

# DRAFT

## MINUTES – REGULAR SELECTBOARD MEETING TOWN OF BARNET, VERMONT MONDAY, AUGUST 28, 2017

Meeting convened at 7:00 p.m. in the conference room of the Barnet Town Clerk's Office.

**Board members present:** Jeremy Roberts, Gary Bunnell, and Dylan Ford.

**Others present:** Road Foreman Mark Chase, Town Clerk Benjamin Heisholt, Zoning Administrative Officer Shirley Warden, Ross Page, Stephen West-Fisher, and Michael Wright.

### 1. Consideration of approval of minutes of regular meeting held August 14, 2017

Mr. Bunnell moved to approve as presented the minutes of the regular meeting held August 14, 2017. Seconded by Ms. Ford and approved by voice vote.

### 2. Appearance Ross Page of the Bayley Hazen Road Snowmobile Club regarding 2017-2018 snowmobile trails

Mr. Page appeared to discuss trail maintenance activities. The snowmobile club is not prepared to make their annual request for use of town highways for trails; at this meeting, they requested preliminary approval to perform maintenance activities on a certain trail during the off-season, prior to the annual request. The trail in question is a portion of Chamberlain Road that would be used to connect trails from Rake Factory Road to existing trails on Chamberlain Road. Discussion ensued.

- The Board agreed to grant preliminary approval for the requested trail maintenance on Chamberlain Road.

### 3. Appearance by CALEX Ambulance Service regarding change to contract for services rather than special appropriations

Michael Wright and Stephen West-Fisher of CALEX appeared to present and discuss a proposed three-year contract for emergency services, which, if accepted by the Selectboard, would replace the current voter-approved annual appropriation funding model. The contract would increase the Town's annual payments to CALEX from \$17,050 in 2017 to \$26,428 in 2018, \$30,690 in 2019, and \$34,100 in 2020. Mr. Wright indicated that these increases would cause Barnet's per-capita cost to increase from the \$14 per capita to \$20 per capita. Mr. Wright stated that the contract basis for payment is essentially the only change proposed: the services provided and amounts requested would be the same if an appropriation arrangement was maintained. The Board reviewed the other terms and conditions of the contract. Discussion ensued.

- The Board requested that CALEX add a clause to the contract stating that CALEX will provide and assist with AHA CPR/1<sup>st</sup> aid training for Town employees and Fire & Rescue personnel who are required to maintain this training.

### 4. Appearances by members of the public

There were no appearances by other members of the public.

### 5. Appearance by Road Foreman Mark Chase regarding Highway Department matters

- a. **Winterset job trailers.** Mr. Chase indicated that Winterset, Inc. has placed job trailers at the Town Garage property. These will be in place for the duration of Winterset's current project of clearing ledge on the interstate, which is expected to last several months.

- b. Gravel crushing.** Mr. Chase indicated that scheduled gravel crushing at the pit has commenced.
- c. Federal Emergency Management Agency funding for July 1, 2017 flooding.** Mr. Chase reported that he and Town Clerk Benjamin Heisholt had attended a required meeting to make the Town eligible for cost reimbursement funding. Future meetings and other requirements will follow at dates to be announced.
- d. Water Andric Road.** Zoning Administrative Officer Shirley Warden reported that Water Andric Road is badly in need of repairs. Discussion ensued.

**6. Correspondence from Town Agent Steven Adler with easement deed from Debora King for culvert project on West Main Street**

The Board reviewed an email and attached easement deed from Debora King to the Town of Barnet. This easement is for the purpose of allowing the Town “the perpetual appurtenant right and easement to enter onto the Grantor’s property to construct, install, repair and maintain a culvert and drainage system...” Discussion ensued.

**7. Application of JUL<sup>2</sup> Land Stewardship, LLC for highway access permit on Little Scotland Road**

The Board reviewed an application for a permanent driveway access utilizing an existing farm equipment access approximately 200 feet from the terminus of the Class 3 portion of Little Scotland Road. Discussion ensued.

- Mr. Roberts signed the permit, with the Board’s approval.

**8. Correspondence from resident Connie Pircher of Butler Bus Service regarding parking school bus on Town property**

The Board read a letter requesting use of Town property to park a 24-passenger school bus owned by Butler Bus Service during the current school year. Ms. Pircher’s morning bus route is from St. Johnsbury to Barnet, then to Connecticut River Academy in Bradford, then back to St. Johnsbury; a similar route is taken in reverse order in the afternoon. She hopes to park in a public location with access to an outside electric source and winter plowing. This would benefit Ms. Pircher because she does not have an outside electric source at her home, and because it would allow her to avoid driving to Lyndonville every day to pick up the bus. Discussion ensued.

- The Board agreed that because the bus service is provided for school purposes, Ms. Pircher should inquire with the Barnet School about this request prior to the Selectboard’s consideration thereof.

**9. Correspondence from Northeastern Vermont Development Association (NVDA) regarding Local Emergency Operations Plan**

The Board read an email and reviewed the attached Local Emergency Operations Plan draft. The email states that before the plan can be adopted a Selectboard member must complete either the ICS 100 or ICS 402 class. Discussion ensued.

- Ms. Ford indicated that she will contact NVDA about the Selectboard training requirement.

**10. Consideration of appointments to Harvey’s Lake dam review committee**

Ms. Ford apprised the Board of the current status of the Ecosystem Restoration Grant process. One imminent step in the process is to appoint a committee of residents to oversee decision-making. Discussion ensued regarding potential candidates.

- The Board agreed to appoint, pending agreement of the individuals, George or Susan Copenrath, Donald Easter, Joseph Mangiapane, and David Price.

**11. Correspondence from Library Trustee Jane Casavant regarding resignation from board**

The Board read a letter dated August 10, 2017 and tendering Ms. Casavant's resignation from the Board of Trustees effectively immediately. Ms. Ford indicated that the Trustees have not yet nominated a replacement to fill Ms. Casavant's position.

**12. Correspondence from Vermont Natural Resources Board regarding Act 250 permit application of Green Mountain Power for project near Kitchel Hill Road**

The Board reviewed two emails with attachments. The first, from Tech Environmental on behalf of Green Mountain Power, contained a notice of application filing for a project proposing "to retire approximately 4,876 feet of off-road existing single-phase distribution line, reconstructing along the edge of the road approximately 2,072 feet jointly with FairPoint, constructing new corridor along road approximately 2,642 feet non-joint, and 1,280 feet of primary underground, to tie into existing primary underground." The second, from Vermont Natural Resources Board, contains an Act 250 Notice and proposed Land Use Permit for the project. Discussion ensued.

**13. Correspondence from Vermont Department of Environmental Conservation regarding public notice of reissuance of the 401 water quality certification**

The Board reviewed an email and attached public notice stating that the certification has been reissued and that the Department of Environmental Conservation will hold a public meeting on it. Section 401(a)(1) specifies that "any applicant for a Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which result in any discharge into the navigable waters, shall provide the licensing or permitting agency a certification from the State that such discharge will comply with the applicable provisions..." Discussion ensued.

**14. Correspondence from Federal Energy Regulatory Commission regarding order modifying and approving modified downstream fish passage facilities plan of Green Mountain Power**

The Board reviewed a notice indicating the approval of Green Mountain Power's plan to modify their Downstream Fish Passage Plan for Passumpsic Hydroelectric Project No. 2400 on the Passumpsic River.

**15. Other business**

- a. **Listers' request for proposals (RFP) for town-wide reappraisal.** The Board reviewed the RFP, the list of firms to which it was sent, and the list of firms approved by the State of Vermont. The Lister's RFP, which requests a 2020 completion date, did not receive any responses by the due date, which was the date of this meeting. Discussion ensued.
  - The Board suggested that the Listers may expand their RFP to some firms not originally included, or delay their requested completion date to 2021.
- b. **Highway Department full-time position re-opened.** Mr. Chase indicated that the candidate who was offered a full-time Highway Department position, as discussed at the previous meeting, has decided to decline the offer. Discussion ensued.
  - The Board instructed Mr. Chase to offer the position to the candidate the Board agreed upon at the previous meeting as an alternate hire.

**16. Outstanding check warrants**

The Board reviewed and approved all outstanding check warrants.

**17. Consideration of correspondence regarding animal control matters (executive session pursuant to 1 V.S.A § 313 (a)(1)(E))**

- Ms. Ford moved that the Board make a specific finding, pursuant to 1 V.S.A. Section 313 (a)(1)(E), that premature public knowledge of discussion concerning pending or probable civil

litigation, to which the Town is a party, relating to animal control matters, would clearly place the Town of Barnet at a substantial disadvantage. Seconded by Mr. Bunnell and approved by voice vote.

- Ms. Ford moved that the Board enter executive session pursuant to 1 V.S.A. Section 313 (a)(1)(E) to discuss pending or probable civil litigation, to which the Town is a party, relating to animal control matters, as premature public disclosure of which would clearly place the Town of Barnet at a substantial disadvantage. Seconded by Mr. Bunnell and approved by voice vote. Entered executive session at 8:25 p.m. Those present in executive session: Mr. Roberts, Mr. Bunnell, Ms. Ford, and Town Clerk Benjamin Heisholt.
- Ms. Ford moved to exit executive session. Seconded by Mr. Bunnell and approved by voice vote. Exited executive session 8:30 p.m.
- No action taken.

### **18. Adjournment**

Mr. Bunnell moved to adjourn the meeting. Seconded by Ms. Ford and approved by voice vote. Meeting adjourned at 8:30 p.m.

*A true copy.*

*Attest:* \_\_\_\_\_ *Town Clerk*