived from the people, therefore, all officers of the government, whether legislative or executive, are their trustees and servants; and at all times, in a legal way, accountable to them.

3.) Vermont Statutes direct that agreement by the majority of the selectboard is required for the board to act. Individual board members do not have the authority to act independently or individually as O'Donnell did in interfering with Vernon Town Law Enforcement. O'Donnell's actions were personal and individual. Therefore, O'Donnell's legal expenses are not the responsibility of the Town of Vernon Taxpayers.

Vermont Statute: Title 01: Chapter 3: § 172. (Joint Authority)

When joint authority is given to three or more, the concurrence of a majority of such number shall be sufficient and shall be required in its exercise.

4.) Vermont Statutes define the selectboard's function as having the general supervision of a Town; performing duties that are not committed by law to the care of other officers. O'Donnell interfered with Law Enforcement duties assigned to the Windham County Sherriff's Department as the Town of Vernon's contracted Law Enforcement.

Vermont Statute: Title 24: Chapter 33: § 872. (Selectboard; general powers and duties.)

The selectboard shall have the general supervision of the affairs of the town and shall cause to be performed all duties required of towns and town school districts not committed by law to the care of any particular officer.

Law Office of Dan M. Davis
P.O. Box 603
Brattleboro, VT 05302-0603
802-236-1979

INVOICE

INVOICE #2
DATE: FEBRUARY 13, 2015

TO:
Patty O'Donnell
P.O. Box 66
Vernon, VT 05354

FOR:

Legal Services provided for the period ending
February 13, 2015

DESCRIPTION OF SERVICES	HOURS	AMOUNT
November 17 – Meeting with client and interview with Brian Miller	1.2	\$300.00
November 17 – Email with client and Miller – NO CHARGE	.1	25.00
November 18 – Phone call with client - NO CHARGE	.1	25.00
November 19 – Phone call with client	.5	125.00
November 20 – Phone call with client & email with Miller	.1	25.00
January 30 – Phone call with client	.6	150.00
January 30 – Phone call with client's husband, Bob, & emails - NO CHARGE	.7	175.00
February 4 – Meeting with client – Discount to 1 hour	1.5	375.00
February 9 – Phone call with client's husband, Bob - NO CHARGE	.2	50.00
February 10 – Phone call with client, client's husband, Bob, and Miller	.9	225.00
February 11 – Travel to and from Newfane - office	.6	150.00
February 11 – Attendance at Grand Jury	2	500.00
February 12 – Travel to and from Newfane – home	1	250.00
February 12 – Attendance at Grand Jury – Discount to 5.3 hours	7.5	1,875.00
February 13 – Meetings with Press & Phone calls with client - NO CHARGE	1.6	400.00
Total Hours	18.6	\$4,650.00
Total Hours Billed	13.2	\$3,300.00
TOTAL BILLED TO CLIENT		\$3,300.00

Total Hours: 18.6
Hours Discounted: 5.4
Total Hours Billed: 13.2 at \$250.00 hourly rate - \$3,300.00
Total Costs: \$0.00 – No mileage charged.
Total Amount Due: \$3,300.00

PAID
ORDER NO. 1076-1815
DATE 3/16/15
CHECK NO.

Select person's Signature

Emily Veale

10-7-1-20-43,00

Law Office of Dan M. Davis
P.O. Box 603
Brattleboro, VT 05302-0603
802-236-1979

INVOICE

INVOICE #1
DATE: NOVEMBER 11, 2014

TO: **Patty O'Donnell**
P.O. Box 66
Vernon, VT 05354

FOR: **Legal Services provided for the period ending
November 11, 2014**

DESCRIPTION OF SERVICES	HOURS	AMOUNT
October 28 - Initial Meeting with client - <u>3 hours reduced to 1 hour</u>	1	\$250.00
October 29 - Phone call with client & review of email - <u>Cost \$3.25 copies of DUI court file</u>	.2	53.25
October 30 - Review case file and research - <u>2 hours reduced to 1 hour</u>	1	250.00
October 30 - Phone call with client	.2	50.00
November 6 - Phone calls with client and Lt. Miller; review client's statement; draft letter	1	250.00
November 7 - Phone call with Keith Clark	.1	25.00
November 7 - Travel to Sheriff's Department - <u>NO CHARGE or Mileage charge</u>	.8	0.00
November 7 - Review case file and reports; phone call and email with client	.4	100.00
November 10 - Travel to Sheriff's Department - <u>NO CHARGE or Mileage charge</u>	.8	0.00
November 10 - Review additional audio files; prep for meeting with client	1	250.00
November 10 - Meeting with client	2	500.00
November 10 - Arrange for transcript - <u>NO CHARGE</u>	.3	0.00
November 10 - Email with client - <u>NO CHARGE</u>	.1	0.00
November 11 - Meeting with Client prior to scheduled interview - <u>NO CHARGE</u>	1.3	0.00
Total Hours	13.2	
Total Hours Billed	6.9	\$1,725.00
Total costs		\$3.25
TOTAL BILLED TO CLIENT		\$1,728.25

Total Hours: 13.2
Hours Discounted: 6.3
Total Hours Billed: 6.9 at \$250.00 hourly rate - \$1,725.00
Total Costs: \$3.25
Total Amount Due: \$1,728.25

223! PAID
ORDER NO. 1590-1814
DATE 3/10/15
CHECK NO. _____

Select person's Signature

Emily Vegbe

10-7-1-20-43.00

CHECK NO. 32946
 \$ ****99,000.00
 TOWN OF VERNON
 TOWN OF VERNON

CHECK NO. 032948
 CHECK NO. 32948
 \$ ****44,005.25
 TOWN OF VERNON
 TOWN OF VERNON

CHECK NO. 032951
 \$ ****41,354.44
 TOWN OF VERNON
 TOWN OF VERNON

CHECK NO. 32947
 \$ ****43,119.00
 TOWN OF VERNON
 TOWN OF VERNON

CHECK NO. 032950
 \$ ****028,254.44
 TOWN OF VERNON
 TOWN OF VERNON

CHECK NO. 032952
 \$ ****361.56
 TOWN OF VERNON
 TOWN OF VERNON

#32952 3/6 \$361.56

#32947 3/4 \$43,119

#32950 3/3 \$5,028.25

ROBERT J O'DONNELL 06-08
PATRICIA A O'DONNELL
PO BOX 66
VERNON, VT 05354

117

Date 3-27-15

68-7350/560
1000

Pay to the Order of Town of Vernon \$ 5028 ²⁵/₁₀₀
Five thousand two hundred twenty eight ²⁵/₁₀₀ Dollars

Capital One

Direct Banking P.O. Box 4199
Houston, TX 77210-4199

For

Patricia O'Donnell NP

[Redacted Signature]

TOWN OF VERNON
VERNON, VT 05354

PEOPLES UNITED BANK
51-710
211

Seven hundred fifty-three & 20/100-Dollars

12/08/15

PAY TO THE ORDER OF
VERMONT COMPUTERS
54 ROSEWOOD LANE
SPOFFORD NH 03462

12/14

*****753.20

Candy T. [Redacted]
TOWN OF VERNON

#34652 12/14 \$753.20 0920921566

TOWN OF VERNON
VERNON, VT 05354

PEOPLES UNITED BANK
51-710
211

Two thousand two hundred four & 00/100 Dollars

12/08/15

PAY TO THE ORDER OF
BRATTLEBORO SALVAGE, INC.
1437 VERNON ROAD
BRATTLEBORO VT 05301

12/14

*****2,204.00

Candy T. [Redacted]
TOWN OF VERNON

#34654 12/14 \$2,204.00 0920921566

TOWN OF VERNON
VERNON, VT 05354

PEOPLES UNITED BANK
51-710
211

Five thousand twenty-eight & 25/100-Dollars

12/08/15

PAY TO THE ORDER OF
PATRICIA O'DONNELL
P.O. BOX 66
VERNON VT 05354

12/14

*****5,028.25

Candy T. [Redacted]
TOWN OF VERNON

#34656 12/10 \$5,028.25 0920921566

VERNON, VT 05354

Six hundred sixty-three & 6

VERMONT COMPUTERS
P.O. BOX 530534
ATLANTA GA 30353-0934

12/15

*****663.6

#34653 12/15 \$663.6

TOWN OF VERNON
VERNON, VT 05354

NINETY & 00/100 Dollars

DOMPIER ELECTRIC, INC.
63 WILLIAMS STREET
BRATTLEBORO VT 05301

12/14

*****90.0

#34655 12/14 \$90.0

TOWN OF VERNON
VERNON, VT 05354

Two hundred fifty-two &

VERMONT COMPUTERS
54 ROSEWOOD LANE
SPOFFORD NH 03462

12/14

*****252

#34657 12/14 \$252