

# VERMONT

## COUNTY GOVERNMENT OVERVIEW

### Counties

14

### Government Form

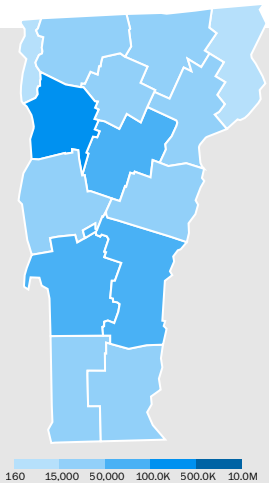
Traditional<sup>1</sup>

### Governing Body Size

3

### Population (2020)

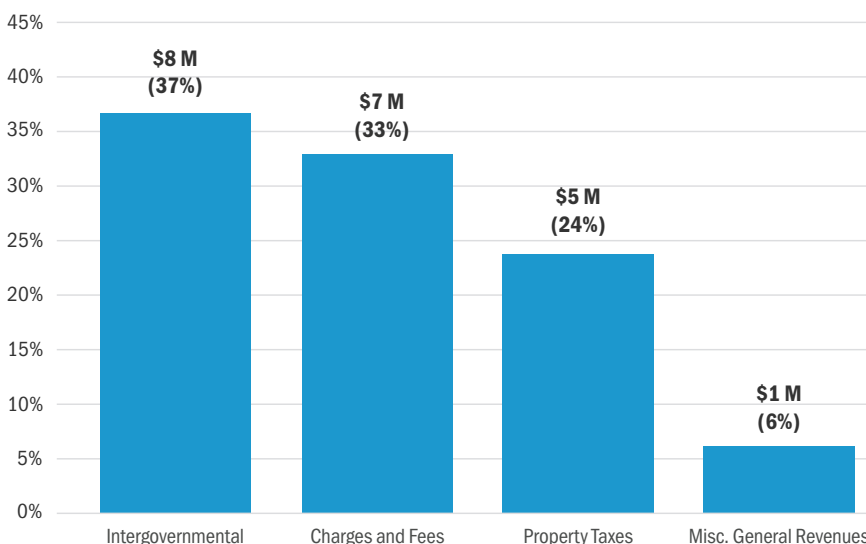
643,000<sup>2</sup>



### County Authority

**Dillon's Rule:** Vermont counties are governed under Dillon's Rule and therefore are only afforded the authorities that are explicitly provided by state legislature. Counties do not have an option to form or adopt home rule charters.

## TOP REVENUE SOURCES FOR VERMONT COUNTIES



Source: NACo Analysis of U.S. Census Bureau - Census of Individual Governments: Employment, 2017

<sup>1</sup>"Government Form" refers to the distribution of executive decision making authority in a county. "Traditional" county states mandate that counties exercise executive decision making power solely through the board of elected officials (commissioners, supervisors, etc.). "Reformed" county states mandate that counties employ an elected or appointed county executive, manager or similar position to take on at least some of the county's executive decision making authority. "Mixed" county states means that some counties in that state are "traditional" and some are "reformed."

<sup>2</sup>NACo Analysis of U.S. Census Bureau - 2020 Decennial Census

### Summary of County Services

#### Services counties **MUST** provide:

- Construct and furnish courthouses.
- Provide and equip a sheriff's department.

#### Services counties **CAN** provide:

- Authorize capital construction projects.

#### Services counties **CANNOT** provide:

- Many services, including public health departments; hospitals are provided by municipalities or the state.

# STRUCTURE/AUTHORITY

## SUMMARY

Vermont is very limited in terms of the jurisdiction and authority of county governments. All counties are governed by three assistant judges which serve as both the legislative and executive decision-making authority for their county government. State legislature does not authorize administrators or executives and has only established a handful of county row officers, most of which are appointed rather than elected. The assistant judges are primarily responsible for keeping county land and county buildings. Most local governance is instead provided by cities, towns and other municipal corporations.

Row Officers	Elected/ Appointed	Required/ Optional
Sheriff	Elected	Mandatory
Clerk	Appointed	Mandatory
Treasurer	Appointed	Mandatory
High Bailiff	Appointed	Mandatory



### COUNTY STRUCTURE

**Legislative Branch:** Three assistant judges serve as the sole legislative decision-making authority for each county.

**Executive Branch:** Three assistant judges serve as the sole executive decision-making authority for each county.

**Judicial Branch:** The Vermont Superior Court serves as a replacement for the formerly separated superior, district, family and environmental courts. The Superior Court includes five divisions - civil, criminal, environmental, family and probate. Each of Vermont's 14 counties contains a superior court.

**Optional Forms of Government:** All counties are governed by three assistant judges. There are no alternative forms of county government.



### COUNTY AUTHORITY

**Executive Power:** The executive power of a county is exercised by the governing body of assistant judges. As provided in Vermont's state statute, assistant judges have the care and superintendence of county property, may provide for the processing of U.S. passport applications by county clerks, may take deeds and leases of real estate to the county, may rent, sell and convey unused lands belonging to the county and maintain the county courthouse, jail and other county buildings.

**Special Districts:** There are over 150 special districts throughout Vermont. State statute lists seven different types of special districts, authorities and commissions, including mass transit authorities, water districts and conservation commissions. Vermont counties do not appear to have any state-authorized role in establishing any of these special districts.

# SERVICES

## OVERVIEW OF COUNTY SERVICES

Vermont counties have relatively limited authority over services. Counties' primary responsibilities include public safety and maintaining county buildings. Almost every local public service is provided by towns, cities or other municipal corporations, either directly or by way of a special service district. However, some services can be provided by counties, and state statute empowers assistant judges to authorize capital construction projects and to construct and furnish courthouses.



### HEALTH AND HUMAN SERVICES

**County Health Department:** The state's commissioner of health appoints a local health officer for each town or city. Counties do not have the authority to create health departments.

**Hospitals:** Counties are not authorized to create or operate public hospitals.

**Senior Care Facilities:** Counties are not authorized to create or operate senior care facilities.

**Mental Health Facilities:** Counties are not authorized to create or operate mental health care facilities.

**Welfare:** Counties are not authorized to provide welfare services. A town or incorporated village may appropriate money to support social service programs for residents.



### INFRASTRUCTURE

**Roads:** Each county superior court appoints three county road commissioners annually. Towns are responsible for maintaining roads and bridges, but county road commissioners oversee and enforce repairs, if necessary.

**Utilities:** Vermont's public utility commission regulates the state's public utilities. Counties do not have authority over public utilities. Municipalities may operate and distribute water, gas, electricity and sewage disposal services.

- **Water:** A municipality may construct, operate and maintain a water supply system.
- **Solid Waste:** A municipality may construct, operate and maintain a sewage disposal system.
- **Electric:** A municipality may construct, operate and maintain an electrical utility plant.
- **Gas:** A municipality may construct, operate and maintain a gas utility plant.



# SERVICES, CONTINUED



## PUBLIC AMENITIES

**Parks and Recreation:** Counties do not have any authority over parks and recreation services. Cities or incorporated villages may appropriate money to purchase public playgrounds and land for recreational purposes.

**Libraries:** Counties do not have the authority to create or operate public libraries, but each county may have a county law library in the county courthouse. Municipalities may establish and maintain public libraries.



## ZONING AND DEVELOPMENT

**Capital Construction Projects:** The assistant judges of a county may authorize the preparation of preliminary plans and cost estimates for a capital construction project. The assistant judges may employ or retain architects, engineers and other personnel as may be required for this purpose.

**Zoning Power:** Counties do not have zoning authority. Municipalities may create Municipal Planning Commissions and have zoning power.

**Housing Authority:** Counties do not have the power to create housing authorities. Each town, village or city has a housing authority.

# SERVICES, CONTINUED



## PUBLIC SAFETY

**Law Enforcement:** Each county has a sheriff's department. The department consists of an elected sheriff, deputy sheriffs and supporting staff. Sheriffs shall preserve the peace, and suppress, if necessary, unlawful disorder. Counties must provide each sheriff's department with law enforcement equipment, supplies, insurance and funds for maintaining and operating the department in a safe and accountable manner.

**Jails:** The assistant judges of each county are authorized to maintain and repair the county jail.

**Courthouses:** Vermont statute requires that each county provides a suitable courthouse, pays all utility and custodial services and keeps it well furnished for use by the Superior Court, county clerk, assistant judges and probate judges. The assistant judges of each county must keep the courthouse and make needed repairs and improvements.

**Fire:** Counties are not authorized to provide this service. A town, city or incorporated village has the power to create and maintain a fire department.

**Ambulance:** The state board of health may divide the state into emergency medical services districts, governed by a board of directors. Counties are not authorized to establish or provide county ambulance services or an ambulance services district.

**Emergency Management Agency:** Counties do not have jurisdiction over emergency management. Each municipality is authorized and directed to establish a local organization for emergency management.



## SCHOOLS

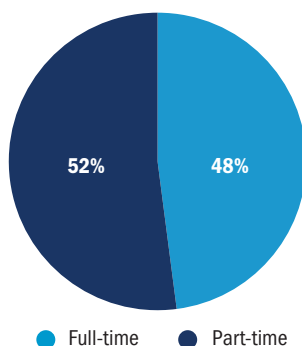
**Education, Generally:** The state board of education is responsible for evaluating education policy proposals, engaging local school board members and establishing and advancing education policy for Vermont. At the local level, education is managed by town school districts or incorporated school districts.

**School Board:** Each town school district shall have a school board consisting of three locally elected directors. The board is responsible for determining the educational policies of the school district.

**Community Colleges:** Community colleges are controlled by a public corporation known as Vermont State Colleges.

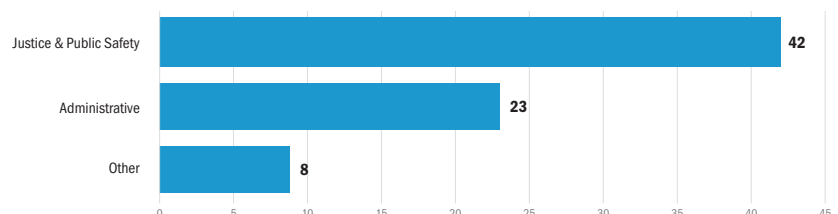
**Judicial Education of Assistant Judges:** The assistant judges, either collectively or through an authorized committee, are required to identify the training needs of assistant judges and to design, organize, and implement an appropriate training for assistant judges.

## VERMONT COUNTIES EMPLOY 73 GOVERNMENT EMPLOYEES



Source: NACo Analysis of U.S. Census Bureau - Census of Individual Governments: Employment, 2017

## VERMONT COUNTY GOVERNMENT EMPLOYEES BY TOP FUNCTIONAL CATEGORIES



Source: NACo Analysis of U.S. Census Bureau - Census of Individual Governments: Employment, 2017

# TAXATION/FINANCES

## OVERVIEW OF COUNTY FINANCE STRUCTURE

Vermont counties have limited authority to levy taxes and raise revenue, and most of the combined revenue from all counties comes from charges, fees and intergovernmental sources. Counties are authorized to collect taxes from town treasurers to pay indebtedness and estimated expenses, but the whole tax amount cannot exceed 5 cents on a dollar of the equalized grand list of the county in one year.



### FINANCES, TAXES AND LIMITATIONS

**Property Tax:** Tangible personal property is subject to taxation in the town, village, school and fire district where such property is situated. The county treasurer may issue a warrant to the town treasurer to pay the appropriate amount to the county to cover indebtedness and necessary expenses, but the whole tax amount shall not exceed 5 cents on a dollar of the equalized grand list of the county in one year.

**Personal Property:** Tangible personal property can be assessed for property taxes.

**Income Tax:** Counties cannot impose an income tax.

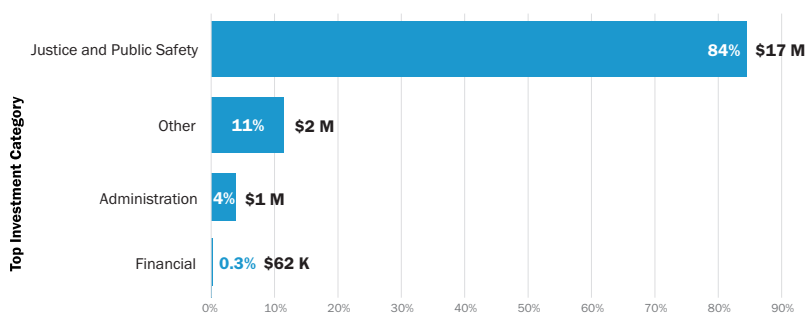
**Sales Tax:** Counties cannot impose a sales tax.

**Mineral Tax:** Counties cannot impose a mineral tax.

**Gas/Fuel Taxes:** Counties cannot impose a gas or fuel tax.

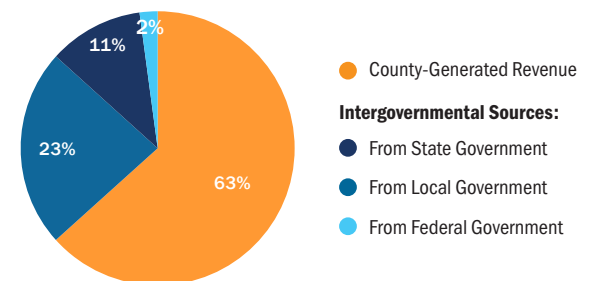
**Debt and Debt Limit:** The assistant judges of a county may submit, and have approved by voter referendum, a proposal to incur a bonded debt for a capital construction project. The debt incurred may be for any amount necessary for the capital construction project, provided that it is approved by referendum.

## VERMONT COUNTIES INVEST \$20 MILLION ANNUALLY



Source: NACo Analysis of U.S. Census Bureau - 2017 Census of Individual Governments: Finance

## VERMONT COUNTIES RECEIVE \$8 MILLION FROM INTERGOVERNMENTAL SOURCES



Source: NACo Analysis of U.S. Census Bureau - Census of Individual Governments: Finance, 2017