

From VLCT Handbook for Vermont Town Officers pgs. 31-32:

CHAPTER 14. ENERGY COORDINATOR

Roles and Responsibilities

The town energy coordinator is responsible for working with the town planning commission to develop a town energy plan and cooperate with regional, state, and federal agencies that are responsible for energy matters. The energy coordinator works to coordinate existing energy resources in the town and may also conduct an energy audit of town vehicles and buildings. He or she may study and evaluate sources of energy that are alternatives to those presently available, with a view toward the more efficient and economical use of existing and potential energy resources within the town.

History. The office of energy coordinator was created in 1975 during the height of a national energy crisis. This position enables local government to study both public and private energy use in local communities, develop policies to encourage the development and utilization of alternative energy resources, and promote conservation efforts in the town. In 1979, the criteria of a town plan under Act 200 were expanded to include an energy plan. Accordingly, many town energy coordinators work closely with the planning commission to develop this section of the town plan. 24 V.S.A. § 4382(a)(9).

Appointment. The selectboard may appoint and determine the length of term for an energy coordinator. 24 V.S.A. § 1131. The energy coordinator may be an ex-officio, non-voting member of the planning commission. 24 V.S.A. § 4322.

Statutory Duties. The town energy coordinator “coordinate[s] existing energy resources in the town and cooperate[s] with the town planning commission and with those federal, state and regional agencies of government which are responsible for energy matters. ... An energy coordinator may study and evaluate sources of energy which are alternatives to those presently available with a view toward the more efficient and economical utilization of existing and potential energy resources.” 24 V.S.A. § 1131. These might include dams that could become sources of hydroelectric power and municipal forests to provide fuel for public buildings in the community.

The energy coordinator must work closely with the selectboard. He or she has no independent authority to take action on behalf of the municipality, but simply acts as a resource for the town. The coordinator must make periodic reports of his or her activities to the selectboard as it may require, and may perform such other duties, studies, or examinations as may be required by the selectboard. 24 V.S.A § 1131(d).

The Energy Committee. An energy committee may be created at any time by the voters of the municipality, through the adoption of bylaws, by charter, or by an act of the selectboard. The energy committee will consist of no fewer than three members, all of whom must be residents of the town. The selectboard retains the authority to set terms, appoint members, and fill vacancies. The energy coordinator would likely be the chair of an energy committee. Members may be removed at any time for just cause by vote of the selectboard. Reasons must be given in writing and the member must be given an opportunity for a hearing. 24 V.S.A. § 4433. The energy committee must comply with the open meeting law. 1 V.S.A. §§ 310 et seq.

An energy committee may advise the selectboard or planning commission on preparing and implementing the town plan through policy and regulation. Energy committees can also educate citizens about energy conservation measures. The Vermont Energy and Climate Action Network (VECAN) assists in starting, supporting and strengthening town energy committees in Vermont. For more information contact VECAN at www.vecan.net

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The Town Energy Plan. The energy plan is part of a town's land use plan. 24 V.S.A. § 4382(a)(9). It may be written by the energy coordinator in conjunction with the planning commission. Preparing a town energy plan generally involves the following five steps:

1. Collect data on and inventory current and potential energy sources.
2. Assess current energy needs and uses. Identify consumption patterns of the municipality by residential, commercial/industrial, and transportation sectors.
3. Assess the municipal energy future by evaluating the potential of national, regional, and local trends such as development patterns, public transit use and commuting habits, and fuel prices.
4. Define and list goals, objectives and progress; describe energy programs and initiatives; coordinate with the municipal plan and bylaws; and coordinate with other municipalities, regional planning commissions, and programs sponsored by utilities.
5. Finalize the energy plan in coordination with the planning commission and present for adoption by the selectboard as part of the town land use plan.

Implementing the Energy Plan. There are many steps a community can take to implement the town's energy plan, including:

- Town Plan. Incorporate transportation issues and use of renewable energy resources into the town plan.
- Zoning Bylaws. Craft zoning bylaws to implement relevant policies and objectives set out in the plan.
- Town Buildings. Upgrade insulation and heating systems to make buildings more energy efficient.
- Town Forests. Implement policies to enable use of town forests for alternative heating fuel.
- Carpooling or Public Transportation. Promote town-wide carpooling or work with regional public transportation projects.
- Weatherization Assistance Programs. Participate in community weatherization programs.
- Intergovernmental Cooperation. Coordinate with other towns on transportation improvements, or work together on a larger scale alternative energy project, such as using methane gas from a closed landfill, or developing a hydroelectric site.
- Coordinate Private Initiatives. Assist private groups – such as the local Boy Scouts and Girl Scouts, service clubs, or community action organizations – in providing weatherization for town buildings and low-income residents.

From Vermont Statutes online:

Title 24 : Municipal And County Government

Chapter 033 : Municipal Officers Generally

Subchapter 012 : Energy Coordinator

(Cite as: 24 V.S.A. § 1131)

- **§ 1131. Energy coordinator; duties**
 - (a) The legislative body of a municipality may appoint, and determine the length of term for, an energy coordinator.

(b) An energy coordinator shall coordinate existing energy resources in the town and cooperate with the municipal planning commission and with those federal, State, and regional agencies of government which are responsible for energy matters.

(c) An energy coordinator may study and evaluate sources of energy which are alternatives to those presently available with a view toward the more efficient and economical utilization of existing and potential energy resources.

(d) An energy coordinator shall make periodic reports of his or her activities to the legislative body as it may require and may perform such other duties, studies, or examinations as may be required by the legislative body. (Added 1975, No. 226 (Adj. Sess.), § 3; amended 2007, No. 1, § 1.)

Additional statute language that does not explicitly mention Energy Committees or Energy Coordinators, but influence them as they are advisory committees.

Title 24 : Municipal And County Government

Chapter 117 : Municipal And Regional Planning And Development

Subchapter 008 : Nonregulatory Implementation Of The Municipal Plan

(Cite as: 24 V.S.A. § 4433)

- **§ 4433. Advisory commissions and committees**

Municipalities may at any time create one or more advisory commissions, which for the purposes of this chapter include committees, or a combination of advisory commissions to assist the legislative body or the planning commission in preparing, adopting, and implementing the municipal plan. Advisory commissions authorized under this section and under chapter 118 of this title may advise appropriate municipal panels, applicants, and interested parties in accordance with the procedures established under section 4464 of this title.

(1) Creation of an advisory commission. Advisory commissions not authorized in chapter 118 of this title shall be created as follows:

(A) An advisory commission may be created at any time when a municipality votes to create one, or through adoption of bylaws, or when the legislative body of the municipality votes to create one.

(B) An advisory commission shall have no fewer than three members. All members should be residents of the municipality, except that historic preservation or design advisory commissions may be composed of professional and lay members, a majority of whom shall reside within the municipality creating the commission.

(C) Members of the advisory commission shall be appointed, and any vacancy filled, by the legislative body of the municipality. The term of each member shall be as established by the legislative body, except for those first appointed, whose terms shall be varied in length so that in the future the number whose terms expire in each successive year shall be minimized. Any appointment to fill a vacancy shall be for the unexpired term.

(D) Any member of an advisory commission may be removed at any time for just cause by vote of the legislative body, for reasons given to the member in writing, and after a public hearing on the issue if the member so requests.

(2) Procedures for advisory commissions. Advisory commissions not authorized in chapter 118 of this title shall establish the following procedures:

(A) At its organizational meeting, an advisory commission shall adopt by majority vote of those present and voting such rules as it deems necessary and appropriate for the performance of its functions. It shall annually elect a chair and a clerk.

(B) Times and places of meetings of an advisory commission shall be publicly posted in the municipality, and its meetings shall be open to the public in accordance with the terms of the Open Meeting Law set forth in 1 V.S.A. chapter 5, subchapter 2.

(C) The advisory commission shall keep a record of its transactions that shall be filed with the town clerk as a public record of the municipality.

(D) The advisory commission shall comply with ethical policies or ordinances as adopted by the town.

(3) Duties and powers of historic preservation commissions. In addition to the requirements set forth in subdivision (2) of this section, all historic preservation commissions shall comply with all the following:

(A) To the extent possible, have among their members professionals in the fields of historic preservation, history, architecture, archaeology, and related disciplines.

(B) Meet no fewer than four times each year and maintain an attendance rule for commission members.

(C) Have responsibilities set forth in a written document approved by a majority vote of the local legislative body at a regular or special meeting that may include:

(i) Preparation of reports and recommendations on standards for the planning commission in creating a local historic district bylaw under this chapter.

(ii) Advising and assisting the legislative body, planning commission, and other entities on matters related to historic preservation.

(iii) Advising the appropriate municipal panel and administrative officer in development review and enforcement pursuant to subdivision 4414(1)(F) and section 4464 of this title.

(iv) If provided in the bylaw, advising and assisting the legislative body, appropriate municipal panel, and administrative officer in creating and administering a design review district or downtown or village center district pursuant to subdivision 4414(1)(A) or (E) of this title.

(v) If provided in a bylaw developed in cooperation with the Division for Historic Preservation, those procedural and advisory powers required of a Certified Local Government under the National Historic Preservation Act.

(4) Powers and duties of design review commissions. In addition to the requirements set forth in subdivision (2) of this section, all design review commissions shall:

(A) To the extent possible, have among their members professionals in the fields of architecture, landscape architecture, urban planning, historic preservation, and related disciplines.

(B) Have responsibilities identified by the legislative body that may include:

(i) Preparation of reports and standards for the planning commission in creating a design review district bylaw under this chapter.

(ii) Advising and assisting the legislative body, planning commission, and other entities on design-related matters in the creation of plans and bylaws and planning for public improvements.

(iii) Advising appropriate municipal panels and the administrative officer in development review and enforcement pursuant to subdivisions 4414(1)(E) and (F) and section 4464 of this title.

(5) Powers and duties of housing commissions. In addition to the requirements set forth in subdivision (2) of this section, housing commissions may have responsibilities identified by the local legislative body that include:

(A) Making an inventory of the current stock of housing units in the municipality and identify any gaps in the housing stock according to household incomes or special needs of the community. The inventory may include documentation of the affordable housing cost index for an average citizen of the municipality, the average cost of rental units and vacancy rates, and the annual average sales price of homes.

(B) Reviewing the zoning ordinances, subdivision bylaws, building codes, and the development review process of the municipality, make recommendations to facilitate the development of affordable housing in the municipality, and promote bylaws that increase densities for the purpose of providing affordable housing.

(C) Assisting the local appropriate municipal panels pursuant to section 4464 of this title and the District Environmental Commission by providing advisory testimony on the housing needs of the municipality, where pertinent to applications made to those bodies, for permits for development.

(D) Cooperating with the local legislative body, planning commission, zoning board of adjustment, road committee, or other municipal or private organizations on matters affecting housing resources of the municipality. This may include working with the municipality on a wastewater and water allocation policy that reserves a percentage of the capacity for future affordable housing.

(E) Collaborating with not-for-profit housing organizations, government agencies, developers, and builders in pursuing options to meet the housing needs of the local residents. (Added 2003, No. 115 (Adj. Sess.), § 97; amended 2013, No. 162 (Adj. Sess.), § 8.)