

Title 24 of Vermont Statutes Annotated

Chapter 51. Finances; Accounts and Audits

Subchapter 5. Auditors and audits

§ 1681. Auditors; duties; meeting

Town auditors shall meet at least twenty-five days before each annual town meeting, examine and adjust the accounts of all town and town school district officers and all other persons authorized by law to draw orders on the town treasurer. Such auditing shall include the account which the treasurer is required to keep with the collector, the tax accounts of the collector, trust accounts where the town or any town officer, as such officer, is trustee or where the town is sole beneficiary, accounts relating to the town and town school district indebtedness and accounts of any special funds in the care of any town or town school district official. Notice of such meeting shall be given by posting or publication ten days in advance of such meeting. However, if the town has not elected to eliminate the office of auditor, and town auditors and the school board concur, the town auditors need not conduct an audit of school district accounts as to school district fiscal years which are audited by a public accountant

§ 1682. Report; distribution

(a) The auditors shall report their findings in writing and cause the same to be mailed or otherwise distributed to the voters or residents of the town at least ten days before the annual meeting. At a duly warned annual or special meeting, the voters of the town may vote to provide notice of the availability of the auditors' report to the voters or residents of the town in lieu of mailing or otherwise distributing the report itself. If the voters of the town vote to provide notice of availability, they must specify how notice of availability shall be given, and such notice of availability shall be provided to the voters or residents of the town at least 30 days before the annual meeting. Upon request, the auditors shall mail or distribute a copy of the full report to a voter or resident of the town. When the auditors mail or distribute the report or provide notice of the availability of the report to the voters or residents of the town, they shall at the same time deliver to the town clerk the copies required by section 1173 of this title and shall place all surplus copies in the custody of the town clerk before the first Tuesday in March. For purposes of this subsection, the term "resident" shall be defined as the term is defined in subsection 2122(b) of Title 17.

(b) If a town has voted to eliminate the office of auditor, the findings of the public accountant employed in accordance with section 2651b of Title 17 shall be mailed or otherwise distributed by the selectboard in the same manner that findings are required to be distributed by auditors.

§ 1683. Contents of report

(a) The report shall show a detailed statement of the financial condition of such town and school district for their fiscal year, a classified summary of receipts and expenditures, a list of all outstanding orders and payables more than 30 days past due, and show deficit, if any, pursuant to

section 1523 of this title and such other information as the municipality shall direct. Individuals who are exempt from penalty, fees and interest by virtue of 32 V.S.A. § 4609 shall not be listed or identified in any such report, provided that they notify or cause to be notified in writing the municipal or district treasurer that they should not be so listed or identified.

(b) The fiscal year of all school districts, charter provisions notwithstanding, shall end on June 30.

(c) The fiscal year of other municipalities shall end on December 31, unless the municipality votes at an annual or special meeting duly warned for that purpose to have a different fiscal year, in which case the fiscal year so voted shall remain in effect until amended.

(d) The annual report of the town auditors or the selectboard, if the town has voted to eliminate the office of auditor, shall include the report and budget of the supervisory union as required by 16 V.S.A. § 261a(10).

§ 1684. Trust assets; indebtedness

The auditors shall make a detailed statement showing:

(1) The condition of all trust funds in which the town is interested with a list of the assets of such funds including the account of receipts and disbursements for the preceding year;

(2) What bonds of the town or town school district are outstanding with the rate of interest and the amount thereof;

(3) What interest bearing notes or orders of the town or town school district are outstanding with the serial number, date, amount, payee, rate of interest of each and the total amount thereof.

§ 1685. -Village

Sections 1681-1684 of this title shall apply to all incorporated villages.

§ 1686. Penalty

(a) At any time in their discretion, town auditors may, and if requested by the selectboard, shall, examine and adjust the accounts of any town officer authorized by law to receive money belonging to the town.

(b) If the town has voted to eliminate the office of auditor, the public accountant employed by the selectboard shall perform the duties of the town auditors under subsection (a) of this section upon request of the selectboard.

(c) Any town officer who wilfully refuses or neglects to submit his or her books, accounts, vouchers or tax bills to the auditors or the public accountant upon request, or to furnish all

necessary information in relation thereto, shall be ineligible to reelection for the year ensuing and be subject to the penalties otherwise prescribed by law.

§ 1687. Notice of orders

A bank, trust company or individual in this state holding orders or other evidences of indebtedness of a municipal corporation shall annually, on or before January 5, send written notice to the chairman of the board of auditors of such corporation, stating the amount of such orders, or other evidences of indebtedness and the balance due thereon as of December 31 next preceding, unless the holder of any such indebtedness is requested by such auditor to send such notice at some other date to conform to the fiscal year of such municipality.

§ 1688. Notice of deposits

A bank or trust company in this state having on deposit funds of a municipal corporation shall annually, on or before January 5, send written notice to the chairman of the board of auditors of such corporation, stating the balance on deposit to the credit of such corporation on December 31 next preceding, unless the holder of such funds is requested by such auditor to send such notice at some other date to conform to the fiscal year of such municipality.

§ 1689. -Penalty

A bank, trust company or individual who violates a provision of section 1687 or 1688 of this title shall be fined not less than \$10.00 nor more than \$25.00.

§ 1690. Certified or public accountant to audit town accounts; warning; form

The selectmen of a town and the trustees of an incorporated village may, and upon petition in writing of legal voters equal to five percent of the legal voters of the town or village, shall, insert in the warning for any annual town or village meeting, or in the warning for a special town or village meeting, which shall be called upon such petition, an article in substantially the following form:

"To see if the town or village will vote to instruct the selectmen or trustees to employ a certified public accountant or public accountant to aid the work of the auditors."

§ 1691. Terms of employment

At an annual or special meeting warned as provided in section 1690 of this title, a town or incorporated village may authorize the employment of a certified public accountant or a public accountant and fix the terms of such employment. Nothing herein shall be construed to relieve a town or incorporated village of the duty to elect town or village auditors as provided by law.