

**MINUTES – REGULAR SELECTBOARD MEETING
TOWN OF BARNET, VERMONT
MONDAY, JULY 10, 2017**

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

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

Others present: Road Foreman Mark Chase, Town Clerk Benjamin Heisholt, Zoning Administrative Officer Shirley Warden, Karla Cornelius, Debra King, and Zachary Mangione.

1. Consideration of approval of minutes of regular meeting held June 26, 2017

- Mr. Bunnell moved to amend item #1, first bullet point to read as follows:
 - “Mr. Bunnell moved to amend item #2, fourth bullet point to read ‘Ms. Ford moved to appoint Ron Rhodes as project manager for the dam and channel improvement project, and to continue to communicate regarding the project with Robert Desrochers. Seconded by Mr. Bunnell and approved by voice vote.’ Seconded by Ms. Ford and approved by voice vote.”
- Mr. Bunnell's motion to amend seconded by Ms. Ford and approved by voice vote.
- Mr. Bunnell moved to approve as amended the minutes of the regular meeting held June 26, 2017. Seconded by Ms. Ford and approved by voice vote.

2. Appearances by members of the public

a. Property owner Karla Cornelius regarding Lake Harvey Association (LHA) matters.

LHA member Ms. Cornelius discussed the new aquatic nuisance law passed by the Vermont Legislature. The new law allows boat greeter programs to require inspection of boats, and includes other provisions that will help to prevent invasive species in Vermont lakes. Ms. Cornelius also provided the Board with an LHA newsletter, and discussed LHA's annual meeting.

3. Consideration of correspondence from West Barnet Quick Stop regarding parking lot flash flooding

Debra King, proprietor of the West Barnet Quick Stop, appeared to discuss damage to the store's parking lot that occurred as a result of flash flooding on Saturday, July 1. The Board reviewed photographs and video that captured the flooding as it was occurring. Discussion ensued about the cause of the flooding, and the degree to which it may be avoided in the future. Ms. King indicated that this type of damage has occurred several times in the past, and that she believes better road drainage may lessen the impact of future storms. A portion of the discussion centered around a logging operation taking place on the property across the street from the store, which is situated on a hillside. The logging operation includes a road or trail up the steep grade of the hill, down which water appeared to be running in the video provided. Ms. King indicated that the owner of the property does not believe that the logging operation magnified the impact of the rain event. Discussion was had regarding whether this property has a highway access permit, and whether such permit is issued specifically for a logging road. Road Foreman Mark Chase reported that he had spoken to Patrick Ross of the Vermont Watershed Management Division, who indicated that the situation is out of his Division's jurisdiction.

- The Board agreed to investigate the highway access permit status of the property across the street from the West Barnet Quick Stop, and to make inquiries about what recourse the Town may have to correct a drainage problem caused by a change of use of a property.

4. Appearance by Road Foreman Mark Chase regarding Highway Department matters

- a. July 1, 2017 rain event road damage.** Mr. Chase discussed various damage to roads caused by flash flooding arising from the rain event. He reported that all Class 2 and Class 3 roads are now open, although some are narrow. Some Class 4 roads remain impassible. Roads receiving the worst and most costly damage were Comerford Dam Road, Ferguson Road, McLaren Hill Road, and Schoolhouse Road. Several contractors worked with the Town throughout the road repair process. David Bogie worked on Garland Hill and Whitehill Road and is now finished with this work. Daryl Mathews continues work on McLaren Hill Road, and West Barnet Road, where several new three-foot diameter culverts are to be installed. Mr. Mathews is also now working on Comerford Dam Road. Chief Crushing & Excavation worked in Mosquitoville on Farrow Farm Road, Mosquitoville Road, and Schoolhouse Road.
- b. Appearance by resident Zachary Mangione regarding gravel on property.** Mr. Mangione, who resides at 1121 Ferguson Road, appeared to request the Town's assistance in removing from his lawn gravel material, which was deposited from Ferguson Road and Strobridge Road during the July 1 rain event. Discussion ensued.
 - The Board agreed to instruct the Highway Department to assist Mr. Mangione in removing gravel material from his lawn, and to read the hydrology study conducted for this location to gather information on how to prevent future road damage.
- c. Roadside mowing.** Mr. Chase reported that the Highway Department has completed mowing of West Barnet Road and Barnet Center Road. The process was suspended due to the road damage repair.
- d. Sand screening.** Mr. Chase reported that Chief Crushing & Excavation has started and nearly completed annual sand screening at the gravel pit.
- e. Gravel crushing.** Mr. Chase reported that annual gravel crushing has not yet commenced. He indicated that he will inquire with Chief Crushing & Excavation about the timetable, as the gravel stockpile quantity is running low.
- f. New dump truck.** Mr. Chase reported that the chassis of the new dump truck on order is complete, and has been delivered to Tenco Industries for installation of the body.

5. Consideration of next actions to improve Harvey's Lake Dam and channel

- Ms. Ford reported that Ron Rhodes has submitted the grant application as discussed at the previous Board meeting. Ms. Ford signed a letter of support for the application on behalf of the Board, and the Lake Harvey Association also submitted a letter of support. A request for proposals will soon be prepared.
- The Board also discussed publishing the work of Robert Desrochers of Fairbanks Mill. Ms. Ford indicated that the Town's primary financial obligation with regard to the report is already fulfilled in payment to Fairbanks Mill for research and compilation of information; printing the material would be a minimal cost. Discussion ensued.
 - Ms. Ford moved to publish the summary of Mr. Desrochers report at a future date for distribution to Town residents and taxpayers. Seconded by Mr. Bunnell and approved by voice vote.

6. Consideration of report of unlicensed dogs

The Board reviewed a list of unlicensed dogs, as furnished by the Town Clerk's Office.

- Mr. Bunnell moved to certify the list and forward it to the Constables for further action as required by law, pursuant to Section 11, Part G of the Animal Control Ordinance. Seconded by Ms. Ford and approved by voice vote.

7. Correspondence from CALEX Ambulance Service regarding meeting to discuss shift from Town appropriation to contract services

The Board read an email requesting a meeting with the Board to discuss “moving towards a contract for services vs. town appropriations.” Discussion ensued.

- The Board agreed to invite CALEX to its regular meeting scheduled for August 14, 2017.

8. Correspondence from Vermont Department of Taxes with Notice of Education Tax Rates for Fiscal Year 2018

Mr. Roberts read the 2017 rates as provided: the non-residential tax rate is to be \$1.4278 and the homestead tax rate \$1.4986.

9. Correspondence from Vermont Public Service Board regarding draft Fifth Amended Order implementing standards and procedures for issuance of a certificate of public good for telecommunications facilities

Mr. Roberts read a cover letter and reviewed the changes enacted through the attached order.

10. Correspondence from Vermont Natural Resources Board regarding Act 250 permit amendment for Duncan & Moon-Ping Holaday, DBA Duncan’s Idea Mill, LLC

Mr. Roberts read a cover letter and reviewed the attached permit amendment, which “authorizes reconstruction of the partially removed #7C1280 development (micro-distillery) subject to all terms and conditions of permit #7C1280, with extended construction completion date.”

11. Other business

a. Library event at Town Hall. Ms. Ford inquired about use of the Town Hall for an upcoming library event: a book sale and a performance by “Marco the Magician.” Discussion ensued.

- The Board agreed to allow the proposed use of the Town Hall.

b. Appearance by resident Karla Cornelius regarding beaver dams on Harvey’s Lake channel. Ms. Cornelius asked about how beaver dams on the channel are affecting the water level of the lake.

- Mr. Bunnell indicated that all beaver dams have been removed, to the extent possible, from the channel. As of this meeting the lake appears to be at close to its “normal” summer water level.

c. Correspondence from Vermont Division of Property regarding Order to Reappraise. The Board reviewed a letter and attached order and compliance plan form, advising that the Town of Barnet is being ordered to reappraise. Town Clerk Benjamin Heisholt indicated that he had spoken to the Board of Listers, who also received this notice. The Listers are preparing a request for proposals and will respond to the order with a compliance plan. Discussion ensued.

d. Consideration of disciplinary action and employment status of Highway Department employee Mark Fuller (executive session).

- Mr. Bunnell moved that the Board enter executive session pursuant to 1 V.S.A. Section 313 (a)(4) to discuss disciplinary action and employment status of Highway Department employee Mark Fuller. Seconded by Ms. Ford and approved by voice vote. Entered executive session at 8:40 p.m. Those present in executive session: Mr. Roberts, Mr. Bunnell, Ms. Ford, Road Foreman Mark Chase, and Town Clerk Benjamin Heisholt.
- Mr. Bunnell moved to exit executive session. Seconded by Ms. Ford and approved by voice vote. Exited executive session 8:55 p.m.
- No action taken.

12. Consideration of correspondence from Kathleen Campbell regarding animal control matters (executive session)

- Mr. Bunnell 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 Ms. Ford and approved by voice vote.
- Mr. Bunnell 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 Ms. Ford and approved by voice vote. Entered executive session at 8:55 p.m. Those present in executive session: Mr. Roberts, Mr. Bunnell, Ms. Ford, and Town Clerk Benjamin Heisholt.
- Mr. Bunnell moved to exit executive session. Seconded by Ms. Ford and approved by voice vote. Exited executive session 9:00 p.m.
- No action taken.

13. Other business (continued)

- e. **Consideration of paid time off in appreciation of Highway Department.** Mr. Roberts suggested that the Board offer Highway Department employees a paid day off in appreciation for their valiant efforts and many hours worked over the Independence Day holiday weekend in repairing roads damaged by flooding. Discussion ensued.
 - The Board agreed to appoint Friday, September 1, 2017 (the Friday preceding Labor Day, 2017) as a paid holiday for all full-time Highway Department employees who worked to repair roads in the immediate aftermath of the July 1, 2017 rain event.

14. Outstanding check warrants

The Board reviewed and approved all outstanding check warrants.

15. Adjournment

Meeting adjourned at 9:03 p.m.

A true copy.

Attest: _____ Town Clerk