

# DRAFT

## MINUTES-REGULAR SELECTBOARD MEETING

### TOWN OF BARNET, VERMONT

MONDAY, NOVEMBER 8, 2021

**Board members present:** Dylan Ford, Benjamin Gates (presiding co-chair), and Mark Jefferson.

**Other Town officials and employees present:** Collector of Delinquent Tax Lisa Bowden, Lister John Cook, Lister Sarah Cook, Town Clerk Benjamin Heisholt (remotely via telephone), and Zoning Administrative Officer Shirley Warden.

**Members of the public present:** Ross Page and Michael Wright.

**Meeting called to order at 7:00 p.m. in the conference room of the Barnet Fire & Rescue Station (151 Bimson Drive).**

#### **1. Consideration of approval of minutes of regular meeting held October 25, 2021**

- Ms. Ford moved to approve as presented the minutes of the regular meeting held October 25, 2021. Seconded by Mr. Jefferson and approved by voice vote.

#### **2. Consideration of, and take any action on, annual review of snowmobile travel on town highways**

Mr. Gates read a letter from the Bayley Hazen Road Snowmobile Club, which consists of a request for snowmobile access for trail connection purposes during the 2021-2022 season. This request is for access on portions of Laird Road, Somerhill Road, Stevenson Road, and West Main Street, as has been granted in previous years. Ross Page, of the snowmobile club, appeared and indicated he was not aware of any complaints lodged regarding highway access for snowmobiles in the previous season.

- Mr. Jefferson moved to grant the Bayley-Hazen Road Snowmobile Club access as requested for Laird Road, Somerhill Road, Stevenson Road, and West Main Street. Seconded by Ms. Ford and approved by voice vote.

#### **3. Appearance by CALEX Ambulance Service regarding proposed ambulance services agreement for 2022-2024; take any action**

Michael Wright, CALEX Chief Executive Officer, appeared and discussed the proposed contract with the Board. Mr. Wright discussed the financial challenges causing increases in per capita costs. Mr. Wright stated that he believes the contract still represents a good value for the Town.

- Ms. Ford moved to sign the proposed 2022-2024 contract. Seconded by Mr. Jefferson and approved by voice vote. The Board signed the contract.

#### **4. Other business presented by members of the public**

There was no other business presented by members of the public.

#### **5. Consideration of, and take any action on, sign for Fire & Rescue Station**

Mr. Gates reported that there were no new developments in this matter.

**6. Appearance by Road Foreman Mark Chase regarding Highway Department matters; take any action**

Mr. Chase did not appear at this meeting. In his absence, the Board discussed the following matters:

**a. Consideration of, and take any action on, 2021 Roy Mountain Road construction project**

Mr. Gates reported that Pike Industries is expected to pave the top coat of the road on Tuesday, November 9. The final step in the construction project will be installation of guardrails.

**b. Consideration of, and take any action on, quotes for deicing salt for the 2021-2022 season**

Ms. Ford indicated that a quote from American Rock Salt had not been received.

**c. Consideration of, and take any action on, correspondence from Northeastern Vermont Development Association regarding equipment purchase grant award letter**

The Board reviewed an email and attached confirmation letter indicating that the Town had been awarded a grant of \$5,600 for the purchase of a leaf blower.

**d. Consideration of, and take any action on, applications for uniform municipal excess weight permits**

The Board reviewed and approved the single vehicle application of Swan Sitework LLC.

**e. Other business**

No other business was discussed.

**7. Appearance by Zoning Administrative Officer Shirley Warden regarding proposed notice of violation of Zoning Bylaws; take any action**

Ms. Warden appeared and discussed a proposed notice of violation to be sent regarding construction on Keyser Hill Road. She indicated that she is not prepared to send the notice at this time; no action by the Board is required.

**8. Other business presented by other town officers**

There was no other business presented by other town officers.

**9. Consideration of, and take any action on, changes to structure of office of Lister/Assessor**

Ms. Ford discussed her communications with local state-certified assessors in exploration of the concept of changing the structure of the Listers office to a hybrid Lister-Assessor model. She indicated that she has had difficulty in finding a local assessor who has available time and works with NEMRC software. Listers John Cook and Sarah Cook appeared and discussed their perspective on this proposed change.

**10. Consideration of, and take any action on, next steps in municipal office building project**

Ms. Ford reported that the requests for proposals, discussed and approved at the previous meeting, have been sent to a variety of qualified professionals. Proposals are due to be returned December 3, 2021. Thereafter the Board intends to schedule a special meeting to review and evaluate them.

**11. Consideration of, and take any action on, Transfer Station & Recycling Center facilities maintenance**

Mr. Gates indicated that there was no new information to report regarding this matter.

**12. Consideration of, and take any action on, memorial for veterans of wars in Iraq and Afghanistan**

Mr. Gates indicated that there was no new information to report regarding this matter.

**13. Consideration of approval of outstanding check warrants**

The Board reviewed and approved all outstanding check warrants.

**14. Other business presented by Selectboard**

There was no other business presented by the Selectboard.

**15. Consideration of, and take any action on, legal proceedings in Jere Kendall v. Town of Barnet**

- 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 legal proceedings in Jere Kendall v. Town of Barnet would clearly place the Town of Barnet at a substantial disadvantage. Seconded by Mr. Jefferson 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 legal proceedings in Jere Kendall v. Town of Barnet, as premature public disclosure of which would clearly place the Town of Barnet at a substantial disadvantage. Seconded by Mr. Jefferson and approved by voice vote. Entered executive session at 7:42 p.m. Those present in executive session: Ms. Ford, Mr. Gates, Mr. Jefferson, Collector of Delinquent Tax Lisa Bowden, and Town Clerk Benjamin Heisholt.
- Ms. Ford moved to exit executive session. Seconded by Mr. Jefferson and approved by voice vote. Exited executive session at 7:58 p.m.
- Mr. Gates moved to approve Ms. Bowden's obtaining of legal counsel, and expenditures for legal counsel, in the matter of Jere Kendall v. Town of Barnet and of the bankruptcy filing of James Kendall. Seconded by Mr. Jefferson and approved by voice vote.

**16. Consideration of, and take any action on, tax appeal to Superior Court submitted by Great River Hydro LLC**

- 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 legal proceedings in the tax appeal to Superior Court submitted by Great River Hydro LLC would clearly place the Town of Barnet at a substantial disadvantage. Seconded by Mr. Jefferson 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 legal proceedings in the tax appeal to Superior Court submitted by Great River Hydro LLC, as premature public disclosure of which would clearly place the Town of Barnet at a substantial disadvantage. Seconded by Mr. Jefferson and approved by voice vote. Entered executive session at 8:03 p.m. Those present in executive session: Ms. Ford, Mr. Gates, Mr. Jefferson, Lister John Cook, Lister Sarah Cook, and Town Clerk Benjamin Heisholt.
- Ms. Ford moved to exit executive session. Seconded by Mr. Jefferson and approved by voice vote. Exited executive session at 8:20 p.m.
- No action taken

**17. Consideration of, and take any action on, correspondence in connection with Town Hall boundary line agreement**

- 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 correspondence in connection with the Town Hall boundary line agreement would clearly place the Town of Barnet at a substantial disadvantage. Seconded by Mr. Jefferson 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 correspondence in connection with the Town Hall boundary line agreement, as premature public disclosure of which would clearly place the Town of Barnet at a substantial disadvantage. Seconded by Mr. Jefferson and approved by voice vote. Entered executive session at 8:20 p.m. Those present in executive session: Ms. Ford, Mr. Gates, and Town Clerk Benjamin Heisholt.
- Ms. Ford moved to exit executive session. Seconded by Mr. Jefferson and approved by voice vote. Exited executive session at 8:30 p.m.
- Ms. Ford moved to instruct Town Attorney Steven Adler to negotiate to maintain the boundaries described in the recent Town Hall property survey produced by Andrew Dussault. Seconded by Mr. Jefferson and approved by voice vote.

**18. Adjournment**

- Ms. Ford moved to adjourn the meeting. Seconded by Mr. Jefferson and approved by voice vote. Meeting adjourned at 8:33 p.m.

*A true copy.*

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