

OFFICIAL COPY OF PROPOSED CHARTER CHANGE

This amendment to the Village of Hyde Park Charter is proposed to be voted on by Australian Ballot at a Special Meeting of the Village of Hyde Park to be held on November 3, 2026.

The question for the voters at such meeting shall be whether to amend Section 131 of the Village of Hyde Park Charter (24 App. V.S.A. ch. 225, § 131) as follows?:

§ 131. Electric utility

~~(a) There shall be a Village of Hyde Park electric utility, which shall serve the area so designated by the Vermont Public Utility Commission.~~

~~(b) The Electric Utility Commission shall be composed of the five trustees of the Village of Hyde Park.~~

~~(c) The trustees shall serve as electric commissioners under 30 V.S.A. §§ 2915 and 2916. The trustees shall have authority to construct an electric light plant, for the purpose of lighting the street, walks, and other public grounds, and lighting any buildings therein, and supplying and furnishing electricity for domestic and other purposes and to such persons and corporations in Hyde Park and adjoining towns as it may desire upon such terms as may be agreed upon. And for this purpose may take, purchase, or acquire and hold any water power, land, and rights of way in said towns needed for the construction, maintenance, and operation of said electric light plant, and may use any public highway over which it may be necessary or desirable to pass with the poles and wire of the same, provided the use of such public highway for the purpose of public travel is not thereby unnecessarily impaired. The trustees shall have the power to purchase, hire, construct, or otherwise acquire an interest in, to maintain, operate, and to sell, lease, or otherwise dispose of any plant (including a gas plant) or system (including existing rights of way, poles, lines, towers, and fixtures and transmission line serving the existing system owned by others) located within or outside the State, for the production, distribution, purchase, or sale of electricity, to extend, enlarge, or improve the same and for that purpose to purchase, hire, construct, or otherwise acquire any real or personal property. These powers may be exercised through a taking by eminent domain in the manner prescribed by law. The trustees shall also have the power to purchase, sell, and otherwise acquire and dispose of electricity, including sale to electric distribution companies, cooperatives, municipal and privately owned, within or outside the State, and to make all agreements, conveyances, and regulations necessary or convenient in connection therewith. All of the foregoing powers are in addition to and not in substitution for or in limitation of any other powers conferred by law, and are subject to regulatory review for municipal utilities as provided in Title 30 of the Vermont Statutes Annotated.~~

~~(d) The trustees shall administer their responsibilities in the Electric Department. The Department shall have its own professional management, staff, plan, equipment, and entirely~~

separate financial accounts. The Department shall be directly managed under the trustees by a General Manager. The trustees shall hire and fire Electric Department personnel. The General Manager shall have the special and immediate care and practical supervision of the Electric Department. The General Manager shall at all times be subject in respect to his or her responsibilities to the order of the trustees. With approval of the trustees' Utility Commission, the General Manager of the Electric Department shall receive all funds due the Village of Hyde Park Electric Department, shall issue account, execute and issue on behalf of the Village of Hyde Park Electric Department drafts, checks, and/or other negotiable orders for the payment of bills and charges of the Electric Department, provided that any such payment shall be made exclusively from the revenue of the Department. All such accounting functions of the Electric Department shall be subject to the review by the auditors of the Village of Hyde Park.

(e) ~~The Village of Hyde Park shall inherit all of the assets, accounts, and liabilities of the Village of Hyde Park Electric Department under the general supervision of the trustees. It shall operate under the statutory authority and requirements of 30 V.S.A. chapter 79, relating to municipal electric plants, and 24 V.S.A. chapter 53, relating to municipal indebtedness, all of which control the financing, improvements, expansion, and disposal of the municipal electric plant and its operations. With specific reference to the legislative authorization contained in 24 V.S.A. chapter 53, subchapter 2, "Indebtedness for Public Utility Purposes," sections 1821-1828, the Hyde Park trustees are permitted to issue revenue backed bonds and/or general obligation bonds for any capital improvement purpose related to their responsibilities to operate such utilities for the benefit of the people of the Village of Hyde Park, provided each such issue of bonds is approved by the trustees and the voters according to law.~~

(f) ~~The charges and rates for electric service shall be a lien on real estate, wherever located, furnished with such service in the same manner and to the same effect as taxes are a lien upon real property under 32 V.S.A. § 5061. The owner of such property, furnished with electric service, wherever located, shall be liable for such charges and rates.~~

(g) ~~The Village of Hyde Park Electric Department shall take over for administrative purposes all contractual benefits and obligations that involve or apply to its operations as an electric utility without any further act, deed, or instrument being necessary, or the approval of any agency of State government.~~

(h) ~~The Electric Department shall every year make a contribution to the Village of Hyde Park in lieu of taxes in the form of a cash payment and/or the equivalent in free services and municipal rate benefits in an amount equaling the amount of money that would be received by the Village of Hyde Park in ad valorem real taxes and personal property inventory taxes were such Department a privately owned utility. (Added 1999, No. M-11 (Adj. Sess.), § 2, eff. May 9, 2000.)~~

a) There shall be a Village of Hyde Park electric utility, which shall serve the area so designated by the Vermont Public Utility Commission and referred to herein as the Hyde Park Electric Department, Electric Department or Department.

(b) The Board of Electric Utility Commissioners for the Department shall be composed of five commissioners to be appointed by the Trustees of the Village of Hyde Park as provided in 30 V.S.A. § 2916 for a term of three years each. At least three of the commissioners must be residents and voters of the Village of Hyde Park and all commissioners must be rate payers of the Hyde Park Electric Department.

(c) The commissioners shall serve as electric commissioners under 30 V.S.A. §§ 2915 and 2916. The Board of Electric Commissioners of the Hyde Park Electric Department shall have authority to construct, manage, control and direct an electric light plant for the purpose of lighting the street, walks, and other public grounds, and lighting any buildings therein, and supplying and furnishing electricity for domestic and other purposes and to such persons and corporations in the service territory of the Hyde Park Electric Department, as such service territory may be amended by the Vermont Public Utilities Commission.

(d) For the purposes described in this Section, the Board of Electric Commissioners shall have the following powers:

- 1) The power to take, purchase, or acquire and hold any water power, land, and rights-of-way in said towns needed for the construction, maintenance, and operation of said electric light plant, and may use any public highway over which it may be necessary or desirable to pass with the poles and wire of the same, provided the use of such public highway for the purpose of public travel is not thereby unnecessarily impaired.
- 2) The power to purchase, hire, construct, or otherwise acquire an interest in, to maintain, operate, and to sell, lease, or otherwise dispose of any plant (including a gas plant) or system (including existing rights-of-way, poles, lines, towers, and fixtures and transmission line serving the existing system owned by others) located within or outside the State, for the production, distribution, purchase, or sale of electricity, to extend, enlarge, or improve the same and for that purpose to purchase, hire, construct, or otherwise acquire any real or personal property.
- 3) The above powers may be exercised through a taking by eminent domain in the manner prescribed by law, but only upon approval by the Trustees of the Village of Hyde Park.
- 4) The Board of Electric Commissioners shall also have the power to purchase, sell, and otherwise acquire and dispose of electricity, including sale to electric distribution companies, cooperatives, municipal and privately owned, within or outside the State, and to make all agreements, conveyances, and regulations necessary or convenient in connection therewith. All of the foregoing powers are in addition to and not in substitution for or in limitation of any other powers conferred by law, and

are subject to regulatory review for municipal utilities as provided in Title 30 of the Vermont Statutes Annotated.

(e) The Electric Commissioners shall administer their responsibilities in the Electric Department in accordance with this Section of the Village of Hyde Park Charter and applicable provisions of the Vermont Statutes Annotated and subject to general oversight by the Trustees of the Village of Hyde Park. The Electric Department shall have its own professional management, staff, plan, equipment, and entirely separate financial accounts. The Electric Department shall be directly managed under the Board of Electric Commissioners by a General Manager appointed by the Trustees of the Village of Hyde Park. The Electric Commissioners shall hire and fire Electric Department personnel, other than the General Manager, or may delegate such tasks and responsibilities to the General Manager. The General Manager shall have the special and immediate care and practical supervision of the Electric Department. The General Manager shall at all times be subject in respect to his or her responsibilities to the direction and order of the Electric Commissioners, but shall only be subject to removal or dismissal by the Trustees of the Village of Hyde Park. With approval of the Electric Commissioners, the General Manager of the Electric Department shall receive all funds due the Hyde Park Electric Department, shall issue account, execute and issue on behalf of the Hyde Park Electric Department drafts, checks, and/or other negotiable orders for the payment of bills and charges of the Electric Department, provided that any such payment shall be made exclusively from the revenue of the Department. All such accounting functions of the Electric Department shall be subject to the review by the auditors of the Village of Hyde Park.

(f) The assets, accounts, and liabilities of the Hyde Park Electric Department shall be managed by the Electric Commissioners under the general supervision of the Trustees of the Village of Hyde Park. The Hyde Park Electric Department shall operate under the statutory authority and requirements of 30 V.S.A. chapter 79, relating to municipal electric plants, and 24 V.S.A. chapter 53, relating to municipal indebtedness, all of which control the financing, improvements, expansion, and disposal of the municipal electric plant and its operations except as specifically provided herein. With specific reference to the legislative authorization contained in 24 V.S.A. chapter 53, subchapter 2, "Indebtedness for Public Utility Purposes," sections 1821-1828, the Electric Commissioners are permitted to borrow money and issue bonds for the purposes of acquiring, improving, maintaining, financing, controlling, or operating the public utility or project, or for the purpose of selling, furnishing, or distributing the services, facilities, products, or commodities of such utility or project, but only upon the prior approval and authorization of the indebtedness by the Trustees of the Village of Hyde Park. The foregoing provision shall not in any way modify the oversight or approval that may be required by Vermont Public Utility Commission pursuant to Title 30 of the Vermont Statutes Annotated.

(g) The charges and rates for electric service shall be a lien on real estate, wherever located, furnished with such service in the same manner and to the same effect as taxes are a lien upon real property under 32 V.S.A. § 5061. The owner of such property, furnished with electric service, wherever located, shall be liable for such charges and rates.

(h) The Village of Hyde Park Electric Department shall take over for administrative purposes all contractual benefits and obligations that involve or apply to its operations as an electric utility without any further act, deed, or instrument being necessary, or the approval of any agency of State government.

(i) The Electric Department shall every year make a contribution to the Village of Hyde Park in lieu of taxes in the form of a cash payment and/or the equivalent in free services and municipal rate benefits in an amount equaling the amount of money that would be received by the Village of Hyde Park in ad valorem real taxes and personal property inventory taxes were such Department a privately owned utility.

* Material to be struck is signified by those sections crossed out [~~text~~] and that to be added by underlying [text].

This Official Copy of the Proposed Charter Change is Received this 9th day of September 2026.

By 
Village Clerk