

ARBITRATION AGREEMENT
Between the Towns of St. George and Shelburne
Relating to the Town Line

This arbitration agreement is drafted pursuant to 24 V.S.A. § 1461(b) and 12 V.S.A. § 5652 and following, to resolve a difference of position on the location of the town boundary that separates the Towns of St. George and Shelburne. The Selectboards of each municipality disagree on the location of this line, and agree that arbitrators should be appointed to resolve the dispute according to the statute.

1. Selection of arbitrators. Each municipality shall select an arbitrator and the two chosen shall select a third. Arbitrators shall be chosen based on their objectivity, fairness, understanding of history, education and experience. No arbitrator shall be a resident of either of the municipalities, nor shall any arbitrator be related to any member of either Selectboard or have any interest, personal or financial, in the outcome of the decision relating to the line. The third arbitrator, who is to be selected by the two others, shall be a licensed Vermont land surveyor.

The costs of the arbitrators shall be borne equally by the Towns of St. George and Shelburne. The costs of legal representation and production of evidence, including witnesses, shall be borne by each municipality, as needed.

No action of the arbitrators shall be binding unless supported by the vote of a majority of the three.

2. Procedure. Once the arbitrators have been chosen, they shall set a schedule for the presentation of written materials from each town, in which each town provides documentary evidence in support of its position. The arbitrators shall also call a formal hearing, where such evidence may be improved by witnesses for each side, giving at least five days' notice, as required by law. The timing, length, and location of such a hearing shall be determined by the arbitrators.

The arbitrators may issue subpoenas for the attendance of witnesses and the production of books, records and other evidence. They have the statutory power to administer oaths.

The arbitrators shall issue a signed, written report, which shall include a conclusion locating the boundary line between the two towns.

Dated this ___ day of May, 2008, at Montpelier, Vermont.

TOWN OF ST. GEORGE

By: _____
Paul Gillies, Its Attorney

Dated this ___ day of May, 2008, at Montpelier, Vermont.

TOWN OF SHELBURNE

By: _____
Robert Halpert, Its Attorney